

Testimony in favor of HB 2764

Submitted by Joe Baessler, Political Director Oregon AFSCME

Chair Holvey and Members of the Committee

For the record my name is Joe Baessler and I work for Oregon AFSCME we represent over 24,000 members around the state and we support HB 2764. Worker's Comp is a complicated process that when workers face alone it is a tough situation. The system must exist to help injured workers and get those that can, back to work as quickly as possible at the same time we need to keep premiums payments low. Overall the system has worked well in Oregon. However, as the system has become more complex it takes more time to get a resolution and often workers need the help of a lawyer to get a fair result. The system is very strict in how much a lawyer can charge in fees and limited in what situations they are able to charge fees for. This limits an attorney's ability to work on worker's compensation cases. Our members often ask for recommendations for attorneys willing to do this work and that list shrinks every year. We need to make this work viable for attorneys so our workers can get real protection in worker comp cases.

Right now the cost of these cases is falling on those least able to pay, the injured workers. This is exaggerated because a defense attorney can use a strategy of delay and deny spreading the time out of a case and many injured workers have to just give up. HB 2764 will allow more attorneys to do this important work and allow them to charge fees based on the result and get paid when they prevail. This helps shift the cost of getting fairly compensated from the insured worker to the insurance company that exists to compensate the worker. The bill would allow fees to be charged for important work that cannot be compensated right now. These fees will only be paid after the injured workers is made whole and paid by the insurance companies and not the injured workers.

Allowing these types of payments will speed the process up. This bill eliminates any incentive for and insurance company to slow down the process. It will allow more workers back to work faster and settle claims sooner. Oregon AFSCME supports HB 2764 and asks that you vote to support it as well.

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