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Rep. Holvey, Chair

Rep. Kennemer, Vice Chair

Rep. Barton, Vice Chair

Members of the House Committee on Business and Labor

Testimony in Support of HB 3137

My name is Bonnie Allen-Sailer and I am a staff attorney with the Northwest Workers' Justice Project. Thank you for the opportunity to testify before you today in support of HB 3137. This bill is an important step towards ensuring Oregon's workers are paid for all the hours they work.

The Northwest Workers' Justice Project provides legal support and advocacy to workers and their organizations. We focus on those most marginalized by the current structure of our economy, specifically low-wage immigrant and contingent workers in diverse industries, including construction, janitorial, food service, and landscaping.

Wage theft is alarmingly common. A recent study of low-wage workers in diverse industries found that more than two-thirds had suffered wage theft in the previous week, including a quarter who were paid less than minimum wage and three-quarters who were not paid earned overtime wages.¹ Wage theft happens in large corporations as well as small businesses. The consequences are severe and widespread. It hurts workers, their families, and their communities. It creates an unfair playing field where law-abiding businesses struggle to compete with wage cheats, robs government budgets of

¹ Annette Berhardt et al., *Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities* (New York, 2009), available at www.nelp.org/page/-/brokenlaws/BrokenLawsReport2009.pdf

taxes, and undermines critical programs like unemployment insurance and workers compensation.

HB 3137 is a simple, common sense measure that will take us a small step closer to successfully stamping out wage theft. The bill prohibits employers from pressuring or forcing their workers to create or sign time cards that do not reflect the actual hours worked. It also prohibits employers from retaliating against workers who object to pressure to underreport hours. These important provisions will protect workers whose unscrupulous employers seek to insulate themselves from violations of wage and hour law by creating false records of the time worked.

At NWJP, we regularly hear from workers who have been told to record different hours than those they actually worked. Workers who were told to write down 7 am as a start time even though they had to arrive to the worksite an hour earlier to prep and load materials. Workers told to clock out for lunch and then go back to work to get more done. Workers told not to fill in their timesheets for hours worked on weekends, that the boss would pay them for that time separately, often at a different rate of pay or without the overtime premium. These workers were told if they didn't do as instructed, they would lose their jobs.

This bill will empower and protect the workers who are being directly impacted by time shaving practices. It will also protect managers who might seek to blow the whistle when these practices are suggested or demanded by their superiors. In doing so it will create a stronger workplace all around. Low-wage workers are especially susceptible to coercive tactics, but these low-level managers are often times also struggling, with one toe in the middle class but still without the job security to confidently speak out on behalf of those even more vulnerable than they are. This bill will help change that.

Thank you to Rep. Nathanson for bringing this important issue forward. I urge you to support HB 3137. Thank you for your time.