

From The Desk Of
Representative Vic Gilliam

OREGON
ASSOCIATION OF
NURSERIES™

HB 2764

The Oregon Association of
Nurseries recommends
voting

NO

The Oregon Association of Nurseries (OAN) is a non-profit trade association that represents more than 900 wholesale plant growers, Christmas tree growers, retailers, and greenhouse operators. Our members are located throughout the state, with our largest nursery growing operations found in Clackamas, Marion, Washington, Yamhill and Multnomah Counties.

The OAN is the main voice for Oregon's nursery and greenhouse industry.

The nursery industry is Oregon's #1 agricultural sector, ranking #3 in the nation with annual sales exceeding \$766 million.

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Floor Letter

House Bill 2764

Relating to attorney fees for workers compensation claims

The Oregon Association of Nurseries (OAN) opposes House Bill 2764 and believes that the legislation, as passed by the House Business & Labor Committee, does not reflect delicate negotiations conducted by the Workers' Compensation Management-Labor Advisory Committee (MLAC).

The State of Oregon's workers compensation system has been a national model for compensating injured workers while keeping costs low. Our workers' compensation system works well and the Oregon House should be very wary of changes to the system and create unintended consequences.

Higher base cost to the workers' compensation system

Increasing claimants' attorney fees will not increase the number of represented clients in the workers' compensation system. Currently and over the past decade, 90% of the workers in a dispute over benefits are represented by legal counsel. While the number of hearings is relatively low, this bill unnecessarily broadens the focus and objectives by creating changes in the law and how it is applied. We are concerned that the changes promoted in HB 2764 will not remove barriers to injured workers obtaining fair benefits - but instead create an appetite for unfettered litigation. It is our opinion that the impact of HB 2764 will impact the rate filing with the insurance division and increase the cost to the workers' compensation system by over \$50 million (cost impact analysis by the National Council on Compensation Insurance).

HB 2764 fails the test of improving benefits to injured workers

Simply stated, HB 2764 increases the cost of the workers compensation system without benefiting injured workers. Advice from MLAC, an advisory committee created by the Oregon legislature with a purpose to resolve issues involving the workers' compensation system, was not considered. The nursery and greenhouse industry treats our workers well and desires a workers' compensation system that is affordable, balanced and consistent, to distribute adequate benefits in line with the severity of injury.

HB 2764 is being sold as an issue of access to justice, but in reality, it is an issue of access to the workers' compensation system bank account. This bill has several flaws, and the OAN is disappointed that the legislation will not help injured workers or the businesses who wish to get them back to work.

The OAN urges you to vote NO on House Bill 2764