



215-219 SW 6th Ave
Portland, OR 97204

March 3, 2017

To the members of the House Committee on Business and Labor:

I am writing to express my very serious concerns about HB 2193 (and SB 828). I am a lifelong democrat and proud liberal, as well as being a small business owner. I moved to Oregon 10 years in part because it is a state where many of the progressive values I hold dear are shared by a large percentage of the population. My two businesses are ones that value our employees and consider them our most important asset. We have been providing health care for a decade, long before it was mandated by the ACA. We have endeavored to pay them the highest wages we can afford, and are in full support of the recent minimum wage legislation that was passed last year. We write our schedules in 6 week blocks, so our employees know their schedule over a month ahead. We care about them and their lives.

Our industry, the restaurant industry, is one that is in constant flux. Weather, holidays, sporting events, concerts, demonstrations - these are all events that can influence our business and change our staffing needs on a dime. Additionally, many of our employees are younger members of the labor force who are constantly changing their schedules, and 'swapping' shifts in order to accommodate happenings in their personal lives. Many of our servers are also pursuing other careers simultaneously, or are in school and value the ability to switch shifts with their co-workers. Our front of house employees are the ones this would effect the most. Most of them work 4 days a week - even though we offer them 5 - and have 2 on-call shifts a month. This allows them flexibility they desire and allows us to cover our staffing needs. They understand that the trade-off of that flexibility is that if we are spontaneously very slow their shift might end early. Conversely if we are very busy it may run longer, or an additional person may be needed, and they will earn overtime. Should this bill, as written, become law we would no longer be able to allow our employees the same flexibility in trading and changing their shifts. Additionally, we would have to cut shifts off the schedule entirely as we could not afford to pay employees for 4 hours a day when there was no actual work for them. We would instead be forced to staff less and to try to find additional help if we were busier than expected. I would estimate that if this law passed we would be forced to cut 3 full employees between our two restaurants (Le Pigeon and Little Bird), and the ones remaining would lose a good amount of the flexibility that restaurant employees cherish.

The bill, as drafted, shows a lack of understanding of the complexities of staffing a business. I believe that government does have an important role in regulating business and protecting employees. However, this bill is sadly an example of government not understanding business and in turn hurting both the businesses that provide jobs, and many of their employees as well.

Thank you for considering my email.

Andrew Fortgang
Co-owner Le Pigeon and Little Bird Bistro