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**Testimony of D. Michael Dale
Before the Senate Workforce Committee
March 8, 2017
SB 779 – Rolling Back Sick Leave Protection**

I am the Executive Director of the Northwest Workers' Justice Project. I have been a lawyer since 1975, and have spent most of that time representing migrant and seasonal workers. The Northwest Workers' Justice Project provides legal representation to low wage contingent workers throughout the economy in sectors such as construction, building maintenance, landscaping, hotel and restaurant industry, food processing, agriculture and reforestation. I am here to oppose of SB 779.

We were part of the Fair Shot Coalition that championed Oregon's landmark sick leave law in 2015. The bill that ultimately passed was the result of extensive negotiation and compromise. It is too soon to begin to reshuffle and revise the provisions that were worked out during the extensive legislative consideration in 2015.

Allowing employers to exclude the family members of LLC owners creates a loophole that can easily be manipulated to exclude employees of LLCs from important sick leave protection. It is important to emphasize that this bill does not just exclude family members of LLC owners from coverage. By excluding those family members from the trigger minimum governing coverage, it also would exclude all other non-family members from coverage.

While family members of individual business owners are excluded under current law, an LLC is not an individual that has family members. There are benefits and disadvantages that flow from choosing this particular form of ownership.

These questions were all settled in compromises over the final terms of the bill that passed less than two years ago. We ought not to deny coverage for illness for any Oregon worker without a compelling reason to upset that compromise. That case has not been made.

We recommend that no further action should be taken regarding this bill.