



Public Hearing -March 23, 2017

Testimony in Opposition to the HB 828 and SB 2193

Honorable Paul Holvey, Chair and members of the House of Representatives Committee on Business and Labor; Honorable Kathleen Taylor, Chair and members of the Senate Committee on Workforce

Submitted by Steve Eckrich, CEO, OSU Beaver Store (a nonprofit corporation serving the students of Oregon State University since 1914)

Dear Chair Holvey, Chair Taylor, and Members of the Committees:

We are adamantly opposing HB 828 and HB 2193.

These bills create an enormous administrative burden on our nonprofit organization, and penalize us for the flexibility required to operate a business that is cyclical, seasonal, and primarily event-driven.

As a nonprofit university store, all of our resources are directed at course material affordability which is so important in higher education today. In order to be successful, we must be reactive to our environment and to our customers at times when we're given very little notice. For example, we schedule our campus store around sporting and other special events that bring visitors to OSU, the times and sometimes even dates of which are not known until the week of the event. When the OSU Women's Basketball Team made the NCAA Tournament this year, we literally learned of the bracket schedule mere days beforehand. Every dollar of penalty created by these bills for adjusting our scheduling to the timing of campus events is a dollar less that we have to fund our course material affordability efforts. These bills would directly harm our students.

As a small non-profit organization the compliance and record keeping costs of these bills would be an incredible hardship. About 60% of our hourly staff are part-time students, and we go to great lengths to flexibly schedule in between their classes, the times of which change from term to term. In this context, we believe it would be unreasonable to require a "predictable" schedule when neither our business needs nor our employees' availability is predictable. Before accepting a position with us, our part-time student employees understand and consent to flexible hours and view it as two-way street. We accommodate their changing class schedule while they work more hours as they are able during peak periods and events.

We are a small organization, but the current iteration of the bills would define us as a large employer because we have more than 100 people employed, even though most of our staff is part-time and we have well under 100 full-time equivalent ("FTE") employees. We would encourage you to consider a change to calculate employer size based on actual hours worked to arrive at a 100 FTE employee threshold.

In conclusion, these bills would be incredibly burdensome because they don't reflect the reality of how our business must be operated to remain viable and serving our students, both as customers and employees. These bills imagine a static world where changes are few and can somehow be predicted, but do not account for the dynamic environment that we operate in.

Thank you for your time and the opportunity to provide testimony.