

OPPOSITION TO HB 4093

BACKGROUND

Our opposition to HB 4093 is not regarding the status of the Portland Winterhawks players as amateur athletes or employees. We urge lawmakers to not take away the avenue other players have used to challenge their treatment and state that they should be considered employees.

A PATHWAY TO EMPLOYMENT STATUS

- HB 4093 is a dangerous step backward from progress made in Oregon's legislature. In the past, lawmakers have extended employment protections to a majority of workers, including the young workers targeted by HB 4093.
- HB 4093 attempts to exempt specific types of workers from a method provided to all workers who are not classified as employees to challenge their employment structure.
- In the era of the "gig economy" and alternate employment structures it is critical that the state not preempt a worker's ability to appeal their employment structure. Too often, workers are intentionally misclassified by employers in order to alleviate an employers' responsibility to provide workers' compensation and other necessary workplace protections.

WAGE & HOUR PROTECTIONS

- HB 4093 would exempt players from wage and hour protections, thus removing their ability to go through a legal avenue currently provided to all workers not classified as employees to challenge their employment structure.

WORKERS COMPENSATION

- HB 4093 would exempt amateur ice hockey players from workers compensation. According to the National Center for Catastrophic Injury Research housed at the University of North Carolina, the number of ice hockey injuries is low, but the injury rate per 100,000 participants is high when compared to other sports (direct rate of injury per 100,000 participants is 2.97 high school and 9.23 college).
- Ice hockey catastrophic injuries usually occur when an athlete is struck from behind by an opponent, slides across the ice in a prone position, and makes contact with the crown of his/her head and the boards surrounding the rink. The results are usually fractured cervical vertebrae with paralysis.¹



1. https://nccsir.unc.edu/files/2014/06/NCCSIR-30th-Annual-All-Sport-Report-1982_2012.pdf Page 20