



April 16, 2020

TO: Governor Kate Brown
Senate President Peter Courtney
Speaker of the House Tina Kotek
Members of the Oregon State Senate
Members of the Oregon State House

Re: Workers' Compensation Presumption for Oregon's Frontline Workers, COVID-19

We, the organizations listed above, represent hundreds of thousands of workers who are continuing to perform critical functions to ensure Oregon can weather this unprecedented public health and economic crisis. Members of our unions and other workers are showing up every day in hospitals, providing emergency care in homes, showing up as first responders to crises, ensuring Oregonians can eat by picking their food, transporting it and operating grocery stores across the state, and performing many more essential duties. Their work is enabling Oregon to function.

One of the concepts in the Joint Special Committee on Coronavirus Response recommendations is to limit product liability for the manufacture of non-certified Personal Protective Equipment (PPE). No one in the state knows better the need for PPE than the workers we represent. They are doing their jobs either reusing PPE in a way that the equipment was never designed for, or being asked to do their jobs with no PPE at all. We have grave concerns about limiting liability for manufacturers and believe it should only be considered in the most narrow and limited ways.

In recognition of our members and workers across the state showing up every day and being exposed to the novel Coronavirus, we are asking Oregon to follow the lead of states like Florida, Michigan, Missouri, Minnesota, and a number of others and institute a presumption for pandemic exposure in our Workers' Compensation system. This statutory change should cover all of Oregon's workers who could continue showing up to work, on-site, on and after Governor Brown's March 23rd Stay Home Stay Safe Executive Order 20-12. Covering these workers with a presumption of pandemic exposure recognizes that all workers, regardless of their type of work, are showing up to their jobs with a heightened risk of exposure to the Coronavirus. With limited access to adequate PPE, limited testing availability, and a reality that they are at increased risk for exposure, front-line workers deserve the peace of mind that if they contract symptoms now and into the future, they have the protections and coverage they need. Accessing the Workers' Compensation system without unnecessary barriers is vital to economic and workplace security. It is a straightforward recognition of the important work they do and the risk they assume as they continue to show up for work every day, across Oregon.

This presumption would signal to Oregonians across the state that Oregon's leaders value workplace safety and the long-term health of its workers.

Should you have questions about this request, please contact Karl Koenig, President of the Oregon State Fire Fighters Council, at karlk@osffc.org.