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February 4, 2020

TO: Members of the Senate Committee on Labor and Business

RE: Support for SB 1527

I am the Deputy Director of the Northwest Workers' Justice Project (NWJP). NWJP is nonprofit organization dedicated to providing high-quality legal support and advocacy to workers. We focus on those most marginalized by the realities of today's economy, specifically low-wage, immigrant, and contingent workers in diverse industries. I write in strong support of SB 1527.

Based on my many years of experience as a lawyer, Oregon's current law on noncompete agreements is so unclear that unscrupulous employers are able to use these unfair agreements to prevent healthy worker mobility and competition, even with low-wage workers. I have counseled numerous workers in industries such as private home care, non-emergency medical transport and massage therapy about the current law on noncompete agreements. While all of these workers **could** void their noncompete agreements, all of them needed legal advice to know that they already **had** that right. For low-wage and immigrant workers, there is simply not enough access to affordable legal advice to undo the grave harm of otherwise voidable noncompete agreements.

In addition, many workers that I have counseled could not afford to void the agreements. A worker who is not getting quite enough hours from one employer and who wants to pick up hours at a second job in their field risks retaliation for voiding a noncompete agreement. There is no law that prevents an employer from firing a current employee who exercises their right to void a noncompete agreement. Others have given up dreams of owning their own business, because by the time it took them to find my help, it was not financially possible for them to wait for a legal solution and, instead found jobs in other industries.

SB 1527 prevents employers from reducing competition and preventing low-wage employees from finding better work. It makes noncompetition agreements with low-wage workers simply not enforceable. The bill also clarifies an income minimum from an easily accessible source. These clear rules will ensure that workers who never should have been asked to sign a noncompetition agreement in the first place will have the job mobility that they need to take care of their families.

The Northwest Workers' Justice Project urges you to support this important bill to level the playing field for workers.