



March 15, 2021

Dear Chair Power, Vice-Chair Reynolds and Zika, and Members of the Committee,

We are writing to you as Basic Rights Oregon, the state's leading LGBTQ advocacy organization. We work towards equality through community outreach, organizing, and legislative work.

Thank you for the opportunity to submit testimony in support of HB 2474 to modernize Oregon's unpaid leave system.

There is no denying that COVID-19 has hit every Oregonian hard. However, women, people of color, and LGBTQ Oregonians have experienced some of the most disproportionate health and job loss impacts from this pandemic. For example, more than 1 in 12 Black women ages 20 and over (8.5%), 10 nearly 1 in 11 Latinas (8.8%), 11 and more than 1 in 13 Asian women (7.9%) remained unemployed in January 2021. ¹

Additionally, nearly two-thirds of LGBTQ households have experienced employment loss since the pandemic. This is particularly troubling given that LGBTQ people report higher rates of employment discrimination generally and may struggle to find new jobs. ²

With people who can become pregnant disproportionately serving as family caregivers, the lack of job-protected leave has inevitably resulted in many leaving the workforce. And because the Oregon Family and Medical Leave Act includes thresholds for numbers of hours worked in a week and number of employees at a company, thousands of Oregon workers have been excluded and unable to take unpaid time as we continue to battle COVID-19. We also know that Oregon families are extremely diverse and that caretaking duties often are taken on by people who are chosen family. Yet OFLA doesn't currently address these many different families, which leaves many workers vulnerable and without support.

HB 2474 addresses this by:

- Including school and child care closures as a reason for leave.
- Ensuring that seasonal workers -- those that go back to work for the same employer -- appropriately accrue their time to qualify for OFLA.
- Changing the definition of "employee" to anyone employed, removing the qualification for number of hours worked in a week.
- Expanding OFLA to cover any business that has at least 1 employee.
- Covering workers who have been employed at the company for at least 30 days.

¹ <https://nwlc.org/wp-content/uploads/2021/02/January-Jobs-Day-FS.pdf>

² <https://www.lgbtmap.org/file/2020-covid-lgbtq-households-report.pdf>

- Removing employer ability to reduce the amount of leave if a worker fails to give notice.
- Allowing employees to determine in what order they would like to use their various accrued leave banks.
- Modernizing the definition of family to better reflect the diverse array of families in Oregon.
- Implementing gender neutral language around people who experience pregnancy.

With job losses at record numbers —particularly for people who can become pregnant and historically and currently marginalized Oregonians —now is the time for Oregon to work to remedy and equitably address this. HB 2474 makes sure that caregivers and those reentering the workforce are not at an even greater economic disadvantage from COVID-19 simply because they are unable to take job-protected unpaid leave.

HB 2474 gets us closer to ensuring that all Oregonians can take unpaid job protected leave to take care of themselves and their families. It also updates our statute to be more reflective of Oregonians' lived experiences and families, which is so vital to our community.

On behalf of Basic Rights Oregon, we ask you to vote Yes on HB 2474.