



A STRONG VOICE FOR OREGON'S WORKERS

TO: Chair Holvey
Vice-Chairs Bonham & Grayber
Members of the House Committee on Business and Labor

FR: Jacob Finkelman, OR AFL-CIO

RE: 2420 Support

March 16, 2021

The Oregon AFL-CIO represents 300,000 workers across the state and is a voice for all workers in the legislative process. Typically Oregon OSHA sees about 2,000 complaints within a year, throughout the past 12 months Oregon OSHA has seen over 20,000 complaints. Those concerns aren't always easy to raise, and sometimes some employers take retaliatory measures against workers when they do. HB 2420 takes a small but important step to ensuring workers have the same timeline to pursue remedy when they feel they have faced retaliation as a result of raising safety and health concerns whether they are going to the agency to pursue remedy or via the existing private right of action.

According to the National Employment Law Project, one in eight workers has perceived possible retaliatory actions by employers against workers in their company who have raised health and safety concerns during the pandemic. Black workers are more than twice as likely as white workers to have seen possible retaliation by their employer.¹ These statistics don't reflect safe workplaces, especially for historically and currently marginalized workers. Unfortunately, we don't have state specific data for retaliation complaints as BOLI doesn't request race related data on the complaints they receive, but we have no reason to believe Oregon is immune to these disproportionate impacts.

Workers with less financial resources are more likely to go to an agency to file a claim than they are to pursue a private right of action, aligning the statute of limitations for agency claims to the one year that currently exists for the existing private right of action is an important step to take. We respectfully urge the committee's support for HB 2420.

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<https://www.nelp.org/news-releases/black-workers-see-higher-rates-employer-retaliation-raising-covid-workplace-safety-concerns/>