

## Testimony in support of Dash-1 Amendment to SB 588

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Hello, Chair and members of the committee. My name is Matt Findley, and I am the president of the Oregon Area District Council of the International Longshore and Warehouse Union, and a longshore worker in Portland, represented by ILWU Local 8. I appreciate this opportunity to address you regarding SB 588 and how it relates to all longshore workers in Oregon.

First, I want to give some background on how we got to this bill: By passing SB 454 in the 2015 legislative session, Oregon joined the vanguard of states requiring employers to provide paid sick time to most workers. It was no easy task for the legislature, with farmers, small business owners, large corporations, political organizations, labor unions, and others offering input. As introduced in 2015, Section 12 of SB 454 included language providing an exemption that specifically mentioned longshore workers, among others. A sweeping amendment was introduced early in the life of the bill that moved the exemption into Section 13, and changed the language to be less specific, yet still capture the same workers, including Longshore. It is unclear to me why the original language was changed, though it seems likely that it was never intended that the amended language would eliminate the exemption for longshore workers. I am very confident that if the final language had retained the specific mention of longshore workers, SB 588 would have been written to expand paid sick leave to cover the workers who need it now while retaining the exemption for longshore workers. For this reason, I am asking that you adopt the Dash-1 amendment to SB 588.

Here's why it's so important: There are dozens of employers in the industry who request longshore workers be dispatched to their operations as needed. The vast majority of workforce requests are for jobs that are one shift in duration, and a very small percentage are for jobs that will last more than five shifts. As a longshore worker, if I wish to have the day off, I simply do not seek a job assignment for the day. This is made possible thanks to the insistence of the workers over the decades of collective bargaining that all workers get experience and training on all jobs and equipment, ensuring that there are always skilled workers available to our employers.

This flexibility is very important to families. In 2015, when my wife unexpectedly went into labor and our son was born premature, I was able to spend the next nine days in the NICU with my newborn and my wife. A person has a lot of time to think, and a lot to think about as they sit in a dark neonatal unit with one hand resting on their baby and their eyes watching a blue number hoping it will climb. One thing I never had to worry about during that time, though, was whether or not it would be ok for me to take another day off of work so that I could be with my family.

SB 588 as written would put this flexibility in jeopardy. In 80 years of collective bargaining, west coast longshore workers have negotiated good wages and benefits, and members have chosen not to make paid sick time a subject for bargaining. The lack of specific contract language related to sick leave would make it difficult, perhaps impossible, to demonstrate that longshore working conditions meet the subjective bar of being "substantially equivalent" to the letter of the law. Should it be deemed that the bar has not been met, we would be forced to make paid sick time a subject of bargaining for our coastwide contract that covers three states, which, in addition to impacting the overall economic package of the contract, could potentially lead to requirements on workers to provide advance notice or demonstrate cause for time off that exceeds what is currently required under the contract.

For this reason, I am respectfully urging you to adopt the Dash-1 amendment to SB 588. In doing so, we will be able to maintain our current exemption, and with the longshore specific language, we will hopefully be able to avoid future legislation that unintentionally eliminates that exemption. Thank you.