

Submitter: Karl Koenig  
On Behalf Of: Oregon State Fire Fighters Council  
Committee: House Committee On Business and Labor  
Measure: HB4086

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

FR: Karl Koenig, President, Oregon State Fire Fighters Council

RE: HB 4086 Support, Workers Compensation Modernization

February 2, 2022

Thank you for the opportunity to provide testimony in support of HB 4086 to make steps to modernize Oregon's Workers Compensation system. The Oregon State Fire Fighters Council represents over 3700 career fire fighters and paramedics.

Oregon's Workers' Compensation system is meant to provide wage replacement and medical coverage for workers who are injured on the job, in addition to family support when a worker dies as the result of a workplace injury or exposure. During 2020, 53 workers died on the job, leaving their families without a loved one, and lacking the economic support they provided.

HB 4086 updates outdated and offensive language to ensure that more families can access death benefits when the unthinkable happens to them, along with ensuring that our word choices reflect Oregon values. In addition, HB 4086 ensures that all workers regardless of employer size have protections from retaliation and discrimination related to filing or inquiring about their rights under workers compensation.

HB 4086:

- Modernizes Workers' Compensation death benefit recipient language to ensure that families of all shapes and sizes are reflected in the statute without the current arbitrary barriers.
- For example, current statute only affords spousal death benefits to a worker's spouse when they have cohabitated in the state for one year and had a child together. HB 4086 rectifies this and aligns the family definition to what is used in Oregon's Paid Family and Medical Leave law.
- Updates outdated and inappropriate language
- Modernizes terms used to describe family members with severe disabilities who need ongoing support

- Updates language around non-citizens and ensures equitable payments regardless of where family members live.
- Clarifies workers' compensation retaliation protections
- Creates an adverse employment action to dissuades an employee from filing a Workers' Compensation claim
- Removes the current exemption for employers with fewer than 6 employees to legally discriminate against workers when they file a Workers' Compensation Claim.
- This will ensure that all workers - regardless of how many employees an employer has - receive equitable protections if they experience discrimination or retaliation for filing a workers' compensation claim.

In many ways, Oregon's workers' compensation statutes are simply no longer reflective of the experiences of Oregon's families. HB 4086 simply modernizes statute to better work as it is intended: to protect workers from discrimination and retaliation at work and to allow all workers and their families to receive these critical benefits if they are harmed on the job -- we encourage your Yes vote.