



A STRONG VOICE FOR OREGON'S WORKERS

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

FR: Jess Giannettino Villatoro, Political Director, Oregon AFL-CIO

RE: Support for SB 1586A

Feb 21, 2022

The Oregon AFL-CIO represents 300,000 workers across the state and is a voice for all workers in the legislative process. The legislature passed SB 726, the Workplace Fairness Act during the 2019 legislative session that granted Oregon workers overdue and important protections when they experience workplace discrimination, harassment, or sexual assault. A key component of SB 726 was ensuring that workers who alleged these violations weren't silenced from sharing their experiences. SB 726 did this by prohibiting an employer from requesting these agreements from workers who allege that they have experienced discrimination, harassment, or sexual assault.

Since this portion of the bill was enacted, we've been made aware of several ways in which the intent of these provisions are not being followed. SB 1586A ensures that all workers who experience discrimination, harassment or sexual assault at work aren't subjected to non-disclosure agreements that they don't want by:

- Ensuring that former employees are granted these protections
- Attaching up to a five-thousand-dollar penalty when the employer violates this portion of the Oregon Workplace Fairness Act
- Ensuring that workers who are not represented by an attorney in mediation know their rights
- Requiring that employers providing notice of workers their rights in the language they primarily communicate with the employees in

We know that when workers share their stories, they regain some semblance of power they've lost through these often incredibly difficult experiences. Employers should not be able to silence workers through the use of non-disclosure agreements – SB 1586A ensures that's true.