



Support for SB 907

March 16, 2023

To: Chair Taylor, Vice Chair Bonham, Members of the Senate Committee On Labor and Business

From: Russell Lum, Political Organizer, Oregon Nurses Association

Re: Support for Senate Bill 907

Dear Chair Taylor, Vice Chair Bonham, and members of the Committee:

Thank you for the opportunity to provide testimony for Senate Bill 907 on behalf of the Oregon Nurses Association (ONA). ONA is a nurses union and professional association representing over 15,000 health care workers and providers, including registered nurses, advanced practice nurses, and allied health workers. Our members work in urban and rural hospitals, clinics, school-based health centers, home health care, and county health departments across Oregon.

Our members take care of our state's sick and injured residents. They are the backbone of that care, particularly when injury is at its worst, as in emergent and other acute care. ONA staunchly supports efforts we can make to have upstream impact and prevent serious injury. Compelling reasons to prioritize this include health of the workforce to be able to keep coming to work, reduced utilization, reduced strain on the health system including stretched staffing resources, and quality of life for each Oregonian who — for themselves or for their loved ones — wants life to be injury/impairment-free.

Oregon nurses are employees too, who, as frontline workers, know they work a risky job, but deserve reduced risk of injury to themselves to a high standard we can ask of employer behavior and state law. Hospitals in particular routinely rank among the most dangerous places to work, with rates of illness and injury roughly double that of private industry generally.¹

Senate Bill 907 enters this conversation as an important fix and safeguard that ONA is proud to support. The bill allows workers to reasonably refuse to do work that can cause them death, serious impairment, or serious injury — such as extreme heat or unsafe equipment. In response, an employer can either fix the dangerous condition, or move workers to other jobs that are not hazardous.

¹ <https://www.osha.gov/etools/hospitals>



SB 907's protections are a tailored solution that make the law more clear and more useful. This is crucial compared against a status quo of having the right but in a patchwork manner and little-understood and prone to retaliation. SB 907 does not create a new right — nor does it give an unfettered right for workers to refuse to work. It takes existing protections housed in rules and groups them into ORS. The bill uses Oregon's already-established rebuttable presumption to harbor workers who exercise this right from retaliation.

Highly hazardous work and the inability of workers to freely respond to unsafe assignments in time to protect themselves is pervasive. Data shows that workplace hazards kill approximately 125,000 workers each year in the U.S. — in the neighborhood of 5,000 of which from traumatic injuries, 120,000 from occupational disease.² This averages to 340 worker deaths each day from dangerous working conditions. Increasing extreme weather events are only exacerbating these problems for many workers.

Outdoor workers for example account for 20% of heat-related deaths.³ In Oregon, essential workers exposed to smoke and extreme heat are at a high risk of illness and death. To illustrate, there were at least 254 complaints submitted to OSHA during the summer heat waves of 2020, and at least three deaths during the three-day period of the heat dome.⁴

We ask you to join Oregon's nurses and many other advocates with your support of Senate Bill 907. Workers are being killed in Oregon at higher rates than neighboring states.⁵ We need to give workers the option to prioritize their health over assignments that put it at grave risk. Thank you for considering this issue and this merited statutory approach.

Sincerely,

Russell Lum

² <https://aflcio.org/reports/death-job-toll-neglect-2022#:~:text=340%20workers%20died%20each%20day,was%203.4%20per%20100%2C000%20workers.>

³ <https://www.ucsusa.org/sites/default/files/2019-12/farmworkers-at-risk-report-2019-web.pdf>

⁴ <https://www.oregonbusiness.com/article/energy-environment/item/19357-osh-a-investigating-117-workplace-complaints-made-due-to-heat-wave>

⁵ <https://injuryfacts.nsc.org/state-data/at-work/work-deaths-by-state/>