



Support for SB 907 A

May 9, 2023

To: Chair Holvey, Vice Chairs Elmer and Sosa, Members of the House Committee On Business and Labor

From: Russell Lum, Political Organizer, Oregon Nurses Association

Re: Support for Senate Bill 907 A

Dear Chair Holvey, Vice Chairs Elmer and Sosa, and members of the Committee:

Thank you for the opportunity to provide testimony for Senate Bill 907A on behalf of the Oregon Nurses Association (ONA). ONA is a nurses union and professional association representing over 16,000 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 907A enters this conversation by inserting into employment law, namely the Oregon Safe Employment Act, that retaliation against a worker who refuses to expose themselves to serious injury or death from a hazardous condition is specifically barred. If retaliation were to occur, this now-much-clarified protection operates the same way as the retaliation protections currently enshrined in the Act, including with applicability of a rebuttable presumption. In order for a worker's circumstance to be eligible, they have to have had no reasonable alternative and been acting in good faith.

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



Highly hazardous work and the inability of workers to freely respond to unsafe assignments 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 907A. Workers are being killed in Oregon at higher rates than neighboring states.⁵ We need to give workers more backstop in prioritizing their health over assignments that put them at grave risk. Thank you for considering this important bill in amended/engrossed form which comes to you from the Senate with strong bipartisan approval.

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-investigating-117-workplace-complaints-made-due-to-heat-wave>

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