

Chair Holvey, Vice-Chairs Wilson and Williamson, members of the Rules Committee.

My name is Tommy Peters and I am a member of AFSCME Council 75's sub local, 1246. 1246 is the local for workers at state run group homes but AFSCME represents other folks impacted by this bill including staff at the State Hospital and in community group settings. My co-workers and I care every day for Oregonians who have intellectual and developmental disabilities and try our best to provide the best quality of care and the best environment for the individuals we work with. On a day to day basis we struggle with having enough staff and stable staffing levels to ensure we can provide the person centered level of support many need. As we look to additional ways to increase workforce development and hiring new staff, we are also looking at ways to better the situation for current members. That is why we are here today asking for your support for SB 809.

In our experience, we have seen the fitness for duty procedure produce different outcomes and follow different levels of engagement on a case by case basis. People with similar situations and circumstance experience different outcomes or inconsistent processes. This bill simply asks DHS and OHA to outline the standards for including substantiated abuse so that individuals going through the process know what to expect and have an understanding of potential outcomes. The intent of this bill is not to weaken or lower the standards or safeguards that exist for this work, simply to clearly outline so we know what to expect. This would also provide an avenue for workers to challenge that fitness determination in a contested case hearing. This would be only for the fitness determination and would not change the substantiated abuse outcome.

We see this bill as a step towards greater due process and clarification of what the standards are so our members have a better idea of the process. We have no intention of changing the never-never list or watering down any of the important standards and safeguards that are in place. Thank you for your time today and we hope you will support this simple request for more clarity.