

Senate Committee on Labor and Business
Senate Bill 169
January 26, 2021

Chair Riley
Vice-Chair Hansell
Members of the Committee

My name is Tilda Flores. I live in Gervais, Oregon. I am here to support SB 169 with the dash one amendment. I work part-time as a hairdresser at a large national chain of hair salons in Woodburn. I get paid minimum wage, plus my tips.

I also have a small salon in Gervais that I own myself. The income from my salon was not regular enough and so I decided to get a second job.

Last year, my manager at the national chain salon found out that I also worked at my own salon. She informed me that, after I signed up to work at the national chain salon, that I had clicked through some information on a computer that was part of an employee handbook. In the computer forms, it said that I was not allowed to engage in any activities in competition with the salon. I did not know that I was agreeing to a non-compete clause when I clicked through those forms after I started working.

My manager gave me a warning that I had to quit working for my own salon in another town or be fired. I could not throw away the hard work that I had invested into my own business. So, my manager took me off the schedule.

I had to find a lawyer to help me. My lawyer told me that the law allowed me to void the agreement if I sent a letter to the national chain salon. If I did not, she told me, the agreement would be in effect, and the manager could make me choose between the two jobs.

This is not fair. I had the dream of building my own business and of giving a better life to me and my child. I put in the time to build the skills to carry this dream out, but needed the additional income of a second job.

Eventually, I was able to return to work at the salon, but I lost income while it was being straightened out. Employers are using non-compete agreements to keep us from making a living or pursuing our dreams, because we don't know that we have the right to void the provision in our handbooks that says that we can't have two jobs. The bill you are considering today would fix this problem by making it clear that these agreements are simply not allowed for someone like me.

Thank you.