



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

Oregon AFSCME would like to submit this testimony today in support of House Bill 4086. Oregon AFSCME represents over 32,000 Oregonians across the state and stands in strong support of efforts to modernize Oregon's Workers Compensation system. This update addresses areas of Workers Comp that are the most sensitive, the coverage that occurs when a worker is killed on the job, updates to language to make it more responsible, and providing increased worker protections against retaliation and discrimination.

At Oregon AFSCME, we know that words matter and the way certain situations are described and identified can affect not only the process but the individuals involved. This bill would work to ensure that Oregon Values are reflected in the words we choose. Moreover, it will increase the protections all workers have against retaliation and discrimination related to filing or even inquiring about their rights to the worker's compensation system. The fact that some employers are exempted from worker discrimination laws needs to be addressed.

For these and other reasons you will hear today, Oregon AFSCME stands in support of HB 4086 based on the changes outlined below.

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HB 4086:

- Modernizes Workers' Compensation death benefit recipient language to ensure that families of all shapes and sizes are reflected in the statute without the current arbitrary barriers.
 - For example, the current statute only affords spousal death benefits to a worker's spouse when they have cohabitated in the state for one year and had a child together. HB 4086 rectifies this and aligns the family definition to what is used in Oregon's Paid Family and Medical Leave law.
- Updates outdated and inappropriate language
 - Modernizes terms used to describe family members with severe disabilities who need ongoing support
 - Updates language around non-citizens and ensures equitable payments regardless of where family members live.
- Clarifies workers' compensation retaliation protections
 - Creates an adverse employment action to dissuades an employee from filing a Workers' Compensation claim
- Removes the current exemption for employers with fewer than 6 employees to legally discriminate against workers when they file a Workers' Compensation Claim.
 - This will ensure that all workers - regardless of how many employees an employer has - receive equitable protections if they experience discrimination or retaliation for filing a workers' compensation claim.