



*Standing for dignity in the workplace*

*Testimony in Support of SB 592*  
February 14, 2023

Chair Taylor, Vice Chair Bonham, & Members of the Senate Labor and Business Committee,

My name is Kate Suisman. I am an attorney at the Northwest Workers' Justice Project. We represent workers in low-wage jobs when bad things happen to them at work, like when they are not paid or are discriminated against for being in a protected class or are retaliated against for speaking up. We also help workers file complaints with Oregon OSHA. Finally, we engage in policy advocacy and try to bring the important perspectives of workers in low-wage jobs and immigrant workers to these policy discussions.

We hear from hundreds of injured workers each year, and it is clear to me that some employers in Oregon are not taking worker safety seriously. This is especially true in low-wage workplaces, and workplaces with many immigrant workers. In order to make these employers take worker health and safety more seriously, we need a strong enforcement system that results in actual compliance by bad actor employers. This is why NWJP strongly supports SB 592.

Others have explained how this bill will give Oregon OSHA better tools to achieve health and safety compliance. I would like to focus on a few stories of our clients that illustrate this serious problem with real life experiences of real people.

I have submitted testimony from two former clients, and you heard video testimony from a third. These are just a handful of our client stories from the past few years where immigrant workers were seriously injured at work, and the Oregon OSHA process left them wanting. These three workers were in different industries, in different parts of the state and they were seriously injured, yet their employers received penalties that ranged from \$780 to \$2,000. Please see their full testimonies on OLIS but I will briefly summarize them here.

Dionicio Uribe was a janitorial worker in Portland who had to clean up a murder scene at a large grocery store with improper PPE and no training on blood-borne disease. His direct employer was fined \$520 for violating the rules on blood-borne diseases, (a serious violation,) for not having safety meetings, and for not recording the incident. Mr. Uribe suffered significant emotional distress after this incident and wishes his employer had hired professionals with proper tools and training to do this gruesome work.

Sergio Sandoval was a Christmas tree farm worker in Beaver Creek whose hand got stuck in a faulty machine for 90 minutes. He and another worker had informed their employer about the issues with the machine in the days leading up to his accident. His employer was fined \$1,050 for not guarding the machine properly, (a serious violation,) and not reporting the injury to

Oregon OSHA. Mr. Sandoval will never be the same after this accident, and wishes he had been trained better, and that his employer had heeded his call to fix the machine before his injury.

You heard from Maria Vargas, a mill worker in Prineville. Ms. Vargas was asked to use a saw on which she had not been trained. She told her supervisor she did not feel comfortable doing the assigned task, but was told to go ahead and do it anyway. The machine was not properly guarded, and her finger was amputated. Oregon OSHA inspected, found that the employer had not put the proper guard on the saw, (a serious violation,) and had failed to train workers properly. As Ms. Vargas explained, the total for these repeat and serious violations was \$780. What kind of message does that send to a repeat violator.

Ms. Vargas' testimony also highlights the problem of repeat offenders. A fatality occurred at her workplace in 2013, in which a worker was asphyxiated when a machine fell on them. The employer received a \$1,500 fine.

Her employer then incurred four serious violations in February 2019 for a lack of fall protection, lack of training, and two serious ladder violations. Two months later, this same employer received two serious violations for unsafe machinery.

Ms. Vargas' accident took place a year and a half later, and just like the February 2019 violations, involved lack of proper training of workers who use dangerous machines each day- so, this was a repeat violation, in addition to the serious violation for the improper guarding. If more comprehensive inspections had occurred at this workplace, and significant penalties had been handed out, these hazards could like have been avoided entirely. Instead, low penalties and a lack of ongoing inspections have meant that this careless attitude continues unabated.

All three of these Oregonians are Spanish-speaking, immigrant workers. All three said in their testimony that they felt the OSHA process was mostly an inconvenience to their employers, not the type of strong enforcement that sends a loud and clear message. Workers who identify as Hispanic or Latino continue to have the highest workplace fatality rate of all racial and ethnic groups. (See the [2022 AFL Death on the Job](#) report.) Workers are being hurt and killed in Oregon each year because employers cut corners, fail to properly train and expose workers to unnecessary risk.

We need to fix this- and these injuries are preventable in almost every instance. But to prevent injuries like the ones I described, we need to make sure employers take their obligations seriously. Please pass SB 592 and help make sure we are a state that sends an undeniable message to all employers: worker safety is non-negotiable. Thank you.