



Feb. 14, 2023

TO: Members of the Senate Committee on Labor and Business

FR: Derek Sangston, Oregon Business & Industry

RE: Opposition to SB 592

Chair Taylor, Vice-Chair Bonham, members of the Senate Committee on Labor and Business. For the record, I am Derek Sangston, policy director and counsel for Oregon Business & Industry (OBI).

OBI is a statewide association representing businesses from a wide variety of industries and from each of Oregon's 36 counties. Our 1,600 member companies, more than 80% of which are small businesses, employ more than 250,000 Oregonians. Oregon's private sector businesses help drive a healthy, prosperous economy for the benefit of everyone.

Thank you for the opportunity to testify in opposition to SB 592. While OBI shares the proponents' desire to reduce workplace fatalities and ensure safe work environments, the current draft of SB 592 would not lead to either outcome. Instead, SB 592 would further complicate Oregon's complex regulatory framework and increase penalties - without showing how the bill's proposed changes to the state's workplace safety laws would actually deter "bad actors" from purposely violating them rather than inadvertently punishing businesses that are just trying to do the right thing.

For the many businesses that work hard to comply with Oregon's workplace safety laws, SB 592 would require OSHA to conduct "comprehensive inspections" whenever a fatality occurred, even if the fatality were the result of an accident. Since they would be tied to negative outcomes, not negative behaviors, comprehensive inspections triggered by accidents would not foster safer workplaces. Instead, they would place a heavy burden on businesses by allowing OSHA to perform incredibly broad facility-wide inspections. OBI has attempted to work with the proponents of SB 592 to amend it so that the "occupational deaths" that would trigger the inspections arose only out of willful violations, not accidents. OBI respectfully requests this committee to amend SB 592 in that way.

OBI additionally urges this committee to consider an amendment that recognizes that increasing penalties will not necessarily lead to safer outcomes. Businesses in Oregon already struggle to navigate the state's complex workplace safety laws, and many of them who believe they are taking the steps necessary to keep their workforce safe could be significantly penalized for mistakes, not willful acts. OBI respectfully requests SB 592 be amended so that the penalties levied against businesses would increase more gradually over time so those businesses attempting to comply with Oregon law are not inadvertently penalized.

Thank you for your consideration.

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