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STATE REPRESENTATIVE
HOUSE DISTRICT 44
NORTH/NORTHEAST PORTLAND



HOUSE OF REPRESENTATIVES
Testimony in Support of Senate Bill 907

March 16, 2023

Chair Taylor, Vice-Chair Bonham, and members of the committee,

I am Travis Nelson, State Representative for House District 44 (North and Northeast Portland). Committee members, I am here today in support of Senate Bill 907. This bill will help protect Oregon workers from unsafe working conditions, such as those cause by devastating wildfires, ice storms, and extreme heat – all of which we have experienced in the last six months, let alone the last five years.

Workers on the frontlines, including in smoke and extreme heat – are at a higher risk of illness and death. Workers in Oregon are being killed at a higher rate than neighboring states. The 2021 workplace fatality rate for Oregon was 3.3 deaths per 100,000 workers, compared to California’s 2.8 and Washington’s 2.1. And these numbers don’t even account for non-fatal serious injuries. During Oregon’s deadly 2020 heat dome – where temperatures reached as high as 117 degrees Fahrenheit in parts of the state – 254 workplace complaints were submitted to OSHA for dangerous heat exposure and there were at least three deaths. Lower-income, Black, and Latinx Oregonians remain at a greater risk of dying on the job than all other workers. This is unacceptable. We need to protect each and every Oregonian in the workplace. No worker is disposable.

SB 907 would allow our workers the right to reasonably refuse to do work that could cause serious injury or death, and that includes cases such as extreme heat and unsafe equipment. It does *not* give workers an unfettered right to refuse work. This bill is merely taking an existing right that is hidden in an administrative rule and clarifying it in statute. Workers will be allowed to leave or refuse to report to a worksite due to extreme natural disasters, active evacuations, and acts of criminal violence and terrorism (such as mass shootings). Rather than having to take unpaid leave to refuse dangerous workplace conditions, workers would be allowed to use sick leave, PTO, or vacation time to guarantee their pay. Not only would this bill protect Oregonians, but it would also ensure that they do not have to sacrifice pay for their safety. No one should have to choose between paying the bills and putting themselves at undue risk. Workers would also be protected from retaliation by their employer for refusing to work in dangerous situations. Oregon already has an established rebuttable presumption to protect our workforce, but Senate Bill 907 would help clarify and apply it to dangerous work situations.

This bill would also outline how an employer can resolve the concern of employees refusing to work in dangerous conditions. The employer would need to either fix the situation (such as repairing or replacing faulty equipment or removing toxic chemicals) or they could reassign the workers to other jobs that are not hazardous. Through this avenue of resolution, the employer would be putting their employees’ safety first!

Our workers deserve to be safe on the job. They *need* to be safe on the job. The small changes outlined in SB 907 can help achieve this and help save the lives of Oregonians. We should all have the ability to say no to a job assignment that we reasonably believe could seriously injure or kill us. It’s time we reinforce that ability with a law to match. I urge you to pass this bill out of committee.

Thank you,

State Representative Travis Nelson
House District 44, North/NE Portland