



STATEMENT IN SUPPORT OF HB 3471-2

March 15, 2023

Chair Holvey, Vice Chairs Elmer and Sosa and members of the committee,

We thank you for the opportunity to testify in support of HB 3471-2. United Food and Commercial Workers Local 555 is the largest private sector labor union in Oregon, representing workers from a number of industries, including grocery, retail, food processing, manufacturing, and healthcare. We are a diverse group of workers who take pride in acting as a strong collective voice for working people.

We strongly encourage your support of HB 3471-2 to help make sure that workers can get back to work after they've been injured on the job.

A core tenant of the workers' compensation system is to get workers back to work by making sure they have the time and medical resources they need to heal. In instances where the workers' compensation insurer and the worker dispute whether the claim qualifies for workers compensation benefits, negotiations take place that often lead to a settlement agreement. Far too often, these settlement agreements require that the worker quit their job immediately and never work for the employer – or their subsidiaries again – as a condition of their settlement.

That means that in order for workers to finally get their workers' compensation wage replacement or medical reimbursements to cover their incurred bills, they have to agree to permanently leave their job. And we know that for many workers, simply walking away from their workers' compensation benefits is simply not an actual choice when they have medical debt and expenses rapidly incurring.

We've heard loud and clear this session that employers are in dire need of workers to meet demand. No rehire agreements in settlements pose a very clear barrier in achieving that goal. Further, they have a disproportionate impact on more rural communities: From healthcare, to grocery and retail, to education, if a worker is precluded from working for an employer, there are very few other employment options in the same industry in many areas of the state in that area.

Countless Oregonians already do not file workers' compensation claims because they've seen their co-workers go out on workers' comp and never return. The current common practice of no re-hires makes this more of a reality than it ever needs to be.

As amended, HB 3471-2 simply makes it an unlawful employment practice for a no re-hire agreement to be a condition of a settlement related to workers compensation. This protection is already in place for workplace harassment, discrimination, and sexual assault settlement

UNITED FOOD & COMMERCIAL WORKERS LOCAL 555

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agreements under the Oregon Workplace Fairness Act (SB 726) that the legislature passed in 2019.

Most workers desperately want to heal and get back to work after they've been injured. They should not be treated like damaged goods or as if they are going to "game the system" just because they had a workers' compensation claim. We encourage your support of HB 3471-2 to remove arbitrary barriers to making sure that injured workers can get back to work.

Fiona Yau-Luu,
UFCW Local 555

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