



March 16, 2023

TO: Members of the Senate Committee on Labor and Business

FR: Derek Sangston, Oregon Business & Industry

RE: Opposition to SB 907

Chair Taylor, Vice-Chair Bonham, members of the Senate Committee on Labor and Business. For the record, I'm 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 907. OBI opposes SB 907 because the bill would unnecessarily add ambiguity to a clear protection that already exists under both federal and state law, distract from the implementation of the most comprehensive environmental health and safety protections in the country, and bog down Oregon's court system with litigation.

Federal and state law already allows employees to refuse work when they believe it will put them in imminent danger under specified circumstances. SB 907 would make that protection ambiguous by removing the clear requirements already found in Oregon law and adopting a hard-to-define "reasonable apprehension" standard for when an employee may refuse work.

Oregon already has some of the strongest workplace protections in the country. OR-OSHA has taken significant steps over the last several years to protect workers from occupational risks ranging from Covid-19 to excessive heat. Due to the new and ambiguous provisions of SB 907, it is likely that numerous rules would need to be written or revisited, exacerbating the confusion employers face as they try to understand a constantly shifting regulatory landscape.

OR-OSHA is currently working to educate employers and workers about safety and rights on the job. By making a violation of its provisions an unlawful employment practice, SB 907 would remove exclusive enforcement from OR-OSHA, creating a dual-enforcement mechanism that again adds confusion and complexity to a system that is not broken and adds workload to an already jammed court system.

For the foregoing reasons, OBI respectfully asks this committee to reject SB 907. Thank you for your consideration.

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