



## Keep Settlement Agreements for Workers' Comp: Oppose HB 3471

HB 3471 would end the ability of employers to include no-rehire provisions in their settlement agreements, when those agreements include disposition of workers' compensation claims, unless requested by the employee. The requirement for a request must come from the employee is impractical, since injured workers (particularly those not represented by counsel) will not know that they can request this as part of the negotiation.

There are legitimate reasons for requesting a no re-hire provision in cases involving workers' compensation claims. This can include instances where the employee is no longer able to safely physically work at the job because of the injury they sustained. In the case of occupational disease, returning to the jobsite will result in further exposure and likely another workers' compensation claim.

Currently, this is also an important tool for employers when issues have arisen in the employment context, around the employee's workers' compensation claim. Most employees availing themselves of the workers' compensation system are legitimately injured at work and are trying to get back to work. However, there can be instances where it is in the best interest of the company that the employer and employee sever ties.

Furthermore, there is no data that these provisions are being abused by employers. Because there is no data that this tool is creating issues, we urge you to keep this tool for employers to use when necessary and oppose the change to settlement agreements proposed in HB 3471.

For more information, please contact Kirsten Adams (AGC) 503-990-2262 or  
Derek Sangston (OBI) 541-815-6497