

Submitter: Donna Torres

On Behalf Of:

Committee: House Committee On Business and Labor

Measure: SB592

I OPPOSE SB 592.

While I appreciate the goal to reduce workplace fatalities and create safer work environments, the current bill penalizes small and family-owned businesses and provides no metric to assess whether increasing penalties and conducting comprehensive inspections actually create safer workplaces.

I disagree that substantially increasing penalties will deter "bad actors" from willfully violating the law. Many small businesses find it difficult now to navigate compliance with even recently passed OR-OSHA laws. For family farms & nurseries, the proposed increase in penalties would devastate and limit opportunities to invest in additional safety measures.

Amendments to SB 592 are needed to provide increased technical assistance for employers. OR-OSHA penalizes farms that diligently follow best practices whose employees break safety rules that lead to accidents in which they carry no responsibility when it comes to following workplace safety rules.

During COVID-19, OR-OSHA punished one family business and published them in a press release for failing to put a COVID-19 poster on a port-a-potty that had just been delivered to the farm. These kinds of penalties will not create a safer workplace but will drive agriculture from Oregon.

I respectfully request the committee consider an amendment to SB 592, section 1, subsection 2 that includes the following: "Whenever an occupational death has occurred in a fixed place of employment as a result of a willful violation, the director shall, in addition to any inspections conducted pursuant to complaints filed against the place of employment, conduct a comprehensive inspection of the place of employment within one year following the date on which the closing conference associated with the occupational death was held."

Health and safety of agricultural employees is very important. As an industry, over the last three years, they all have worked very hard to reduce the risk of exposure to the novel coronavirus at work, to alert employees of the dangers of heat exposure, and to mitigate the risks of manganese and air pollution/ smoke particulate to employees. Each of these rules has come at significant cost to agricultural employers, and there are many issues implementing these complicated regulations and many fear that OR-OSHA will surprise them with penalties for minor paperwork

violations.

I support safer workplaces and sincerely urge the committee to consider amendments that recognize that increased penalties do not always lead to safer outcomes and that many employers who are trying to do the right thing could be inadvertently penalized by SB 592.