



A STRONG VOICE FOR OREGON'S WORKERS

To: Chair Holvey
Vice-Chairs Elmer and Sosa
Members of the House Business and Labor Committee

FR: Catie Theisen, Oregon AFL-CIO

RE: Support for SB 907 Right to Refuse Dangerous Work

May 10, 2023

The Oregon AFL-CIO represents 300,000 workers across Oregon and is a voice for all workers in the legislative process. As we've talked about Oregon OSHA plays a critical role in keeping workers safe at work.

However, in Oregon currently workplace hazards kill approximately 125,000 workers each year—4,764 from traumatic injuries, and another 120,000 from occupational diseases. However, in both federal and state rule, workers are already allowed to refuse dangerous work. But because this protection is complicated, confusing and buried in Oregon administrative rule, workers too often feel like they have no options.

In many of these instances workers have already raised concerns about equipment or safety long before an injury or fatality occurs. However, we know that it takes a very empowered worker to speak up and refuse that work because they feel unsafe. This power dynamic inherently tips the scales against workers without union representation, those who are low-income, and those who are immigrants, or do not speak English as their first or primary language. In many instances, had these protections been stronger and clearer, those workers may very well have felt able and empowered to refuse to work in that dangerous situation, sparing that workplace and family from a highly preventable fatality.

SB 907 does not create a new right— nor does it give an unfettered right for workers to refuse any work. The bill codifies and simplifies the existing rule by allowing workers to reasonably refuse to do work that can cause them death, serious impairment or injury— such as unsafe equipment. In response, an employer can either fix the dangerous condition, or move workers to other jobs that are not hazardous. Additionally, it would give workers the right to use PTO time to leave or refuse to report to a worksite due to extreme natural disasters, active evacuations, and acts of criminal violence such as mass shootings. It also protects workers from retaliation under Oregon's already-established rebuttable presumption if they exercise this right in good faith.

All workers deserve the right to speak up and prioritize their physical well being without fear of retaliation or economic hardship. We encourage your support of SB 907.