



Hello Vice Chair Munoz and Elmer and members of the committee,

My name is Seth Johnstone and I work at Basic Rights Oregon as the Transgender Justice program manager. I've also fielded the majority of the calls that deal with discrimination support requests for the last four years. I am here on behalf of my organization in support of HB2957.

My work tracks patterns of ways our system is not working as intended. The effect of the current state of the law is that those who choose to file civil rights complaints with BOLI are, essentially, penalized for doing so. HB2957 seeks to remedy this.

As mentioned, the statute of limitations for workplace discrimination and harassment claims is 5 years. However, if a worker files a claim with BOLI because they believe they've experienced any type of discrimination or harassment, including sexual harassment or racial discrimination their statute is automatically reduced to 90-days after BOLI issues a finding, per current statute. If the same worker didn't go to BOLI they would continue to have 4 years to find an attorney and file. In my experience, most workers who have been discriminated against who reach out have experienced or are experiencing some level of functional freeze, their self-worth and ability to research, resource themselves, and find attorneys is impacted by the discrimination they experienced. If folks have concrete evidence of discrimination, their ability to be the most resourced and move swiftly to find legal representation with an open caseload shouldn't be what's most important for justice.

From first hand experience, the LGBTQIA2S+ community members that have experienced discrimination, do not turn first turn to attorneys because they often perceive they can't afford that route, unaware of whether it will cost them money. BOLI's investigation process is a resource available to the public

that does not require money, critical for our Oregon values for our workers. Most folks who reach out to my office have already filed a BOLI complaint first as their initial action. Oregon's 90-day notice is also confusing. Those without access to an attorney are at even more of a disadvantage as they do not have guidance or education.

My organization supports HB2957 because it would ensure that any worker who believes they've experienced harassment or discrimination can rely on the statutory 5-year statute of limitations in statute.