



Chair Grayber, Vice Chairs Muñoz and Elmer, and members of the committee,

Thank you for the opportunity to submit testimony today in support of HB 2957. My name is Brooke Hill and I am writing on behalf of Oregon AFSCME. We are Oregon's third largest labor union representing 39,000 workers across the state in both public and private sectors. We believe in economic justice for all and advocate for the rights of workers and their families.

HB 2957 provides much needed protections for workers by holding their employers accountable. Prohibiting employers from taking advantage of loopholes shortening the timeframe workers have to file a complaint gives extra protections to workers filing harassment claims. Violation would result in an unfair employment practice against the employer, ensuring that employers are held accountable and that state law is enforced. This is essential to ensuring equity and solidifying workers' ability to fight back when they believe their rights have been violated. The bill ensures that all workers, whether they file through BOLI or not, have access to the full five year statute of limitations already put in place by the legislature through the Oregon Workplace Fairness Act. This allows people from underrepresented communities, who historically seek help from BOLI the most, to pursue proper legal action because they will not face the 90 day statute of limitations. Parity for workers filing through BOLI gives protected classes—women, people of color, people with disabilities—the due process they deserve.

HB 2957 would also ensure that workers have a proper amount of time to understand their rights, and then to take action without facing pressure for a quick settlement by their employer. Protecting workers' rights to file complaints without fear of retaliation from employers is essential to maintaining a healthy working environment in Oregon. Additionally, many workers may be unable to file a complaint through the civil process, due to cost or time restrictions.

Additionally, providing less than three months for a worker to find an attorney and collect necessary documentation for their case is unrealistic and places undue burden on the complainant. During this extremely short statute of limitations, workers may have lost their jobs, or could be facing other financial issues due to the nature of the complaint. Workers who file with BOLI should not be left at a disadvantage, nor should they have to struggle to make ends meet in order to be free of discrimination at work. In addition, attorneys may turn down workers filing through BOLI because 90 days is not enough time to engage in the proper discovery process, or gather all the relevant information. The short time period also prevents thorough discussion and mediation between both parties, when they may have been able to come to an agreement without going to court.

All workers have the opportunity to file a grievance with BOLI against their employer if their rights have been violated on the job. This bill would provide a more reasonable time frame for a worker who files a complaint with BOLI.

Thank you all for your consideration. All workers deserve a safe and respectful workplace, and to have an accessible path to file a complaint if their rights have been violated. HB 2957 would strengthen protections already put in place for workers and ensure they apply to all. Workers who seek justice through BOLI should not be penalized.

Sincerely,  
Brooke Hill  
AFSCME Political Team