

Date:	February 19th, 2025
To:	Chair Grayber, Vice Chairs Muñoz and Elmer, and Members of the House Committee on Labor and Workplace Standards
From:	Association of Oregon Counties Legislative Affairs Manager, Justin Low
Subject:	Oppose – HB 2944

The Association of Oregon Counties (AOC) is a non-partisan member organization that advocates on issues that unite all county governing bodies and have an impact on county functions, governance, budgets, and services. Oregon counties are committed to upholding their responsibilities to public employees, value constructive labor relations, and understand the importance of timely remittance of dues and employee information to labor representatives. With that in mind, we respectfully submit written testimony to place some of our concerns with HB 2944 on the record.

AOC appreciates the -1 amendment’s removal of the private right of action, which helps mitigate the legal exposure and administrative burdens that public employers would have been subject to. However, we remain concerned about the Employment Relations Board (ERB) gaining and exercising new authority to penalize public employers, and how resource-constrained local governments would manage to absorb the costs of monetary penalties.

While a \$10,000 or even \$5,000 penalty may not disrupt a well-resourced county’s operating budget or service levels, there are some counties where the impact of those penalties could create significant financial strain for that fiscal year. These penalties could force some counties to make cuts to essential public services that community members rely on.

Should the escalating penalty schedule in this bill be scaled to a county’s ability to pay, this legislation has the potential to better serve the public interest without the threat of placing some counties in financial distress.

Additionally, counties could face significant financial strain if they are unable to comply with the timely report of information, through no fault of their own. An example could be if employment management or payroll software experiences technical difficulties or service disruptions that would prevent public employers from reporting information in a manner that is compliant with the timelines established by HB 2944. Unforeseen issues, such as the provided example, give counties concern about whether ERB will offer them

grace and latitude if their failure to provide requested labor information is not within their control.

AOC wants to emphasize that counties value fair labor practices and support the overarching goal of timely dues remittance. We are grateful for the -1 amendment's removal of a private right of action, which helps maintain a more streamlined process through ERB. However, the bill's expanded authority for the ERB to penalize counties raises concerns about disproportionate financial impacts, administrative burdens, and the potential diversion of resources from essential local services.

We respectfully request that the Committee consider amendments that either scale civil penalties to a public employer's ability to pay or promote compliance and correction without placing a direct financial strain on county operations. Thank you for the opportunity to record our concerns on HB 2944.

Best,

Justin Low
Legislative Affairs Manager for Governance and Revenue