

March 14, 2025

TO: Chair Kathleen Taylor, Vice Chair Daniel Bonham, and Members of the Senate Committee on Labor and Business

FROM: Hannah Winchester, DPT; Executive Board Member of the Oregon Federation of Nurses and Health Professionals (OFNHP AFT-5017)

SUBJECT: Support for Senate Bill 986-1

Chair Taylor, Vice Chair Bonham, and Members of the Committee,

My name is Hannah Winchester, and I am a member of the Executive Board at the Oregon Federation of Nurses and Health Professionals, and have been a Physical Therapist for the last 13 years. I am writing today to voice in support for SB 968 with the -1 amendment.

Following a recent change in audit and payroll recordkeeping at one of our main employers, I had a colleague who requested my assistance as a steward. Despite receiving a job offer indicating a certain rate of pay, her employer had provided notification someone had made an error and she was now responsible for restitution of that overpayment to the tune of \$25,246.86. The inaccurate pay practice was not a new incident, she had actually been receiving the rate originally relayed to her for well over a year and a half before anyone found a mistake.

Before I knew it, cases continued to arise. Another error in job offer: requesting recoupment of of \$20,487.07 due to overpayment for 18 months. Another with an incorrect step placement totaling \$16,197.24 and again overpaid over the course of 18 months. The list goes on and on, with my most recent case being brought forward just 6 days ago, where the employer is demanding a repayment over \$8,000 from their claim of incorrect hourly rate since January 2022 – over three years ago.

Each of these members were given good reason to believe they were being accurately paid throughout that time. These instances weren't some one-time substantially extra surprise bonus on a paycheck, it was a matter of a few dollars more an hour, or the next step up on the wage scale – all of which the employer was the decision-maker to complete. However, due to the lack of any lookback limitations in current statute, that small amount adds up heavily over the course of literal years.

The stories of the psychological effects these members experience after being accused of such a large debt is heartbreaking. Some moved from out of state with the promise of a job with a certain rate of pay, only to be reduced a year and a half later. They appropriately feel lied to and preyed upon. As there are **no guardrails** right now on amount of pay that can be recouped, these individuals have had to brace for potentially receiving a \$0 paycheck with absolutely no ability to prepare. They have truthfully been fearful of losing their housing, losing their cars, and simply putting food on the table.

The 90-day lookback period as stated in SB 968-1 would begin to develop a system of accountability for employers who are chronically erred in their pay practices. By protecting the amount of required pay

deduction at 5% unless the employee elects otherwise, we can ensure that no Oregonian experiences undue financial hardship due to no fault of their own.

The fundamentals of this bill are fashioned after practices in Washington as established under WAC 296-126-030 that dictates limitations to private employers as also indicated clearly and statutorily by RCW 49.12.

I urge you to support SB 968-1 and I thank you for your time.