



Clatsop County

Board of Commissioners

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May 2, 2025

Senate Committee On Labor and Business
Oregon State Legislature
900 Court Street NE
Salem, OR 97301

RE: Oppose House Bill 2944 A – Risk of Unintended Harm to Local Public Services

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

On behalf of the Clatsop County Board of Commissioners, we strongly oppose House Bill 2944 A and urge the Committee not to advance this legislation due to the unintended risks it poses to essential public services, particularly in rural and resource-limited communities.

While Clatsop County supports fair labor practices and timely dues remittance, the bill's mandatory penalties and rigid deadlines fail to account for the realities faced by smaller local governments. Even minor, good-faith errors could result in steep fines and reduced services.

MANDATORY PENALTIES WITHOUT FLEXIBILITY RISK UNDERMINING PUBLIC SERVICES

HB 2944 A establishes a mandatory civil penalty structure when the Employment Relations Board (ERB) determines that a public employer has violated ORS 243.804 or 243.806, particularly in repeat cases. Under the bill, penalties would start at \$1,000–\$5,000 and escalate to \$5,000–\$10,000 for subsequent violations. This expansion of ERB authority is significant and shifts toward a more punitive enforcement approach without adequate consideration of employer intent, context, or ability to pay.

While a \$10,000 penalty may have minimal impact on a well-resourced jurisdiction, cities and counties with tighter margins—especially rural counties like Clatsop—may face serious consequences. Such fines could force reductions to essential services in the same year they're imposed. Even a single penalty could disrupt already lean operational budgets. These financial risks are particularly concerning when violations could stem from technical errors, staffing limitations, or other circumstances beyond a local government's control.

We urge the Committee to consider an alternative approach that scales civil penalties to an employer's capacity to pay or incorporates a corrective framework that promotes compliance without imposing undue financial hardship.

RIGID TIMELINES INTRODUCE UNMANAGEABLE RISK FOR LOCAL GOVERNMENTS

HB 2944 A also amends ORS 243.806 to require that public employers remit dues within a time period aligned to their payroll schedule, not to exceed 30 calendar days. Clatsop County understands and supports the goal of ensuring timely payment of dues. However, setting a fixed deadline without exception introduces compliance risks that may be outside of an employer's control.

For example, if a county's payroll or human resource system experiences a technical failure—or if a third-party software vendor has an outage—compliance within the bill's strict timeframe could become impossible despite best efforts. The bill does not make clear whether ERB will consider such extenuating circumstances, nor does it provide employers with a safe harbor or grace period to correct issues before penalties are applied.

Public employers need clarity about how this provision would be implemented and whether flexibility will be allowed in situations where a good-faith effort to comply is evident but obstacles are unavoidable.

DISPROPORTIONATE BURDEN ON RURAL COUNTIES

Clatsop County and other rural counties face unique operational challenges—smaller staff teams, broader responsibilities per employee, and fewer in-house legal or personnel management resources to manage evolving compliance requirements. New mandates like those proposed in HB 2944 A will carry a heavier relative burden on our staff capacity and finances.

If the Legislature moves forward with this bill, we strongly recommend amendments that take these differences into account. One path forward could involve scaling penalties based on a county or city's size or budget, or creating a tiered system that prioritizes education and correction over automatic monetary penalties for first-time or unintentional violations.

A MORE BALANCED PATH FORWARD

Clatsop County values fair labor practices and supports timely communication with labor organizations. However, HB 2944 A's penalties and deadlines could inadvertently harm smaller public employers and strain already limited resources. We respectfully ask the Committee to amend the bill to promote compliance without imposing undue financial burdens, particularly on cities and counties with fewer resources.

For these reasons, we strongly urge your NO vote on HB 2944 A to prevent unintended harm to essential public services in Oregon's rural and resource-constrained communities.

Thank you for your time and consideration.

Sincerely,



Mark Kujala, Board Chair
Clatsop County Board of Commissioners