

May 22, 2025

Position on Bills at 2025 Session of Oregon Legislature:

HB 2957: Support, but oppose -A5 amendment



The Consolidated Oregon Indivisible Network (COIN) is a coalition of over 50 local Indivisible groups throughout Oregon that cooperate and amplify their joint efforts to advance important federal and state legislation and engage with elected officials to promote causes for the benefit of all Oregonians.

The Problem: An Unjust Legal Trap for Workers

HB 2957 addresses a serious inequity in Oregon's current employment law that penalizes workers for seeking help from the state. Under existing law, workers have five years to file workplace discrimination and harassment claims in court. However, when workers turn to the Bureau of Labor and Industries (BOLI) for assistance—often because they cannot afford an attorney or face language barriers—they unknowingly surrender most of their legal rights.

The current system creates an unconscionable trap: workers who file complaints with BOLI have their 5-year statute of limitations effectively reduced to just 90 days after BOLI issues its determination, regardless of how much time remained in the original five-year period.

Protecting Vulnerable Workers

The current law particularly harms our state's most vulnerable workers. Spanish-speaking workers and others with limited English proficiency face significant barriers in finding legal representation for employment claims. BOLI provides a more accessible avenue for these workers to seek help, but under current law choosing this option can cost them years of legal protection. This creates a cruel irony: the state agency designed to help workers actually limits their access to justice.

Eliminating Employer Manipulation

HB 2957 also prohibits employers from entering into agreements that artificially shorten statutes of limitations for BOLI-enforced violations. This provision prevents employers from using their superior bargaining position to limit workers' legal rights through contract provisions. Such agreements undermine the public policy behind Oregon's employment protection laws and should be prohibited as unlawful employment practices.

Ensuring Adequate Time for Legal Action

The current 90-day deadline is unreasonably short for workers to secure legal representation and file complex employment discrimination lawsuits. Many attorneys need substantial time to investigate claims, gather evidence, and prepare proper legal documents. The 90-day window often proves insufficient, particularly for cases involving detailed workplace harassment or discrimination patterns that require extensive documentation.

Addressing Opposition Concerns

While some business groups have expressed concerns about prolonged legal exposure, these arguments overlook several important facts:

First, workers already possess five-year statutes of limitations for these claims when they bypass BOLI entirely. HB 2957 simply ensures that seeking help from a state agency does not diminish these existing rights.

Second, the bill includes reasonable limitations. It requires BOLI to issue notices within specific timeframes and maintains the original statute of limitations as the outer boundary for legal action. This provides predictability for employers while protecting workers' rights.

Third, employers benefit from BOLI's investigative process, which can resolve many claims without litigation and provides valuable information about potential legal exposure. HB 2957 does not change this beneficial aspect of the current system.

The -A5 Amendment Weakens Protections

While HB 2957 represents a critical step toward protecting workers' access to justice, the -A5 amendment introduces harmful provisions that would undermine the bill's core objectives.

The -A5 amendment introduces a convoluted and nearly incomprehensible jumble of timelines for complainants to follow, depending on the remaining time under the 5-year statute of limitations and the type of ruling that BOLI issues on the complaint. Low-wage workers, non-English speakers, and others with limited resources often rely on BOLI as their only accessible avenue for addressing workplace violations. The -A5 amendment exacerbates existing inequities by very likely causing confusion to those workers about the remedies available to them, if BOLI does not provide a remedy.

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