

HOUSE COMMITTEE ON  
LABOR

Hearing Room  
Tapes 83 - 85

MEMBERS PRESENT:

Rep. John Watt, Chair  
Rep. Lee Beyer, Vice-Chair  
Rep. Kate Brown  
Rep. Chuck Carpenter  
Rep. Mike Fahey  
Rep. Lynn Lundquist  
Rep. Lynn Snodgrass

MEMBER EXCUSED:

STAFF PRESENT:

Aaron Felton, Committee Counsel  
Paula Gilmer Purcell, Committee Assistant

MEASURES HEARD:

Public Hearing on House Bill 3282  
Public Hearing on House Bill 3021  
Public Hearing on House Bill 2038  
Public Hearing on House Bill 2971  
Public Hearing on House Bill 2107  
Public Hearing on House Bill 3297

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , SIDE A

10 CHAIR WATT: Brings meeting to order at 1:30p.m. Until the full committee comes in we will be in a subcommittee

Opens Public Hearing on House Bill 3282

Witnesses: Jack Roberts  
Betsy Bailey  
Larry Amburgey  
Laurie Wimmer

Amy Klare  
Mari Ann Gest  
Mary Bodkin  
Arlene Collins  
Frank Brawner  
Bonnie Heitsch  
Marsha Martin  
Susan George  
Dave Fidanque  
Diane Rosenbaum  
Seigi Shiratori

14        AARON FELTON, COUNSEL FOR THE LABOR COMMITTEE: Provides a summary of House Bill 3282.

23        JACK ROBERTS, COMMISSIONER OF THE BUREAU OF LABOR AND INDUSTRIES:  
Testifies in favor of House Bill 3282

30        We want to take the state law and the federal law and come together with a state standard.

78        Continues with testimony.

102       There are some trade offs on this bill.

111       We support the bill now, there are some amendments that we would like considered. Including a midwife as a direct care provider.

135       This bill extend the use of sick leave to family need.

141       We clarify the language of equivalent job.

155       Also the clarification of what is a serious medical condition.

167       We have tried to incorporate all federal law in the matter of application.

172       Consider carefully the twenty-four hour a week work requirement.

184       Most of the confusion has been about the interface of state and federal law.

204       CHAIR WATT: Please go over your chart again.

210       ROBERTS: Goes over the chart [EXHIBIT A].

222       BETSY BAILEY, ASSOCIATED OREGON INDUSTRIES: Testifies in favor of House Bill 3282. Provides written testimony [EXHIBIT B].

267       LARRY AMBURGEY, AMBURGEY & RUBIN: Testifies on House Bill 3282. Provides written testimony [EXHIBIT C].

309       Continues with testimony.

341       All eligibility requirements need to be raised up to the federal requirements.

364       Let me quickly go over the amendments.

382 The state law makes it hard to give the exempt employers any aid.

419 The reinstatement rights change is very important.

467 If you are pregnant and sick you can use your sick pay.

TAPE 83, SIDE A

45 Continues with testimony.

56 This clears up the order in which you use up what type of leave.

70 CHAIR WATT: The employer or through collective bargaining agreement still has the ability to allow that to happen.

72 AMBURGEY: That is correct.

79 Continues going over the amendments to House Bill 3282.

93 Leave would be protected for parent-in-laws.

108 This gives the Bureau of Labor and Industry the right to protect these laws.

117 The BOLI bill requires employers to continue to pay 100 percent of the health care. With this amendment the small employer would not have to pay all, only one half.

160 REP. BROWN: Do you represent plaintiffs or defendants.

167 AMBURGEY: All of my practice in nineteen years has been representing employers.

176 REP. BROWN: Why not require family medical leave to apply to all employers not exclude the twenty-five or less?

187 CHAIR WATT: This is not something we want to address.

193 REP. FAHEY: You made the reference to pregnancy sickness, is that when the doctor says she is stable or would just up her time.

201 AMBURGEY: If after the six months and the doctor says you are not stable then you would still be covered.

217 CHAIR WATT: If possible, could you prepare a chart based on your amendments.

230 LAURIE WIMMER, OREGON COMMISSION FOR WOMEN: Testifies in favor of House Bill 3282. Provides written testimony [EXHIBIT D].

283 Continues with testimony.

305 AMY KLARE, OREGON AFL-CIO: Testifies on House Bill 3283. Provides written testimony [EXHIBIT E].

353 Continues with written testimony.

380 MARI ANN GEST, OREGON PUBLIC EMPLOYEES UNION: Testifies on House Bill

3283. [EXHIBIT F].

441 Continues with testimony.

467 MARY BODKIN, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL  
EMPLOYEES: Testifies on House Bill 3283.

TAPE 82, SIDE B

50 ARLENE COLLINS, FORMER CHAIR OF THE OREGON CHILD CARE COMMISSION:  
Testifies in favor of House Bill 3283.

89 KELLY SANDERS, OREGON ASSOCIATION OF HOSPITALS: Testifies in favor of  
House Bill 3283.

114 TEVINA BENEDICT, WOMEN'S RIGHTS COALITION: Testifies in favor of House  
Bill 3283.

140 Do not let the streamlining cause roll backs.

162 REP. FAHEY: What is the hospital's thought on the idea that they have  
to have leave, say a women has a sick child and certification from the  
doctor is required, if you are out more than three days but you cannot get  
in to see the doctor in that short of time.

167 SANDERS: The employer would be the one to pay for that.

196 FRANK BRAWNER, OREGON BANKERS ASSOCIATION: Testifies in favor of House  
Bill 3283. Provides written testimony [EXHIBIT G].

238 BOB HALL, PORTLAND GENERAL ELECTRIC: Testifies in support of House Bill  
3283.

280 Continues with testimony.

293 BONNIE HEITSCH, COMMISSION FOR CHILD CARE: Testifies on House Bill  
3283. Provides written testimony [EXHIBIT H].

347 Continues with testimony.

381 MARSHA MARTIN, OREGON COMMISSION FOR CHILD CARE: Testifies on House  
Bill 3283. Provides written testimony [EXHIBIT I].

429 SUSAN GEORGE, SALEM YMCA: Testifies on House Bill 3283. [EXHIBIT J].

462 Continues with testimony.

TAPE 83, SIDE B

35 Continues with testimony.

65 DAVE FIDANQUE, AMERICAN CIVIL LIBERTIES UNION OF OREGON: Testifies in  
favor of House Bill 3283

101 Continues with testimony.

123 DIANE ROSENBAUM, OREGON STATE INDUSTRIAL COUNSEL: Testifies on House  
Bill 3283. Provides written testimony] [EXHIBIT K].

135 SEIGI SHIRATORI, OREGON ASSOCIATION OF NATUROPATHIC PHYSICIANS:  
Testifies in House Bill 3283. Provides written testimony [EXHIBIT L].

Closes Public Hearing on House Bill 3283

Opens Public Hearing on House Bill 3021

Witnesses: Representative Patti Milne  
Dick Ingstrom  
Ken Kuedell

145 REPRESENTATIVE PATTI MILINE, SPONSOR OF THE BILL: Testifies on House  
Bill 3021.

159 DICK INGSTROM, MANAGER OF OCAPA: Testifies in favor of House Bill 3021

164 KEN KEUDELL, OREGON CONSTRUCTION CONTRACTORS BOARD: Testifies on House  
Bill 3021.

Closes Public hearing on House Bill 3021

Open Public Hearing on House Bill 3282

Witnesses: Ellen Lowe

170 ELLEN LOWE, ECUMENICAL MINISTRIES OF OREGON: Testifies on House Bill  
3282.

Closes Public Hearing on House Bill 3282

Opens Public Hearing on House Bill 2038

Closes Public Hearing on House Bill 2038

Opens Public Hearing on House Bill 2971

Closes Public Hearing on House Bill 2971

Opens Public Hearing on House Bill 2107

Witnesses: Karen Garst  
Dawn McKay  
Gil Odebaca  
Senator Brenda Breckie  
Suzie Jordan

241 KAREN GARST, OREGON COMMUNITY COLLEGE ASSOCIATION: Testifies in favor  
of House Bill 2107. Provides written testimony [EXHIBIT M ].

276 Continues with testimony.

292 REP. BEYER: The four point seven million you are talking about, does  
that recover part of eighteen million dollar reduction from current service  
level?

294 GARST: Responds.

304 DAWN MCKAY, ROUGE VALLEY COMMUNITY COLLEGE: Testifies in favor of House

Bill 2017.

315 Without the help from this program I could not finish my way through  
school.

336 CHAIR WATT: Has the skill center helped you stay in your program?

338 MCKAY: Yes, very much so

347 Describes what the skill center can provide.

357 GIL CDEBACA, R.C. MACHINE: Testifies in favor of house Bill 2107.

373 Provides an example of what has happened to his business and how they  
used the act.

407 SENATOR BRENDA BRECKIE: Testifies on House Bill 2107.

433 As the head of the program at Coos Bay, I can tell you how well the  
skill center can serve the people.

465 SUZIE JORDAN, WORKERS COMPENSATION DIVISION: Provides amendments to  
House Bill 2107.

TAPE 84, SIDE A

Closes Public Hearing on House Bill 2107

Opens Publish Hearing on House Bill 3297

Closes Public Hearing on House Bill 3297

480 CHAIR WATT: Meeting stands adjourned

Submitted by, Reviewed by,

Paula Gilmer Purcell	Aaron Felton
Committee Assistant	Committee Counsel

#### EXHIBIT SUMMARY:

A - For House Bill 3282, A Guide to Employee Leave Laws in Oregon,  
submitted by Jack Roberts

B - Testimony on House Bill 3282, submitted by Elizabeth Bailey

C -Testimony on House Bill 3282, submitted by Larry Amburgey

D - Testimony on House Bill 3282, submitted by Laurie Wimmer

E - Testimony on House Bill 3282, submitted by Amy Klare

F - Testimony on House Bill 3282, submitted by Mari Ann Gest

G - Testimony on House Bill 3282 , submitted by Frank Brawner

H - Testimony on House Bill 3282, submitted by Bonnie Heitsch

I - Testimony on House Bill 3282, submitted by Marsha Martin

J- Testimony on House Bill 3282, submitted by Susan George

K - Testimony on House Bill 3282, submitted by Diane Rosenbaum

L - Testimony on House Bill 3282, submitted by Seigi Shiratori

M - Testimony on House Bill 2107, submitted by Diane Garst

N - Testimony on House Bill 2107, submitted by Representative Margaret  
Carter