



**OREGON
AFL-CIO**

**2023 LEGISLATIVE
SESSION REPORT**

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CONTENTS

Introduction	2
2023 Session Wins	4
Next Steps	9

INTRODUCTION

The 2023 Oregon Legislative session ran from mid January all the way up to the Constitutional end date of June 25th, with the Oregon AFL-CIO legislative team working around the clock to make real progress for workers. Despite the longest walk-out in American history, it was a banner year for Oregon's Labor movement, with legislative wins across affiliates and regions.

As approved by the Oregon AFL-CIO Executive Board in December of 2022, [the Oregon AFL-CIO's 2023 Legislative Priorities](#) worked to take advantage of the electoral wins from 2022 and make meaningful progress for workers across the state.

Despite 9 Senate Republicans essentially shutting down legislative action for six weeks of session, Oregon Labor racked up some monumental wins in the truncated timeline, including finally modernizing Oregon OSHA's penalties to help make workplaces safer, changes in time-off coverage for medical appointments under workers' compensation, historic investments in education and state infrastructure including the semiconductor industry, and significant changes for nurses and healthcare workers in safe hospital staffing levels, among many others.

While there were some significant concessions in the return-to-work deal negotiated between legislative leaders, Senate leadership stood strong and would not change any of the Republican Senators' unexcused absences from the walk-out to excused. Consequently, the nine Senators who exceeded nine absences will still be held accountable under the 2022 Ballot Measure 113 which disallows them to run for office in their next election.

While we were excited to see critical pieces of legislation finally able to move forward in the final days of session and for the full consequences of Measure 113 to play out, we should also all be very concerned about the precedent this legislative session sets at least for the short-term, where any legislative issue can be negotiated over by walking out. We should not think that any future issues that Labor cares deeply about will be immune from this tactic going forward.

Despite a few key policies that were unable to get over the finish line this session, Oregon's Labor Movement and union members still advocated for a bold agenda and pro-worker policies. We want to thank every worker and worker advocate who shared their stories with elected leaders over the last year. Our union movement should be incredibly proud of the work we were able to accomplish together this legislative session and excited for the future where these policies will become a reality.

This report aims to highlight and summarize the important progress that Oregon's Labor Movement made during the 2023 Oregon Legislative Session, as well as identify disappointments and important unfinished work of our Movement, our affiliates, and our allies.

2023 SESSION WINS

Safety and Health & Workers Compensation Reforms

OSHA Modernization

An Oregon AFL-CIO priority, [SB 592](#) addresses Oregon OSHA's low penalties for workplace fatalities and serious workplace injuries and safety infractions. The bill means that Oregon OSHA's penalties are finally in alignment with Federal OSHA penalties, instead of last in the nation. Going forward, these penalties will adjust yearly to inflation. The bill also triggers a comprehensive, full-worksite investigation within a year of a workplace death related to a violation or in the event of three or more willful violations within a year. It requires at least annual reporting to the legislature on the number of inspections, penalties, and appeals. The bill passed both the House and Senate with bipartisan support and went into effect upon the Governor's signature on May 24, 2023.

Workers' Compensation Access to Care

[SB 418](#) makes sure that workers who have been injured on the job can continue to access care, even when they've been cleared to come back to work. Too often, workers who needed to visit their primary care provider or get physical therapy in order to fully recover could not get this time compensated because it was less than a 4 hour appointment. SB 418 changed that so that all increments of time are covered. The bill passed unanimously in the House and Senate, was signed by Governor Kotek and went into effect immediately.

Workers Compensation Return to Work

An Oregon AFL-CIO priority, [HB 3471](#) helps workers get back to work when they'd been injured on the job by limiting the use of no re-hire agreements as a condition to settle a workers' compensation claim related to workers' compensation. The bill passed on party lines in both chambers and goes into effect upon the Governor's signature. Now, when a worker is in a settlement agreement relating to workers compensation it will be *their* clear choice if they would like to put severing employment on the table.

Right to Refuse Dangerous Work

[SB 907](#) codifies into Oregon OSHA statute protections for workers to refuse to do dangerous work if there is a reasonable belief that it could lead to serious injury or death. This will help ensure that workers can fully understand and exercise their rights if they are asked to do dangerous work. The bill passed with bipartisan support in both chambers and was signed into law.

Procurement and Standards

Prevailing Wage in Stand Alone Demolition

A priority of the Laborers, [SB 594](#) ensures that all projects -- including stand alone demolition or hazardous waste clean-up -- are considered public projects subject to prevailing wage protections. The bill passed both the House and Senate on party-line votes and was signed into law.

Buy America

[HB 3332](#) creates a Buy America preference to promote domestic manufacturing while supporting cleaner steel and iron products as we try to meet our climate goals. This bill was a priority of the Ironworkers and Steelworkers. The bill passed with bipartisan support in both chambers and now goes into law.

Union Jobs in Oregon's Semiconductor Industry

As the legislature worked to leverage federal resources around semiconductor production in Oregon, it was critical that any jobs created in the building of that infrastructure and beyond are good union jobs with high road standards, as outlined in President Biden's CHIPS Act. The State Federation, Oregon State Building and Construction Trades Council and numerous affiliates made sure that prevailing wage and apprenticeship standards were included in [SB 4](#). After bipartisan support in the Senate and House, the bill was signed into law.

Funding for I-5 Bridge

Workers across the state understand how critical quality infrastructure is for our communities: For our families to safely travel to and from Washington, to support interstate commerce, and to make sure that Oregon stays on the map when it comes to cutting edge innovation and in the creation of jobs that meaningfully support workers. That's why the Interstate Bridge Replacement project continued to be a priority for our movement and workers across the state in this legislative session. Labor leaders spoke up about the urgency for the project and why apprenticeships, labor standards and PLAs are critical to the short and long-term success of our infrastructure and our economy. While [HB 5005](#) does not specify labor standards, we are confident that our ongoing advocacy will make this a reality in the millions of bonds the bill affords for the I5 Bridge Replacement project. The bill passed with bipartisan support in both chambers and now goes into law.

Apprenticeship Requirements

[HB 2649](#) expands apprenticeship requirements for publicly funded projects under Oregon Department of Transportation and public universities and colleges. The bill also puts in place more outreach and recruitment requirements for women, people of color and veterans to perform the work. The bill passed on largely partisan lines in both chambers and now goes into law.

Electric Vehicle Infrastructure Training Program

It's critical that Oregon develop a statewide network of electric vehicle charging points that serve all Oregonians. To meet the ambitious goal of over 150,000 charging stations, it will be necessary to develop worker standards to ensure that Oregon has a network of EV chargers that will meet the needs of today and tomorrow. To achieve a high standard for safety in the electrical workforce, workers need to be Electrical Vehicle Infrastructure Training Program (EVITP) certified. SB 582 ensures that installation of state funded EV projects on charging points up to 25KW must have at least one electrician with an EVITP certification. This was a priority of IBEW Local 48 to make sure Oregon's clean energy future is union-crafted, maintained and supported. The bill passed with bipartisan support in both chambers and now goes into law.

Healthcare

Pharmacy Technician Licensure

[SB 410](#) streamlines pharmacy technician licensure to better serve the needs of Oregonians seeking care. This was a priority bill of UFCW Local 555 and their represented pharmacy techs. SB 410 passed near-unanimously on the Senate floor and unanimously in the House. It was signed into law by Governor Kotek.

Safe Hospital Staffing

In a strong coalition with a number of health care unions, ONA and OFNHP's priority bill, [HB 2697](#) helps address the chronic understaffing in hospitals by establishing numerical standards of how many patients a nurse may be charged with caring for. HB 2697 expands the staffing committee model, creates new staffing committees for hospital technical staff, hospital service staff, and professional staff; resolves caregivers' impossible decision between providing patient care and taking quick breaks for eating and resting during their 12-hour shifts; and enshrines a voice for workers who do home health care or who are technical, service, or professional staff in a hospital to collaboratively set staffing standards, additional to the requirements of the bill for hospital nursing care. The bill went through extensive negotiations with the hospitals to get both industry and bipartisan support. The bill passed with bipartisan support in both chambers and now goes into law.

Part Time Faculty Dental and Vision Benefits

An ongoing priority of AFT Oregon, [HB 2611](#) continues to make sure that part-time faculty can access the full range of healthcare by including dental and vision as part of the benefits. The bill passed with bipartisan support in the House and Senate and now goes into law.

Reproductive and Transgender Justice

Fundamentally, we know that reproductive health care and bodily autonomy are inextricable from workers' rights. That's why we are excited to continue to support efforts in Oregon to make sure that all workers can access the healthcare they need regardless of how they identify, where they live, or where they work. [HB 2002](#) helps codify our values as Oregonians to make sure workers' aren't being prosecuted for accessing or providing the full range of reproductive and gender affirming care available in our state. The bill passed with bipartisan support in both chambers and now goes into effect.

Organizing and Collective Bargaining

Education Workforce Reforms

In addition to a historic \$10.2 billion in the state school fund, legislators also passed [SB 283](#), a priority of OSEA to require a minimum of 25 hrs per week and just cause parity for classified school employees with other public sector workers. The bill also helps improve representation on the work quality and equity taskforce and will implement better living wages for classified K-12 education staff to fundamentally stabilize this critical workforce. The bill passed with bipartisan support in both chambers and now goes into law.

Electronic Cards Signatures for Public Sector Organizing

One of Oregon AFSCME's priority bills, [HB 2573](#) would have created parity between public and private sector union elections by allowing public sector unions to use an electronic signature for union authorization cards. E-signatures are already permitted in private sector elections. The bill passed both chambers and now goes into law.

Boards and Commissions Representation

An Oregon AFSCME bill, [HB 3028](#) addresses working Oregonians' ability to serve on appointed boards and commissions. We know their voices are critical to crafting good policies and rules, yet many workers are required to use vacation or sick time in order to participate. The bill changes that by putting in place the same protections that already exist for jury duty so that workers have protected time to serve on an appointed board or commission. The bill passed with bipartisan support in both chambers and now goes into law.

Recruitment and Retention

Firefighter Return to Work

A priority of the Firefighters, [HB 2296](#) allows retired public employees to go back to work without a reduction in their pension benefits. The bill passed with unanimous support in the House and with bipartisan support in the Senate and was signed into law.

Firefighter Apprenticeship Program

An IAFF priority, [HB 2294](#) expands firefighter apprenticeship programs to more regions in the state and helps diversify this critical workforce. The bill passed on near-unanimous votes in both chambers and now goes into law.

Prison Chaplains Retirement

A priority of Oregon AFSCME, [SB 128](#) makes sure that chaplains within the Department of Corrections are compensated fairly under the PERS system. This bill had been stalled because of Republican walk-outs in past sessions so finally made it over the finish line in 2023 with unanimous support in the Senate and bipartisan support in the House and was signed into law.

Stable Homes for Oregon Families

We know that Oregon continues to be in a housing crisis and that workers' are not immune from experiencing homelessness. [HB 2001](#) was part of the Homelessness Prevention Package to increase rent assistance, limit rate increases, and increase the data available about Oregon's rental market. The bill fundamentally makes evictions less common and more fair so that more Oregonians who are currently housed don't end up on the streets. This \$200 million investment passed with bipartisan support in the House and Senate and was signed into law by the Governor. [SB 611](#) protects against the most extreme rent spikes for renters in buildings that are older than 15 years old by setting rents at the rate of inflation and has a cap of 10%. While rent stabilization protects all tenants, it especially benefits low-income tenants, seniors, Black and Brown communities, women-headed households, persons living with disability and chronic illness, families with children, and others who have the least choice in the rental market and are most susceptible to rent gouging. The bill passed on party line votes in both chambers and now goes into effect.

Education

School Safety Infrastructure

[HB 3031](#) would make effective use of federal infrastructure resources to make schools safer for students, teachers and support staff, while also stimulating quality jobs in the community. The bill requires critical safety protections around indoor air quality assessment, in addition to minimum labor standards for the craftspeople doing the work, including family-supporting wages, use of apprenticeships and emphasis on diversifying Oregon's workforce in this area. This is a priority bill of SMART Local 16. The bill passed with bipartisan support in both chambers and now goes into law.

Expanding Access to Unemployment Insurance for School Employees

A priority of OSEA, [SB 489](#) makes sure that all classified education employees can get unemployment benefits when they are out of work. Currently, these low-income workers who are disproportionately women and people of color are locked out of these benefits simply because of the nature of their job. The bill passed with bipartisan support in both chambers and was signed into law.

Graduate Assistants SNAP

A priority of AFT Oregon, [SB 609](#) considers hours worked as a graduate assistant as hours worked in employment for the purpose of meeting work requirements for the Supplemental Nutrition Assistance Program. The bill passed with bipartisan support in both chambers and now goes into law.

Board of Education Classified Staff Representation

A priority of OSEA, [HB 3383](#) ensures that classified staff are represented on the State Board of Education. The bill passed with bipartisan support in both chambers and now goes into law.

Classified Education Staff IEP Access

A priority of OSEA, [SB 756](#) makes sure that classified education staff who are working with students have access to their Individualized Education Plan. The bill passed with bipartisan support on the Senate and House floor and was signed into law.

Creating the Oregon Workers Need

Meeting Oregon's Childcare Needs

We know that child care deserts are an ongoing issue in Oregon. [SB 599](#) and [HB 2468](#) help address this by allowing home childcare providers to do this work even if they are in a rental property. This was a priority of the Labor Movement and Oregon AFSCME to continue to make sure that all families can access childcare, regardless of their job, location or income. Both bills passed and were signed into law by the Governor.

Interpretation Needs

It's critical that all Oregon workers -- regardless of the language they speak -- can meaningfully and effectively access critical state services and that interpreters are paid a living wage. To this end, [SB 5506](#) allocates over \$2 million to facilitate the creation of language proficiency evaluations for interpreters of Indigenous language spoken in modern day Mexico, Central and South America. The bill passed with bipartisan support in both chambers and now goes into law.

Public Defense

[SB 337](#) helps address the fact that hundreds of Oregonians are currently stuck in limbo because Oregon has failed to uphold its constitutional responsibility to provide adequate legal counsel to those who can't afford a private attorney. With our public defense system so chronically under-resourced, people accused of crime are either waiting indefinitely for a public defender to become available or are negotiating plea deals without adequate legal support. This leads to system imbalances and vulnerabilities that contribute to unjust case outcomes, disproportionately impacting Black and brown communities. SB 337 increases public defender pay, ensured manageable caseloads and created a student loan repayment program. The bill passed on party lines in both chambers and now goes into law.

Bureau of Labor and Industries Budget

[SB 5515](#) addresses the Oregon Bureau of Labor and Industries budget. Labor unions and worker advocates testified in support of the bill to make sure BOLI has the resources it needs to enforce wage and hour laws, civil rights, apprenticeships and more. The bill passed with bipartisan support in both chambers and now goes into law.

NEXT STEPS

Despite ongoing advocacy from union members and affiliates, we are very disappointed to see the following policies not move forward this session. In addition to broader policies like ongoing workers' compensation reforms, equitable behavioral health practices, specific worksite safety and health improvements, and robust support for striking workers, we look forward to coming back to partner with affiliates on the following policies that did not move forward in 2023:

Cannabis Worker Organizing

A priority of UFCW Local 555, [HB 3183](#) would have required that a cannabis business in Oregon adhere to a labor peace agreement. This is important because many cannabis workers can find themselves in hazardous or unfair workplaces, and vague federal laws can make it more difficult to avail themselves of federal organizing protections. The bill had a public hearing where the Chair of the committee indicated that it would not move forward because of a legal opinion from the Legislature's legal counsel, despite the fact that similar requirements are already law in many other states.

It's incredibly disappointing that this bill did not move forward this session to make sure that cannabis workers can have a meaningful voice on the job. We look forward to partnering with UFCW and those who practice labor law to come back in the future to get this important concept over the finish line and move the dial for these disenfranchised workers.

Strike Protections for Transit Workers

A priority of ATU 757, [SB 187](#) would have repealed the unjust provision that bars transit workers from striking. Without this right, the scales are inherently tipped against workers in negotiations.

Retirement for High-Risk Public Employees

[HB 2701](#) would have allowed public workers at the State Hospital and 911 operators to be eligible for greater retirement benefits through the Public Employee Retirement Plan and allowed them to retire at an earlier age, like already applies to police and fire.

Healthcare Interpreter Portal

A priority of Oregon AFSCME, [SB 584](#) would have created a portal for health care interpreters to help streamline the process and give these workers much better wages and benefits, while also improving patient outcomes.

High Road Jobs

A priority of Ironworkers Local 29 and SMART Local 16, [SB 850](#) would have improved public procurement to ensure that state dollars go to high-road jobs that include family supporting benefits and healthcare and include apprenticeship utilization. In addition, despite moving unanimously from committee to the Senate floor, [SB 119](#) would have required that contracting agencies that use federal funds from the American Rescue Plan study the use of apprentices in public work and improvement projects. Both bills unfortunately failed to move forward this session.

Adjunct Faculty Pay Parity

[SB 416](#) would have required public universities and community colleges to pay part-time faculty at the same rate as full-time faculty.

Support for Oregon's Arts and Entertainment Industries

A priority of Oregon's entertainment unions, [HB 2019](#) to defend Oregon's film tax credit and [HB 2459](#) to help fund union-staffed arts institutions like the Oregon Ballet Theatre, Oregon Shakespeare Festival, Oregon Symphony, and Portland Art Museum did not pass this session. We will work with affiliates to make sure legislators understand any consequences of this lack of public investment will have on union jobs and work on stop-gap opportunities in the interim.

State Hospital, Corrections, Stabilization Crisis Units Overtime

For far too long workers at the State Hospital, Corrections facilities and Stabilization Crisis Units have been forced into regular -- sometimes thousands of hours -- of overtime every month. Despite dangers for the workers and the patients and clients they serve, they cannot refuse overtime. [SB 631](#) would have simply allowed workers to refuse mandatory

overtime if they have already worked mandatory overtime in the last month. This is a matter of safety, retention and recruitment and will help make sure the state is actually hiring new workers, not burning out those they already have.

While the bill did not move forward this session, it did successfully move the dial in negotiations, resulting in a letter of agreement for a 1 year pilot program to better evaluate this solution over the next year at each of these state agencies. We will help AFSCME revisit this policy if necessary at the close of the pilot program.

Campaign Finance Reform that Allows Oregon's Unions to Continue to Meaningfully Engage

As the state continues to grapple with how to make elections fair and equitable, it's critical that Campaign Finance Reform be implemented in a way that recognizes labor organizations' pooled contributions, membership security, and the direct voter-contact and democracy-building work we do in elections. While no bills on campaign finance reform moved forward this session, we're excited to make sure that anything that becomes law is fundamentally informed by the organizations who make democracy work and will help elect leaders who are truly reflective of the diversity of all Oregonians.