



Ms. Constance L. Wold
Chair, Oregon Workers' Compensation Board
Oregon Department of Consumer & Business Services
2601 25th St SE, Ste 150
Salem, OR, 97302

October 28, 2019

Chair Wold,

Thank you for the opportunity to provide feedback on the workers' compensation attorneys' fees recommendation. As a reference, the Oregon State Chamber of Commerce (OSCC) represents 84 local chambers of commerce and more than 27,000 local businesses in every corner of Oregon.

The local business community is concerned about the proposed attorneys' fees recommendation. Thanks to the reforms in 1990, Oregon's workers' compensation system is known as one of the best in the nation. It's a tool that Oregon communities use to grow their local economies. However, attorney fees for injured worker attorneys have risen year-over-year over the last five years, adding costs to local businesses. The proposed attorney fee concepts will further drive up costs. Before adopting the recommendations, please consider:

1. Bifurcation of the administrative hearing from the fee hearing will create a complex regulatory process: two hearings, two appeals, two orders, and two separate records. Not only would this be overly burdensome, but it would increase the time and costs for all parties involved, regardless of the outcome.
2. The recorded statement fee increase to \$400 an hour is unnecessarily high.
3. With regard to the multiplier, the Board already takes the contingency nature of the workers' compensation system into consideration when determining fees. The automatic multiplier takes away the discretion of the ALJ and Board. The ALJ is in the best position to assess the time committed to a hearing, complexity of the issue, and experience of the attorneys when determining fees.

Thank you for considering our comments.

Respectfully submitted,

Linda Molholt
OSCC 2019 Chair

Jenny Dresler
Legislative Counsel

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