



KATE BROWN
Governor

June 23, 2020

Worker's Compensation Management-Labor Advisory Committee
Department of Consumer and Business Services
PO Box 14480
Salem, OR 97309

Dear Management and Labor Advisory Committee (MLAC) Chairs and Members,

The COVID-19 pandemic has created both a public health and economic crisis, and our state must come together to address the onslaught of challenges we now face.

One issue that has come to my attention involves protections for workers who contract COVID-19. Oregonians who need to continue working at jobsites during the pandemic do so even though they have a heightened risk of exposure to COVID-19. Meanwhile, employers have encountered challenges as they navigate a rapidly changing regulatory environment aimed at protecting public health.

To ensure Oregon is protecting essential workers and incentivizing employers to provide the best workplace protections possible, I respectfully request MLAC identify problems or gaps in the worker's compensation system relative to the COVID-19 outbreak – including an analysis of and recommendation for a COVID-19 presumption.

Since the Legislature created it in 1990, MLAC has provided an effective forum for business and labor to meet, explore, and resolve issues involving the workers' compensation system. We believe these unprecedented circumstances would benefit from MLAC's thorough and balanced review, to address the needs of employees and employers while keeping Oregon's worker's compensation system strong.

Seventeen other states have created various workers' compensation presumptions related to COVID-19 and the approaches range widely. Many presumptions cover first responders, and some are rebuttable and mandate an approach similar to Oregon's current system. The goal of these presumptions is to promote public health, ensure each provider of workers' compensation benefits operates under the same principles, and provide needed assistance to the most vulnerable essential workers.

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Current data in Oregon shows our system is working, providing stronger benefits for Oregon workers than in many other states. I hope that in the course of your work, you will highlight for Oregon workers that coverage is often already available for them if they contract COVID-19 at work. In addition to broader education, a presumption is among the options that should be explored to ensure worker safety.

Please report back to me, and the Legislative Assembly, by mid-July of this year with your findings. I look forward to your recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Kate Brown" followed by a horizontal flourish.

Governor Kate Brown

cc: Senate President Peter Courtney
Speaker of the House Tina Kotek