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**Sent:** Tuesday, July 21, 2020 7:36 AM  
**To:** VANWINKLE Theresa A \* DCBS <[Theresa.A.VanWinkle@oregon.gov](mailto:Theresa.A.VanWinkle@oregon.gov)>  
**Subject:** COVID-19 Presumption Proposal

Diana Winther, *IBEW Local 48*  
Kimberly Wood, *Perlo Construction*  
Management Labor Advisory Committee

**Re: COVID-19 Presumption Proposal**

United States Bakery, dba Franz Family Bakery, has been a large employer and community member in the Portland area for decades. We currently employ 1,100 people in Oregon. The safety and health of our employees is our number one concern.

When COVID-19 first emerged in our state, we formed an executive committee to oversee our preventative measures. As a food manufacturer, we were considered an essential business and our employees rose to the occasion to make sure that our neighbors, families and friends were able to access our products.

In addition to the generous sick leave and health insurance benefits, we immediately put these measures in place to safeguard our employees:

- Health monitoring before entering our buildings
- Implemented social distancing and physical barriers so people could stay 6 feet apart from others
- Provided face coverings for all employees
- Provided remote work support for all employees who could work remotely
- Trained employees on their roles and responsibilities

The proposed presumption that anyone testing positive for COVID or needing quarantine for COVID has a compensable occupational disease claim violates all our guidelines for how we assess workplace injuries and illnesses. We cannot control how employees behave outside of work and to be held accountable for this behavior is completely unacceptable.

Our workplace culture promotes the mitigation of all possible workplace hazards. We hold one another accountable for our actions as we strive for continuous improvement. If this accountability shifts and puts the entire burden onto the employer, employees could have less incentive to keep themselves safe in their personal lives. If the presumption is that this is *always* a workplace violation, then how can I best put corrective actions in place and actually measure the results? If someone falls off their roof putting up their Christmas lights, this is not the responsibility of the company – why would it be our responsibility if employees choose not to social distance in their personal lives?

Our worker compensation ratings effect our insurance rates and the increased costs will not reflect our actual culture of workplace safety.

Please do not let this pass and erode all the work we have done and continue to do.

Best regards,  
Michelle Rose

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