

Power pushes for laws to help pregnant, nursing women

By **CLAIRE WITHYCOMBE**
Oregon Capital Bureau

Most people who testify at the Capitol bring slide presentations, graphs or official letterhead to make their point.

State Rep. Karin Power, D-Milwaukie, brought a breast pump as she spoke in support of her proposals to give women more latitude to be working mothers.

Nursing mothers use the device, which resembles a handheld fan but with a suction cup where the blades would be, to pump and store breast milk when they can't directly feed their babies.

Power wanted to show her colleagues why nursing moms should get dedicated breaks during the work day to pump.

The machine takes time to set up and requires thorough cleaning to prevent infections, Power explained to the House Committee on Business and Labor on Monday.

"I just wanted to quickly illustrate, this is not a fun device to use," she told lawmakers. "Most of my friends are thoroughly excited to be done with it."

Power, an attorney at the Freshwater Trust, was updating the organization's employment handbook last year when she discovered gaps between state and federal laws covering the rights of workers who are pregnant or nursing.

Now Power wants to shore up state employment protections for pregnant women and new moms.

Power, whose son is 2 years old,



Portland Tribune Photo/Jaime Valdez
Rep. Karin Power, D-Milwaukie, is sponsoring bills that would support nursing and pregnant women in the workplace.

brings firsthand experience to her cause. She pumped during her first legislative session in 2017 — that's why her office at the Capitol has curtains.

Under current law, Oregon workers at firms with 25 or more employees are allowed one half-hour break every four hours.

Power's bill — HB 2593 — would match the state with federal law, which doesn't limit pumping breaks. It would also require all employers, regardless of size, to provide breaks for pumping milk. Employers wouldn't have to pay workers during those breaks beyond the time an employer is required to provide paid rest periods.

Waiting too long between pumping sessions or feedings can

be painful and lead to serious infections, Power said. And she said many women can work while pumping — whether it's working on a legal brief or driving a truck.

Through a separate bill, HB 2341, Power also wants the state to require more employers to provide "reasonable accommodation" to pregnant workers.

That could mean a chair for a cashier who usually must stand, or light duty for a worker who can't lift heavy items, or more frequent breaks to use the bathroom.

Right now, Oregon salaried workers at firms with fewer than 25 employees don't have a legal right to such accommodations.

"I can go ahead ask my employer for that without things going horribly south and be wor-

ried about losing my job," Power said of her proposal.

Under Power's bill, employers who would face "undue hardship" to accommodate pregnant workers wouldn't have to comply.

Courts have defined what it means for an employer to face an undue hardship and what accommodations are considered reasonable under law, Power said.

State lawmakers are increasingly trying to address obstacles that pregnant women and new parents face in the workplace. The Legislature is also considering a statewide paid leave policy for caregivers.

Last June, *The New York Times* brought national attention to the issue when it published a sweeping investigation finding that discrimination against pregnant women was widespread in the nation's largest companies.

Twenty-three states and the District of Columbia have laws that go beyond the protections of the federal Pregnancy Discrimination Act of 1978.

Several members of the House Business and Labor Committee, where Power testified Monday, said they wanted to support working mothers, but expressed concerns about the impact on employers.

"I'm in this in-between of understanding the hardships of being very pregnant, and also understanding the hardships of what that accommodation looks like," said Rep. Shelly Boshart

Davis, R-Albany, who said Power's testimony on Monday brought back memories of her pregnancy in 2007. "And I think sometimes an accommodation to one person looks different than an accommodation to another person. So I'll definitely work through that with you and would love to be able to come to an understanding together."

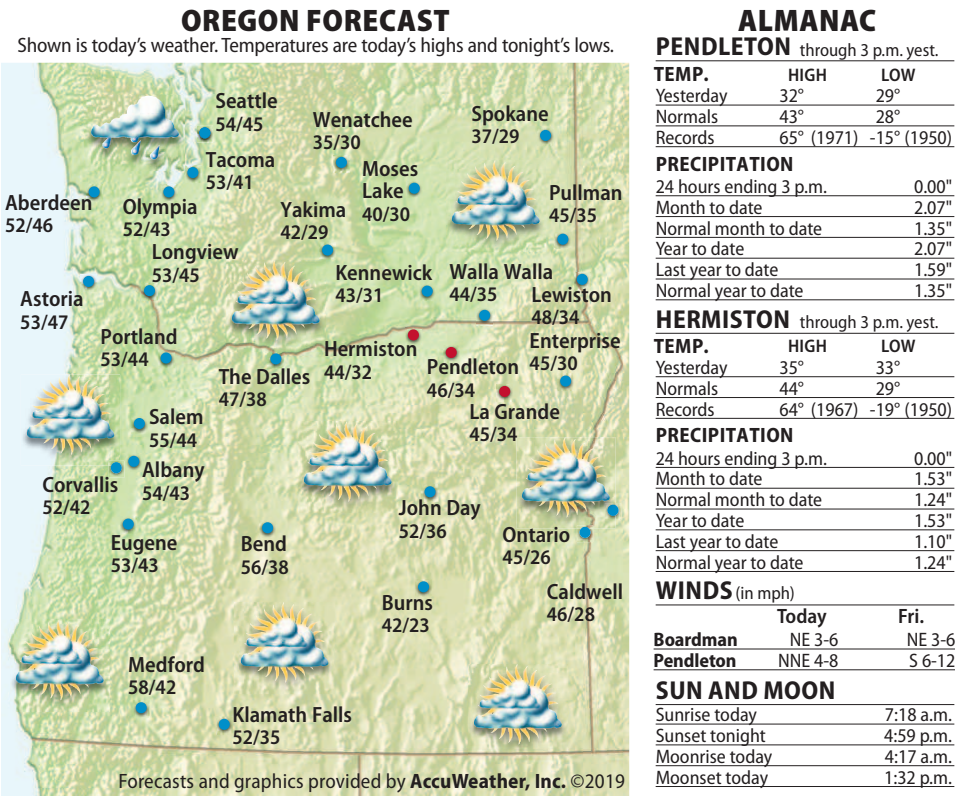
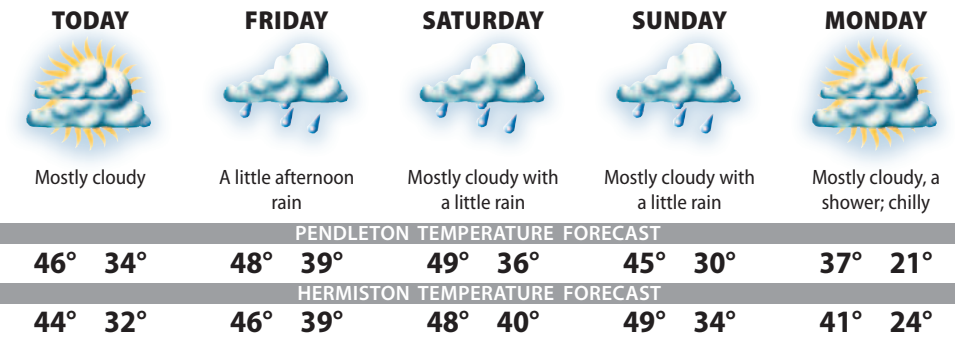
Amanda Dalton, a lobbyist with the Northwest Grocery Association, testified that her organization was concerned that the proposals could conflict with recent state laws that require employers to notify employees of their schedules in advance.

"We do have some concerns with our employers being required to provide scheduling accommodations and kind of putting us in a position where we're complying with both laws, or being forced to violate one law, or being forced to pay penalty pay as we move schedules around," Dalton said.

Power said a clearer set of accommodations for pregnant workers could have long-term implications, enabling more women to work through their child-rearing years and helping kids reap the benefits of healthy pregnancies and breastfeeding.

"We don't get there if women don't feel supported in the work place as equally as men," Power said. "The default in society, for a lot of people, that this is a burden on employers rather than a benefit to society as a whole."

Forecast for Pendleton Area

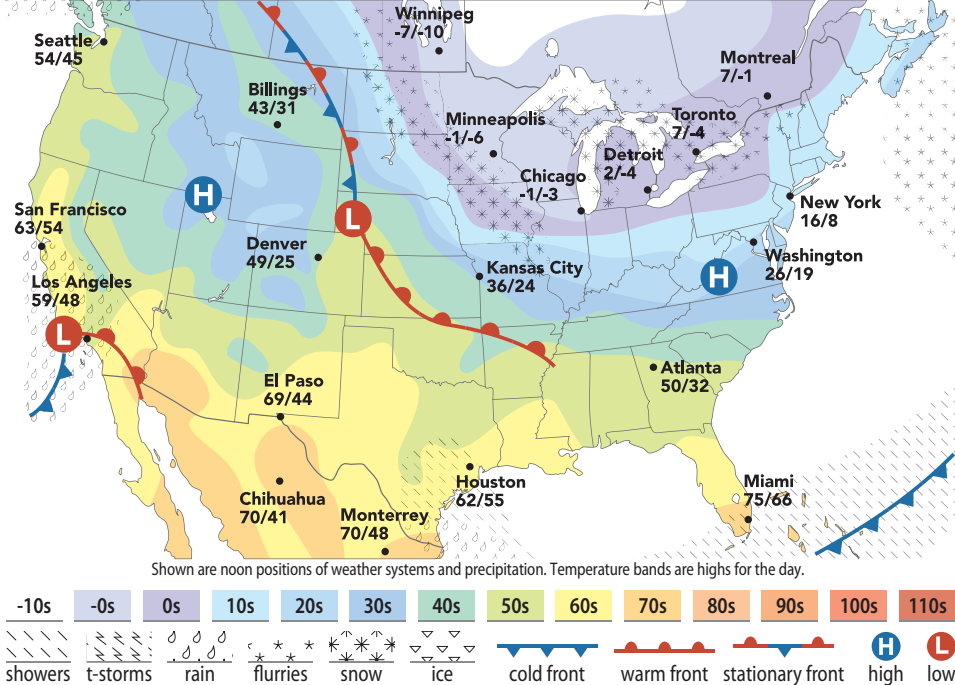


NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)

High 78° in Thermal, Calif. Low -44° in Bottineau, N.D.

NATIONAL WEATHER TODAY



Measles outbreak grows to 40

VANCOUVER, Wash. (AP) — Authorities say there are now 40 confirmed cases of measles in a Pacific Northwest outbreak.

Public health officials said Wednesday that 38 cases are in southwest Washington state, one is outside Portland, and one is in Seattle.

Two of the confirmed patients from southwest Washington traveled to Hawaii and were quarantined there and a third person was contagious while on a trip to Bend.

Authorities believe no one was exposed to the measles in Hawaii.

Clark County Public

Health says there are now 13 additional suspected cases.

Of the confirmed cases, most patients are under age 10. All but a handful were not immunized against the disease.

Washington Gov. Jay Inslee last week declared a state of emergency due to the outbreak.

Man pretending to be severely disabled goes to prison in DHS scam

SALEM (AP) — A Salem man has been sentenced to 15 months in prison after pleading guilty to defraud the Medicaid program, which is meant to serve Oregon's most vulnerable residents.

The *Statesman Journal* reports that Eddie Wag-

ner, 53, admitted to working with Dustin Hensley, 23, of Salem, on a scheme to defraud the Medicaid program, which is meant to serve Oregon's most vulnerable residents.

According to court records, Wagner pretended to be severely disabled and claimed to DHS that

he needed round-the-clock care paid for by Medicaid.

Hensley, who claimed to provide that care, had pleaded guilty to several counts of making a false claim and several counts of first-degree aggravated theft in October, and was sentenced to one year and one day in prison.

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