



LM Otero/AP photos

**Balsam Hill Outlet sales associate Rickey Haynes, right, listens to manager Kelly Bratt during training just outside Dallas in Allen, Texas, on Sept. 20.**

## Workers

**Continued from A11**

Job openings are plentiful, so workers can afford to be picky. There were 10.4 million job openings at the end of August and 11.1 million openings the month before, the highest on record since at least December 2000, when the government started recording that figure. At the same time, the U.S. Labor Department said that the number of people quitting their jobs jumped to 4.3 million in August from 4 million in July.

A recent study from ManpowerGroup revealed that nearly 40% of job candidates worldwide said schedule flexibility is one of their top three factors in career decisions.

The shifting mindset is showing up in data from job site platforms.

SnagAJob.com, an online marketplace for hourly workers, said the word “flexibility” now accounts for roughly 11% of the more than 7 million job postings on its site compared with 8% earlier in the year. But overnight shifts at restaurants have also increased significantly since January.

Instawork, a staffing marketplace that connects local businesses with skilled hourly workers, said the rate at which employers were able to fill weekend shifts dropped significantly from January through August compared with weekday shifts.

Sumir Meghani, co-founder and CEO of Instawork, said such perks don't solve the root of the problem.

“It's about flexibility,” said Meghani, noting that avail-



**Balsam Hill sells high-end artificial holiday trees out of its Dallas-area store. It closed recently due to staff shortages, then reopened — by paying its workers more by the hour and tailoring work schedules to each employee's availability.**

able shifts on Instawork have surged eightfold from right before the pandemic to August 2021. “It's about workers saying ‘I don't want to work weekends’ or ‘I can't work Mondays, Tuesdays and Wednesdays because I don't have child care or schools haven't reopened’ or ‘I am worried about COVID.’”

Meghani says hourly workers are asking how can they get the same work-life balance as their peers who can work remotely.

“The challenge is, if you are a bartender you have to work until 2 a.m.,” he said.

Employers of such jobs are limited in what they can do given the nature of how they operate, especially with customers having grown accustomed to getting what they want when they want it.

Radial, which fills online orders for retailers like Dick's Sporting Goods and PetSmart, said it's working to align its schedules with candidate expectations at each location. In-

creasingly, it's accommodating popular shifts such as Monday through Friday only, or Saturday and Sunday only.

But Sabrina Wnorowski, Radial's vice president of human resources, said it's difficult to address everyone's needs given the unpredictable nature of spending during the holidays.

On the flipside, the working poor have long struggled with erratic work schedules, particularly in the food service and retail sectors, says Daniel Schneider, professor of public policy at the Harvard Kennedy School of Government whose Shift Project focuses on inequality of low-income workers.

“The problem isn't new, and we've shown that the consequences for workers and their families are dire,” said Schneider, noting day-to-day instability of work schedules is inextricably linked to job instability. That leads to high job turnover for workers, which in turn imposes costs on individuals and on firms.

## Vaccines

**Continued from A11**

Some have been supportive of the rule, others vehemently opposed, but all are eager to learn more about the fine print of the regulation.

The U.S. Chamber of Commerce and other groups that represent large employers are worried that the proposal's threshold — applying to companies with 100 or more employees — could cause workers to migrate to jobs at smaller employers where they won't need to be vaccinated.

“We really stressed the concern about employers losing employees, and what that would mean in the context of current supply-chain challenges and the upcoming holiday season,” said Marc Freedman, vice president for employment policy at the Chamber of Commerce. “You could start to see some very serious disruptions.”

Freedman, who took part in the chamber's call with administration officials, said the 100-worker threshold would also hurt job creation by giving employers who have 90 or 95 employees a reason not to expand.

The experience of United Airlines and health care providers that acted early to require vaccination suggests that very few employees will give up their jobs because of a vaccine mandate. United says about 200 of its 67,000 U.S. workers face termination for refusing to get vaccinated and another 2,000 are still seeking medical or religious exemptions.

State government vaccination mandate deadlines went into effect this week in Oregon, Wash-

ington state, Massachusetts and New Jersey after a host of legal challenges by state employees and first responders' unions.

In Washington, the state patrol lost 127 employees, including 67 troopers, who left due to the COVID-19 vaccination mandate for state employees, about 6% of the agency's staff, officials said.

The Northwest state's mandate also led to the high-profile firing of Washington State football coach Nick Rolovich and his four assistants, who wouldn't get vaccinated.

In Massachusetts, nearly 1,600 state employees had not proved they were vaccinated or had sought a vaccine exemption by a Sunday deadline. Republican Gov. Charlie Baker announced in August that some 44,000 executive branch workers and contractors would be required to get vaccinated or face suspension and ultimately the loss of their jobs.

The National Association of Manufacturers is arguing that companies should get credit — perhaps an exemption from the rules — for taking early steps to get a high percentage of workers vaccinated. Manufacturers have expressed worry that they could see higher quit rates because many plants are located in rural areas where opposition to vaccination is stronger.

The manufacturers, the Chamber of Commerce and other business groups are also pushing the administration to let employers make unvaccinated workers pay for their own weekly COVID-19 testing.

“A lot of our members feel strongly that the vaccine is widely available; it is free, and so if a person opts not to be vaccinated potentially the onus of

the test can and should fall on the employee who has made a choice not to vaccinate,” said Robyn Boerstling, a manufacturers association vice president. She said employers should pay for testing if an employee has a medical condition or a “proven and true” religious reason for seeking an exemption.

Business groups, however, are not optimistic on the test-cost issue, saying that OSHA has a history of making employers bear the cost of new regulations.

Retailers are worried about the timing of the new regulation taking effect as they prepare for the critical holiday season. They want to push the rule's effective date into next year.

Several people who took part in the discussions with the Office of Information and Regulatory Affairs, which is doing the final review of the proposal, said they got no hints whether their arguments would sway the administration. They described conference-call meetings — virtual because of the pandemic — in which White House staffers listened and did not respond to their arguments.

It is not clear how the business community will respond once the final rule is published.

Business officials said legal challenges are more likely to come from Republican-led states such as Texas. And Alfredo Ortiz, president and CEO of the conservative Job Creators Network, reiterated his pledge Tuesday after meeting with the White House officials to sue to block the rule's implementation. Two dozen attorneys general in GOP states vowed last month to use “every available legal option” to kill the mandate.

## Blue

**Continued from A11**

Paint-makers, which typically rely on hundreds of additives and chemicals, have warned for months of higher costs and logistical issues.

Akzo Nobel earlier Wednesday said the spiraling costs and materials shortages will last through the middle of next year.

While demand is coming back to 2019 levels

as some countries appear to be getting past the worst of the pandemic, the installed capacity for making raw materials hasn't changed, Vanlancker said.

“There isn't really a reason why this big panic is happening,” the CEO said. “This should be a transient situation that could take six to nine months to get back to normal, but there is no fundamental reason why there would be a lasting supply and demand imbalance.”

## Landlords

**Continued from A11**

Director Margaret Salazar said the state agency and others will need that extra federal money both for the backlog and a continuing flow of 1,000 to 2,000 new applications each week. She said more than a quarter of Oregon renters are considered “severely rent burdened,” which under federal definition means they pay 50% or more of their income for rent.

“We continue to feel the weight of the unprecedented need for rental assistance,” Salazar told members of the Legislature's housing committees. “Every single person who has applied is counting on us and community action agencies to process applications so they can remain safely and affordably housed.”

She said no application should be older than 60 days — 90 days in Multnomah County, which has a longer grace period — by mid- to late December.

Oregon ranked eighth nationally for the share of rental assistance money committed by the deadline of Sept. 30, which also is the end of the federal budget year. Except for Connecticut and Washington, D.C., the other states ahead of Oregon have far larger populations, starting with New York.

Landlords could proceed with evictions, but they probably would forego any chance of collecting any rental assistance from agencies, which pay landlords directly.

### Longer grace period?

The committees' Democratic leaders, Rep. Julie Fahey of Eugene and Sen. Kayse Jama of Portland, called on Gov. Kate Brown to extend those grace periods by executive order.

“While we have sufficient resources, there shouldn't be anyone evicted for inability to pay,” Fahey said near the close of the informational meeting Oct. 4.

Housing advocates told lawmakers their best estimates were that 7,700 applications for emergency rental assistance were past the 60-day grace period allowed under 2021 legislation, Senate Bill 278, and 4,210 more applications were past the 90-day period set by Multnomah County. That total could result in 12,000 potential evic-

tions. Some estimates peg the number even higher, given the number of pending applications that are complete.

The figures do not take into account recent actions by Washington County commissioners and the Beaverton City Council to extend grace periods to 90 days, similar to Multnomah County. Washington County's extension applies only to unincorporated areas outside cities. They also exclude incomplete applications.

Becky Straus, a staff attorney for the Oregon Law Center, said 1,299 eviction cases were filed between July 1 and Sept. 30, after the end of a six-month eviction moratorium that lawmakers passed on Dec. 21. That total compares with around 200 between April 1 and June 30.

Brown issued an executive order for an evictions moratorium starting April 1, 2020. The Legislature wrote that into law in a June 2020 special session, and extended it for six more months in a Dec. 21 special session. During its 2021 session, in addition to setting a 60-day grace period for tenants who show proof they have applied for emergency rental assistance, lawmakers approved a separate bill to bar evictions for past-due rent until Feb. 28, 2022. But that applies only to past-due rents from April 2020 through June 30 of this year.

Neither bill forgives any past-due rents. “If we fail, all of our work to protect housing stability during the COVID pandemic will have been for naught,” Sybil Hebb, a staff attorney for the Oregon Law Center, said.

“Eviction, with millions of dollars available for emergency rental assistance on our watch, is preventable. A moratorium would extend stability. ... It would ensure that tenants have a roof over their heads while landlords get paid.”

Unlike foreclosures, which lawmakers gave Brown the authority to extend a moratorium through Dec. 31, it is unclear whether she can extend the grace period for evictions by executive order — although she did so at the outset of the pandemic in spring 2020. It is also unclear whether lawmakers themselves would meet in another special session to take action.

The most recent special session ended Sept. 27 in

partisan acrimony over congressional and legislative redistricting plans. Lawmakers will be in Salem for committee meetings Nov. 15-18 and Jan. 11-13. Their 2022 session starts Feb. 1 and is limited to 35 days.

### Payments accelerate

The Housing and Community Services Department has added staff, hired an outside contractor and relied on Oregon's network of 18 community action agencies to gear up for payments they have not had to make before.

On Sept. 16, they had paid out just under \$48 million. By a federal deadline of Sept. 30, however, the total topped \$133 million, which Scott Cooper, president of the Community Action Partnership of Oregon, said was nothing short of a miracle.

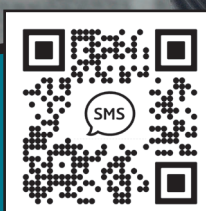
“We have all heard the concern about the possibility of an eviction tsunami in the wings,” said Cooper, who also is executive director of NeighborImpact, the community action agency for Deschutes, Crook and Jefferson counties. “Obviously, that is the last thing a state plagued by lack of affordable housing and homeless crisis needs. That being said, there is no current surge happening; there is only a fear for what might happen.”

Cooper said aside from the Portland metro area, community action agencies have been able to manage applications and even improve on the initial flow of money from state-funded rental assistance that lawmakers approved Dec. 21. The Legislature created a separate state fund of \$150 million when it was unclear whether there would be federal assistance. Congress then approved some money after Christmas 2020 and more money in the pandemic recovery plan that President Joe Biden signed on March 11.

“I'm unclear as to whether a statewide solution is needed to fix what is a local problem,” said Cooper, who also spent eight years as the Crook County judge, the county's chief elected official. “I also realize that there are competing interests between landlord groups and tenants' rights groups and there are political considerations and geographic considerations. It's not my job to balance all those: It's yours.”

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