



Senator Chuck Thomsen

Oregon State Capitol
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FOR IMMEDIATE RELEASE

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Thomsen carries legislation to protect small businesses

Salem, OR –Senator Chuck Thomsen (R-Hood River) led the floor debate Tuesday in favor of a bill that will shelter small and family owned businesses from frivolous workers’ compensation lawsuits. Senate Bill 678-A passed the Senate floor unanimously and heads to the House of Representatives for consideration.

“A ruling last year left small businesses exposed to all kinds of unnecessary litigation,” said Thomsen. “That creates uncertainty for small businesses, making it harder for them to grow and succeed. Senate Bill 678 gives small businesses the same protections offered to big businesses, and hopefully will help grow more Oregon jobs.”

Current law specifies that workers who are injured while doing their job cannot sue their employer in a civil action for job-related injuries, as long as the employer provided them with workers’ compensation insurance. This protection for employers is referred to as the “exclusive remedy” protection, because the workers’ compensation system provides the exclusive remedy for an injured worker, provided that the worker was covered by the employer’s workers’ compensation insurance.

In 2011, the Oregon Court of Appeals ruled that this exclusive remedy protection did not apply to members of limited liability corporations because statute did not explicitly list them as eligible for the protection (*Cortez v. Nacco Materials*, 2011). Senate Bill 678-A specifically extends the exclusive remedy protection to partners, limited liability company partners, general partners, limited liability partners and limited partners.

Senate Bill 678 was approved by the Management-Labor Advisory Committee.

“If we want to be a state with low unemployment and higher wages, we need to help create an environment that welcomes employers,” said Thomsen. “This bill is one way we can do that.”

Thomsen was first elected to the State Senate in 2010. He is a fourth generation orchardist from Hood River. He graduated from Hood River High School in 1975, and went on to graduate from Willamette University. Thomsen has been a volunteer firefighter with the Pine Grove Fire Department for thirty years. Thomsen has served as a Hood River County Commissioner for 16 years.

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