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Politics & Elections

Oregon legislative elections: Democrats hold onto supermajorities

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Oregon lawmakers meet for a special session in Salem on June 24, 2020. This year, 76 seats in the state House and Senate are up for election. Brooke Herbert/Staff Brooke Herbert/The Oregonian/OregonLive

By [Hillary Borrud | The Oregonian/OregonLive](#)

Oregon House Democrats held onto their supermajority Tuesday night but lost a [net of one seat](#) to Republicans, despite spending millions of dollars on campaigns to pick up Republican-held districts and defend open seats in purple or red-leaning districts.

Republicans in turn spent millions in an attempt to [win back seats](#) in swing districts and one Democrat-held district in southern Oregon that has shifted from blue to reddish purple.

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Those campaigns were a mixed success. Democrats succeeded in taking a Bend House seat from incumbent moderate Republican Cheri Helt, but they lost an open House seat on the southern Oregon coast. Republicans also picked up a north coast seat where the outgoing Democrat served a single two-year term and the winning Republican candidate campaigned on Democrats' support for a greenhouse gas cap-and-trade bill.

[Oregon Democrats shovel money into ads to hold onto north coast House seat](#)

Senate Democrats picked up a seat in Salem, putting them on track to either hold onto their 18-12 supermajority or expand it, depending upon the outcome of two races that remained too close to call as of early Wednesday morning.

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By midnight Tuesday, race results called by The Oregonian/OregonLive showed House Democrats had held onto a 37-23 balance of power, one more seat than the minimum supermajority necessary to pass tax bills without Republican support. A total of 76 legislative seats were up for election this year: all 60 House seats and 16 Senate seats.

It's not clear exactly what it will mean for Oregonians that Democrats in both chambers held onto majorities heading into 2021. Democratic candidates did not cite a unifying goal to pass any particular policy priority next year and top Democrats openly disagreed recently about a homelessness plan, although they are likely to be more open than Republicans to calls from some advocacy groups to raise taxes on wealthy individuals and companies.

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A look at the crucial races:

House District 54, Bend

Democrat Jason Kropf, a deputy district attorney, beat incumbent Republican Rep. Cheri Helt, a Bend restaurant owner who for years served on the local school board, after a contentious race. Kropf captured 62% of the vote and Helt, 37%. Helt is a moderate Republican who publicly repudiated President Donald Trump and remained at the Capitol earlier this year when other House Republicans walked out to protest a greenhouse gas cap-and-trade bill up for a vote in the Senate. But with Democratic voters outnumbering Republicans nearly two-to-one in the district, Helt faced a tough race that would have required her to win over nearly all unaffiliated voters.

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House District 9, south central coast

Democrats faced a tough race this year in this increasingly red south central coastal district, which covers the cities of Coos Bay, Reedsport and Florence. Outgoing Democratic Rep. Caddy McKeown, of Coos Bay, won four terms but as of this fall there are nearly 500 more Republicans than Democrats in the district. As recently as 2008, Democrats significantly outnumbered Republicans in the district. Republican Boomer Wright, a retired school administrator from Reedsport, defeated Democrat Cal Mukumoto, a management consultant from Coos Bay with 57% of the vote.

House District 19, Salem

Republican Rep. Raquel Moore-Green, a political consultant appointed to the seat last year, defeated challenger Jackie Leung, a Democratic Salem city councilor and executive director of the nonprofit Micronesian Islander Community.

House District 32, north coast

With Democratic Rep. Tiffany Mitchell departing the district after a single two-year term, Democrats recruited Debbie Boothe-Schmidt who until recently was president of the local chapter of the union AFSCME and worked as a Clatsop County District Attorney's trial assistant. She faced a strong challenge from Republican Suzanne

Weber, a former elementary school teacher and the current mayor of Tillamook, and Weber ending up defeating Boothe-Schmidt.

House District 52, Hood River

Republicans spent heavily to try to win back this district from Rep. Anna Williams, D-Hood River, but she ultimately defeated GOP candidate Jeff Helfrich, a retired Portland police officer. Williams is a college academic adviser.

House District 47, Portland

In East Portland's House District 47, voters reelected incumbent Rep. Diego Hernandez even though he effectively did not campaign. Hernandez is under investigation at the Capitol for allegations he sexually harassed seven women there and multiple Democratic leaders have called for Hernandez to resign.

Senate District 27, central Oregon

In Central Oregon, the race between Republican Sen. Tim Knopp of Bend, the executive vice president of the Central Oregon Builders Association, and Democratic challenger Eileen Kiely, a retired Daimler Trucks executive, also was too close to call as of 10:30 p.m.

Senate District 10, Salem area

In Salem, Democratic pastor and health care policy advocate Deb Patterson defeated Republican Sen. Denyc Boles who was appointed to the seat in 2019 after Sen. Jackie Winters died of cancer.

Senate District 5, central coast

Senate District 5 on the Oregon coast was too close to call as of deadline, with Democrat Melissa Cribbins, a Coos County commissioner, facing Republican Dick Anderson, a retired financial services professional and mayor of Lincoln City, to replace outgoing Sen. Arnie Roblan.



OR-OSHA Temporary COVID-19 Rules

Unless otherwise noted, these rules go into effect on November 16, 2020.

Physical distancing.

- Employers must make sure that work activities and workflow are designed to eliminate the need for any employee to be within 6 feet of another individual to do their job duties, unless the employer can demonstrate that such physical distancing is not feasible for certain activities.

Mask, face covering, or face shield requirements.

- All individuals (employees and the public) at the workplace must wear a mask, face covering, or face shield. It is strongly recommended, but not required, that individuals wear a mask or face covering rather than relying on a face shield alone.
 - While reasonable accommodation for those unable to wear a mask, face covering, or face shield must be provided under applicable state and federal laws, this accommodation does not include simply exempting individuals from the requirement to wear masks, face coverings, or face shields.
- The employer must provide masks, face coverings, or face shields for employees at no cost to the worker.
- If an employee chooses to wear their own mask, face shield, or face covering instead of those provided by the employer, the employer may allow it but is not required to do so unless the employee chooses to wear a respirator under the “voluntary use” provisions of the Respiratory Protection standard (29 CFR 1910.134).
- If an employee chooses to wear a face covering even when it is not required, the employer must allow them to.

Transportation in Vehicles.

When employees are transported in a vehicle for work purposes, all occupants in the vehicle must wear a mask, face covering, or face shield (unless employees are wearing respirators), except when all occupants in the vehicle are members of the same household.

Cleaning and sanitation.

The employer must regularly clean or sanitize all common areas, shared equipment, and high-touch surfaces:

-At least once every 24 hours if the workplace is occupied less than 12 hours a day;
or

-At least every 8 hours while in use, if the workplace is occupied more than 12 hours a day.

- Employers must provide employees with the supplies and the reasonable time to clean or sanitize more frequently if the worker chooses to.
- Employers must provide employees with the supplies and reasonable time to perform hand sanitizing before using shared equipment.
- Employers must clean and disinfect any common areas, high-touch-surfaces, and any shared equipment that an individual infected with COVID-19 used or had direct physical contact with (unless areas, surfaces, or equipment have been unoccupied or otherwise unused for seven days or more.)
 - It is recommended, but not required, that employers close off the area and observe a waiting period of at least 24 hours (or for as long as is feasible) prior to cleaning and disinfecting.

Posting requirements.

- The “COVID-19 Hazards Poster,” provided by Oregon OSHA, must be posted in a conspicuous manner in a central location where workers can be expected to see it.
- Employees working remotely must be provided with a copy of the COVID-19 Hazards Poster through electronic or other effective means.

Building operators. (No later than November 23, 2020)

- Employers who operate or otherwise control buildings where the employees of other employers work must take the following steps in common areas:
 - Ensure that the sanitation requirements under (3)(c)(A) of these rules are met; and
 - Post signs in areas where masks, face coverings, or face shields are required.

Ventilation requirements. (No later than January 6, 2021)

- The employer must optimize the amount of outside air circulated through its existing HVAC system(s), whenever there are employees in the workplace and the outdoor air quality index remains at either “good” or “moderate” levels.
 - This does not require installation of new ventilation equipment.
- In accordance with the HVAC manufacturer’s instructions and as frequently as is necessary, the employer must ensure that:

- All air filters are maintained and replaced to ensure the proper function of the ventilation system; and
- All intake ports that provide outside air to the HVAC system are cleaned, and cleared of any debris that may affect the system's function.

Exposure risk assessment. (No later than December 7, 2020)

- All employers must conduct a COVID-19 exposure risk assessment, covering certain questions laid out in the rules.
- If an employer has multiple facilities that are substantially similar, its assessment may be developed by facility type rather than site-by-site, so long as any site-specific information that affects employee exposure risk to COVID-19 is included in the assessment.
- Note: Oregon OSHA will make a Risk Assessment template and sample Risk Assessments available to assist employers in completing this requirement.

Infection control plan. (No later than December 7, 2020)

- All employers must implement an infection control plan based on the risks identified above, that implements the controls including, but not limited to, ventilation, staggered shifts, redesigning the workplace to accommodate physical distancing, reducing use of shared surfaces and tools, limiting the number of employees and other individuals in work areas, personal protective equipment, etc.
- If an employer has multiple facilities that are substantially similar, its infection control plan may be developed by facility type rather than site-by-site so long as any site-specific information that affects employee exposure risk to COVID-19 is included in the plan.
- This plan must be written for employers with more than ten employees.
- Oregon OSHA will make sample Infection Control Plans available to assist employers in completing this requirement.

Employee information and training. (No later than December 21, 2020)

- Employers must provide workers with information and training regarding COVID-19, covering the following as they apply to the employee's workplace and job function(s):
 - Physical distancing requirements
 - Mask, face covering, or face shield requirements
 - COVID-19 sanitation requirements
 - COVID-19 signs and symptom reporting procedures
 - COVID-19 infection notification process as required by this rule;
 - Medical removal as required by this rule;

- The characteristics and methods of transmission of the SARS-CoV-2 virus;
- The symptoms of the COVID-19 disease;
- The ability of pre-symptomatic and asymptomatic COVID-19 persons to transmit the SARS-CoV-2 virus; and
- Safe and healthy work practices and control measures, including physical distancing, sanitation, and disinfection practices.
- This information and training can be provided remotely or using computer-based models but must be provided in a manner and language understood by the affected workers.
- Employers must ensure that the training provides an opportunity for feedback from employees about the topics covered in the training.

COVID-19 infection notification process.

- The employer must establish a process to notify exposed employees (those who were within 6 feet of a confirmed COVID-19 individual for a cumulative total of 15 minutes or more, regardless of whether one or both of them were wearing source control) that they had a work-related contact with an individual who has tested positive for COVID-19, as well as to notify affected employees (those who worked in the same facility or in the same well-defined portion of the facility such as a particular floor) that an individual who was present in the facility has confirmed COVID-19.
- This notification process must include the following:
 - A mechanism for notifying both exposed and affected employees within 24 hours of the employer being made aware that an individual with COVID-19 was present in the workplace while infectious or otherwise may have had work-related contact with its employee(s) while infectious; and
 - This notification process must be established and implemented in accordance with all applicable federal and Oregon laws and regulations.
- Employers can satisfy this requirement by adopting the model procedure to be published by Oregon OSHA before the effective date of the rule.
- Note: The reporting of COVID-19 cases is required under existing Oregon Health Authority rules regarding reporting of disease cases.

COVID-19 testing for workers.

- The employer must cooperate by making its employees and appropriate space available at no cost to the workers whenever a local public health agency or Oregon Health Authority indicate that COVID-19 diagnostic testing within the workplace is necessary.

- If such testing is conducted at the employer's own direction, the employer is responsible for covering the costs of testing including the COVID-19 test, employee time, and employee travel.
- If the employer is not requesting the test, the employer is not expected to cover the direct cost of testing or any involved employee travel.

Medical removal.

- Whenever the Oregon Health Authority, local public health agency, or medical provider recommends an employee be restricted from work due to quarantine or isolation for COVID-19, the affected worker(s) must be directed to isolate at home and away from other non-quarantined individuals.
- Other than the obligation to provide such direction and to remove such employees from the workplace, the employer has no obligation to enforce the employee's quarantine or isolation.

CONSTRUCTION SPECIFIC APPENDIX

Application: This appendix applies to employers engaged in construction activities. To the degree this appendix provides specific guidance, it supersedes the requirements for physical distancing and use of masks, face coverings, or face shields of the COVID-19 Temporary Rule.

Advance Screening.

Each construction employer who controls access to a site must have a system to screen employees and visitors accessing the site using a pre-screening checklist consistent with recommendations from the Centers for Disease Control and Prevention.

Physical Distancing Measures.

To ensure appropriate physical distancing, employers must do the following:

1. Ensure that workers maintain at least 6-feet of physical distance between themselves and their co-workers;
2. Limit work in occupied areas to only those tasks that are strictly necessary; and
3. When it is not practical to maintain a physical distance of at least 6 feet, ensure that workers remain separated to the largest degree practical and for as short a time period as possible.

Construction employers are encouraged, but not required, to redesign workflow, including access to stairwells, floor levels, etc., to maximize distance between workers.

Masks, Face Coverings, and Face Shields.

Employers must implement OHA Statewide Mask, Face Covering, Face Shield Guidance.