



Oregon's Farmworker Union

Chair Barker, Vice-Chair Bynum, Vice-Chair Barreto and members of the committee,

Thank you for the opportunity to submit testimony in support of Senate Bill 370.

On behalf of PCUN's 6,349 members, I strongly urge you to support SB 370..

SB 370 is a simple, straightforward policy that benefits both employers and workers across all Oregon sectors. SB 370-2 gives employers clear guidance on how to handle I-9 audits, also known as employment eligibility verification audits. I-9 audits are mandated by the Immigration Reform and Control Act of 1986.

In Oregon, SB 370 would create a uniform system for all employers to follow: provide notification of an I-9 audit to their employees within 3 business days of that employer receiving notice of that audit, post the notice in a conspicuous location and make reasonable attempts to individually distribute notification to all employees. Bureau of Labor and Industries will be in charge of creating a notice template in Oregon's top Limited English Proficiency Languages that employers can easily customize and distribute to their employers.

This policy is also critical for the community that PCUN represents: low wage workers, farmworkers and immigrants. In Oregon's \$22.9 billion agricultural industry¹, our farm workers continue to play a pivotal role in our economy—and beyond our economy, in our communities. All workers should have the right to know when a federal agency is accessing their employee documents, understand what this process entails and allow them enough time to prepare, if need be, with their families and community.

PCUN experienced first hand the fear and confusion that an I-9 audit process can trigger. In 2018, Kendal Floral, a flower wholesaler, received a Notice of Inspection for an I-9 audit. This notice was posted on the employee bulletin board but most workers were unaware of what the notice meant until a worker sent a photo of the notice to PCUN. Upon the realization that this was an I-9 audit, several community and civil rights organizations joined together to host a forum with 300 workers to walk them through what an I-9 process entailed, how they could correct their information if needed and connect them with legal aid resources.

¹ Larson, Alice. "Oregon Update Migrant and Seasonal Farmworker Enumeration Profiles Study". (2013): 38

There are many common mistakes employees can also make on their I-9 forms, including but not limited to: not entering other last names used, address or date of birth. Notifying employees of an I-9 audit can allow them to correct this information.

SB 370 is drafted in a way that would allow community-based organizations and businesses to collaborate and better inform employees through the audit process. This also provides employers with a clear process and employees with their right to know when their information is being reviewed by a federal agency.

I thank you for your time and consideration today. PCUN respectfully requests the committee to support SB 370.

Thank you,

Martha Sonato
Political Director
PCUN, Oregon's Farmworker Union