

Dear Co-Chair Courtney,

I run a u-pick blueberry farm that was started by my father over 60 years ago. We attract customers from a wide area of the south valley and beyond. The 2020 season represents a unique challenge for our operation. We will adopt a stringent sanitation protocol for u-pick which will include new structure for picking for social distancing, mask use by all, hand washing sanitizer availability and required use and new sanitization of picking equipment. In spite of these efforts we cannot insure that customers will not contact COVID-19 somewhere as they go about their daily routines. This leaves us vulnerable to malicious litigation. Legislation protecting growers like us from such litigation when we have made best effort to protect the customer is essential to protect family farms like ours.

In the last 3 months, Oregon's farms have been put in an impossible situation - agriculture is critical infrastructure, necessary to keeping Oregon's food supply stable during the pandemic. But as the science around COVID-19 has developed in unpredictable ways, so have the practices and rules for maintaining a safe workplace. At times, these rules have been conflicting and confusing, which has left Oregon's farms ranches at risk for opportunistic lawsuits - we need the legislature to step in!

Even if a farm or ranch is following all state and federal health guidelines and new OR-OSHA rules, an employee or customer can still contract COVID-19 off-site. There is simply no way to prevent COVID-19 from entering the workplace, especially as Oregon continues to reopen. We are very concerned about lawsuits seeking damages from the operation for circumstances outside of the farm's control.

One lawsuit or demand letter could devastate a family farm, regardless of the steps the farm took to protect employee health. We need to know that if farms are implementing guidance and rules from public health and safety officials, they will be protected from unfair lawsuits that will drain cash reserves.

We need your help - please act today to please pass temporary and targeted liability protections for farms that are doing everything they can to protect employees from COVID-19 and produce the food we all need!

Sincerely,

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