



FHDC

Farmworker Housing Development Corporation

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“A Home Is Just the Beginning”

March 4, 2021

To the Honorable Chair Holvey, Vice-Chairs Bonham and Grayber, and Members of the House Business and Labor Committee,

My name is Maria Elena Guerra, and I am with the Farmworker Housing Dev. Corporation. A non-profit dedicated to build and manage low income housing for individuals working in farm labor. I am writing in support of HB 2358, farmworker overtime.

Following is a detail of what we see this bill will do for our families.

- a. HB 2358 guarantees overtime pay to agricultural workers after 40 hours in a workweek at one and one-half times the employee’s regular rate of pay.
- b. This includes farmworkers who are paid by piece-rate or hourly.
- c. Oregon would join five other states (California, Washington, New York, Minnesota, Hawaii) with some sort of overtime pay for agricultural workers.
- d. Extends overtime benefits to farmworkers which have been available to the majority of other workers since the Federal Labor Standards Act of 1938.

Additional to the above, this bill is important to our organization and the families we provide housing due to the following:

- a. Farm labor workers are frontline workers who continue to show up despite facing a respiratory pandemic, wildfires, and more recently, a winter storm. Agricultural workers deserve to be paid fairly for their labor.
- b. We believe this bill is far long overdue based on the racist legacy of excluding agricultural workers from overtime pay in the Federal Labor Standards Act (1938) to maintain social and economic control of these workers. Back then, the majority of farmworkers were Black and now we see most farmworkers are immigrants from Latin America and the Caribbean.
- c. Farmworkers are underpaid and exploited for their cheap labor. According to the National Agricultural Workers Survey, individual farm workers earn \$15,000 to \$17,499 a year and families, with an average of five members, are estimated to make between \$20,000 and \$25,000 a year.
- d. Their work is place-based and time-bound (due to crop harvest windows), which puts them at higher risk of adverse health effects from prolonged exposure to extreme heat and wildfire smoke. Wildfires happen most often during peak harvesting season when

workers can earn the most money and may be forced to choose between their health and putting food on their families' table.

- e. Most of these workers and their families do not have healthcare coverage through their employer. As a result, migrant and seasonal farmworkers experience higher rates of specific health problems such as diabetes, hypertension, cardiovascular disease, and cancer than most other Oregonians.

Based on the above, we believe this bill will impact positively and allow our farmworker to improve their lives and to invest in local business and make rural communities thrive. According to OHA, there are an estimated 174,000 migrant and seasonal farmworkers, and related family members, that contribute to Oregon's multi-billion-dollar agricultural industry. More income for these family will help to create economic stability to a class of workers who have been excluded from basic labor standards such as minimum wage, collective bargaining rights, and overtime pay.

On behalf of the Farmworker Development Corporation, we urge you to vote yes on HB 2358 to ensure farmworkers in Oregon are adequately paid for their labor.

Sincerely,

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