



Service Employees International Union – Oregon State Council
6401 SE Foster ▪ Portland, OR 97206

March 8, 2021

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

Thank you for the opportunity to provide testimony in support of House Bill 2358 for farmworker overtime. My name is Alberto Gallegos and I am submitting this testimony on behalf of the Service Employees International Union (SEIU), Oregon. SEIU Oregon is composed of SEIU Local 503 and SEIU Local 49, which together represent over 85,000 people. Local 49 represents private sector janitors, property service workers, light manufacturing, and healthcare workers; while Local 503 represents homecare workers, private nonprofit workers, in-home childcare providers, nursing home workers, and state and local government employees.

HB 2358 provides overtime pay to Oregon's agricultural workers after 40 hours of work in a single week. Overtime would be paid at the rate of one and one-half times the employee's regular rate of pay. The same concept would apply whether labor provided at an hourly or a piece-rate.

This bill extends overtime benefits to farmworkers, who are excluded from these in the Federal Labor Standards Act (FLSA) of 1938 because their labor was not valued, and neither were the primarily Black workers. Today we know that most farmworkers are immigrants from Latin America and the Caribbean, and that five states, including California and Washington, provide earned overtime pay to agricultural workers.

Oregon's farmworkers are essential, frontline workers. They are the bedrock of Oregon's \$4-5 billion in agricultural economic production. Without them there is no Tillamook Cheese, blueberries, or pinot noir. They work the fields and production facilities despite a pandemic, wildfires, and even winter storms.

We need to respect, protect, and pay Oregon's farmworkers. They often work in dangerous, dirty, and difficult conditions. They manage farm chemicals. They work despite prolonged exposure to extreme heat and wildfire smoke. Wildfires happen most often during peak harvesting season when workers can earn the most money. These conditions and a strong work ethic puts them at higher risk of adverse health effects.

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.

Farmworkers are underpaid and exploited for their cheap labor. Though wages vary, most are not able to adequately support themselves or their families. They often live in unacceptable conditions. Improving pay for

those who harvest and process our food will improve individual and family health, open up better housing options, and result in higher spending in local businesses, especially in the agricultural areas of the state.

Low pay has also allowed Oregon farmers to sell their products in very competitive world markets. We encourage legislators and allies of producers and farmworkers to both ensure the earned and dignified pay for those who harvest our crops, and minimize the economic and competitive hardships on producers.

SEIU Oregon urges you to vote yes on HB 2358 to ensure farmworkers in Oregon are adequately paid for their labor.

Thank you,

Alberto Gallegos
Political and Government Relations Organizer
SEIU, Oregon State Council