



A STRONG VOICE FOR OREGON'S WORKERS

TO: Co-Chairs Holvey and Taylor
Members of the Joint Committee on Farmworker Overtime

FR: Catie Theisen, OR AFL-CIO

RE: Testimony in Support of HB 4002-A7, Farmworker Overtime

February 24, 2022

The Oregon AFL-CIO represents over 300,000 workers in Oregon and is a voice for all workers in the legislative process. Oregon's farmworkers are the backbone of one of the largest sectors in our economy, yet, as other workplace protections have increased over the past 50 years, Oregon's farmworkers remain excluded from some of the most basic protections other sectors of the economy have been subject to for sometimes nearly a century.

Oregon has been a national leader in worker protections since our inception. In 1887, Oregon was the first state in the union to recognize Labor Day, and since then, we've continued to lead the country in reforms that help make Oregon a better place to be a worker. However, Oregon has yet to address and correct the piece of the Fair Labor Standards Act that Congress of 1938 that excludes farmworkers – who at the time were primarily Black – from child labor laws, minimum wage protections and overtime pay in order appeal to Southern Democrats. Now, it would be negligent to continue to ignore the fact that farmworkers – who make only about \$28,000 a year on average¹ – are disproportionately Latinx, and are already disproportionately impacted by structural racism within our broader economy.

Overtime pay for farmworkers is not only an issue of basic fairness, but also a critical tool for our economy. Low-pay, lack of employer-provided health care, and long hours of physical labor in often dangerous conditions ultimately lead to higher risks of adverse health effects for farmworkers and their families. Overtime protections help ensure that workers are not economically forced into working more hours than is safe while also ultimately saving costs to our health care system and helping stimulate our economy long-term.

HB 4002-A7 is the product of years of good-faith conversations and compromises and presents the legislature an opportunity to finally say enough, this failed experiment of excluding farmworkers isn't the Oregon we wanted to inherit, and now, it's not the Oregon we'll allow the next generation of farmworkers to inherit either.

Oregon's farmworkers are essential -- before, during, and after this pandemic -- and deserve to be afforded the same basic labor standards as every other class of Oregon workers. Paying farmworkers overtime at 40 hours is overwhelmingly popular among Oregonians and is a practical and moral imperative for Oregon at this pivotal moment in our history – we urge your Yes vote on HB 4002-A7.

¹ <https://www.bls.gov/oes/current/oes452092.htm>