



Testimony in Support of HB 4002 Farmworker Overtime

Joint Committee On Farmworker Overtime

February 24, 2022

Dear Co-Chair Taylor, Co-Chair Holvey, and Members of the Committee:

We are writing on behalf of Centro Latino Americano, Downtown Languages, and Huerto de La Familia. We are three nonprofits in Lane County, Oregon, and we are in the final stage of merging together to create a brand new immigrant and Latinx-serving nonprofit. As the Co-Executive Directors and Leadership and Policy Coordinator of this new organization, we are asking you to support HB 4002 Farmworker Overtime. This bill is vital to our work empowering Latinx and immigrant community members to have access to jobs in which their labor receives a fair wage.

Farmworkers are essential to the health and functioning of Oregon's agricultural industry. Their work is dangerous and hard no matter the time of year. Through heat waves, ice storms, and pandemic, Oregon's more than 86,000 farmworkers show up to put food on tables and to prepare crops for export. Despite being essential, farmworkers are paid a median hourly rate of barely \$14¹. This wage is wholly inadequate for covering even basic necessities like food and shelter for one person and certainly not a household.

Farmworker overtime is a long time coming. Since 1938, the Fair Labor Standard Act - intended to protect workers from abuse and to ensure a fair wage - has excluded farmworkers from the standard workweek and overtime pay. Originally intended to maintain southern Black farmers in a disadvantaged position, this Jim Crow exclusion lives on in Oregon's farm fields. Passing HB 4002 Farmworker Overtime is an opportunity to confront our living history and to correct its dysfunctional policies.

If farmworker overtime became reality, Oregon would join seven other states including our neighbors California and Washington. Dire predictions² that California's 2016 farmworker overtime law would cut into farmer income, farm production, and harm the state economy proved incorrect. As to concerns that better hourly wages would result in reduced total hours and in family farm closures, Gordon Lafer - professor and co-director of the Labor Education & Research Center at the University of

¹ <https://www.bls.gov/oes/current/oes450000.htm>

² <https://www.salemreporter.com/posts/5925/farm-bureau-sponsored-study-predicts-proposed-agricultural-overtime-would-be-detrimental-to-industry>



Oregon - points out³ that Oregon's raised minimum wage had no such effect on family farms despite concerns raised at the time. In fact, the number of farms has grown along with higher wages.

HB 4002 Farmworker Overtime acknowledges that fair wages would create a changed economic landscape for farmers. For this reason, farmers would have access to large tax credits over six years to soften the impact of paying true labor costs. These tax credits would permit farmers to deduct 50% of paid overtime the first two years and subsequently 35% in 2025 & 2026 and 20% in 2027 and 2028. This is a nuanced and collaborative approach mindful of all parties' economic benefit and wellbeing.

We strongly support and encourage a vote of Yes on HB 4002 to ensure farmworkers enjoy the same protections as workers in other Oregon industries.

Thank you,

Marissa Elena Zarate, Co-Executive Director

David Sáez, Co-Executive Director

Katharine V. Gallagher, Leadership & Policy Coordinator

The Latinx & Immigrant Family Wellness Hub is a collaborative project of [Centro Latino Americano](#), [Downtown Languages](#) & [Huerto de La Familia](#)