

Requested by Representative BOWMAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 2548**

1 On page 1 of the printed bill, delete lines 4 through 20 and delete pages
2 2 through 7 and insert:

3 **“SECTION 1. (1) The Higher Education Coordinating Commission**
4 **shall distribute the moneys appropriated to it under section 3 of this**
5 **2025 Act to the Center for Public Service at Portland State University**
6 **to be used by the center to conduct, in consultation with Oregon State**
7 **University, a study examining the labor standards and working expe-**
8 **riences of farmworkers in this state and evaluating the adequacy and**
9 **availability of existing workplace protections for farmworkers.**

10 **“(2) To the greatest extent practicable within the scope of allocated**
11 **funding, the study must include, but need not be limited to, an anal-**
12 **ysis of the following:**

13 **“(a) Health and safety risks, including work-related injuries and**
14 **fatalities, experienced by farmworkers.**

15 **“(b) Wages, including hourly and piece-rate compensation and work**
16 **schedules.**

17 **“(c) Availability of, and access to, benefits such as health insur-**
18 **ance, retirement benefits and paid leave.**

19 **“(d) Short-term and long-term financial security of farmworkers.**

20 **“(e) Opportunities for farmworkers to raise workplace concerns or**
21 **complaints.**

1 **“(f) Harassment, discrimination or retaliation against farmworkers**
2 **for asserting farmworkers’ rights, and methods for preventing such**
3 **actions.**

4 **“(g) Availability of training and educational opportunities.**

5 **“(h) Barriers to enforcement of labor protections and access to legal**
6 **remedies.**

7 **“(i) Employment conditions for farmworkers employed by farm la-**
8 **bor contractors licensed under ORS 658.705 to 658.850.**

9 **“(j) Working experiences of farmworkers subject to a labor contract**
10 **made under a temporary employment visa program.**

11 **“(k) The impacts on wages, working conditions and employment**
12 **opportunities for local farmworkers resulting from the use of workers**
13 **under a temporary visa program.**

14 **“(3) As part of the study, the center shall:**

15 **“(a) Engage with farmworkers and nonprofit organizations repre-**
16 **senting the interests of farmworkers to gain firsthand experiences and**
17 **perspectives regarding the working conditions of farmworkers who**
18 **work on a diverse range of farms that produce different types of ag-**
19 **ricultural commodities, reflect different types of farm operations and**
20 **are located in different geographic regions across this state using en-**
21 **gagement methods, including but not limited to:**

22 **“(A) In-person interviews;**

23 **“(B) Focus groups; and**

24 **“(C) Other engagement efforts carried out in partnership with**
25 **farmworker-serving nonprofit organizations that have well-established**
26 **relationships with the farmworker community.**

27 **“(b) Conduct a confidential survey of farmers regarding the**
28 **workplace benefits provided to farmworkers, such as health care**
29 **stipends, housing, transportation, bonuses, paid vacation time and re-**
30 **tirement benefits, and the factors that influence farmers’ decisions**

1 about whether to provide benefits and which benefits to provide.

2 “(c) To the greatest extent practicable, use data collection and re-
3 porting practices that protect the confidentiality of identities of indi-
4 vidual farmers and farmworkers, including collection and reporting
5 practices that:

6 “(A) Present only summarized information or aggregated data that
7 does not directly identify interviewees, survey participants, farm op-
8 erations or the geographic location of such operations; and

9 “(B) Include direct statements, quotations or personal experiences
10 only if an interviewee or survey participant has provided express, in-
11 formed consent.

12 “(d) Integrate findings from the study completed by the Legislative
13 Policy and Research Director under section 2 of this 2025 Act to be
14 used as a reference framework to contextualize and inform the analy-
15 sis of the working conditions of farmworkers.

16 “(4) The survey conducted under subsection (3)(b) of this section
17 must represent farmers from a diverse range of farms that produce
18 different types of agricultural commodities, represent different types
19 of farm operations and sizes and are located in different geographic
20 regions across this state.

21 “(5) The commission shall submit reports on the findings of the
22 study, in the manner provided in ORS 192.245, to the interim commit-
23 tees of the Legislative Assembly related to agriculture, business and
24 labor and natural resources, as follows:

25 “(a) The first report must be submitted no later than May 1, 2026,
26 and must provide the initial findings of the study.

27 “(b) The second report must be submitted no later than September
28 1, 2026, and must provide:

29 “(A) Updates to the initial findings; and

30 “(B) A summary of the progress of the study.

1 “(c) The final report must be submitted no later than December 1,
2 2026, and must:

3 “(A) Include the final findings of the study.

4 “(B) Describe the sampling process used to conduct the confidential
5 survey under subsection (3)(b) of this section and a description of
6 identified limitations in the survey sample data, if any.

7 “(C) Demonstrate, without proposing formal or informal policy
8 recommendations, how the final findings of the study were informed
9 by and analyzed in conjunction with the study conducted by the Leg-
10 islative Policy and Research Office Director under section 2 of this 2025
11 Act, regarding:

12 “(i) The availability of, and access to, mandated and optional
13 workplace benefits, including specific barriers farmworkers face in
14 accessing such benefits;

15 “(ii) Any identified gaps in the administration and enforcement of
16 applicable laws and policies described under section 2 (2)(d)(A) of this
17 2025 Act;

18 “(iii) Shortcomings in education and outreach by state agencies
19 concerning farmworkers’ rights;

20 “(iv) Any identified gaps in workplace protections; and

21 “(v) The effectiveness and accessibility of existing benefits, pro-
22 grams and protections for farmworkers, taking into account the dates
23 of adoption and implementation of the relevant laws and policies es-
24 tablishing such benefits, programs and protections.

25 “SECTION 2. (1) The Legislative Policy and Research Director shall
26 conduct a study that includes data collection and assessment and a
27 review of relevant studies, reports, publications and other relevant
28 literature relating to the labor standards in the agricultural industry
29 and rights and protections afforded to farmworkers in this state. To
30 the greatest extent practicable within the scope of allocated funding,

1 **the study must incorporate:**

2 **“(a) An assessment of data regarding the state of the agricultural**
3 **industry for the five-year period beginning January 1, 2021 and ending**
4 **December 31, 2025, that includes:**

5 **“(A) Coordination with the Employment Department to obtain data**
6 **on:**

7 **“(i) The number of employers of farmworkers in this state.**

8 **“(ii) The number of farmworkers who work on a seasonal basis**
9 **versus farmworkers who work on a permanent basis, including any**
10 **available data distinguishing farmworkers who are members of the**
11 **employer’s family from non-family members.**

12 **“(iii) Farmworker wage data, including the number of farmworkers**
13 **who are compensated on a piece-rate basis.**

14 **“(iv) The total number of farms that hired, and the total number**
15 **of workers hired, under a temporary visa program for the purpose of**
16 **performing agricultural labor.**

17 **“(B) Coordination with the Bureau of Labor and Industries to ob-**
18 **tain data regarding the number of farm labor contractors licensed**
19 **under ORS 658.705 to 658.850 and the number of farmworkers employed**
20 **by farm labor contractors.**

21 **“(C) Coordination with the State Department of Agriculture to:**

22 **“(i) Identify shared elements across the criteria used by the de-**
23 **partment and the United States Department of Agriculture to classify**
24 **family farms and apply those shared elements to determine:**

25 **“(I) The number of family farms in operation in this state, ex-**
26 **pressed as a numerical count and as a percentage of the total farms**
27 **in operation statewide.**

28 **“(II) The distribution of farms in this state based on operational**
29 **size and number of employees and which of those farms qualify as**
30 **family farms under the applicable criteria.**

1 “(ii) Provide a breakdown of agricultural commodities produced in
2 this state, including crop and livestock production.

3 “(D) A review of the United States Department of Agriculture Na-
4 tional Agricultural Statistics Service data for Oregon and, where fea-
5 sible, comparisons with national data.

6 “(b) A review of existing state and federal laws and regulations that
7 provide workplace protections and benefits to farmworkers, including
8 any training and outreach requirements that apply to farmworkers.

9 “(c) An examination of how the following state agencies coordinate
10 with each other in administering policies and programs regarding
11 farmworkers’ rights and protections and carrying out enforcement
12 mechanisms regarding such rights and protections:

13 “(A) The Bureau of Labor and Industries;

14 “(B) The Department of Consumer and Business Services;

15 “(C) The Employment Department; and

16 “(D) Any other state agency deemed relevant by the director.

17 “(d) An examination of peer-reviewed studies and research evalu-
18 ating the impacts of the use of workers under a temporary visa pro-
19 gram for purposes of performing agricultural labor on domestic
20 farmworkers.

21 “(2) The examination of the coordinated efforts across state agen-
22 cies under subsection (1)(c) of this section, must include:

23 “(a) A review of the policies of the Bureau of Labor and Industries
24 with respect to complaints that may be lodged with the bureau.

25 “(b) A review of existing farmworker training requirements for
26 which the Bureau of Labor and Industries, the Department of Con-
27 sumer and Business Services and the State Department of Agriculture
28 are responsible, respectively.

29 “(c) A review of available data and research of existing programs
30 that aim to improve the health and safety outcomes for farmworkers

1 or expand farmworker access to services and benefits.

2 “(d) An evaluation of the respective responsibilities of the state
3 agencies listed under subsection (1)(c)(A) to (C) of this section to:

4 “(A) Investigate and enforce the following, as applicable to
5 farmworkers:

6 “(i) Wage and hour laws;

7 “(ii) Workplace health and safety standards;

8 “(iii) Workers’ compensation requirements;

9 “(iv) Laws and regulations prohibiting harassment, discrimination
10 and retaliation for engaging in protected activities and invoking pro-
11 tected rights; and

12 “(v) Laws and regulations related to pesticide safety and prevention
13 of hazardous exposure.

14 “(B) Administer the temporary visa program for purposes of per-
15 forming agricultural labor on farms in this state.

16 “(C) Collect and apply agricultural employment practice survey data
17 issued by the United States Department of Labor for purposes of de-
18 termining or applying prevailing wage rates for farmworkers.

19 “(3)(a) In completing the study under this section, the director shall
20 review relevant data and information that is made publicly available
21 or made available through information shared by state agencies.

22 “(b) To the greatest extent practicable, all agencies of state gov-
23 ernment are directed, to the extent permitted by laws related to
24 confidentiality, to furnish information necessary for the director to
25 complete the study under this section. The furnished information must
26 be disaggregated and may not include any personally identifiable in-
27 formation about individual farmworkers or employers of farmworkers.

28 “(4) The director shall submit a report in the manner provided by
29 ORS 192.245 to the interim committees of the Legislative Assembly
30 related to agriculture, business and labor and natural resources no

1 later than September 15, 2026. The report must include the findings
2 of the study and identify any limitations encountered in accessing or
3 collecting data, including where information was unavailable or in-
4 complete.

5 **“SECTION 3.** In addition to and not in lieu of any other appropri-
6 ation, there is appropriated to the Higher Education Coordinating
7 Commission, for the biennium beginning July 1, 2025, out of the Gen-
8 eral Fund, the amount of \$_____, for distribution in accordance with
9 section 1 of this 2025 Act.

10 **“SECTION 4.** In addition to and not in lieu of any other appropri-
11 ation, there is appropriated to the Legislative Policy and Research
12 Committee, for the biennium beginning July 1, 2025, out of the General
13 Fund, the amount of \$_____, which may be expended for carrying out
14 the study under section 2 of this 2025 Act.

15 **“SECTION 5.** Sections 1 and 2 of this 2025 Act are repealed on Jan-
16 uary 2, 2027.

17 **“SECTION 6.** This 2025 Act being necessary for the immediate
18 preservation of the public peace, health and safety, an emergency is
19 declared to exist, and this 2025 Act takes effect on its passage.”.

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