

Submitter: Loren Bumgardner
On Behalf Of: West Coast Beet Seed Company
Committee: House Committee On Labor and Workplace Standards
Measure, Appointment or Topic: HB2548

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Oppose House Bill 2548

House Bill 2548 gives the Agriculture Workforce Labor Standard Board the authority to set higher standards than other governing authorities that oversee the same regulations.

An example of current regulations: Oregon OSAH has adopted two permanent rules, 437-002-156 and 437-004-1131, which prevent heat illness for agriculture workers.

Paid leave (SB1515) is the current law. This proposed bill would create another agency to set health and safety and other labor regulations, confusing the employer and the employee.

This bill would create a costly burden on small farms and agriculture businesses. It would also allow for higher minimum wages than those established under current law by allowing an unelected governing body with authority to set the increase. This bill also would allow an unelected governing body to set paid benefits such as paid leave, retirement benefits, hazard pay, severance pay, and many other benefits listed in the bill.

Under section 4 (c) of this bill, the board can establish requirements for working conditions, such as rest breaks, work schedules, and working hours. However, how can you establish requirements for work schedules and working hours for all agricultural commodities when each commodity has a different peak season? For example, a farmer who produces broccoli has a different planting season than a farmer who produces sugar beet seed. During this season, there are days when the weather will not permit fieldwork. This proposal limits the necessary flexibility for staffing.

This proposal also eliminates at-will employment, places the burden of proof on the employer, and creates a private right of action against the employer, which is costly. Employers will consult legal advice to review documentation for termination—or risk civil action for any action on the wrongfully terminated employee.