



A STRONG VOICE FOR OREGON'S WORKERS

February 23, 2025

Chair Prozanski, Vice-Chair Thatcher and members of the Senate Judiciary Committee,

The Oregon AFL-CIO represents over 300,000 workers across the state in every sector of Oregon's economy and is a voice for all workers in the legislative process. Thanks for the opportunity to testify in support of HB 4111 because immigrant Oregonians should be able to seek justice, update their workplace documents and not be profiled simply because they come from an immigrant family.

1 in 8 workers in Oregon is an immigrant¹ -- many of whom worked around-the-clock during COVID-19 to keep food on our tables, to care for our loved ones, and to keep our economy running. Without immigrants, Oregon's economy simply would not work. We as a state should do everything we can to end discrimination, which is why we're asking you to pass HB 4111 which makes three tangible policy changes to move the dial for immigrant Oregonians here:

Civil Court intimidation

Far too often, the first question an immigrant Oregonian asks when considering a civil case – regardless of their actual immigration status – is whether or not their status will come up. Civil cases run the gamut of family court issues, personal injury, discrimination or retaliation and wage theft among others. To put wage theft into perspective, on minimum wage violations alone, according to the Oregon Center for Public Policy, workers lost an estimated \$283 million to \$405 million a year due to being paid less than the minimum wage.² And these are just the cases we *know* about, not the thousands of workers who were too scared to pursue a claim. When a worker has the courage to come forward to seek justice in these cases, we have an obligation to that same worker that they can pursue their case without their immigration status coming up and being entered into the legal record.

Under current practices, immigration status is often brought up early in a case, and while largely irrelevant, is effectively used to intimidate a worker from moving forward or receiving what they are owed. HB 4111 would ensure that immigration status would not be admissible in civil cases unless it is essential to prove a claim.

Employment Retaliation

HB 4111 ensures that if a worker makes a *lawful* update in their work authorization documentation, (for example, going from DACA or a green card to citizenship,) their employer cannot fire, demote, or otherwise penalize them. HB 4111 ensures that workers can follow the law without fear that doing so will get them fired. Importantly however, it also does not change the existing law that workers without current legal work authorization documents also cannot legally work.

¹ <https://www.americanimmigrationcouncil.org/research/immigrants-oregon>

² <https://www.ocpp.org/2025/02/24/wage-theft-labor-bureau-funding/#:~:text=Wage%20theft%20is%20pervasive.,to%20set%20another%20annual%20record.>

Profiling and Oregon as a national leader

HB 4111 builds on Oregon's anti-profiling law to add immigration status and perceived immigration status –in addition to race, ethnicity and national origin – to our profiling statute. This addition aims to bring crystal clarity to the rights that Oregonians who may be perceived as an immigrant have when interacting with state and local law enforcement. This part of HB 4111 sends an important message to our communities in Oregon and beyond that profiling of any kind will not be tolerated here.

HB 4111 draws from laws that are already working in a number of other states and localities. California clarified workplace retaliation for personal information updates in 2014. Washington and several other states have made immigration status inadmissible in court. New York City was the first to add immigration status to their profiling law and Oregon should be the first state to set an example nation-wide.

This policy is part of the immigrant justice package and fundamentally about living our values: Oregon is a state where no one should fear that going to work, accessing the justice system, or simply going to get groceries or taking their child to the hospital could mean that they never return home. However, we know that for far too many Oregonians, that constant fear is the reality of the moment we are living in. This culture of fear is having negative consequences on people's day-to-day lives. And that's why we're asking Legislators to use every tool in your toolbox to quell that fear as much as possible: HB 4111 brings three tangible solutions to move the dial to address parts of this culture of fear in Oregon.