



1616 P Street, NW  
Suite 300  
Washington, DC 20036  
T +202.683.2500  
F +202.683.2501  
[foodandwaterwatch.org](http://foodandwaterwatch.org)

**TO: House Committee on Business and Labor**  
**FR: Tarah Heinzen, Food & Water Watch**  
**RE: Support for House Bill 2358 (Farmworker Overtime)**

March 8, 2021

My name is Tarah Heinzen, and I am Legal Director for Food & Water Watch. Food & Water Watch fights for solutions to the most pressing food, water, and climate problems of our time. We work to protect people's health, communities, and democracy from the growing destructive power of the most powerful economic interests.

On behalf of Food & Water Watch and our 38,000 members and supporters in Oregon, we are writing in support of House Bill 2358, the farmworker overtime bill.

HB 2358 is a much-needed update to Oregon's existing labor law. Overtime benefits have been available to workers in most industries since the passage of the Federal Labor Standards Act of 1938. However, agricultural workers as a class have usually been excluded from overtime laws.

This stems, in large part, from our nation's long history of racial discrimination. Agricultural workers that work for wages have predominantly been people of color and immigrants. Lower standards of pay were, and continue to be, a method of social and economic control over people from these communities.

This bill helps to rectify that injustice, by guaranteeing overtime pay to agricultural workers after 40 hours in a workweek, in the amount of one and one-half times the employee's regular rate of pay, a standard practice in other industries. Furthermore, this bill includes farmworkers who are paid by piece-rate as well as hourly employees, in order to account for the different systems of compensation in the agriculture industry.

It is crucial that the legislature take action to fairly compensate the labor of these workers. Because the work must be done in a certain place and at a certain time (harvest season), these workers must often work in extreme conditions, and risk adverse health effects from their labor. Wildfires happen most often during peak harvesting season, often forcing workers to choose between their health and putting food on their families' table.

These workers are fundamental to the operation of our food system. We rely on them for the food we eat. They deserve dignity and respect, and that means guaranteeing them the same overtime pay that other workers receive.

I urge you to vote yes on HB 2358 to ensure farmworkers in Oregon are adequately paid for their labor.

Sincerely,

Tarah Heinzen  
Legal Director  
Food & Water Watch