



LatinoNetwork

Testimony of Leland Baxter-Neal, Director of Advocacy Regarding HB 2205 The Just Enforcement Act House Subcommittee on Civil Law

Chair Power, Vice-Chair Wallan, and Members of the House Subcommittee on Civil Law

Latino Network appreciates the opportunity to provide testimony on HB 2205. **Latino Network strongly supports HB 2205 to give workers the power they need to enforce their rights at work.** As a member of the Fair Shot For All Coalition, we support this policy as part of the 2021 legislative agenda and our ongoing work to ensure racial, gender, and economic justice for residents in Oregon.

Latino Network is a culturally-specific nonprofit serving Latinx youth and families in Multnomah, Clackamas, and Washington counties. Our organization provides transformative services to over 8,000 Latinx youth, families, and community members in multiple areas including education, family stability, housing support, and advocacy.

Every worker deserves to be paid for a fair day's work and have their rights protected no matter where they work or how much they make.

Over the past few decades, our state agencies charged with enforcing important labor protections have experienced a steady decline in funding and resources, while the size of Oregon's workforce has grown. Compounded by the COVID-19 pandemic, wildfires, and an economic crisis those agencies have been overwhelmed by complaints to which they do not have the capacity to respond.

Furthermore, a lack of outreach, accessible information and a fear of retaliation for speaking out has left Oregon's most vulnerable workers - those in agriculture, manufacturing, retail, and other low-wage industries - with little trust in the system that exists to protect them.

Workers of color have long faced exclusion, marginalization, and exploitation. This is especially true for Oregon's immigrant workers, a critical sector of the state's workforce, a central constituency for Latino Network, and an essential community in our state.

In particular, wage theft is a massive problem for immigrant workers, who find themselves unlawfully exploited by employers who believe that the workers' immigration status is an invitation to impunity. And looking at Oregon's enforcement statistics, they might be right. Even when employees bring these claims and the state does enforce workplace laws, companies rarely face penalties. In claims brought to the state between 2006 and 2019, only 1% of Oregon businesses found guilty of wage theft ended up paying penalties imposed by the state.

Workers most acutely affected by wage theft are more likely to be womxn, immigrants, and BIPOC workers who work in low-wage, and labor intensive industries. This is especially true in rural communities with a high need for immigrant work-force, including farm-labor, processing plants, meat packing plants, and frozen foods.

When workers do find the courage to speak up at work, they face the threat of retaliation from employers. When state agencies do not have capacity to take on their cases, they are often left with no other avenues to address the harm done to them, and the very real possibility of a worsened situation at work.

The compounding crises of COVID, wildfires, and the economic downturn have landed most heavily on the shoulders of BIPOC and immigrant communities across our state and laid bare the existing crises in our workplaces. BIPOC and immigrant communities make up a greater portion of essential and frontline workers, and are most impacted by these crises

For example, while Latinx people make up 13% of the state's population, they have experienced more than 30% of COVID-19 infections. Many of these can be attributed to workplace infections. During the pandemic, our state agencies received record numbers of reports of workplace abuse and health and safety violations: OR OSHA received ten times as many complaints as they do in a normal year.

During 2020, OR OSHA received complaints from 23 of the 35 largest workplace COVID outbreaks ***but were only able to investigate two***. Immigrant workers disproportionately make up the workforce in industries that have seen the most widespread workplace outbreaks of COVID-19.

The Just Enforcement Act would provide workers with a voice in their workplace and create a revenue stream for state agencies to increase enforcement capacity. Providing an avenue for workers to partner with trusted community organizations to file suits on the state's behalf would allow workers who fear speaking out alone and risking their jobs to have the community at their backs while they do so. Latino Network urges you to support HB 2205.

Signed,
Leland Baxter-Neal
Latino Network, Director of Advocacy