



community alliance of tenants

January 31st, 2022
Community Alliance of Tenants
1320 NE 63rd Ave.
Portland, OR, 97213

Chair Holvey, Vice Chairs Bonham and Grayber, and Members of the House Business and Labor Committee,

My name is Kim McCarty, and I am with The Community Alliance of Tenants. We are an org dedicated to housing justice, tenants rights, and tenant education. I am writing in support of Farmworker Overtime.

We can all agree that farm workers deserve equal treatment, and the same quality of life as any other worker. They are doing important, hard, and dangerous work in one of the largest sectors of our state economy, and they are essential in feeding families across Oregon. Farm workers are usually tenants, and their struggle ties into the struggle of tenants in Oregon.

By saying that this will disadvantage workers, we are veering away from what the root problem really is. This is about racial justice, this is about affording farmworkers the same rights as other workers in Oregon. This is about ending a Jim Crow exclusionary law in our state.

This legislation is long overdue, our current system is based on the racist legacy of excluding agricultural workers from overtime pay in the FLSA to maintain social and economic control of these workers. Back then, the majority of farmworkers were Black and now we see most farmworkers are immigrants from Latin America/the Caribbean.

Farmworkers are frontline workers who continue to show up despite facing a respiratory pandemic, wildfires, a winter storm and deadly heat waves. Agriculture workers deserve to be paid fairly for their labor.

Farmworkers are made to perform physically demanding manual labor activities in knowingly unsafe conditions, including when confronted with one or more environmental/safety hazards such as severe weather warnings, poor air quality (e.g., wildfire smoke, debris), exposure to toxic chemicals (e.g., pesticides), and risk of disease contagion (e.g., COVID-19).

Agricultural workers are at an elevated risk for the development of chronic musculoskeletal pain resulting from repetitive motion injuries/re-injuries, poor availability of workplace safety and ergonomic tools and overtime hours. For example, working more than 8 hrs, increases their risk of developing neck pain by 4.39 times and upper back pain by 7.95 times.



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Most farmers do not offer farmworkers healthcare coverage. As a result, migrant and seasonal farmworkers experience higher rates of specific health problems such as diabetes, hypertension, cardiovascular disease and cancer than most other Oregonians.

Agricultural work is recognized as the occupation most likely to have mandatory overtime due, in part, to the seasonal nature of the industry. Farmworkers commonly perform up to 16 hours of work per day.

In a study of migrant workers in Michigan, the average amount of time workers spent with their family was only 1 hour per week, which results in a culture loss for children of farmworkers. Mandated overtime requires farm workers to spend less time with their families, take on greater financial and logistical strain trying to obtain childcare and/or bring children to their worksite.

As far as economics go, we can't afford not to pay farmworkers in Oregon overtime. Washington and California already have farmworker overtime laws on the books. If we don't pay our skilled farmworkers what they deserve, they will take their abilities to where they are better compensated, leaving Oregon farms behind.

Farmworkers are underpaid and exploited for their labor. According to the National Agricultural Workers Survey, individual farm workers earn \$15,000 to \$17,499 a year and families are estimated to make between \$20,000 and \$25,000 a year.

We urge you to end the long-standing racist exclusion of farmworkers from overtime protections as soon as possible.

Sincerely,

Kim McCarty
Executive Director
Community Alliance of Tenants