



Date: 2/7/2022

To: House Committee on Business and Labor

From: Meet Panchal, **Beyond Toxics**

Re: Support for Farmworker Overtime, HB4002

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

My name is Meet Panchal, and I am the Environmental Justice Statewide Projects Manager at Beyond Toxics, a statewide environmental justice organization advancing policies that ensure meaningful participation and cultivating grassroots leadership from Oregon's under-represented and impacted communities. I am writing in support of farmworker overtime. Farmworkers should receive overtime pay after 40 hours in a workweek at one and one-half times the employee's regular rate of pay.

By passing HB 4002, Oregon would join our neighboring states California and Washington who are implementing overtime pay for agricultural workers after 40 hours a week. Beyond Toxics envisions a state that upholds bold and intersectional policies and advances racial, economic, climate, and environmental justice to improve public health and community well-being. HB 4002 guarantees overtime pay to agricultural workers after 40 hours in a workweek at one and one-half times the employee's regular rate of pay. This bill ends the racist exclusion of farmworkers from the Federal Labor Standards Act (FLSA).

Farmworker overtime is important to us because this will help disadvantaged workers. The bill addresses the root problem of racial justice. This is about affording farmworkers the same rights as other workers in Oregon. This is about ending a Jim Crow era exclusionary law in our country that targeted laborers who were Black and people of color to prevent them from receiving the same worker compensation fairness considerations as any other worker. 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. Farm workers 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). Their work is place-based and time-bound (due to crop harvest windows), which puts them at higher risk of

adverse health effects from prolonged exposure to extreme heat and wildfire smoke. Wildfires happen most often during peak harvesting season when workers can earn the most money and may be forced to choose between their health and putting food on their families' table.¹

Farmworkers are essential workers deserving of overtime pay, equal to what other workers receive. This creates economic stability to a class of workers who have been excluded from basic labor standards such as minimum wage, collective bargaining rights, and overtime pay. Overtime pay would provide farmworkers a stable economic life, to pay for their living expenses and opportunities to increase general wealth. Farmworkers deserve dignity, respect and labor rights. For too long, they have been denied rights other workers have been afforded.

We urge you to pass farmworker overtime in the 2022 Legislative Session to ensure farmworkers in Oregon are paid fairly for their skilled and essential labor.

Sincerely,

Meet Panchal

Statewide Environmental Justice Projects Manager

Beyond Toxics

¹ OHA, Climate and Health in Oregon 2020 Report, 21.

<https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/2020/Climate%20and%20Health%20in%20Oregon%202020%20-%20Full%20Report.pdf>