



February 8, 2022

Representative Holvey, Chair  
Representatives Bonham and Grayber, Vice-Chairs  
Members of the House Committee on Business and Labor  
Oregon State Capitol  
Salem, OR 97301

Chair Holvey, Vice-Chairs Bonham and Grayber, and Members of the Committee,

On behalf of the Renew Oregon coalition, I am writing to support House Bill 4002, requiring overtime pay for agricultural workers who work in excess of 40 hours in a workweek. We, however, take issue with the long phase-in time and believe farmworkers deserve these rights and protections sooner.

Farmworkers are among a group of workers most impacted by the dangerous effects of the climate crisis and burning fossil fuels, such as more frequent, severe heat waves, increased smoke from growing wildfires, and exposure to diesel exhaust pollution. These hazardous working conditions come on top of what is already intense physical labor, causing terrible health outcomes for farm and agriculture workers. 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 family's table.<sup>1</sup>

While we work diligently to combat the worst of climate change and transition to cleaner forms of energy on the farm and everywhere else, the current changes in our climate are already harming those working on the front lines. Our coalition's commitment to good-paying jobs and healthy communities, and our values in fighting for environmental justice, demand we seek solutions to help frontline communities burdened by the climate crisis and fossil fuel air pollution.

One of the reasons the health of farmworker communities is disproportionately harmed by these growing climate threats is a lack of access to economic resources, health care, and affordable, quality housing. Farmworkers are underpaid and exploited for their labor. According to the Bureau of Labor Statistics, individual farm workers earn a median of \$28,900 a year, less than

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<sup>1</sup> 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>

\$14.00 per hour.<sup>2</sup> Changing the law to allow agricultural workers access to the same overtime pay as many other types of workers already enjoy will help close this gap.

We support bringing Oregon in line with West Coast neighbors, Washington and California. We should do so because it is what workers deserve, but it is also related to competitiveness. With many sectors already suffering a worker shortage, being out of step with bordering states will result in workers going to those states for better treatment, potentially leaving Oregon's food to wither in the fields and orchards.

Throughout the pandemic, Oregonians have cheered on essential workers for keeping our communities fed and taken care of all of us. It's time we overcome the racist legacy of excluding agricultural workers from overtime pay in the Federal Labor Standards Act back in 1938. Then, the majority of farmworkers were Black and now most farmworkers are immigrants from Latin America/the Caribbean,<sup>3</sup> and the same racist denial of a fair wage and value for time persists.

We urge you to vote yes on HB 4002 to guarantee 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 should include farmworkers who are paid by piece-rate (how many crops they produce) or hourly. It's time for Oregon to recognize farmworkers as essential workers deserving of overtime pay. Equal is equal regardless of type of employment.

Sincerely,

Brad Reed, Renew Oregon  
Campaign Manager

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*Renew Oregon is a clean energy advocacy [coalition](#) of businesses and workers, healthcare professionals and parents, farmers and ranchers, faith and community organizations, and individuals coming together to move our state away from polluting energy to a clean energy economy. We are working to create good-paying jobs for all Oregonians, protect air and water from pollution, and help families stay healthy.*

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<sup>2</sup> <https://www.bls.gov/ooh/farming-fishing-and-forestry/agricultural-workers.htm>

<sup>3</sup> Farm Workers and the Fair Labor Standards Act: Racial Discrimination in the New Deal  
[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2205898](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2205898)