



Oregon moms and caregivers fighting for gender, economic, and racial justice.

February 7, 2022

House Business & Labor Committee
RE: Support for HB 4002

Chair Holvey and Members of the House Committee on Business and Labor,

Thank you for the opportunity to provide testimony in support of House Bill 4002, which would extend overtime pay to Oregon's essential farmworkers. Family Forward Oregon is committed to advancing policies that support families and help them succeed, both in the workplace and at home. We work to ensure that Oregon is a place where all families can be economically secure and have the time they need to take care of each other.

There are approximately 174,000 migrant and seasonal farmworkers in Oregon.¹ Despite the pandemic shedding light on the vital and essential role farmworkers play in our economy and food supply, farmworkers are excluded from overtime pay and other workplace protections. Farmworkers are some of the lowest paid workers: 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.²

It is important to recognize the racist origins of farmworkers' exclusion from basic labor protections that many of us take for granted today. The exclusion of agricultural and domestic employees from basic federal protections was well-understood as a race-neutral proxy for excluding Black people from statutory benefits and protections made available to most white people.³ With HB 4002, we can correct this long-standing injustice.

Currently, agricultural work is recognized as the occupation most likely to have mandatory overtime due, in part, to the seasonal

¹ Oregon Health Authority, Vital Role of Migrants in the State Economy, <https://www.oregon.gov/oha/HPA/HP-PCO/Pages/Migrant-Health.aspx>

² Findings from the National Agricultural Workers Survey (NAWS) 2015-2016: A Demographic and Employment Profile of United States Farmworkers, pg 36. https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS_Research_Report_13.pdf

³ <https://lawcommons.luc.edu/cgi/viewcontent.cgi?article=1150&context=facpubs>

nature of the industry. Farmworkers commonly perform up to 16 hours of work per day.⁴ Additionally, different family members may have different shifts resulting in a drastic loss of time when the whole family can be together. In a study of migrant workers in Michigan, the average amount of time workers spent with their family was only 1 hour per week.⁵ Overtime pay would allow farmworkers to spend more time with their families and help provide more economic stability for families.

Through the pandemic, catastrophic fire seasons, and hazardous air quality, farmworkers in Oregon kept working to keep food on our tables. Farmworkers are essential workers, deserving of overtime pay. Equal is equal, regardless of type of employment.

We urge your support of HB 4002 to end the long-standing racist exclusion of farmworkers from overtime protections.

Sincerely,



Courtney Helstein
Political Director
Family Forward Oregon

⁴ Caxaj CS, Cohen A. "I Will Not Leave My Body Here": Migrant Farmworkers' Health and Safety Amidst a Climate of Coercion. *Int J Environ Res Public Health*. 2019;16(15):2643. doi:10.3390/ijerph16152643

⁵ Mandated, But Not Compensated: Exploring the Multifaceted Impacts of Overtime on Farm Workers' Health, Safety, and Well-being, pg 10.

https://img1.wsimg.com/blobby/go/c8357af7-9c3e-4b52-9725-4de56f1d3cea/PCUN_White%20Paper-Overtime%20Pay_FINAL.pdf

