

House Committee On Business And Labor
Oregon State Capitol
900 Court Street NE, Room 453
Salem, Oregon 97301

RE: HB 4002

Dear Chair Holvey and Members of the House Business and Labor Committee:

My name is Jennifer Martinez-Medina, PhD Candidate at Portland State University. I write this public testimony on my own behalf in support of HB 4002 that Prohibits employers from permitting or requiring agricultural workers to work in excess of maximum allowable hours unless workers are compensated for overtime hours worked.

In the past twenty-one months, I helped organize a statewide [Oregon Covid-19 Farmworker Study](#). Our community-driven research has pointed to the devastating health impacts and economic precarity farmworkers are experiencing. Many farmworkers are experiencing food insecurity at this very moment because they cannot afford the food they harvest. Although the pandemic has intensified many vulnerabilities, the underlying structures, such as farmworkers' exclusion of overtime, are reasons we continue to see the marginalization of farmworkers.

Farm labor is a tasking job. Yet, farmworkers continue to be excluded from basic protections, such as overtime pay. The institutional exclusion of farmworkers from New Deal protections continues to be a stark reminder of the anti-Black, racist, and unjust policies instituted during Jim Crow that continue to affect farmworkers' everyday lives. Farmworkers continue to be one of the lowest-paid wage workers despite playing a vital role in society. It is time to put an end to the agricultural exceptionalism paradigm. The \$3 billion Oregon Food and Agriculture industry must compensate farmworkers overtime work for their vital contributions to the industry.

In the last two years, we all have witnessed farmworkers labeled "essential" required to continue working through a global pandemic, wildfires, and extreme heat. Including the loss of Mam farmworker, Sebastian Perez who died in the 2021 heat waves. Farmworkers and their families do not expose themselves because they are "resilient." They do it out of necessity, to survive and be able to feed their families. Denying overtime pay dehumanizes farmworkers, and it is just one of the many institutional ways they are forced to work in hazardous and unsafe working conditions for low wages.

Moreover, agricultural work is strenuous on the body. Many farmworkers do not have adequate access to health care. Overtime pay is one step forward to truly recognize farmworkers as essential. Farmworkers are skilled and knowledgeable. Without their expertise, the Oregon food labor system would not be where it is today. It is time we start recognizing and paying farmworkers for the important role they play in sustaining our food chains.

You have the ability to make important systemic changes that can improve the livelihoods of farmworkers. I am in full support of HB 4002.

Sincerely,

Jennifer Martinez-Medina