

February 8, 2022

To: House Business and Labor Committee

From: Lee Mercer, Silverton

RE: Support for HB 4002

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

I am writing to you today in support of HB 4002, a bill to created farmworker overtime pay rates. Farmworkers should receive overtime pay after 40 hours in a workweek at one and one-half times the employee's regular rate of pay.

The hard work farmworkers do to feed America should be remunerated with wages that support themselves and their families. It is a travesty that since 1938 those who harvest our food are paid on a different, lower pay rate than other workers.

In the 1930s, in the midst of the Great Depression, when my father was a young Mormon in Utah, he picked vegetables in the fields every summer to pay for his overalls for school. When I grew up in the Valley of the Heart's Delight, now known as Silicone Valley, the area was covered with prune and apricot orchards where immigrants picked the crops and joined many of my friends from school in "cutting cots" to prepare the fruit for drying. We respected the hard work the farmworkers did to put food on all of our tables.

In the 1990s I worked at the Second Harvest Food Bank, in Watsonville, California. We distributed food, including fresh fruits and vegetables of the area, to 30,000 people a month. Many of those needing and receiving food at food pantries, soup kitchens and USA distributions, were themselves farmworkers, who didn't earn enough in the long hours they worked, to afford to feed their families.

Often we joined experienced farmworkers in charity harvests of fields and growing hundreds of pounds of vegetables in a large food bank garden. Many of these strong, experienced farmworkers taught us about growing and picking the bounty of fruits and vegetables in the region, made famous by Steinbeck and other writers.

It always has seemed so unfair that these thousands of farmworkers, who literally feed America, are treated and paid like second class citizens in land of plenty.

I also understand the challenges of the family farmers, who, competing with the corporate mega farms of California and elsewhere, feel they don't have the margins to pay increased overtime rates. I hope in passing the bill, creative means can be developed to address this problem. Perhaps the prosed phasing in over several years and the tax benefits may help.

I helped host a film screening this week with spokespersons for both sides of the overtime issue. A farm owner was passionate and articulate in making a case for how his margins are so low that this will challenge his ability to make a profit. Rep Salinas

and PCUN spoke to the need to pass the bill.

But the film we showed itself, Food Chains, made in 2014, gave one clue to a possible long term solution to the inequity of the pay of farmworkers. It followed the organizing done in Florida among the farmworkers picking the tomatoes in that area. The group there recognized it isn't the small farmers who are the problem in insuring fair pay for farmworkers. It is the large grocery corporations like Kruger, Walmart and Safeway, which have strong bargaining power in purchasing prices of produce. The Florida organizing campaign, then, went to the public and put pressure on the mega grocery corporations, and food retailers like Taco Bell, and had them sign on to supporting principles assuring farmworkers are paid more and working under humane conditions. The tagline of the campaign was that for a few more pennies a pound at that level, farmworker pay could be substantially increased. Over time, many of the national corporations signed on to this campaign.

Perhaps some kind of tax or surcharge on large grocers could be developed at the state level, to help support farmworkers pay and the margins of Oregon's independent family farmers. The film made the case for the profit margins of these mega corporations leave plenty of room for paying more for produce.

But in the meantime, I hope you will pass some version of the overtime bill to put a stake in the ground for economic and social justice. And to assure those farmworkers who bring food to our tables, a fair share of the bounty they produce.

Lee Mercer
Silverton