



Date: February 9, 2022
To: House Committee on Business and Labor
From: Oregon Hispanic Bar Association
Re: Support for Farmworker Overtime

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

The Oregon Hispanic Bar Association (“OHBA”) strongly supports farmworker overtime (HB 4002). Farmworkers should receive overtime pay after 40 hours in a workweek at one and one-half times the employee’s regular rate of pay.

An important part of OHBA’s mission is to support our Latinx/e communities here in Oregon and raise awareness of legal issues that affect our community. Oregon farmworkers—many of whom are Latino—have long been denied rights that other workers have been afforded. They have been excluded from minimum wage protections, child labor laws, and from overtime pay since the adoption of the Fair Labor Standards Act of 1938 (FLSA). Overtime specifically was established to prevent employers from exploiting labor. Prior to 1938, many workplaces forced their workers to work for unbelievably long hours. The passage of FLSA prevented terrible working conditions by establishing a floor on wages and a ceiling over hours worked. Farmworkers are not second-class workers and deserve the same rights as all other workers.

Despite long hours of grueling work, Oregon’s farmworkers make poverty wages. HB 4002 would address this injustice as well as the long-recognized reality that long hours increase the risk of injuries and accidents in an industry that already has the highest rate of fatal work injuries.¹

OHBA urges you to pass farmworker overtime in the 2022 Legislative Session to ensure farmworkers in Oregon are paid fairly for their skilled and essential labor. After farmworkers worked through a pandemic, heatwaves, snow storms, and wildfires to keep food on our table, it is our collective moral duty to ensure that they are treated fairly and with respect.

Respectfully,

Oregon Hispanic Bar Association

¹ <https://olis.oregonlegislature.gov/liz/2022R1/Downloads/PublicTestimonyDocument/35778;>
[https://www.bls.gov/charts/census-of-fatal-occupational-injuries/number-and-rate-of-fatal-work-injuries-by-industry.htm.](https://www.bls.gov/charts/census-of-fatal-occupational-injuries/number-and-rate-of-fatal-work-injuries-by-industry.htm)