

February 23, 2022

Co-Chairs Taylor and Holvey, and Members of the Joint Committee on Farm Worker Overtime:

As a member of the American Association of University Women (AAUW) or Oregon, I respectfully request your support for House Bill 4002A.

Farmworkers are some of the lowest-paid workers in the U.S. They are also overwhelming Hispanic nationwide and in Oregon, which counts 86,000 farmworkers.

The Fair Labor Standards Act of 1938 excluded farmworkers and domestic workers. Most farmworkers in that era were Black, and this exemption was a way to lure the southern Democrats in Congress into passing the New Deal. Without overtime pay for farmworkers, it can be argued that Oregon is continuing that discrimination against people of color.

A Farm Bureau survey carried out in 2021 shows that farmworkers in Oregon generally worked between 55 and 70 hours per week during the peak season. Such long days and lack of overtime pay negatively affect workers' physical and mental health, increase childcare costs, and impact the wellbeing of the children. Even if that were not true, the failure to require overtime pay for farmworkers is simply unjust and unconscionable. Farmworkers have been denied some of the most fundamental rights that workers in almost every other sector have long enjoyed.

In Washington, the state Supreme Court ruled in Nov. 2020 that dairy workers are entitled to overtime pay. The court majority said the Legislature had no reasonable basis to exclude farmworkers from overtime protections, saying agricultural work is dangerous and exposes workers to risks from physical strain, pesticides and disease, and the overtime exemption has racist origins. In 2021, Gov. Jay Inslee signed Senate Bill 5172, providing overtime to all Washington farmworkers.

Oregon should be next.

I ask for your support for House Bill 4002A.

Mary Pat Silveira  
Lake Oswego, Oregon