

SB 999 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

Action Date: 04/08/25

Action: Without recommendation as to passage and request referral to Rules.

Vote: 4-1-0-0

Yeas: 4 - Bonham, Hayden, Pham, Taylor

Nays: 1 - Patterson

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 4/3, 4/8

WHAT THE MEASURE DOES:

The measure modifies the definition of "farmworker camp" to mean any place or area of land where sleeping places are provided as a term or condition of employment by a farmer, farm labor contractor, employer, or other person in connection with the recruitment or employment of workers on a seasonal or temporary basis for purposes of specified relevant statutes. The measure defines "seasonal or temporary basis."

ISSUES DISCUSSED:

- Relationship to landlord/ tenant law
- Scope of Oregon OSHA's rulemaking authority
- Relationship to federal OSHA rules
- Definition of "farmworker camp"
- Application of Oregon OSHA rules to single-family homes
- Registration of farm labor housing
- Requirement that Oregon OSHA be at least as effective as federal OSHA
- Scope of landlord/ tenant law

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 1970, the federal Occupational Safety and Health Administration (OSHA) was formed when the Occupational Safety and Health Act was passed. Federal law requires civil penalties for violation of federal workplace safety or health requirements be adjusted based on inflation. Under federal law, states are allowed to operate their own OSHA-approved occupational safety and health programs as long as those programs are as effective as the federal OSHA plan. Currently, 22 states, including Oregon, maintain state OSHA-approved programs covering private and public sector workplaces.

Oregon enacted its occupational safety and health legislation in 1973, known as the Oregon Safe Employment Act (Oregon OSHA). The Occupational Safety and Health Division of the Department of Consumer and Business Services (DCBS) enforces Oregon's occupational safety and health requirements.

In 2018, Oregon OSHA convened a rulemaking advisory group to discuss potential changes to Oregon OSHA's rule related to agricultural labor housing. The rulemaking advisory group included representatives from growers, employers, agricultural associations, housing operators, agency personnel, and worker representatives. In August 2024, Oregon OSHA created a Fiscal Impact Advisory Committee (FIAC) to provide a recommendation to Oregon OSHA on the potential fiscal impact of proposed rule changes to agricultural labor housing. The FIAC was composed of five growers or their representatives, five worker representatives, and one neutral chairperson.

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Oregon OSHA has since adopted amendments to its Agricultural Labor Housing and Related Facilities rule. Amendments to the rule became effective on March 31, 2025, except where some rule amendments specified later effective dates.

Senate Bill 999 modifies the definition of "farmworker camp" to mean any place or area of land where sleeping places are provided as a term or condition of employment by a farmer, farm labor contractor, employer, or other person in connection with the recruitment or employment of workers on a seasonal or temporary basis for purposes of specified relevant statutes.