

## HB 2548 A STAFF MEASURE SUMMARY

### House Committee On Rules

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**Action Date:** 06/16/25

**Action:** Do pass with amendments and be referred to Ways and Means by prior reference.  
(Printed A-Eng.)

**Vote:** 4-2-1-0

**Yeas:** 4 - Bowman, Kropf, Pham H, Valderrama

**Nays:** 2 - Drazan, Elmer

**Exc:** 1 - Boshart Davis

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Erin Seiler

**Meeting Dates:** 5/29, 6/16

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#### WHAT THE MEASURE DOES:

The measure requires the Center for Public Service at Portland State University (PSU), in coordination with Oregon State University (OSU), to conduct a study to examine the labor standards and working experiences of farmworkers in Oregon and evaluate the adequacy and availability of existing workplace protections. It requires the Legislative Policy and Research Office (LPRO) to conduct a study that includes data collection and assessment and a review of relevant studies, reports, publications, and other relevant literature relating to the labor standards in the agricultural industry and rights and protections afforded to farmworkers in this state. The measure declares an emergency and becomes effective on passage.

#### Detailed Summary:

##### Study by the Center for Public Service at PSU

Requires the Center for Public Service at PSU, in coordination with OSU, to conduct a study to examine the labor standards and working experiences of farmworkers in Oregon and evaluate the adequacy and availability of existing workplace protections.

Requires the study to analyze the following issues related to the experiences of farmworkers working in Oregon:

- Health and safety risks, including work-related injuries and fatalities.
- Wages, including hourly and piece-rate compensation, and work schedules.
- Availability of, and access to, benefits such as health insurance, retirement benefits, and paid leave.
- Short-term and long-term financial security of farmworkers.
- Opportunities to raise workplace concerns or complaints.
- Gender-specific experiences and dynamics within the agricultural sector.
- Availability of training and educational opportunities.
- Barriers to enforcement of labor protections and access to legal remedies.
- Employment conditions for farmworkers employed by farm labor contractors licensed under ORS 658.705 to 658.850.
- Working experiences of H-2A temporary agricultural workers.
- Impacts on wages, working conditions, and employment opportunities for local farmworkers resulting from the use of H-2A temporary agricultural workers.

Requires PSU to engage with farmworkers and nonprofit organizations representing farmworkers that represent a diverse range of agricultural industries, operations, and geographic areas. Specifies that engagement must include methods that gather firsthand experiences and perspectives of farmworkers regarding the working conditions they experience.

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Requires PSU to conduct a confidential survey of farmers regarding the workplace benefits provided to farmworkers and the factors that influence farmers' decisions to provide benefits. Requires the survey to represent farmers from a diverse range of agricultural industries, operations, and geographic areas.

Requires PSU, to the greatest extent practicable, to use data collection and reporting practices that protect the confidentiality of farmers and farmworkers. Specifies method for protecting confidentiality.

Requires PSU to integrate the study findings with the study conducted by Legislative Policy and Research Office (LPRO).

Requires PSU to report to interim committees on agricultural, business and labor, and natural resources on the following schedule:

- Report on initial findings by May 1, 2026
- Update on initial findings and summary of progress by September 1, 2026, and
- Final report submitted by December 1, 2026. Specifies elements that must be included in the final report.

### Study by the Legislative Policy and Research Office (LPRO)

Requires LPRO to conduct a study that includes data collection and assessment, and a review of relevant studies, reports, publications, and other relevant literature relating to the labor standards in the agricultural industry and rights and protections afforded to farmworkers in this state.

Requires, to the extent practicable and within the scope of allocated funding, the study to include:

- An assessment of data from the Oregon Employment Department (OED), Bureau of Labor and Industries (BOLI), Oregon Department of Agriculture (ODA), and United States Department of Agriculture (USDA) National Agricultural Statistics Service (NASS) regarding the state of the agricultural industry for the five-year period beginning January 1, 2021 and ending December 31, 2025. Specifies data that must be obtained by LPRO from each agency for purposes of the study.
- A review of existing state and federal laws and regulations that provide workplace protections and benefits to farmworkers.
- An examination of how BOLI, OED, Department of Consumer and Business Services (DCBS), and other relevant state agencies coordinate to administer policies and programs regarding farmworkers' rights and protections and carry out enforcement mechanisms regarding such rights and protections. Specifies policies and programs that must be evaluated within each agency.
- An examination of peer-reviewed studies and research evaluating the impacts of the use of H-2A temporary agricultural workers.

Requires LPRO report to interim committees on agricultural, business and labor, and natural resources by September 15, 2026.

Appropriates General Fund to the Higher Education Coordination Commission and LPRO for the purpose of the studies.

Repeals studies on January 2, 2027.

Declares an emergency, effective upon passage.

### ISSUES DISCUSSED:

- Reason for the study
- Current employment-related protections for agricultural workers
- Workplace conditions experienced by agricultural workers
- Design and methodology of study by Portland State University
- Economics of agricultural sectors

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- Available data related to farmworkers
- Appropriate research institution and partners for study

### **EFFECT OF AMENDMENT:**

Replaces the measure.

### **BACKGROUND:**

A state or municipality may use a wage board to either recommend or establish wages, hours, and working conditions for an industry sector. Wage boards are typically composed of equal representation from industry employers and employees who must either together or with other members of the board achieve a majority to either adopt or recommend the adoption of wages, hours, or working conditions for the industry.

Wage boards may be advisory boards, making recommendations regarding minimum wages and working conditions to either a legislative body or an executive official, such as a labor commissioner. A wage board may be a policymaking body, having the ability to adopt minimum wages and working conditions, establish training requirements, and establish minimum content and posting requirements for workers' rights.

Currently, Colorado and New York have boards related to the agricultural industry. The Colorado Agricultural Work Advisory Committee (AWAC) is an advisory body established in 2021. The AWAC is within the Division of Labor Standards and Statistics with nine members who are appointed either by the Director or the Commissioner of Agriculture and who serve four-year terms, including:

- Two members who have worked as agricultural workers
- Two members who are advocates of workers' rights
- Three members who represent agricultural employers
- Two representatives from the Migrant Farm Worker Division of Colorado Legal Services

The AWAC must:

- Analyze the wages and working conditions of agricultural workers and report their findings and any legislative recommendations to the legislature.
- Annually report its progress, findings, and legislative recommendations to specified legislative committees.

The AWAC must annually report its progress, findings, and legislative recommendations to the appropriate legislative committees.

The New York Farm Laborers Wage Board (FLWB) was established in 2019 to require the Industrial Commissioner to appoint the FLWB to recommend successively lower overtime work thresholds and phase-in dates. The membership was appointed by the Commissioner and includes a representative of the farm bureau, a representative of the N.Y. AFL-CIO, and a member of the general public. The public member serves as the chairperson.