



*Testimony in opposition to HB 3142 (2025)*

Chair Grayber, Vice Chairs Elmer and Muñoz, and members of the Committee,

My name is Kate Suisman. I am an attorney at the Northwest Workers' Justice Project (NWJP). Thank you for the opportunity to provide testimony on this important bill. We represent workers in low-wage jobs when bad things happen to them at work: when they are not paid, or are discriminated against for being in a protected class or are retaliated against for speaking up. Finally, we engage in policy advocacy and try to bring the important perspectives of workers in low-wage jobs and immigrant workers to these policy discussions.

I write in opposition to HB 3142, which would stop assessing unemployment insurance taxes for employers of H-2A temporary, foreign workers.

As a worker advocate, I believe the H2A program is flawed. We see many violations in H2A settings where workers lack the power to speak up for fear of losing their job, their housing and their visa. From that starting point, I do not think Oregon should pass laws that incentivize employers to hire temporary, foreign workers.

Exempting H2A employers from this tax would support employers giving illegal preference to H-2A temporary foreign visa workers over Oregon workers. This is not in Oregon's best interest. We want employers to invest in Oregon workers who will reinvest their wage dollars in their Oregon communities. It is not in our state's best interest to reward employers who hire temporary foreign workers.

The intent of assessing a UI tax is to support the needs of the general workforce, not specific workers. An H2A employer already gets the benefit of potentially few of its workers using the UI program- their base unemployment insurance tax rate will be the lowest rate possible since so few workers on H2A visas will qualify for UI.

I understand there is tension here- between farmers who need to make a profit and protecting local jobs. Yet this is a real risk to the local workforce- just last week NWJP won at trial regarding this very issue. An experienced local farmworker was not hired while many foreign workers were. We see H2A numbers trending up nationally- we do not want to encourage this trend here in Oregon.

Finally, I see this as a slippery slope. Employers who hire H-2A temporary foreign workers are not hiring Oregon workers. This is also true in other industries- if you pass this bill, hospitality, forestry, high tech and other industries who use the foreign visa program may also ask for an exemption. This could have a negative effect on the unemployment trust fund and send the wrong message to employers about the importance of hiring local workers. Thank you.