

Testimony submitted by: LaJuana Decker
Committee: House Committee on Labor and Workplace Standards
Measure: HB 2548

Chair Grayber, Vice-Chair Elmer, Vice-Chair Muñoz, and Members of the Committee on Labor and Workplace Standards,

I write in strong opposition to HB 2548, a bill which would strike another blow threatening the survival of small family farms like our 40-acre pear orchard.

Small farmers like us are increasingly talking about getting out. We are being driven out of business not by the pressures of urban encroachment, not by changes in climate, not by market fluctuations nor even tariffs, but rather, we are being pushed to the brink of extinction by the continuous onslaught of legislation coming out of Salem that makes farming increasingly impractical, unprofitable, and in some cases nearly impossible.

The elimination of at-will employment makes no sense in a business subject to fluctuating labor needs due to weather, crop damage, market forces, or a diversity of crops on different timelines. We can't start and stop production at will to accommodate labor regulations; our labor needs are dictated by factors over which we have no influence. And worse, we have no ability to set prices for our fruit to accommodate the cost of compliance.

OR-OSHA has excellent worker safety protections and extensive training opportunities in place. Oregon BOLI ensures numerous protections for our workers including minimum wages, overtime pay, breaks, sick leave, family leave, unemployment insurance, worker's compensation insurance, and more. If there are bad actors who mistreat employees, the regulations currently in place should be enforced. Unfortunately, HB2548 fires a cannon on the entire farming industry where a well-aimed taser should be employed to bring offenders to account.

What HB 2548 ignores is that farmers value our employees. No politically-appointed board in Salem will ever care as much about their safety and well-being as we do. We know them and we work side-by-side with them. We provide housing for them, and we do our best to keep them employed year-round. The timely harvest of crops is critical to our business, so the safety and well-being of our seasonal employees—often friends/family of our year-round employees—are also important to us.

We warned the legislature about how the overtime bill would harm our employees. It's painful to explain to a valued employee that the Oregon Legislature's mandated overtime pay has forced us to cut his hours and, as a result, his seasonal pay. Please take heed this time: HB 2548 is another misguided bill that will harm our employees. As small family farms are swallowed up by corporate interests with compliance teams and corporate lawyers, seasonal foreign guest worker programs will replace our long-time employees, leaving them without year-round work and without the homes we now provide for them.

Please vote no on HB 2548. Save Oregon's family farms.