



## **House Committee on Labor and Workplace Standards**

**March 12, 2025**

### **WAFLA Opposes House Bill 2548**

Good afternoon, Chair Grayber, Vice-Chairs Elmer and Muñoz, and committee members,

My name is Enrique Gastelum, the CEO for WALFA, the Worker and Farmer Labor Association. I'm a first-generation Mexican-American and the son of farmworkers who migrated to the Pacific Northwest. My mother was a Bracero baby, and my father immigrated from Mexico and was a farmworker for 30 years. During my childhood, I too worked in the fields cutting asparagus and picking cherries, until I went to college and began living the American dream.

After graduating, I worked for the Washington State Department of Labor & Industries for 8 years as an occupational safety and health compliance officer and industrial insurance risk manager focusing on agriculture. Later, I worked for the Washington Farm Bureau in an agricultural workplace safety education program.

WAFLA is a nonprofit membership association that exists to provide human resource training and advice to our members and workers. We support farmers in accessing and using the H-2A program, and we operate licensed farmworker housing across Oregon and Washington. We believe farmers and workers need each other to exist in a symbiotic relationship if labor-intensive agriculture is going to survive.

Unfortunately, [HB 2548](#) disrupts that balance. Instead, it drives a wedge between my community of workers and farmers. It unnecessarily layers bureaucracy on top of bureaucracy, believing this is progress when, in fact, it harms both farmers and workers.

Currently, Oregon farmers are on the edge of staying in business. Increases in wages, overtime, and input products – combined with 5 years in a row of net cash loss, high interest rates, and the very real threat of tariffs – have pushed farms to the brink of financial ruin.

Many of our members turn to the H-2A program because they can't find enough local workers. They do this because they have to, not because they want to. To use H-2A, farmers must document their labor shortage, pay a wage rate that is well above Oregon's minimum wage, and provide free housing and transportation to workers. These benefits

and high wage rates are not just for guest workers – they are provided to domestic workers working at those same farms when the contract is in place.

The program involves multiple federal and state agencies (such as DOL, OED, BOLI, OR-OSHA). The contracts must be approved by the government, and the terms and conditions of employment for workers and employers are clearly spelled out. The enforcement of applicable federal and state laws and rules, as well as the contract, is performed by the appropriate agencies.

A new workforce standards board (regardless of whether it is substantive or advisory), new mandates around worker discipline and termination, and the increased threat of private lawsuits complicates an already complicated labyrinth of ag employment.

If current laws are not being followed, then fund additional education, training, and compliance by agency staff. A board overlay is not the answer. A new board is not necessary since legislators and agencies can already receive public input and act on compliance issues.

Over the last 25 years, the public policy choices and regulatory burdens placed on agriculture have led us to a tipping point for an industry on the brink of financial ruin.

Stacking labor law on top of labor law will not stop bad actors. Instead, it burdens good employers who are already trying to take care of their workers.

I urge you to oppose HB 2548. Thank you for your consideration, and I'm happy to answer any questions.

A handwritten signature in blue ink, appearing to read 'Enrique Gastelum'.

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