



March 11, 2025

House Committee on Labor and Workplace Standards
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of House Bill 2548

Dear Chair Grayber, Vice-Chair Elmer, Vice-Chair Muñoz, and Members of the Committee,

Thank you for the opportunity to provide testimony on behalf of the American Civil Liberties Union of Oregon (ACLU of Oregon). The ACLU of Oregon is a nonpartisan, nonprofit organization dedicated to defending and advancing democracy, civil liberties, and civil rights, with more than 43,000 members and donor supporters statewide.

The ACLU of Oregon strongly supports HB 2548, which would establish a Farmworker Standards Board, a long-overdue step toward ensuring that Oregon's 72,000 farmworkers have a voice in setting fair wages, safe working conditions, and protections against retaliation that directly impact them.

Farmworkers have been systematically excluded from key labor protections, such as the National Labor Relations Act and the Fair Labor Standards Act for generations. These exclusions—rooted in racial and economic discrimination—have resulted in farmworkers being among the lowest-paid workers in our state. On average, farmworkers earn \$34,500 per year while contributing over \$6.4 billion to Oregon's economy.¹ Despite their essential labor and economic contribution, they continue to face hazardous working conditions, including exposure to extreme heat, smoke, and pesticides, with little recourse to demand better protections.

The exclusion of farmworkers from critical labor protections has a long and troubling history. When the Fair Labor Standards Act (FLSA) was passed in 1938, agricultural workers—who were overwhelmingly Black at the time—were deliberately left out of minimum wage and overtime protections. The continued legacy of exclusion disproportionately harms workers of color, including Oregon's large Latinx farmworker population.² HB 2548 provides a necessary mechanism to correct these injustices by creating a Farmworker Standards Board that brings together workers, industry representatives, and public officials to establish fair standards.

¹ U.S. Bureau of Labor Statistics. *Occupational Outlook Handbook: Agricultural Workers*. September 2023. <https://www.bls.gov/ooh/farming-fishing-and-forestry/agricultural-workers.htm#tab-5>

² Darity, William A., & Mullen, A. Kirsten. *From Here to Equality: Reparations for Black Americans in the Twenty-First Century*. University of North Carolina Press, 2020.

Workforce standards boards have been successful in other states and cities, such as New York's Farm Laborers Wage Board, Minnesota's Nursing Home Workforce Standards Board, and Seattle's Domestic Workers Board. These initiatives have proven that workforce standards boards not only improve wages and conditions, but also create a more stable and sustainable labor force. For example, the Farm Laborers Wage Board in New York was instrumental in advancing wage protections without harming the agricultural industry.³ HB 2548 gives Oregon the opportunity to also take a meaningful step and ensure farmworkers receive fair wages, and the dignity, rights, and protections they deserve.

Additionally, farmworkers are among the most vulnerable to climate change, as they often work in extreme heat without adequate protections. The Oregon Occupational Safety and Health Division (OSHA) has taken some steps to implement heat and smoke protections for outdoor workers, but farmworkers need a more direct role in shaping workplace safety policies to ensure they are effectively implemented.⁴ HB 2548 provides farmworkers a direct role by allowing them to have a say in decisions that impact their well-being and work conditions.

Ensuring fair wages and safe conditions is not just a moral imperative—it is also an economic one. Fair labor standards lead to increased productivity, reduced turnover, and a more sustainable agricultural workforce. Studies have shown that improving wages and working conditions can reduce labor shortages by making agricultural jobs more attractive to domestic workers.⁵

Farmworkers deserve to have a seat at the table in shaping the policies that directly impact their livelihoods and well-being. The Farmworker Standards Board will ensure farmworkers protections by offering enforcement power and accountability, preventing exploitative practices, and making Oregon a leader in fair labor standards for agricultural workers. It is time to correct historic exclusions and recognize the fundamental rights of those who feed our communities.

The ACLU of Oregon urges this Committee to pass HB 2548 and take a meaningful step toward justice for farmworkers. Thank you for your time and consideration.

Respectfully,

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³ New York State Department of Labor. *Farm Laborers Wage Board Report and Recommendations*. September 2022.
<https://dol.ny.gov/farm-laborers-wage-board>

⁴ Oregon OSHA. *Adopted Rules to Protect Workers from High Heat and Wildfire Smoke*. 2022.
<https://osha.oregon.gov/rules/adopted/Pages/heat-wildfire-smoke.aspx>

⁵ Economic Policy Institute. *Reforming Farm Labor Laws to Better Protect Agricultural Workers*. 2021.
<https://www.epi.org/publication/farmworkers/>