



## Senate Committee on Labor & Business

March 27, 2025

### Oregon Farm Bureau Opposes HB 1119

Oregon Farm Bureau (OFB) is the state's largest general agricultural organization, proudly representing over 6500 family farms and ranches that produce more than 220 agricultural commodities. From hops and hazelnuts to cattle, cranberries, and timber with operations spanning from just a few acres to thousands, our members utilize all farming methods including organic, conventional, regenerative, biotech, and even no-tech.

OFB disagrees with the implication in SB 1119 that employers use immigration status to threaten or retaliate against employees. Over 20 years ago, OFB created the Farm Employer Education & Legal Defense Service (FEELDS) to provide human resources support uniquely tailored to the agricultural industry. Through our experience supporting employers in agriculture through FEELDS, it is *far* more common for disgruntled employees to make threats against fellow employees and their employers—often vowing to contact agencies like U.S. Immigration and Customs Enforcement (ICE) or OR-OSHA—not the other way around. The idea that an employer would threaten to involve a federal immigration authority in section 2(b)(A) defies basic logic. Doing so would expose the employer to the risk of a federal investigation, which no rational employer would willingly invite. Employers have everything to lose in that scenario—potential penalties, workforce disruption, reputational damage—not to mention the chilling effect it would have on other workers.

Also, more common are threats of immigration-related actions among workers. For example, employee A reports the wrongdoing of employee B to the employer. After investigation, the employer determines that employee B did, in fact, engage in some prohibited behavior. If the employer then terminates employee B for the wrongdoing that was reported, employee B threatens to report employee A to ICE. The only action by the employer in this situation is terminating an employee who engaged in wrongdoing. There is little an employer can do, particularly when they have taken the appropriate action of terminating that employee.

With regard to section 2(b)(B), federal law already prohibits employers from rejecting valid documents or insisting on additional documents beyond what is required for the Form I-9 or E-Verify processes, based on an employee's citizenship status or national origin.<sup>1</sup>

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<sup>1</sup> <https://www.eeoc.gov/pre-employment-inquiries-and-citizenship>

Employers cannot refuse to hire a worker because of a suspicion about documentation, nor can workers be treated differently for having a particular citizenship or immigration status.<sup>2</sup> Section 2(b)(B) is unnecessary; there is already significant legal risk involved for employers and protections for workers from immigration-related discrimination.

SB 1119 assumes that current laws—such as those in ORS 659A related to retaliation, discrimination, and workplace protections—do not already cover these scenarios. It suggests that specific legislation is needed for immigration-related concerns, even though existing laws already protect employees from unfair treatment or discrimination based on national origin. BOLI has strict and comprehensive policies about protecting the immigration status of any worker who files with them.<sup>3</sup> State law also requires employers to notify employees if they know a federal inspection is pending. The U.S. Department of Justice (DOJ), specifically through its Civil Rights Division’s Immigrant and Employee Rights Section, enforces federal laws that protect individuals from immigration-related discrimination in the workplace. These protections are mainly found under 8 U.S.C. § 1324b of the Immigration and Nationality Act (INA).

OFB respectfully requests your opposition to SB 1119. It is largely redundant of federal and state law protecting workers from such discrimination.

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<sup>2</sup> <https://www.uscis.gov/i-9-central/employee-rights-and-resources/employee-rights>

<sup>3</sup> <https://www.oregon.gov/boli/about/Documents/BOLI%20Immigrants%20Rights%20at%20Work%20in%20Oregon%20-%20Eng%20%26%20Spn.pdf>