



OREGON  
BUSINESS  
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## Oregon agriculture supports -1 amendment to Senate Bill 999

### *Preserve workforce housing in farm country*

For farmworkers, finding quality, affordable housing in rural areas of the state can be a challenge. Oregon's land use system was developed to prevent large-scale development of productive farmlands, but those regulations also limit affordable housing options near the worksite. Farmers recognize that affordable workforce housing is scarce and can often offer single-family rental homes at below-market rates to workers and their families. This common practice across Oregon is at risk under OR-OSHA's Division 4 farmworker camp rules.

### **Attorneys disagree about the scope and application of OR-OSHA's authority.**

On January 8, 2025, OR-OSHA adopted the most extensive and costly farmworker camp regulations in the country and applied those regulations to registered **farmworker camps** and all other workforce housing, including **single-family rental homes** leased to employees. The application of OR-OSHA's ag labor housing (ALH) regulations to workers' private homes is not only outside of the scope of [federal OSHA's](#) regulatory authority but is also misaligned with Oregon statute. "Farmworker camps" are defined in [ORS 658.705\(7\)](#) to exclude hotels or motels AND single-family homes that house five or fewer unrelated individuals.

In February, [legislative counsel](#) determined that in applying the ALH rules to single-family homes, OR-OSHA had exceeded its statutory authority under ORS 658.705. However, [DOJ](#) issued a conflicting opinion last month. According to DOJ (and based on a June 7, 1989, Attorney General opinion), since "labor camp" is not defined in the Oregon Safe Employment Act (OSEA) or limited in size, OR-OSHA can enforce its ALH rules in single-family homes that are leased to workers and their families. Notably, the 1989 legal opinion *predates* legislation that subsequently defined "farmworker camp" and exempted single-family homes from the definition.

### **Regulating single-family homes as worksites threatens affordable workforce housing.**

By treating workers' private homes as worksites, OR-OSHA creates significant liability for employers trying to meet the need for safe and affordable housing. Without statutory clarification regarding the application of the ALH rules, employers will need to manage these private homes round-the-clock, as they would a farm with occupational hazards, to avoid penalties. This application of OSEA is unreasonable and is not a risk many employers can take.

SB 999 and the -1 amendment provide regulatory certainty to family farms and ranches that they can continue to offer family housing to workers without the risk of penalties. It does so by clarifying OR-OSHA's enforcement authority under OSEA in line with ORS 658.705 and OR-OSHA's [enforcement registry](#) for farmworker camps.

Most importantly, the -1 amendment **ensures that single-family homes remain available to workers and their families** and that affordable housing is not lost due to an agency's interpretation of OSEA or uncertainty in how Oregon law is applied.

**Please support SB 999 with the -1 amendment this session.**