

Submitter:

Juan Vazquez

On Behalf Of:

Committee:

House Committee On Rules

Measure, Appointment or Topic:

HB2548

Dear members of the House of Representatives:

I am writing to express my opposition to the amendment of HB 2548.

This isn't about getting factual information, it is about gathering data to support a predetermined agenda of the ag workforce boards in the future. By focusing extensively on the opinions and experience of the workers and worker advocates, the study appears to be designed to build a case for increased regulation. Increased regulation and intervention by another entity, the Ag Workforce Board, when Oregon OSHA, USDOL, and BOLI are already establishing and regulating workplace conditions and regulations to protect agricultural workers. Beyond the fact that this study will be one-sided, the Ag Workforce Boards should not have the authority to create new or enforce existing regulations. The ag workforce board should conduct a transparent and comprehensive study that includes the experience of workers, workers' advocates, government agencies, employers and/or other community stakeholders.

I oppose the study because the survey will be shaped by a single, unbalanced perspective. There should be equal representation in shaping the study by industry representatives, workforce managers, and others tasked with compliance and labor law enforcement to make sure it is fair. As the H2A Program Manager, and Director of Human Resources for a large employer in the Columbia Gorge Area, I can attest to the fact that our company and dozens of our growers follow and comply with all regulations and worker protections. Nevertheless, we have employees who are not capable of doing the work proficiently and efficiently, and when these employees are disciplined, they often quit and look for reasons to get back at the employer. By focusing on the stories of potentially disgruntled workers, without any proof or evidence for their declarations, the report will paint a distorted view of how agricultural workers are being treated by farmers.

In addition, the study should include recognition of the economic and logistical realities of our work schedules during the growing and harvest seasons, which are time-sensitive and weather-dependent. In this circumstances, it is almost impossible to provide fixed schedules weeks prior to harvest dates.

The study is unnecessary and a waste of resources. Information on wages, benefits, health and safety, enforcement gaps, etc. are under the jurisdiction of state and federal agencies and there are already laws and protections in place. The ag

workforce board should be able to collect this data and information from employers and state agencies.

Another issue with this report is that there is no oversight.

- o The report has been assigned to PSU rather than open this project to a competitive bidding process.
- o The survey does not require that participants be current farmworkers; people with no experience or who are not familiar with the current workplace protections can participate.

Interviews with farmworkers will only provide qualitative data, based on feelings and personal interpretation of existing rules and regulations. The farmworkers themselves often times do not understand their own rights so any statements they make should be backed by evidence and/or quantitative data.

The amendment says that employers should be included in the report, but without any oversight or guarantee of neutrality, it is dangerous for employers to participate as their participation will be seen as an endorsement of the end product. We follow workplace rules and regulations and provide for our employees, but cannot participate in something that is not fair and objective.

The report is due at the end of 2026 but 40-hour ag overtime and OR-OSHA ag labor housing rules with large infrastructure changes go into effect in 2027. The impacts of these should be included when looking at farmworker labor standards and before moving forward with additional regulations.

Sincerely,

Juan M. Vazquez