



## Oregon's Farmworker Union

April 4, 2019

Chair Taylor, Vice-Chair Knopp, Members of the Committee,

Thank you for the opportunity to submit testimony in support of Senate Bill 750, the Oregon Corporate Accountability Act.

Since the 1980's, members of PCUN have fought to ensure that important victories - raising wages, earned sick leave, and safe working conditions – protect all of Oregon's working families, including farmworkers. These policies are crucial to building an economy that works for everyone, not just special interests.

At PCUN, we represent Oregon's farmworkers and low wage Latinx workers. We support SB 750, because we know that in order for these policies to protect our most vulnerable workers, we must ensure that they are effectively enforced.

Immigrant workers in the Willamette Valley often approach PCUN for help addressing serious problems in their workplaces. Workers in low wage industries and the fields are especially vulnerable as they are the most likely to face workplace violations and are the least likely to know their recourse options. A worker at a major fast food restaurant chain was forced to work through meal and rest breaks preparing other people's food and ultimately forced out of her job after a workplace injury, but without a private right of action for break violations and having signed an arbitration agreement that includes retaliation claims, there is little she can do to hold the company accountable.

We also hear stories of low wage single mothers, such as Arcelia's from Salem who worked for 8 years in a Cherry Fruit Packing House and experienced HIPAA violations, wage theft and harassment. She contacted BOLI and *was unable to reach anyone at the agency who spoke Spanish at the time. Arcelia gave up in frustration and did not pursue her claim.*

Children of farmworkers are also affected by workplace violations. Brenda worked at Buffalo Wild Wings and was not paid for a whole month of full time work. She was also subject to an unfair tipping requirement. If workers did not make enough tips, they had to take out of their own wages to meet their daily tipping requirement to management. Because Brenda signed an arbitration agreement, there is little she can do to hold the company accountable.

A delivery driver for an Amazon subcontractor complained after being forced to work off the clock and being paid with pay checks that bounced. The company retaliated against him and distributed a misleading arbitration agreement to other drivers to try to prevent anyone else

from enforcing their rights; without another way to hold the company accountable, they will continue to exploit workers.

We believe farmworkers and low wage workers should be protected in their workplace. SB 750 is an innovative policy that would bring in enforcement dollars to BOLI to hold bad employers accountable and protect our workers.

This policy also has two important provisions that empower vulnerable workers to get the support they need to bring violations to light. One worker can file a whistleblower enforcement action on behalf of all coworkers impacted by violations - so a citizen who doesn't have to fear immigration-related retaliation can step forward on behalf of undocumented coworkers. Or workers can designate community organizations like PCUN to bring the case for them. OCAA will also bring in funding for organizations like PCUN to educate farmworkers and other Latinx workers about their rights. This is important, as highlighted by Arcelia's story. We know this is important in today's political climate, and recognizes the level of trust from workers with community organizations.

PCUN respectfully requests the committee to support SB 750 to ensure that BOLI has sufficient capacity to create a culture of compliance with crucial workplace protections for all workers.

Thank you,  
Reyna Lopez  
Executive Director, PCUN