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To: Senate Committee on Business and Labor
From: Martha Sonato, Oregon Law Center
Re: Opposition to SB 999
Date: 04/03/2025

Chair Taylor, Vice-Chair Bonham, and Members of the Committee,

Thank you for the opportunity to provide testimony in opposition to SB 999. I want to highlight serious concerns about this legislation and the negative impact it would have on farmworkers in Oregon.

SB 999, [with the -1 amendment](#), seeks to amend the Safe Employment Act (ORS 654.001) to exclude certain types of housing from being considered places of employment. Specifically, it would exempt the following under [ORS 658.705](#):

- Single, isolated dwellings occupied solely by members of the same family or by five or fewer unrelated individuals.
- Hotels or motels that provide housing on a commercial basis to the general public under the same terms as to workers.

The Oregon Law Center is a statewide civil legal aid organization that serves low-income Oregonians, including farmworkers. For years, we have conducted outreach at farmworker labor housing camps to connect workers and their families with resources and ensure they know their rights. Through this work, we have heard firsthand the pressing housing concerns farmworkers face.

Oregon OSHA's Agricultural Labor Housing (ALH) rule (OAR 437-004-1120), established in 1998, applies to any housing provided by an employer recruiting workers for agricultural jobs. Under current regulations, farmworker housing must be registered with Oregon OSHA, unless single dwellings, and small occupancy units occupied solely by members of the same family or by five or fewer unrelated individuals.¹ The root basis of these rules is to ensure the safety and health of farmworkers and their families in Agricultural Labor Housing. Even though they don't have to register, they do have to be complying, this has been the case for years.

The Reality of “Single-Family” Dwellings

Single-family dwellings used for farmworker housing often include trailers on the same property as labor camps. While these trailers are sometimes occupied by supervisors

¹<https://osha.oregon.gov/OSHARules/proposed/2024/proposed-ALH-SOS-corrected-receipt.pdf>



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and their families, their use frequently changes. They may house extended families, unrelated workers, or a mix of both. Conditions vary widely—some are in good shape, but many are dilapidated and unsafe. It would be unrealistic and unfair to rely on agricultural employers to self-report when these structures stop being “single-family” homes.

A Step Backward for Farmworker Protections in Agricultural Labor Housing

We were deeply involved in the Agricultural Labor Housing (ALH) rulemaking process, which culminated in [updated ALH rules in January 2025](#). These rules, though long overdue, still only partially addressed the housing issues workers have been raising for decades. Rolling back these protections now would be a massive step in the wrong direction.

Currently, under long-standing rules, a single-family dwellings and housing occupied by” five or fewer unrelated individuals do not need to be registered as labor housing. However, they are still required to comply with ALH standards. The -1 amendment would remove even this basic protection, leaving many workers with no enforceable habitability standards at all. This has been a gray area because it's unclear whether Oregon’s Landlord-Tenant laws apply when housing is provided as part of a job, especially when the housing is located on the same site as the work.

What’s especially concerning is when this housing sits on sites where pesticides are applied regularly—often year-round. In early spring, for example, residents could be directly exposed to pesticide drift without protections under OR-OSHA rules. As of 2024, federal EPA regulations clearly prohibit anyone other than the farmer’s immediate family from living within the pesticide exclusion zone during applications.

Furthermore, if the occupancy of housing at the site has no connection to employment with the agricultural operation at the site, it seems that on sites where the dwellings are in exclusive farm use zones, the use of such dwelling for purpose other than allowed as secondary dwelling for housing farmworkers or farm hand are questionable under EFU laws, unless exceptions are sought and approved.

The Landlord-Tenant Law Gap

Landlord-Tenant Act ([ORS 90.110](#)) specifically states that it "does not apply to employees whose housing is tied to their job on the premises." In other words, if ALH protections are stripped away from single dwellings, and small occupancy units, many workers would likely be left with no safety net for their housing conditions.



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Farmworkers are essential to Oregon's economy. They are parents, neighbors, and community members. Many live in on-farm housing for extended periods, often with children who participate in Oregon's migrant education programs. A significant percentage of Oregon's agricultural workers are Spanish-speaking, with many from Indigenous Mesoamerican communities who speak languages like Mixteco and Mam. Gaps in housing protections will disproportionately impact people of color and exacerbate existing health disparities. Without enforceable safety standards in employer-provided housing, farmworkers will be more vulnerable to dangerous conditions such as pesticide exposure, extreme heat, wildfire smoke, overcrowding, and lack of access to sanitary food preparation and hygiene facilities.

SB 999, with the -1 amendment, would erode essential safeguards and leave some of Oregon's most vulnerable workers without adequate housing protections. Farmworkers contribute immensely to our communities and economy—they deserve safe, habitable living conditions. I urge the committee to oppose SB 999-1 amendment and ensure that farmworker housing remains covered under the Safe Employment Act.

Thank you for your time and consideration.

Sincerely,
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