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To: Senate Committee on Business and Labor
From: Martha Sonato, Oregon Law Center
Re: Opposition to SB 999-2
Date: 04/08/2025

Chair Taylor, Vice-Chair Bonham, and members of the Senate Committee on Labor and Business,

On behalf of the Oregon Law Center, I submit this testimony in strong opposition to SB 999 with the [-2 amendment](#).

On April 3, 2025, this committee held a public hearing on the -1 amendment. I expressed significant concerns with this legislation and its amendments during the hearing. Proponents have since introduced the -2 amendment. From our organizational standpoint, SB 999, even with the -2 amendment, continues to propose significant rollbacks to Agricultural Labor Housing (ALH). I will note that proponents acknowledged Section 1(1)(b) was written to exclude seasonal housing when the intent was to exclude permanent housing.

Nonetheless, many of the concerns I raised about the -1 amendment remain true. SB 999, -2 amends the Safe Employment Act (ORS 654.001) to exclude certain types of housing from being considered places of employment:

1. 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, and hotels or motels that provide housing on a commercial basis to the general public under the same terms as to workers. This effectively removes them from OR OSHA's jurisdiction and the protections of Agricultural Labor Housing.
2. Proponents have proposed bringing them under the specific habitability protections of Landlord-Tenant law, ORS 90.320, in lieu of Agricultural Labor Housing protections.
3. In addition, the -2 amendment changes the definition of a "Farmworker Camp" to mean "seasonal or temporary" and amends it to mean "housing provided as a term or condition of employment."

The Oregon Law Center serves low-income Oregonians across the state. We support farmworker communities through our dedicated Farmworker Program. A top priority for our program is Agricultural Labor Housing, and we have worked for decades to improve the living and working conditions of farmworker communities through OR OSHA

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administrative advocacy and rulemaking. Since 2018, we have advocated for updated Agricultural Housing rules after years of outreach at labor camps and hearing directly from farmworkers and their families about their needs and priorities regarding their employer-provided housing.

Impacts on worker protections in Agricultural Labor Housing

We strongly oppose any rollbacks to Agricultural Labor Housing regulations. SB 999 and the -2 amendment would do just that. “Single, isolated dwellings occupied solely by members of the same family or by five or fewer unrelated individuals” have for decades been exempted from registration requirements, but they have always been required to comply with OR OSHA Agricultural Labor Housing rules. The newly updated Agricultural Labor Housing rules did not change who they applied to. Proposing to remove “single, isolated dwellings occupied solely by members of the same family or by five or fewer” from the Oregon Safe Employment Act—and therefore from Agricultural Housing regulations—is a rollback.

Secondly, the -2 amendment proposes to simply bring them under the habitability requirements of ORS 90.320 in place of Agricultural Labor Housing regulations. Key protections under current Agricultural Labor Housing rules are not included in these habitability standards, and critical access to justice elements are missing. What happens if someone’s home is not habitable? There seem to be no remedies under the current proposed legislation. This removes a simple, accessible enforcement tool—contacting OR OSHA.

Thirdly, amending the “Farmworker Camp” definition to include only housing provided by an employer on a seasonal or temporary basis, and as a term or condition of employment, would exclude farmworkers who live year-round in Agricultural Labor Housing—such as livestock workers, dairy workers, and nursery and orchard employees. Many of these workers live year-round in employer-provided housing, often with families, and would be left without essential protections.

The phrase “provided as a term or condition of employment” creates major legal gray areas. It could depend entirely on what the employer tells the worker, which is subjective and inconsistent. Workers could be told housing is optional—even when, they have no practical alternative due to rural work locations or demanding schedules. Agricultural Labor Housing could be considered a term of employment for some workers but not others in the same camp, based on employer interpretation. This introduces confusion around who must register housing and who doesn’t and could undermine the entire ALH registration system. If growers can simply say housing isn’t required, no

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camps might have to register at all—effectively gutting oversight and standards enforcement.

SB 999 and its subsequent amendments represent significant rollbacks that should not be made hastily or without thorough stakeholder engagement and analysis. We urge this committee to oppose SB 999 with the -2 amendment.

Sincerely,
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