

## ■ LABOR CONTRACTOR LAW

### TERMS:

**Licensing** — It is unlawful for anyone, for a fee, (1) to recruit, supply or employ workers to perform farm labor for another person, (2) to engage in such activities on behalf of a farm employer, or (3) to provide meals or housing in connection with the recruitment or employment of farmworkers, without having a valid farm labor contractor's license issued by the state. .

**Insurance and Bonding** — Among other conditions which must be met before a license is issued, the applicant must submit proof of adequate insurance for any vehicles to be used to transport workers, along with a \$5,000 bond or other evidence of the contractor's ability to promptly pay workers' wages and other specified obligations.

**Disclosure to Workers** — At the time of recruitment or hiring, farm labor contractors are required to furnish each worker with a written statement, in English and any other language used by the contractor to communicate with the workers, describing:

- (1) The method for figuring pay.
- (2) The terms and conditions of any bonus offered.
- (3) The terms of any loans made to the worker.
- (4) The conditions on any housing, health or daycare services to be provided.
- (5) The terms and conditions of employment, including the approximate start and end dates.
- (6) The terms of any clothing or equipment to be furnished to the worker.
- (7) The name and address of the owner of all operations where the worker will be working.
- (8) The existence of any labor dispute at the worksite.
- (9) The worker's employment rights under state and federal law.

**Pay Statements** — Each time a contractor makes a payment of wages, the contractor must give each worker a written statement itemizing total wages, the amount and purpose of each deduction from wages, and the hours worked (or piecework production) and rate of pay.

**Prohibited Activities** — Among other unlawful acts, no one acting as a farm labor contractor may intentionally make any false or misleading statement to any person, or circulate any false information concerning employment. It is also illegal for a farm labor contractor to force a worker, or use threats of firing or deportation to persuade a worker, to give up any part of the worker's earnings.

**Use of Contractor Services** — A farm operator or anyone else who uses the services of an unlicensed labor contractor is personally, jointly and severally liable with the contractor for any damages awarded to a worker who prevails in a civil suit against the contractor for non-compliance or retaliation.

**ENFORCEMENT:** *Labor Contracting Unit, Wage and Hour Division, Oregon Bureau of Labor and Industries, Salem, Oregon 97305 (503-373-1463).* A worker who has evidence of a violation may submit a complaint to this agency, which may suspend, revoke or refuse to renew the license of the contractor if the investigation supports the allegations.

**SPECIAL NOTE:** A farm labor contractor may not fire or discriminate in any other manner against a person because the person has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.