

Submitter: Walter Lierman

On Behalf Of:

Committee: House Committee On Business and Labor

Measure: HB4002

I farm in Marion County. I grow/raise Blueberries and Hazelnuts, and employ up to 150 contract employees during the peak harvest time. Many of these workers come back to my farm year after year, and have done so for many years. I am concerned about the impact that ag overtime would have on my farm, our Labor Contractor, and the employees. I do everything I can to compensate employees fairly, but as a farmer, I am a price taker. This means that I cannot increase the sale price of my crops when labor costs increase. Consumers in the global commodity market set our prices. Any added costs will have to be absorbed by my family's farm. That's the economic reality for those of us in agriculture.

Oregon's specialty crops are labor intensive and have peak seasonal needs, including harvesting, pruning, and planting. This bill would force both me and our Labor Contractor to reduce the available hours and rely more heavily on mechanization. Many of our workers come to us from California during the peak harvest times, to work as much as possible, during this time. If the available hours are reduced due to an overtime requirement, they simply will elect to not travel here to work, as it would not be economically advantageous for them. To remain in business, I will be forced to limit the number of hours that employees work to 40 hours per week, mechanize or transition to less labor-intensive crops to avoid the added expense of overtime pay. I do not want to do this, but that is the practical reality.

Farmers have been clear about the consequences of this policy, but I'm also worried that farm employees will see their paychecks reduced or jobs cut if overtime pay is required after 40-hours.

As a family business, we can't operate at a loss year-over-year. Mandating overtime after 40-hours demands wages that are not possible with the economics of agriculture and will result in reduced pay and opportunities for farm employees. Only seven states have adopted ag overtime policies, and most have crafted policies that ensure that local farms can remain viable and that employees' jobs and paychecks are protected. Several states have adopted policies to meet seasonal needs and others established higher overtime thresholds that help avoid some of the worst consequences. Washington state is currently considering legislation to modify their farm worker OT requirements, due to the significant labor disruption that they are currently experiencing.

I urge you to either leave our agricultural compensation requirements unchanged, or

at minimum provide exemptions for peak harvest times or for the amount of time that an individual is employed.