

Committee Administrator  
Matthew Germer

Mr. Germer I would like to let you know I oppose the passage of SB454. I do not feel it is in the best interest of Oregon's economy to pass SB 454. Businesses cannot afford it. With nearly 100 people testifying and opposing it, the opposition is overwhelming. This cannot and should not be ignored. Oregon is not a business friendly state. Every effort should be made to change that. Businesses cannot thrive or even survive if this should pass.

Deborah Swenson  
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My name is Doug Krahmer from St Paul, OR. Thank you for the opportunity to testify on SB 454. I own and operate Berries Northwest LLC. We grow 500 acres of blueberries in three counties in Oregon.

We use hand labor for picking to produce the quality product that the market is demanding. It is essential that the fruit is picked at the optimal time.

Certainty of having workers available is critical to my operation during harvest. Perishable crops have a short window, from being ready to be picked and being over ripe, in usually only 2 or 3 days.

Our farm operates with 20 full time employees that have available to them medical and dental insurance and bonus pay based on the profitability of our company. During our harvest season, we will hire an additional 150 to 300 workers to pick berries. These seasonal employees work on piece rate pay.

For a blueberry farm, our harvest is unique. We grow early varieties grown under a tunnel system. That allows us to enter the market in mid-June with early berries and continues through mid-October with specialized late varieties. This gives us a possible 100 to 120 day harvest season.

This new protected, paid sick leave requirement applies regardless of business necessity of the employer. If the employee has accrued leave and qualifies for the leave, it can be taken.

In our operation, workers sometimes come in and pick for 3 or 5 days and then leave and work for a neighbor for a few days and then come back again.

During our harvest season, workers are paid at piece rate. In our operation a piece rate employee can make as little as minimum wage one day and as much as \$30.00 per hour the next. SB 454 does not address the rate we would be paying employees utilizing sick leave. The bill only states that employees should be reimbursed at a 40 hour work week rate. Depending on the berry variety or early or late picking, the amount someone can pick will vary by the day and by the week. This is a prime reason why mandating paid sick leave does not work for agriculture.

I am also concerned with the additional paperwork and record keeping that will be required to keep track of our seasonal employees. My daughter manages and coordinate's our harvest crews and my son does the record keeping. It seems that to keep track of this additional requirement, it may take additional employees.

When faced with a mandate like paid sick leave, many employers in other business sectors will make the difficult choice of raising prices, reducing employee hours or removing other benefits. These are not options for farmers because we are unable to set the price of the crops we grow.

This legislative session, employers are also faced with the potential of an aggressive increase in the minimum wage. I cannot absorb all of these costs. Our family is going to be forced to make some difficult decisions to cut our expenses.

Finally, I am concerned that SB 454 does not preempt any local regulation. This creates inconsistency and confusion for Oregon employers who operate in different jurisdictions such as I do. While not based in cities, many farms are participating in several farmers markets or deliver in cities. It seems only right that all employment laws be set at the state level.

Thank you for the opportunity to testify today and I am happy to answer any questions.