

My name is Mike Bielenberg and I own and operate a small family farm in Marion county. I grow Grass seed, Row crops, Specialty seed, and Wheat on 1100 acres. Our farm employs 4-5 employees, plus hire an additional 5-10 seasonal employees many of whom come back to my farm year after year. I want to share with you my concerns about the real impact of HB 2358 on both my family farm and my employees, which is scheduled for a public hearing in the House Business and Labor Committee on March 8th. HB 2358 would require every farm and ranch in Oregon to pay overtime to employees after 40 hours of work. Currently, agriculture is exempt from overtime pay under the federal Fair Labor Standards Act and in most other states because of the unique seasonal nature of agricultural production, affecting both the total period when agricultural activities can be pursued and the days within the "season" when work can be performed. HB 2358 proposes the most aggressive overtime policy in the country, which would be devastating for local family farmers and our employees, who are already struggling financially. As a farmer, I am a price taker, which means that I cannot simply increase the sale price of my crops to account for added labor costs. Consumers set our prices and will buy from other states or countries that sell at a cheaper price. I will have to absorb any added overhead. That's the economic reality I deal with every day. I will not be able to afford the added payroll costs proposed in HB 2358, as it will likely cost me about \$30,000 to \$40,000 in new labor costs. To stay in business, I will be forced to limit the number of hours worked by my employees to 40 hours in a week to avoid the added expense of overtime pay. Many of our employees rely on being able to work more than 40 hours per week during our peak seasons. We already pay a competitive wage to our employees and if this Bill passes it would be financially devastating to those workers that rely on the extra hours and most likely our employees would be forced to find a job else where. I do not want to do this, and my employees do not want me to do this, but that is the practical reality of this bill. Farmers and ranchers will have to mechanize operations, transition to less labor-intensive crops, or even move outside of Oregon to stay in business. Farm employees are at risk of losing their jobs if downsizing, switching crops, or mechanizing are the only options available to a farm or ranch. If this bill passes, I will need to downsize my farm to use less employees or not grow labor intense crops to stay in business. As a family business, we can't operate at a loss year-over-year, so we have to control costs that seem to increase every year in Oregon. I know it's not the goal of this bill to reduce employee take-home pay, but HB 2358 demands wages that are not possible with the economics of agriculture and will result in reduced pay and hours for farm employees. I am very concerned that this policy hasn't been well-vetted and will actually harm those it intends to help. Please oppose HB 2358 this session. This bill would negatively impact not only family farmers and ranchers in Oregon, but also agricultural workers!

Sincerely,
Mike Bielenberg