

Submitter: Jeff Stone  
On Behalf Of: 14 business and agricultural executive directors  
Committee: House Committee On Business and Labor  
Measure: HB4002  
Committee on Business & Labor

Chair Holvey and members of the committee,

We wish to begin by thanking all the legislators who are working hard to find an Oregon solution to agricultural overtime that seeks a compromise that works for growers and farmers and agriculture workers. House Bill 4002, with the proposed amendments, will unfortunately harm the very individuals they intend to help – Oregon's agricultural workers.

We can learn from other states and must do so

Oregon agriculture is unique and diverse – every industry sector will face challenges specific to their operations as they try to absorb the financial and operational challenges a 40-hour overtime law creates. We also do not have the same ability as other industries to set the prices of our commodities. Instead, we are 'price takers' and must accept the price offered to us and hope we are able to cover operational costs. Farmworkers will also bear the consequences. California's 40-hour overtime policy, which was phased in this year, has resulted in reduced hours and lost wages for farmworkers. [[https://www.bakersfield.com/news/farmworkers-growers-dissatisfied-after-overtime-change/article\\_48675756-7562-11ec-b6a6-7300e290a469.html](https://www.bakersfield.com/news/farmworkers-growers-dissatisfied-after-overtime-change/article_48675756-7562-11ec-b6a6-7300e290a469.html) ]

We did not want the legislature just to take our word for it – so the agricultural community engaged a well-respected third-party economist to determine what would happen if HB 4002 would become law. It is not a pretty outlook. Production will be reduced, hours for workers will be capped at 40 hours, and coveted compensation add-ons would be in serious jeopardy of being cut or outright eliminated. This is why we must craft an Oregon solution that works for Oregon's diverse crops and sectors.

Other states have provided us a blueprint for a compromise that avoids unintended consequences for Oregon's farmworkers and our family farms and ranches. States like Colorado, Minnesota and Maryland recognized that agriculture is uniquely ill-suited for traditional overtime laws due to the seasonal nature of the industry and crafted legislation that achieves the goal of limiting work hours, while providing compensation to workers who take on more hours.

Finding a Solution for Farmers & Workers

There is an Oregon solution to this. One that was presented during the workgroup and will be introduced during the hearing as the -1 Amendment. This solution:  
? Sets a reasonable overtime threshold and recognizes seasonality. This approach is rooted in the variability of weather, market and transportation challenges.  
? Livestock is different. Plain and simple. Both our ranchers and dairies should be exempt from overtime no matter the standard put in place.

This is not an easy issue or choice

We are urging you to find an Oregon solution that works for all. If the legislature fails to find a compromise and pass agricultural overtime this session, we know BOLI will establish a strict 40-hour overtime mandate and many family farmers will be forced to downsize or significantly change their operation. Impacting both farmers and farmworkers.

During the Public Hearing you will receive comments from our members – real people who care about what they do and the people they employ. Do the right thing and consider the reasoned alternative that is an Oregon solution - for both farmers and farm workers. Thank you for your time and attention.

Roger Beyer, Oregon Seed Council  
JR Cook, Northeast Oregon Water Association  
Tammy Dennee, Oregon Cattlemen's Association  
Dave Dillon, Oregon Farm Bureau Federation  
Mike Doke, Columbia Gorge Fruit Growers  
Amanda Hoey, Oregon Wheat Growers League  
Tami Kerr, Oregon Dairy Farmers Association  
Richard Koesan, Oregon Sheep Growers Association  
Fawn Barrie, Oregon Wine Council  
Katie Murray, Oregonians for Food & Shelter  
Colleen Nihen, Associated Oregon Hazelnut Industry  
April Snell, Oregon Water Resources Congress  
Jeff Stone, Oregon Association of Nurseries  
Angela Wilhelms, Oregon Business & Industry