

2/8/2022

Testimony for HB 4002: Ag Overtime

Dear Chair Holvey, Vice-Chairs Bonham and Graber, and members of the committee,

My name is Darlene Boshart. I am writing you today to voice why HB 4002 is not beneficial for Oregon Ag businesses and their employees.

My husband, Amos, is a third-generation farmer in the Albany area. Together we own and operate our business, Boshart Customs. Boshart Customs is a seasonal baling company that operates during the harvest months- the season usually runs from the end of June to mid-August. These dates fluctuate depending on the year. Every year, we hire 6 employees to operate tractors for the season. Our employees are usually in high school or college and consider this their summer job.

When this bill was presented during session last year, my husband and I were not sure how this would work financially especially in the times we are living in with poor activity in the work force. We strongly believe that Oregon Agriculture is such a diverse industry and the saying "if it's not broke, don't fix it" has never fit better. I come from parents who worked in the apple orchards and on Christmas tree farms, and I myself have worked summers picking blueberries for a paycheck.

There is a misrepresentation on how this bill will affect these Ag employees and their paychecks. HB 4002 will prevent our employee's from making amazing paycheck from a short 6-8 weeks of work. This is one of the main reasons and huge incentives for employees to return each summer. They know it's seasonal work and they can make great money. An average seasonal employee during 2021 made around \$1,020.00 per week before taxes. If we were to restrict that employee to 40 hours or less in a work week due to overtime fears as a company, this employee would only bring in \$585.00 per week before taxes. This affects our employees' financial goals and their financial ability to pay for housing, schooling, and needs for their household. Ag employees, listen up- Oregon Ag businesses cannot endure the cost of overtime long-term. Very few Ag businesses can afford this long-term, and it will result in loss in hours for the employee. HB 4002 is going to force business owners to try and hire additional bodies and will force us to watch our hours more at a daily rate to prevent overtime from occurring. In 2021, we had a hard time filling all our positions for the season. We spent around \$350.00 into recruitment ads to help generate interested candidates. This was the first year that we had ever had to recruit employees at a cost. If HB 4002 passes, I'm now needed to find even more employees to fill our employee roster to prevent overtime that Boshart Customs cannot afford long-term. Instead of our normal 6 employees, we will now need 10 employees to meet this need and prevent paying the cost of overtime.

Committee members, this is a bad bill. This bill does not help Ag employees, nor does it help Oregon Ag businesses. Don't get me wrong, I would love to pay our employees all the overtime our business can afford. But that's not realistic in the Ag industry. It is not a smart business model to follow, or else, all other industries would be paying overtime routinely. Our income changes every year based on how we did last season. Weather, field availability, and equipment breakdowns all factor into it. For these reasons, I urge a NO vote for HB 4002.

Thank you,

Darlene Boshart