

Chair Holvey & Committee Members,

Thank you for the opportunity to share my thoughts.

My name is Emilie Dierickx. I am the Secretary/Treasurer of Dierickx Farms. My husband, Thomas & I, run his 4th generation small family farm in Western Washington County. We raise wheat, grass seed, clovers and sweet corn. We employ 2-6 employees on the payroll year-round.

I would like to highlight 3 things as to why we are against House Bill 4002.

1. There is no accommodation for seasonality.
 - a. Our harvest schedule is around 16 weeks (which doesn't include the long hours/weeks for planting season)
 - b. The weather dictates when we harvest and the amount of hours we work in a day
 - i. During peak harvest, our employees work 12-14 hours a day; activities range from swathing, moving irrigation, fixing equipment and running combines.
 - ii. Every single one of those functions is critical during harvest time; otherwise we would have 11 months of inputs costs and nothing to show for it.
 - iii. Additionally, unlike many other industries, we will harvest and deliver products without knowing the price we will receive and may not get paid 6-12 months post-harvest.
2. We are price takers; not price makers.
 - a. The prices we get paid are set by the global economy.
 - b. As a small family farm, we cannot raise my prices and pass along increased input costs unlike almost every other business, which means we would have to absorb them.
 - c. For example, we pay the CAT tax twice. Once when we purchase goods from others since they pass along their costs to me and then a second time when our products are sold.
 - i. JFK said it well, "The farmer is the only man in our economy who buys everything at retail, sells everything at wholesale and pays the freight both ways"
3. We cannot absorb this substantial increase into my operating budget
 - a. We pay my employees fair wages, harvest bonuses, and paid time off. My non-family farm employees enjoy working on our farm due to the diverse nature of our work and have been faithful employees for generations.
 - b. Overtime would increase our labor budget by approximately 40%
 - c. Due to razor thin margins, which can be driven significantly by external factors (weather, commodity prices, input costs), there are years, in which our family doesn't even get a paycheck.
 - d. With this bill as written, please understand, our employees would suffer, because we would be forced to curtail hours and explore different crop profiles.
 - e. Currently, our employees work a significant amount of hours during harvest, which offsets the slower time during the winter. By curtailing back their hours, we run the real risk of them finding another job.
 - f. If our employees find another job, we truly run the risk of losing our family's farm. My husband and his father cannot run the operation by themselves.

For us it comes down to basic economics; farming operations are not comparable to other businesses; especially operations in Oregon with one growing cycle. This bill may be well-intentioned; however, our farm & our employees will suffer if it bankrupts our business. As a family who stands to lose 4th generation family operation, I cannot support the overtime mandate at 40-hours in HB 4002.

Thank you for your time

/s/ Emilie