

February 09, 2022

My name is Tony Bennett and I am a fifth-generation farmer along with my brother Ryan and my father Greg Bennett farming in your district as well. We grow onions, blueberries, hazelnuts, grass seed and spring wheat. I alone employ anywhere from 10 to 25 employees throughout the year; many of whom come back to my farm every harvest season when we need them the most. I want to share with you my concerns about the real impacts of HB 4002 on both my farm and my employees.

This bill 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. These bills propose one of the most aggressive overtime policies in the country, which would be devastating for local farmers and our employees.

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 4002, as it will likely cost me a min of \$41250.00 in additional labor costs. To stay in business, I will be forced to limit the number of hours worked by my employees to 40 hours or less in a week to avoid the added expense of overtime pay. I do not want to do this, and my employees do not want me to do this, but that is the practical reality of these bills.

Currently my employees rely on the additional hours that they do receive at harvest time. If this bill is implemented I will not be able to afford to keep them working past the 40 hours and would have to cut hours during the slow part of the season. This will lead to a minimum income loss of \$6,600 per employee. This will make it hard to retain well trained employees for our food supply. Our workers understand that agriculture is not a nine to five Monday through Friday job, they also understand the importance of good quality food which I feel will be compromised if this bill should pass.

Farmers and ranchers will have to mechanize operations, transition to less labor-intensive crops, or even move outside of Oregon to stay in business. Which means less money for Oregon. 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. This is especially true here in Oregon where our planting and harvesting seasons are weather dependent unlike southern California or Texas. It will be a sad day when the state of Oregon loses its high dollar labor intensive crops such as blueberries. The regulations here in Oregon are some of the most stringent in the country this bill will only add to the long list of reasons why we should not farm here instead of why we should.

The passage of HB 4002 will impact my farm and my workers in negative ways; firstly, by growing less and utilizing less acreage for farming. Secondly our bottom line will be negatively impacted meaning less money for Oregon. Thirdly the workers will be affected by loss of yearly income causing trained workers to go elsewhere. There are approximately 37,200 farms and ranches in Oregon that cannot afford to add more risk to an already risky business.

Lastly 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 these bills to reduce employee take-home pay, but HB 4002 demand 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 as well as increase the cost of food further and make Oregon less competitive in a world market.

Please oppose HB 4002 this session. This bill would negatively impact not only family farmers and ranchers in Oregon, but also agricultural workers!

Still a Proud Oregon Farmers for the mean time

Tony and Ryan Bennett  
Bennett Brothers Farms