



OREGON  
ASSOCIATION OF  
NURSERIES™

# Mandatory 40-hour overtime will *hurt farms*

2022

Many farmers stand to **lose everything** in this fight.

- **Rep. Shelly Boshart Davis**, R-Albany, Millersburg and Tangent  
*Oregon Capital Chronicle*, FEBRUARY 9, 2022

We have family farms in Oregon so any comments ... about the effects of overtime in California (are) **totally unrelated** to what would happen here.

- **Mike McCarthy**, fruit grower, Hood River  
*Oregon Capital Chronicle*, FEBRUARY 9, 2022

The problem for my dairy farm and many others is that livestock operation **don't always follow neat, predictable cycles**. Recognizing the unique nature of caring for livestock to include these considerations would go a long way to making this proposal workable for farms like mine.

- **Bobbi Harrold Frost**, Harrold's Dairy in Creswell  
House Bill 4002 hearing before the House Business and Labor Committee, FEBRUARY 8, 2022

# Mandatory 40-hour overtime will *hurt farmworkers*

Most farmers cannot afford a year-round 40-hour overtime threshold that **fails to consider the seasonality of crops** or the unique nature of providing round-the-clock care for livestock. Unable to absorb or recoup the cost of overtime wages, farm employers will be forced to adjust work schedules, mechanize or switch to less labor-intensive crops to control labor costs.

- **Lesley Tamura**, 4th generation pear grower from Hood River County  
House Bill 4002 hearing before the House Business and Labor Committee, FEBRUARY 8, 2022

We see this as a **false promise** to farmworkers.

- **Kyle Fessler** past president, Oregon Association of Nurseries.  
House Bill 4002 hearing before the House Business and Labor Committee, FEBRUARY 8, 2022

## There is a better alternative



Do what helps everyone. Say yes to a reasoned solution.

We're not saying no to overtime. We're just saying how **can we find something that can be workable?** .... I honestly believe that if you can sit down, you can come to an accord. You can come to a resolution that is both good for the long-term health of the farmworker and the long-term health of their employer.

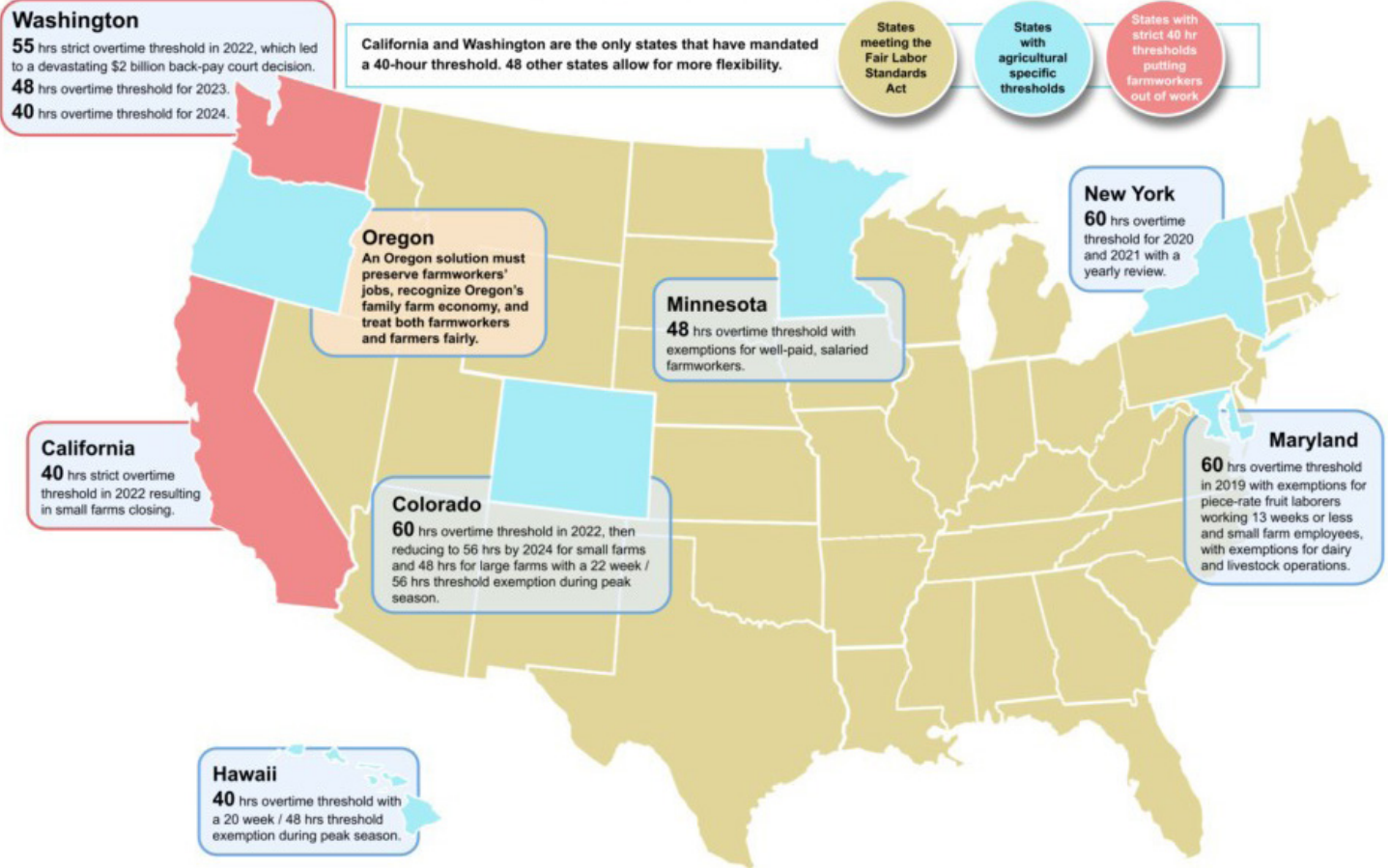
- **Jeff Stone**, executive director, Oregon Association of Nurseries *Statesman Journal*, FEBRUARY 8, 2022

Please adopt the Dash-1 amendment to HB 4002



# Few states have removed the ag overtime exemption. Some that have, have taken a more moderate approach.

## Farmworker Overtime Comparison



### The Dash-1 amendment to HB 4002 would:

1. Phase in a new overtime threshold (60 hours in 2023, to 54 hours in 2024, to 50 hours in 2025);
2. Provide growers with up to 22 peak seasonal weeks each year. These don't have to be consecutive but follow the peak seasonal needs: harvest, planting, pruning etc. The amendment also creates an employee notification process in Section 2(5)(a) so that workers have a good faith estimate of when peak weeks are likely to occur;
3. Exempt dairy and livestock producers in Section 2(4)(b) because animals have unique needs that don't follow a 9-5 work schedule.

Please adopt the Dash-1 amendment to HB 4002

