

I am a 6th generation farmer in the Shedd area and I am urging you to oppose HB 4002A. I just don't think the proponents of this bill have fully discussed the magnitude to what this bill, if passed, will do to our farmers and ranchers. The only way I see this bill working is if we can come to an agreement that there needs to be permanent rules for seasonality and for a realistic minimum hours before overtime pay kicks in. I am only a mid sized farm raising multiple field crops that, admittedly, aren't as labor intensive as some of the other specialty fruit and vegetable crops in our state. However, we still employ 8 full time workers and an additional 10 seasonal workers for harvest and fall field planting prep. My full-time employees work an average of 45 hours a week and my seasonal workers usually average 72. Setting overtime to start after only 40 hours is not feasible. Specially in the summer months were my harvest crew is already receiving a higher than average wage above the minimum. I do everything I can to compensate employees fairly, but as a farmer, I am a price taker. This means that I cannot increase the sale price of my crops when labor costs increase. Consumers in the global commodity market set our prices. Any added costs will have to be absorbed by my family's farm. That's the economic reality for those of us in agriculture.

I've ran the numbers on what it would potentially cost me if this bill passes and I am looking at an additional \$33,000 in overtime pay alone for my harvest months. To remain in business, I will be forced to limit the number of hours that employees work to 40 hours per week, mechanize or transition to less labor-intensive crops to avoid the added expense of overtime pay. I do not want to do this, but that is the practical reality. The tax credit provided in the bill is not a durable solution, and I will have to begin the transition away from labor immediately. Hours spent in a tractor or combine is where a lot of overtime is generated on my farm. If you've followed agricultural news at all, technology is rapidly advancing and I would be better off taking the money spent on overtime and putting it towards a fully autonomous tractor therefor reducing my human labor workforce.

Farmers have been clear about the consequences of this policy and I'm afraid that farm employees will see their paychecks reduced or jobs cut if overtime pay is required after 40-hours. I know on my farm I may no longer be able to provide health care, do full retirement matching, or pay end-of-season bonuses or any number of incentives that are common to attract skilled labor in agriculture.

As a family business, we can't operate at a loss year-over-year. Mandating overtime after 40-hours demands wages that are not possible with the economics of agriculture and will result in reduced pay and opportunities for farm employees. Only seven states have adopted ag overtime policies, and most have crafted policies that ensure that local farms can remain viable and that employees' jobs and paychecks are protected. Several states have adopted policies to meet seasonal needs and others established higher overtime thresholds that help avoid some of the worst consequences.

I can not stress enough that a tax credit is not a workable or durable solution to farmers paying for overtime. Tax credits will be phased out as soon as a recession hits, cannot be enacted in perpetuity, and, as crafted, phase down when growers will need them most. Not to mention that with any sort of tax credit there will be forms to fill out and I'm already having to spend way too much time trying to figure out tax forms for the many taxes our state puts on farms and ranches.

We need a workable and durable solution that can only be found by adjusting the structure of the overtime proposal to account for the seasonal and year-round needs of the agriculture industry.

Lastly, I've sat in and listened and read the proponents arguments for mandatory overtime. To blanket our farmers and ranchers as all being evil, greedy, and vindictive, which is how I personally view racists and oppressors, is just a flat out lie. Many of these employees that I and others hire come back every harvest season because they like the work and the money was good. I've hired multiple people that started as a summertime harvest worker because they felt that I provided a great working environment with good pay. So to say that we are all the same, I know is not true, but I guarantee that if the farmer or rancher were not fair and kind to the employee, they would not be returning year in and year out. And it is the employees RIGHT to make that determination for themselves.

As someone who stands to lose their family business, I urge you to oppose an overtime mandate at 40-hours in HB 4002A. We would rather take our chances making our case to BOLI than deal with the immediate consequences of the passage of HB 4002A for my farm and my employees. Please help us save agricultural jobs and family farmers - VOTE NO ON HB 4002A!