

Submitter: Bob Schaefer
On Behalf Of: Noble Mountain Tree Farm
Committee: House Committee On Labor and Workplace Standards
Measure, Appointment or Topic: HB2548

We are totally opposed to this bill. Due to poor judgment a few years ago taking away the overtime exclusion for agriculture and mandating overtime pay after 48 hours in a workweek starting at the first of this year, our employees have had their income reduced by 16.7%. They will be taking a similar income reduction when overtime is mandated after 40 hours. Two of our employees that we know of have had to take on a second job to make up for their lost income.

This bill is unnecessary and not well thought out. Oregon grows over 200 specialty crops, many of which require individualized expertise to get to harvest. A Board of any kind that thinks they can identify all the nuances in determining in particular reasonable piecework rates is out of their league. I view this as nothing but an unwarranted attack on agriculture producers, so attorneys have another way to coerce small businessmen into settling arbitrary potential lawsuits.

Also, I can only imagine the additional paperwork that will be required to try to adhere to whatever rules and regulations this new Board may come up with. I am also curious who this board will be accountable to. Is this going to be another bureaucracy that not only makes the rules but sits in judgment as to a business's adherence to the rules if an attorney recruits a plaintiff to see what kind of judgment or settlement he can get? Will judgments be able to be appealed to a higher court?

Why is agriculture always being attacked. There are several professions and industries that could be looked into as far as violating labor laws. Just because agriculture and the building trades use a lot of Hispanic labor, it doesn't mean they are being mistreated in any way. Their problem is they would rather be working than testifying before the legislature. Their supposed advocates are not really speaking for them.

I am a firm believer in the 95%-5% rule. 95% of the people are good, God-fearing, law-abiding people. The remaining 5% are not in this category, and no number of laws on the books will dissuade these people from nefarious activities.

I strongly oppose this bill and hope common sense will prevail and it will not see the light of day.

Respectfully,

Bob Schaefer