

March 7, 2021

Written Testimony for HB 2358

My name is Eric Horning, and I operate a fifth-generation family farm in Benton County. I have 6 year-round employees and employ an additional 8-9 seasonal workers during harvest. I want to share my concerns about the real impact of HB 2358 on both my farm and my employees for the public hearing in the House Business and Labor Committee on March 8th.

Currently, agriculture is still struggling with the mandate of paid time off and higher legislated minimum wages. With this bill, my farm will be harmed economically as I will not be able to pay the overtime wages for the number of hours my people currently work to get harvest done every year (season stretches from June-October because of the crops I grow). If this bill passes, my response will be to restrict my employees to 8 hours a day for only 5 days a week because I cannot afford the alternative.

My employees are going to be hit hard by this bill. Currently, they have the benefit of being able to work more than 8 hours a day for added income during harvest, which 90% of them choose to do. Restricting their hours because of the excessive burden of overtime costs would lead to a reduction of 20 to 40 hours a week per employee, not to mention the lost production I will have. I would rather keep my regular workers, who stay with me all year to get the job done and who manage their own personal annual budgets around the extra income they can gain during harvest, than spread their income to less-skilled operators, which also creates more safety concerns.

This bill also directly goes against the federal guidelines for overtime in agriculture. As a farmer, I can't raise the price of my product to cover additional labor costs. I would have to absorb the added overhead, which I cannot afford to do, and I can't hire more workers to cover the lost hours because that labor pool does not exist. Not everyone wants to work in ag; not everyone can do the work. That is the economic reality I deal with every year.

My people are there because they enjoy what they're doing and the pay opportunities that come with their job. This bill would change that equation and make it impossible for me to reward their loyalty and commitment to my farm. The recent proposal to require mandatory overtime is a big spike in the coffin of small businesses and family farms in particular.