

No way to mandatory overtime pay for Oregon agricultural workers, nurseries

Jeff Stone Guest Opinion

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As Oregonians, we have a long and storied tradition of political compromise, and I believe that any policy debate should include a range of perspectives. Often, it's that discussion that allows a mutually satisfactory solution to be reached.

That's why the Oregon Association of Nurseries is disappointed with ongoing efforts by House Democratic leadership and [PCUN](#), the farmworker union, to move legislation that calls for mandatory overtime pay for agricultural workers above 40 hours per week.

After the legislature tabled [HB 2358-A](#), an overtime proposal, during its 2021 session, we went to work to find a compromise. Instead, urban Democrats haven't budged on a 40-hour overtime threshold, and PCUN has launched a renewed campaign questioning the integrity of our member nurseries, as well as farms and agricultural businesses around the state.

The Legislature's overtime pay proposal will impose significant costs on Oregon's nurseries — and a recent economic analysis shows most of our members will not be able to sustain those costs.

Nurseries will be forced to automate or reduce what they grow. Worse, local family-owned nurseries and farms could be forced to sell their operations to out-of-state corporations.

Oregon nurseries produce beautiful, top-quality plants, so they command top dollar for their products. But most of that goes to pay for the increasing cost of doing business in Oregon — among the most expensive states in the nation to run a business.

This additional mandate is something most nurseries can't afford.

Another view: No overtime pay for farmworkers is rooted in white supremacy

Nationwide, agricultural revenue has grown 9% in the last decade. This has happened as the cost of feed, seeds, fertilizer, chemicals, machinery, services, rent and other needs have increased by 16%. Finally, labor costs have increased 41.5% nationally over that time frame, with Oregon farm labor costs following that trend.

Oregon's farmworkers receive wages that are, on average, well above the state's minimum wage, which for rural counties is set at \$12 per hour. By comparison, data from various industry surveys in Oregon indicate average hourly wage rates across all hired farmworkers in 2021 were between \$16.87 and \$18 per hour.

Further, total compensation for farmworkers includes paid time off, generous health care benefits, flexible shifts that allow families to thrive, profit sharing and more.

We have many long-term and highly skilled employees who have found success under the current rules.

Forty-eight states and federal law recognize agriculture work cannot fit neatly into a 40-hour week. Only California and Washington have 40-hour overtime thresholds, a policy that already has caused employers to cap employees' hours to keep costs down — limiting productivity and reducing take-home pay for workers.

Oregon should learn from the mistakes of California and Washington and strive for a balanced policy — one that supports the farm and the farmworker.

Oregon is blessed to have great growing conditions, and we are the third-largest nursery state in the United States, behind California and Florida. We want to examine what other

states have done with regard to agricultural overtime policy and what the consequences have been before enacting any similar policies in Oregon.

Let's not endanger our continued growth by passing laws that limit farm productivity and the ability of our employees to support their families and make a living.



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