

Submitter: Justin Henderson

On Behalf Of:

Committee: House Committee On Business and Labor

Measure: HB4002

I farm in Linn County. I grow/raise at least 50 crops including peaches, apples, berries, corn, tomatoes, peppers, melons, beans and more that my employees my wife and I market direct to the public. I employ over twenty employees during our growing/harvesting season and have 3 full time workers year around. Many of our seasonal workers come back to my farm year after year. I am concerned about the impact that ag overtime would have on my farm and employees. 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.

Oregon's specialty crops are labor intensive and have peak seasonal needs, including harvesting, pruning, and planting. This bill will likely cost me thousands of dollars in new labor costs that I can't afford. Labor is by far my largest cost of doing business. 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 most realistic contingency for this farm would be to end retail sales and switch to a single mechanized crop, therefore I would not any employees. However, I myself would need to find employment elsewhere as well.

Farmers have been clear about the consequences of this policy, but I'm also worried that farm employees will see their paychecks reduced or jobs cut if overtime pay is required after 40-hours. Nearly all of my employees already make well above the minimum wage. These are skilled workers already making a livable wage.

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.

As someone who stands to lose their family business, I urge you to oppose an overtime mandate at 40-hours.

