

Submitter: Darren Smith

On Behalf Of:

Committee: House Committee On Business and Labor

Measure: HB4002

I farm in Marion County. I grow blackberries, blueberries and employ 70 employees, many of whom come back to my farm year after year. I am concerned about the impact that HB 4002, the ag overtime proposal, 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. Globalization has already had a profound impact on our farms profitability. 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 \$150,000 in new labor costs that I can't afford. 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.

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. The other unintended consequences for employees will be the lack of end of season bonuses that we sometimes can afford to pay if we had a good season.

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 in HB 4002.