



Oregon Agriculture Needs a Workable Legislative Compromise on Ag Overtime

We urge Legislators to replace HB 4002 with a reasonable legislative solution that works for everyone who depends on farm income.

Oregon Farmers Need Your Help!

Oregon's agricultural community is in an extremely difficult situation. Because of a technical mistake in a bill in 2017, and subsequent litigation from the Oregon Law Center, we are forced to come to the table on legislation this session that will severely and negatively impact our members.

Farm and ranch families don't have the same ability as restaurants or retail stores to set prices when costs increase. We operate in a highly competitive global market that determines the price of commodities, and we face regulatory and workforce costs well above other states and countries, making it difficult to stay in business. Oregon agriculture is unique and diverse – every industry sector will face challenges specific to their operations as they try to absorb the financial and operational challenges any overtime proposal creates.

Most farmers simply cannot afford a year-round 40-hour overtime threshold that fails to recognize the undue hardship our farms face when crops and animals dictate the work schedule. Unable to absorb or recoup the cost of overtime wages, farm employers will be forced to **adjust work schedules, mechanize or switch to less labor-intensive crops to control labor costs**. Some growers have few options and may be forced to downsize or leave Oregon to survive.

Farmworkers will also bear the consequences. Without some allowance for an increased threshold for overtime, workers will face fewer hours and lower overall wages as farmers adapt to mitigate impacts. California's 40-hour overtime policy, which was phased in this year, has resulted in **reduced hours and lost wages for farmworkers**.¹

The Legislature must craft a workable solution that balances opportunities for workers while mitigating the reduction in income for the entire ag workforce.

We must **all** be willing to compromise to create an Oregon solution that preserves farmworker jobs, recognizes Oregon's family farm economy and treats farmworkers and farmers fairly. Other

¹ https://www.bakersfield.com/news/farmworkers-growers-dissatisfied-after-overtime-change/article_48675756-7562-11ec-b6a6-7300e290a469.html

states have identified workable solutions that recognize that farms and farmworkers both stand to lose when the overtime threshold is set at 40-hours. **We urge legislators to find a compromise that the considers these factors:**

- **Farms and farmworkers both stand to lose when the overtime threshold is set at 40-hours;**
- **Cows, sheep and other livestock rely on 24-hour supervision and unpredictable hours response, requiring flexible hourly thresholds;**
- **Overtime requirements should allow a seasonality provision when weather, harvest windows, and the needs of animals and crops dictate longer or unpredictable hours;**
- **Employers who pay workers a fair salary and provide other compensation like insurance costs, housing and other benefits should be given an exemption from hourly thresholds;**
- **96% of Oregon's farms are family owned and operated - family members should be exempt from any overtime proposal;**
- **Given the known and unknown consequences to those in agriculture, the state should partner with industry to mitigate financial impacts specific to expenditures on overtime costs; and**
- **Any solution must incorporate monitoring of impacts on farms and workers at each stage of implementation with off ramps to address market decline or unanticipated challenges that threaten the viability of a sector.**

We're asking legislators to work together with us to find a reasonable solution. A legislative compromise should ensure that family farms aren't forced to mechanize or downsize due to out-of-control costs and give workers who want to the opportunity to work overtime hours under the existing compensation methodologies that option, especially when seasonal dynamics create undue hardships for farms.

Please Support Replacing HB 4002 with a Workable Oregon Compromise to Support Agriculture!