



Testimony of the Maine Organic Farmers and Gardeners Association

in support of

LD 357 - An Act to Establish a State Minimum Hourly Wage for Agricultural Workers

April 2, 2025

Good morning Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). A broad-based community, MOFGA is transforming our food system by supporting farmers, empowering people to feed their communities, and advocating for an organic future. MOFGA certifies 537 organic farms and processing operations representing more than \$120 million in sales. We're working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people, and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.

I am speaking today in support of *LD 357 - An Act to Establish a State Minimum Hourly Wage for Agricultural Workers*. We thank Senator Bennett for his leadership in sponsoring this important legislation, which provides that individuals employed to perform agricultural labor may not be paid at a rate less than the state minimum hourly wage of \$14.65 per hour and that, on January 1, 2027 and each January 1st thereafter, the minimum hourly wage then in effect must be increased by the increase in the cost of living. The bill also provides that employers who employ individuals to perform agricultural labor are required to keep a true and accurate record of the hours worked by each employee and the wages paid to each employee. It also provides remedies for employees and penalties for employers for unpaid minimum hourly wage violations.

I have come before this committee several times advocating for farmworkers to receive the same basic labor protections that nearly every other worker in the state enjoys. For the past two legislative sessions, we have come so close to addressing a longstanding injustice in our food and agriculture system -- one that now allows farmworkers to be paid \$7.25 per hour -- less than half of what the next lowest paid workers are assured. With encouragement from Maine's Department of Labor (DOL) and Department of Agriculture, Conservation and Forestry (DACF), the Legislature passed farmworker minimum wage. Governor Mills was not ready to grant that basic right to farmworkers and she vetoed the bills in 2023 and again in 2024. Now we have another chance to move closer to a long-overdue labor reform. Passing LD 357 will ensure that people who carry out physically demanding and essential farm work in all kinds of weather will receive the same Maine minimum wage that other employees earn.

I participated in both of the farmworker minimum wage stakeholder groups that convened during the last Legislature. A detailed report from DACF and DOL came out of the second group process¹ and included many recommendations beyond the simple language proposed in LD 357. Though consensus on all the items discussed was elusive, the Co-Chairs of the stakeholder committee agreed that farmworkers should be paid at

¹ Committee to Develop and Implement a Minimum Wage Bill for Agricultural Worker - Co-Chairs' Report. February 2024. Fortman (Maine DOL) and McBrady (Maine DACF).



the same level as other workers, and that employers of agricultural workers should adhere to the same recordkeeping as other employers, noting that recordkeeping is necessary to make the law operational and provides a valuable aid in resolving the dispute.

We heard repeatedly through the stakeholder process that agricultural employers were paying well above Maine's minimum wage because they couldn't attract workers without doing so. Though Maine's DOL has no way of affirming that, we recognize the serious labor shortage in Maine and we know that much less physically demanding and unskilled work is available and compensated well above Maine's minimum wage, and likely diverting much-needed labor from farms. We recognize that many farmers are struggling to make ends meet, facing a perfect storm of inflation and particularly escalating costs of agricultural production, dramatically changing weather patterns, cost of and access to farmland, contamination of farmland, interest rates, targeted detentions and deportations of undocumented farm laborers, supply chain disruptions, uncertainty of tariff impacts, and chaotic funding freezes from the U.S. Department of Agriculture. As we work to correct injustice for farmworkers, we have to do everything we can to help farm businesses gain financial sustainability and that means helping consumers understand the true cost and value of food produced here in Maine and procuring significant public dollars for our local agriculture systems.

MOFGA has acknowledged before and we will do so again that as an employer of roughly 50 individuals we strive to provide excellent employee compensation and generous benefits. We achieve our employment goals through revenue and support that generally are foreign to a Maine farm business plan. Charitable giving and volunteerism are cornerstones of MOFGA's financial wellbeing. Our staff is ever grateful for this support, and we are mindful of the limited range of revenue options available to our core stakeholders – the farmers - many of whom are very close to their profit margins. We know that for many farms labor represents a very large percentage of the business plan. We also know that our farmers report paying well above Maine's minimum wage and many pay overtime and provide benefits and other incentives that help build an enthusiastic and dedicated workforce. While some of our farmers express concern about their ability to meet the demands of other proposed labor laws, they are supportive of ensuring Maine's minimum wage for farmworkers.

Thank you for your consideration of MOFGA's testimony. I would be happy to answer questions if you have any.