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TESTIMONY NEITHER FOR NOR AGAINST L.D. 525

**“An Act to Protect Farm Workers by Allowing Them to Organize for the
Purposes of Collective Bargaining”**

**Neil P. Daly, Executive Director
Maine Labor Relations Board
April 18, 2023**

Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor and Housing, my name is Neil Daly, and it is my privilege to serve as the Executive Director of the Maine Labor Relations Board (MLRB).

The following testimony is neither for, nor against, L.D. 525. In sum, L.D. 525 provides agricultural employees working on farms with at least five employees the right to organize and engage in collective bargaining. Under the proposed bill, the MLRB would be responsible for (1) conducting elections, (2) deciding related disputes over the composition of bargaining units, (3) administering bargaining impasse resolution procedures, and (4) adjudicating complaints of alleged prohibited practices. With several exceptions, L.D. 525’s proposed framework for agricultural labor relations is comparable to the established procedures currently enforced by the MLRB for the State’s four public-sector labor relations laws.

In terms of L.D. 525’s impact to MLRB operations, it is difficult to predict with any certainty. If a large percentage of eligible farm workers in Maine decided to organize or file related complaints, it would likely result in a volume of filings that the Board could not accommodate without negatively impacting the level of service we provide to our existing parties. However, after consulting with those states where farm workers are permitted to organize, it appears unlikely that such a high percentage of farm workers will pursue filings with the Board, at least initially.¹ As a result, the Board should be able to accommodate with our existing resources, for the time being, the anticipated filings if L.D. 525 is enacted.

¹ Available information indicates sixteen states allow agricultural workers to organize. Those states are Arizona, California, Hawaii, Kansas, Louisiana, Maryland, Massachusetts, Minnesota, Nebraska, New Jersey, New York, Ohio, Oregon, Washington, Wisconsin. Of these states, only California sees a consistently high volume of filings from agricultural workers. In the past year, New York has seen a marked increase in farm-related filings - this increase has not overwhelmed their existing resources, but they are in the process of hiring staff to assist in conducting representation elections involving non-English speakers.

On the other hand, if the actual filings greatly exceed our expectations, I anticipate requesting additional resources from a future legislative session. For example, potential costs could include obtaining translation services for hearings related to prohibited practice complaints or disputes over representation petitions should the individuals involved not speak English as a primary language. The actual scope of this impact, if any, may take several years to develop and ascertain.

Thank you for this opportunity to discuss L.D. 525. I will try to answer any questions you have.