



Testimony in Opposition to LD 588:

“An Act to Enact the Agricultural Employees Concerted Activity Protection Act”

Senator Tipping, Representative Roeder, and the distinguished members of the Committee on Labor, my name is Harris Van Pate and I serve as policy analyst for Maine Policy Institute. Maine Policy is a free market think tank, a nonpartisan, non-profit organization that advocates for individual liberty and economic freedom in Maine. Thank you for the opportunity to testify in opposition to LD 588.

This bill seeks to enact the Agricultural Employees Concerted Activity Protection Act, which would impose sweeping new mandates on Maine’s agricultural sector by granting agricultural workers extensive rights to engage in “concerted activity” and expanding the regulatory purview of the Maine Labor Relations Board.

While proponents may argue that LD 588 merely codifies a basic set of rights for agricultural workers, this legislation would disrupt the balance of the employer-employee relationship in one of Maine’s most vital and vulnerable industries. Farmers already face razor-thin margins, an aging workforce, rising input costs, and unpredictable weather patterns. This bill introduces yet another layer of legal uncertainty and risk that Maine agriculture cannot afford.

Government-Mandated Labor Disruption

At its core, LD 588 grants agricultural employees the right to engage in a broad range of “concerted activity,” a term defined so vaguely in the bill that it opens the door to substantial workplace disruptions. Agricultural employers would be barred from disciplining workers who refuse to work as a collective bargaining tactic—even during the peak of harvest season, when labor timing is critical to product quality and farm viability.

Unlike industrial workplaces, farms are seasonal, labor-intensive, and often family-run. LD 588’s one-size-fits-all framework, modeled after the National Labor Relations Act but broadened to cover workers otherwise exempt under federal law, fails to account for agricultural life’s unique demands and rhythms. Thirty-six states do not currently guarantee collective bargaining rights for farmworkers, and Maine is one of them.¹

Risks to Maine’s Food Security and Rural Economy

This bill could destabilize the farms supplying Mainers with fresh produce, dairy, meat, and seafood by increasing the likelihood of labor disputes, legal challenges, and state

¹ <https://nationalaglawcenter.org/collective-bargaining-rights-for-farmworkers/>



enforcement actions. Maine's agriculture and food processing sectors are already struggling to attract and retain workers, leading to food sometimes rotting in the field.² LD 588 would likely have the opposite of its intended effect, pushing employers to automate, downsize, or cease operations entirely.

In rural areas where farms are primary employers, these impacts would ripple across local economies, affecting small businesses, supply chains, and town revenues. Rather than protecting workers, LD 588 threatens to erode the viability of their employers and shrink opportunities in rural Maine.

A Solution in Search of a Problem

No demonstrated crisis in Maine's agricultural labor market justifies this heavy-handed intervention. Most Maine farmers have long-standing, respectful relationships with their workers. The absence of widespread complaints or disputes speaks to a balance that does not require legislative correction.

Moreover, LD 588's duplication of federal labor provisions—while simultaneously expanding beyond their scope—creates an ambiguous and potentially conflicting regulatory landscape. Employers would face uncertainty about which rules apply, who enforces them, and how to remain compliant. Small family farms lack legal departments or human resources staff to navigate such complexity.

Conclusion

LD 588 is an ill-fitting, unnecessary intrusion into the agricultural sector that risks making Maine less competitive, less food-secure, and less economically resilient. Instead of imposing top-down mandates, policymakers should support Maine farmers through regulatory relief, workforce development, and market access.

For these reasons, Maine Policy Institute strongly urges this committee to vote "Ought Not to Pass" on LD 588. Thank you for your time and consideration.

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<https://wgme.com/news/local/maine-farmer-lost-8000-pounds-of-carrots-because-of-worker-shortage-shortage-labor-market-hiring-workers-pandemic>