



Testimony of the Maine Organic Farmers and Gardeners Association

in support of

LD 588 - *An Act to Enact the Agricultural Employees Concerted Activity Protection Act*

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). I am speaking today in support of LD 588 - *An Act to Enact the Agricultural Employees Concerted Activity Protection Act*.

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.

LD 588 would enact the Agricultural Employees Concerted Activity Protection Act, granting farmworkers the right to engage in certain concerted activity -- actions taken by two or more employees, acting together or on each other's behalf, to improve wages, hours, or working conditions that are protected from employer retaliation under the National Labor Relations Act (NLRA). Just as Maine's minimum wage is off limits for farmworkers, the basic protected labor right of concerted activity eludes agricultural employees. MOFGA believes that open and respectful communication for the purpose of mutual aid or protection is critical to a healthy and productive workplace. Passing LD 588 would not mean that all farmworkers had the right to engage in collective bargaining, though MOFGA believes farmworkers should have that right. LD 588 would simply protect farmworkers who wished to communicate with each other or with their employers about wages, benefits and terms of employment.

In prior legislative sessions we have advocated for farmworkers' right to engage in collective bargaining. We heard statements from members during the floor debate suggesting that there is no abuse of farm workers in Maine and therefore no need for such legislation. Though we sense that most farms in Maine do treat their workers very well, we have heard many personal stories, some of which you'll hear today, indicating that the balance of power is dangerously tipped toward employers who can take advantage of lax farm labor laws. We have heard accounts of verbal and physical abuse, wage theft, and poor housing conditions. Even if there were no such incidents, we maintain that granting the basic right to engage in concerted activity should be approached as an opportunity for both farm workers and employers, not an onerous or divisive challenge.

We believe that open and effective communication and negotiating are the hallmarks of successful businesses. While we recognize that the economic, political, seasonal and environmental forces that impact farming are very different from other employment sectors, we believe that the protected right of concerted activity is needed to create an agriculture that is healthy and fair for all. Farm workers should be able to advocate for



their interests without fear of retribution and we appreciate that advocacy is easier when there is a united front.

Just as MOFGA advocates for economic and social justice for farm businesses and farmworkers, we strive to provide fair wages, benefits and terms of employment for our staff members. MOFGA is pro-labor, pro-union, pro-collective bargaining, and pro-organizing. Our board of directors voluntarily recognized MOFGA Workers United last fall, and we are engaged in collective bargaining to ensure that employees are enthusiastically involved in accomplishing our mission.

MOFGA urges your support for LD 588.

Thank you very much and I would be happy to answer questions if you have any.