



Eric Venturini, Executive Director of the Wild Blueberry Commission of Maine

Testifying Neither For Nor Against, LD 827, An Act to Allow Employees to Request Flexible Work Schedules

Senator Michael Tipping, Representative Amy Roeder, and esteemed members of the Committee on the Labor and Housing, my name is Eric Venturini, and I am the Executive Director of the Wild Blueberry Commission of Maine. In this role, I strive to represent the diverse voices of Maine's 485 wild blueberry producers. I am testifying before you today Neither For Nor Against this legislation.

Agriculture is seasonal in nature and when the crop is ready, it must be harvested. If for any reason, the crop is not harvested, the farmer¹, and downstream value-add businesses² that rely upon that supply will have zero income for an entire year. When the berries are ready, they must be harvested by the farm and its employees, or there will be no farm or farm employees.

The harvest schedule is largely dictated by mother nature. For example, a week of rain means no harvesting. However, a sudden break in the clouds and a short spell of moderate weather could require all hands-on deck while the good weather lasts. I'm sure you can understand that flexible work arrangements in this business are generally not realistic.

The inherent seasonality of farming, and the critical importance of harvest season to the farm business, makes it very difficult for farmers to support any increase in uncertainty, any increase in risk, to their business operations during the harvest.

This bill as written leaves the decision of whether or not to approve a request for a flexible work schedule with the employer. This bill does not impose a laundry list of considerations that an employer must follow, document, and store, when making these decisions. These two components make this bill much more tenable, and I thank the sponsor for including this flexibility.

I ask the committee to consider the question, should this bill, as written, include agricultural employers? Considering the seasonal nature and inherent unpredictability of work schedules during the growing

¹ Total Maine wild blueberry farm gate income in 2021 was \$80.3 million according to USDA National Agricultural Statistics Service (NASS) at the New England Field Office, May 9th, 2022 News Release.

² Downstream economic impacts account for about 70-75% of the value of the crop in any given year and we estimate an annual total direct and indirect contribution to the Maine economy of \$250 M, approximately \$180 M of which are indirect impacts that include downstream businesses. Data from a 2009 Wild Blueberry Association of North America – US, unpublished Economic Impact Study.



season, should this bill apply to agricultural employers?

Thank you for your time. I would be happy to try to answer any questions that you may have.

