

Testimony of Mark Brunton  
Maine Service Employees Association, SEIU Local 1989

Before the Joint Standing Committee on Labor and Housing

In Support of LD 2273, An Act to Establish a State Minimum Hourly Wage for Agricultural Workers  
(Governor's Bill), Sponsored by Speaker Rachel Talbot Ross

March 26, 2024, 1pm, Cross Office Building Room 202 and Electronically

Senator Tipping, Representative Roeder, members of the Committee on Labor and Housing, my name is Mark Brunton, president of the Maine Service Employees Association, Local 1989 of the Service Employees International Union. The Maine Service Employees Association represents over 13,000 workers across the state.

We are here to offer qualified support of LD 2273. We are encouraged that after nearly 90 years of farmworkers being excluded from basic economic rights, that this legislation would bring Maine's agricultural workers up to Maine's minimum hourly wage of \$14.15 beginning in September of 2024 and that their wage would be indexed to inflation beginning in January 2025. To be sure, farmworkers never should have been exempted from Maine's minimum wage in the first place.

We appreciate the bill's language providing for, in cases where farmworkers' wages aren't paid, double damages following a judgment that any farmworkers' wages went unpaid. We also appreciate the language requiring that farmworkers receive pay stubs that track their hours. These three steps in LD 2273 will improve the livelihood of Maine's farmworkers and they are encouraging to see.

So we view LD 2273 as a starting point for showing Maine's agricultural workers the respect they deserve. However, as encouraged as we are by these steps, this legislation doesn't go far enough to protect the rights of farmworkers. It keeps farmworkers relegated as second-class citizens by denying them the right to overtime and curtailing their right to enforce the law themselves. Under the legislation, the Maine Department of Labor would have the exclusive authority to bring an action; we believe farmworkers should have the right to bring such an action themselves. Workers' rights should not be at the mercy of the whims of the next gubernatorial administration.

Farmworkers also deserve the right to breaks, but LD 2273 doesn't provide them with the right to an unpaid break after six hours of work. Furthermore, recordkeeping provisions are important steps forward; we believe that state legislators should follow the Department of Labor's own recommendations and extend these basic rights to farmworkers.

Again, please support LD 2273 as a starting point to provide Maine's farmworkers the respect they deserve.

Thank you and I would be glad to answer any questions.