

**Farmworker Bill Testimony 3/26/2024**

**LD 2273 An Act to Establish a State Minimum Hourly Wage for Agricultural  
Workers**

Sean Douglas

*Operations Director, Mano en Mano*

Members of the Labor & Housing Committee, my name is Sean Douglas and I work as the Operations Director of Mano en Mano - an organization that works alongside immigrant and migrant farmworker communities so that they can thrive in Maine. I testify on behalf of Mano en Mano in support of LD 2273.

For the past ten years I have worked in advocacy for farmworkers and immigrants in Maine, at Mano en Mano and the Immigrant Legal Advocacy Project. I have witnessed first hand the unique vulnerabilities farmworkers deal with because they are not given the same legal rights as all other workers in Maine. Passing this bill is an important step to remedying those vulnerabilities and achieving justice in our state.

I participated, along with our Executive Director Juana Rodriguez Vazquez, in the farmworker minimum wage committee meetings set up by Governor Mills' executive

order. We spent a lot of time talking through a lot of issues, analyzing how to implement the state minimum wage for farmworkers while also preserving the viability of farm businesses that operate in the unique conditions of the agricultural industry.

We all acknowledge that agriculture is unique. And a farmworker is a unique type of worker. However, what is not unique at all is that farmworkers live in the same economy as everyone else. They, along with everyone else, deal with the housing crisis. With the increase in the cost of living. With the disruptions of the pandemic.

Yet farmworkers do not enjoy the same protections as others. At this moment, farmworkers in Maine are only entitled to the federal minimum wage of \$7.25 per hour. This wage, set in the completely different world of 2009, at 40 hours a week equals \$15,080 annual income. For a household of 1, that is 100% of the federal poverty guidelines. It is defined by the U.S. government as a poverty wage.

For that reason, it is vitally important that we take this step forward and pass this bill.

We also recognize that this bill is not enough. Farmworkers still do not get offered unpaid rest breaks, are not protected from excessive overtime, and do not have any private right of action to defend the wage and hour rights set forth in this bill.

We urge the committee to follow the recommendation of the Maine Department of Labor and include rest break and overtime protections in this bill. We also urge the committee to restore the private right of action. The impact of removing the private right of action is a new policy that was not studied by the farmworker minimum wage committee, and was not specifically identified as a topical issue of concern by the Governor's executive order setting up that committee.

Overall though, I'd like to reiterate our support for this bill. We appreciate everyone's work to make this happen, and are excited for the step forward it represents.

*Thank you.*