



126 Sewall Street
Augusta, Maine 04330-6822
(207) 626-7058
www.maineequaljustice.org

Maine Equal Justice

People Policy Solutions

Dina Malual
Policy Advocate
dmalual@mej.org

MEJ Testimony in Support of 2273, An Act to Establish a State Minimum Hourly Wage for Agricultural Workers

March 26, 2024

Good afternoon, Senator Tipping, Representative Roeder and members of the Labor & Housing Committee. My name is Dina Malual, I use she/her pronouns, and I'm a Policy Advocate with Maine Equal Justice, a nonprofit legal aid provider working to increase economic security, opportunity, and equity for people in Maine. I am testifying in support of LD 2273.

Farmworkers are vital to both the U.S. and Maine economy. These essential workers provide an important service and face dangerous work environments. Farmworkers, like all employees, deserve fair compensation and safe work environments.

Farmworkers in the U.S. are not equally compensated. A study found that "about 25% live in poverty, making them 4.5x as likely to live below the poverty lines as other Maine workers."¹ Today, we have the opportunity to support farmworkers and help move these workers out of poverty. While we may not have been responsible for the exploitation of farmworkers in the past, if we do not support policies that correct inequities, we are continuing to make it harder for these workers to exercise their well-deserved rights as essential workers in Maine.

LD 2273 comes after long conversations and presents a mutual settlement that farmworkers have been longing for: just and equitable pay. This bill would ensure that agricultural workers earn our statewide minimum wage. Stronger requirements around recordkeeping provisions is another important step forward.

We are thankful for this legislation and recognize the opportunity it has to serve as a vehicle for much needed change. While this is an important step forward, we ask you to consider some changes that would strengthen the bill. Allow agricultural workers the

¹ <https://www.mecep.org/blog/farmworkers-deserve-the-same-rights-as-all-workers/>

right of private action as other workers are allowed. As we put forth legislation focused on compensation, it is imperative that we also review their wage and hour rights. In its current form, the bill requires farmworkers to rely on the Department of Labor as the only means to effectively enforce their right to the minimum wage. Require that after six hours of work, agricultural workers be allowed an unpaid rest break. Provide protection to agricultural workers from excessive overtime. Currently these workers can be disciplined or even fired for refusing to work more than 160 hours in a 14-day period. This is not a fair or safe practice.

This bill looks to correct disparities that have existed for more than a century and move toward a fair and equitable work environment for farmworkers. The goal is to create better conditions for a group that is at the forefront of our food supply chain. It is imperative that we work together to ensure *all* Maine workers earn equitable compensation. For these reasons, we urge you to support LD 2273. Thank you for your consideration.