



Senator Tipping, Representative Roeder, and honorable members of the Joint Standing Committee on Labor and Housing: my name is Adam Zuckerman and I am here in my role as the Lobbyist for the Maine People's Alliance. MPA is Maine's largest community action organization with over 32,000 members across the state. Our mission is to create a world where everyone has what they need, contributes what they can, and no one is left behind.

Thank you for the opportunity to testify today in favor of LD 2273. Farmworkers fuel our state's agricultural economy and feed us all. They deserve the same rights, dignity, and respect as all other workers. Unfortunately, for nearly a century we have excluded them from basic economic rights. That's why we were pleased to see that LD 2273 includes farmworkers in our state's minimum wage law. That is a step forward in recognizing the crucial work that farmworkers do.

While we appreciate that inclusion, we also recognize that there are several ways in which this bill could be improved:

- It continues to exempt farmworkers from overtime pay
- It has zero protection from excessive overtime hours. Farmworkers can be fired for refusing to work more than 160 hours in a two-week period. It also does not allow farmworkers a rest break after six hours of work.
- It removes farmworkers' private right of action, giving DOL exclusive authority to enforce wage and hour violations. At the same time, it hampers DOL's ability to enforce those violations. Employers can fire farmworkers for complaining to the Bureau of Labor Standards or to a District Attorney and this bill sets the penalty for doing so at between \$50 and \$200. Yes, you heard that right—\$50 to \$200. So with one hand it excludes farmworkers from private right of action, a right that every other worker has, and then with the other hand it says that if they speak with the only body that can enforce their wage and hour violations, they can be fired and the only penalty for firing them is a bit more than a parking ticket. That's not right.
- The minimum wage provision levels the playing field, but this new exclusion reinforces a two-tiered system where those who grow our food are seen as less worthy and less deserving than every other worker. That is not right.

We are grateful that LD 2273 makes the overdue step of including farmworkers in our minimum wage laws. We hope that this committee will improve this bill and ensure that it is truly a step forward rather than one step forward and two steps back. Thank you.