



Rachel Talbot Ross
Senator, District 28

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Senator Rachel Talbot Ross introducing
**LD 589, “An Act to Make Agricultural Workers and Other Related Workers
Employees Under the Wage and Hour Laws”**
Before the Joint Standing Committee on Labor
April 2, 2025

Senator Tipping, Representative Roeder, and esteemed members of the Joint Standing Committee on Labor, I am Senator Rachel Talbot Ross. I represent Senate District 28, which includes part of Portland and Peaks Island. Thank you for the opportunity to present LD 589, “An Act to Make Agricultural Workers and Other Related Workers Employees Under the Wage and Hour Laws.”

Before speaking to the bill itself, I want to begin by recognizing this committee’s long-standing engagement on this issue. For years, members of this committee have listened with thoughtfulness and care as farmworkers, advocates, farmers, and lawmakers have returned again and again to ask that our state finally address the unequal treatment of agricultural workers under Maine law.

This committee has considered multiple bills aimed at correcting these injustices — LD 1022 in the 130th Legislature, LD 398 and LD 525 in the 131st — and I want to express my deep gratitude for the time, the deliberation, and the moral weight you have brought to those conversations. LD 589 continues that work. It reflects the careful input of those earlier debates, and it builds upon the record this committee has already established.

This legislation seeks to answer a question that has echoed for far too long in Maine and across the nation: How can we claim to value the labor of farmworkers — so essential to the food on our tables — while continuing to exclude them from the most basic labor protections that every other worker is afforded? If we consider agricultural labor essential, then the people who do that labor are essential — and they should be treated as such under Maine law.

Under current Maine law, agricultural workers are not considered employees under our wage and hour statutes. That means they are not entitled to Maine’s minimum wage or its overtime protections. It means that, unlike virtually every other working person in our state, a farmworker can labor for more than 40 hours a week without any legal guarantee of time-and-a-half pay. Instead, they are legally entitled only to the federal minimum wage — \$7.25 an hour — a rate that has not changed since 2009 and is wholly inadequate in today’s economy.



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This exclusion is not an oversight. It is a product of history — a legacy of policies designed to exclude Black, Brown, Latino, and Indigenous workers from the protections of labor law. These policies were rooted in racism and economic exploitation, and they persist in our statutes to this day. As a state, we must confront that history and make a deliberate choice to do better.

LD 589 would take that step. It would ensure that agricultural workers are recognized as employees under state labor laws and entitled to the same minimum wage and overtime protections that apply to other workers. The bill phases in overtime protections gradually, beginning in 2026 and moving to full parity by 2028, thereby reducing the immediate impact on agricultural employers.

Other states have already acted. California, New York, Minnesota, Hawaii, Maryland, Washington, and the District of Columbia have extended minimum wage and overtime protections to agricultural workers. Maine must join them. The labor of farmworkers is physically demanding and essential to our food system. There is no justifiable reason why their work should be valued less in the eyes of the law.

In Maine, we pride ourselves on fairness, dignity, and a strong work ethic. Those values must extend to everyone — no exceptions. Our labor laws should reflect those principles by including all workers, regardless of their occupation.

I urge this committee to support LD 589 as a matter of fairness, dignity, and equality under the law. The people who feed us should not be left out of the laws that protect us.

Thank you for your thoughtful attention, and I'd be happy to answer any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Talbot Ross".

Rachel Talbot Ross
State Senator, District 28
Representing part of Portland and Peaks Island