



Testimony of the Maine Organic Farmers and Gardeners Association

in support of

LD 357 - *An Act to Establish a State Minimum Hourly Wage for Agricultural Workers*

LD 588 - *An Act to Enact the Agricultural Employees Concerted Activity Protection Act*

and generally in support of

LD 589 - *An Act to Make Agricultural Workers and Other Related Workers Employees Under the Wage and Hour Laws*

April 2, 2025

Good morning Senator Tipping, Representative Roeder and members of the Joint Standing Committee on Labor. My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA).

A broad-based community, MOFGA is transforming our food system by supporting farmers, empowering people to feed their communities, and advocating for an organic future. MOFGA certifies 537 organic farms and processing operations representing more than \$120 million in sales. We're working hard to create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people, and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.

I am speaking today in support of LD 357 and LD 588, and generally in support of LD 589. I have submitted written testimony online for each of these bills and will summarize our position on the three bills now.

We thank Senator Bennett and Senator Talbot Ross for their leadership in sponsoring these important initiatives.

I have come before this committee several times advocating for farmworkers to receive the same basic labor protections that nearly every other worker in the state enjoys. For the past two legislative sessions, we have come so close to addressing a longstanding injustice in our food and agriculture system -- one that now allows farmworkers to be paid \$7.25 per hour -- less than half of what the next lowest paid workers are assured. With encouragement from Maine's Department of Labor (DOL) and Department of Agriculture, Conservation and Forestry (DACF), the Legislature passed farmworker minimum wage. Governor Mills was not ready to grant that basic right to farmworkers and she vetoed the bills in 2023 and again in 2024. Now we have another chance to move closer to a long-overdue labor reform. Passing LD 357 will ensure that people who carry out physically demanding and essential farm work in all kinds of weather will receive the same Maine minimum wage that other employees earn.

We heard repeatedly through the stakeholder process that agricultural employers were paying well above Maine's minimum wage because they couldn't attract workers without doing so. We know that for many farms



labor represents a very large percentage of the business plan. We also know that our farmers report paying well above Maine's minimum wage and many pay overtime and provide benefits and other incentives that help build an enthusiastic and dedicated workforce. While some of our farmers express concern about their ability to meet the demands of other proposed labor laws, they are supportive of ensuring Maine's minimum wage for farmworkers.

Regarding LD 588, just as Maine's minimum wage is off limits for farmworkers, the basic protected labor right of concerted activity eludes agricultural employees. MOFGA believes that open and respectful communication for the purpose of mutual aid or protection is critical to a healthy and productive workplace. Passing LD 588 would not mean that all farmworkers had the right to engage in collective bargaining, though MOFGA believes farmworkers should have that right. LD 588 would simply protect farmworkers who wished to communicate with each other or with their employers about wages, benefits and terms of employment.

Finally, regarding LD 589, MOFGA staff members, farmers and farm workers have had thoughtful and informative discussions about farmworker justice legislation. MOFGA supports a phased in period for overtime eligibility and feel that it should recognize and keep pace with escalating costs of production for farmers, which may mean longer intervals for the stepped process. It also means increased public funding to help farmers whose profit margins are narrow. We would like to work with this committee and the Joint Standing Committee on Agriculture, Conservation and Forestry, as well as the Department of Labor to explore opportunities to make this work for all stakeholders.

Thank you for your consideration of MOFGA's testimony. I would be happy to answer questions if you have any.