

LD 357 An Act to Establish Minimum Wage for Agricultural Workers
LD 589 An Act to Make Agricultural Workers and Other Related Workers Employees
Under Wage and Hour Laws
LD 588 Act to Enact the Agricultural Employees Concerted Activity Protection Act

Penelope (Penny) Jordan
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Cape Elizabeth, ME

Senator Tipping, Representative Roeder, and members of the committee I am Penny Jordan, one of the owners of Jordan's Farm a 5th generation mixed vegetable farm in Cape Elizabeth and I am here to testify regarding LD 357, LD 589 and LD 588.

LD 357 - An Act to Establish Minimum Wage for Agricultural Workers

In 2022 the Agricultural Worker Minimum Wage Committee established by Governor Mills recommended:

- Aligning minimum wage for agricultural workers with the minimum wage under current Maine law.
- Establishing the minimum wage for agricultural workers in state law separately from other minimum wage provisions, ensuring that the Legislature considers the uniqueness of the farm sector when contemplating future statutory changes.
- Requiring employers to keep accurate record of hours worked by employees and wages paid, retain records for at least three years, and provide each employee with a statement of wages.

Most farmers currently pay greater than the minimum wage (our farm \$19.00 - \$25.00). I support this bill even though it once again ignores youth wages and piece work. Which are compensation options that need to be addressed if we are truly going to support the varied compensations needs of the agricultural industry.

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Once again, we are together discussing agricultural workers being defined as employees under wage labor laws, thus requiring overtime (time and a half after 40 hours). And, once again, the crafters of this bill are demonstrating their lack of understanding of the day-to-day operations of a farm. And once again suggest you have no idea the compensation packages that exist on farms – hourly rates above \$18.00/hr, housing, bonuses, and true recognition for skilled labor needed to produce food.

I do know if this bill passes it will cost my farm over \$60,000 year 1, close to \$90,000 year 2 and over \$100,000 year 3. Tell me how I absorb these numbers along with other increases and keep food affordable. One can say find efficiencies – and I will say find me the dollars to pay for the solutions, plus there are jobs that cannot be mechanized and require skilled resources. And, this bill will impact the vary people you want to “help” – you will reduce their income, you will cause farms to scale back.

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I suggest we recognize the value of farm workers by getting outside the box and creating policy that sets them apart from other workers – they are vital to Maine’s food system – they do not produce widgets they help produce food. I do not support the direction of this bill. I believe any law governing overtime for agricultural workers should be crafted by farmers and their workers. I ask that you not pass this bill and lean into the farmers and workers to craft what will work for the industry.

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I take the position of neither for nor against on this bill. I believe workers should have the right to organize, but I have no idea how this would be implemented with a set of workers that are seasonal in my sector. Plus I do not agree with another bureaucracy garnering big salaries off the backs of our valued employees.

Thank you

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