



Russell Black
Senator, District 5

THE MAINE SENATE
132nd Legislature

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**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 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 2nd, 2025**

Senator Tipping, Representative Roeder, and members of the Joint Standing Committee on Labor:

My name is Senator Russell Black and I represent Senate District 5. I am here today to testify in opposition to three bills today, 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 LD 589 “An Act to Make Agricultural Workers and Other Related Workers Employees Under the Wage and Hour Laws.”

These bills propose changes to overtime pay, minimum wage, and record-keeping requirements for agricultural workers. While I understand and respect the goal of improving conditions for farm workers as a lifelong farmer myself, I believe that the provisions in this bill could place significant burdens on small farms and make it harder to sustain the agricultural industry in Maine.

As a small, family-run farm, we are already facing tight margins and significant challenges. LD 589’s overtime provisions, which would require paying time-and-a-half for hours worked beyond 40 hours in a week, could be particularly difficult. Agriculture is highly seasonal, and the nature of our work means that some weeks demand longer hours—especially during planting or harvest seasons. The added financial strain of paying overtime could make it difficult for small farms like mine to stay afloat, as we already struggle to keep up with unpredictable weather and market fluctuations.

Moreover, LD 588 includes provisions related to collective action protections for workers, which while well-intentioned, could lead to disruptions during critical times. Farming requires constant teamwork and coordination. If employees are consistently engaged in collective activities, it could lead to tension and create inefficiencies, ultimately affecting the quality of work and operations at the farm.

The minimum wage provisions in LD 357 are another concern. The bill requires agricultural workers to be paid no less than the state's minimum wage of \$14.65 per hour, with automatic annual increases tied to the cost of living. While fair wages are essential, this automatic increase could put additional pressure on small farms, particularly when many already struggle with fluctuating costs and unpredictable revenue. The idea of paying a minimum wage that automatically increases each year could push small businesses to their limits, especially in an industry where profit margins are often razor-thin.

Additionally, the bill requires employers to keep detailed records of hours worked and wages paid. For small farm operators, this would create an administrative burden that may be difficult to manage. With short-term and seasonal workers, maintaining accurate records of each employee's hours and pay could lead to mistakes, resulting in costly penalties. Small farms simply do not have the resources to maintain complicated record-keeping systems, and this could result in unnecessary stress and legal risks.

The potential for legal action under the bill is another concern. While I want to treat my workers fairly and with respect, the possibility of facing lawsuits or penalties for unintentional violations could be overwhelming, especially for small farms that already have limited resources. Legal battles could be financially devastating, making it even harder to provide for employees or keep the business running.

Ultimately, the goals of these bills—ensuring fair treatment and better conditions for agricultural workers—is one I wholeheartedly support. However, I believe these bills, as they are currently written, could have unintended consequences that hurt both employers and workers. The challenges of small farms, especially those that rely on flexibility and seasonal labor, need to be carefully considered. Without a more balanced approach, these bills could create unnecessary financial and operational burdens, potentially driving small farms out of business.

I urge the committee to vote in opposition of these bills. Thank you for your time and consideration.