



# Agricultural Council Of Maine

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## *In Opposition to*

### **LD 151 An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining**

April 7, 2021

Senator Hickman, Representative Sylvester, and members of the Joint Standing Committee on Labor and Housing:

The Agricultural Council of Maine - established in 1990 – is the central forum for communication among agricultural groups in Maine. Our mission is to share information and provide leadership and advocacy on agricultural issues that impact all sectors of Maine agriculture. Membership in AGCOM is open to producer groups and statewide non-profits that service agriculture. In addition, businesses and smaller agricultural groups can become non-voting associate members. Non-voting ex-officio members include the University of Maine, Cooperative Extension, federal and state agricultural agencies, and representatives from Maine's congressional offices.

At our March 23, 2021 meeting, AgCOM members voted to oppose LD 151.

The economic sector that is Maine agriculture is extremely diverse. While potatoes, blueberries and dairy are the top agricultural products in volume & sales, the demographic profile and productivity of Maine farms is very broad, varying greatly in the type of products, geographic location within the state, and in size and scale.

The authorizing size of 2-5 employees will impact approximately 85 % of Maine's over 75000 farm operations. If this includes part-time employees, this number would likely rise to as high as 95% of Maine farms.

Many people choose to work in agriculture and are hired by Maine farms because they have a skill set and expertise that are needed. They reap benefits that are not always marked in dollars and cents, but may be viewed as quality of life in choosing when to work and when to rest. This is especially true of migrant or non-native workers who work in Maine through contractual arrangements.

Farm work can also be a first job for young people. My own experience of getting out of school during the potato harvest to hand pick potatoes at age 8 or 9. Today, we are talking about jobs for teenagers who are not using these jobs to subsidize a household or that will be part of a career track.

Compared to the other states referred to as examples the need for this bill, all of Maine farms look quite different and are small. The vast majority of Maine farms are owner operated, meaning that the owner of the farm works side by side with the employees with the shared goal of successfully growing or producing food and fiber. Unlike in other areas of the country, it is a rarity that the owner does not participate in the day to day workings of the farm, and we don't see absentee owners or shareholders that benefit from someone else's labors.

And along those lines – this bill assumes that the farmer himself or herself is making more for their hard work and investment than their employees. It has been my experience that on most farms, the employees are paid first, then the vendors, and lastly the farmers pay themselves whatever is left over, if anything. What about the ability of the farmer and the farm family to make a living wage?

While significant and devastating injustices of racial prejudice and mistreatment are peppered throughout US history, it is important to put in context that the association with agriculture is based on the fact that up until the mid 20<sup>th</sup> century, almost half of the US population was required to be engaged in agricultural food production to feed themselves. That does not excuse the past behaviors. But it is not a dynamic that is inherent in the activity of farming, but is more of social dynamics that thankfully are less prominent today. Our modern awareness and education efforts are helping to continually improve those interpersonal and community relations – including those on Maine farms.

Today, on average each US farmer feeds 166 people. Mechanization has greatly reduced the amount of labor needed to work on farms. This has enabled most of you to engage in professions other than growing food. This has also changed the dynamics of the work that is done on farms. Farming and farm workers today are part of the agricultural profession. It is a significant mischaracterization to paint farmers and farm workers as a population that should be pitied or “rescued” from doing the type of honest work that is their specialty and helps them provide an income for themselves and their families.

Proponents of this bill have cited heart-breaking and horrendous examples of mistreatment of farm employees throughout history and from other states. The primary example cited for Maine was an egregious example of poor treatment by an absentee owner who was a “bad actor”. The lessons learned from that example have been numerous and continue to resonate throughout the Maine agricultural community. Thankfully, those associated with those negative actions are not currently involved in Maine agriculture. They are not at all representative of the thousands of Maine farmers who employ thousands of Maine people who claim both permanent and temporary residence in our state.

I invite you all to visit Maine farms and speak with our farm families and employees to better understand the work that is being done and the relationship between those on the farm. I would be glad to help facilitate that opportunity for you.

AgCOM urges an Ought-Not-to-Pass vote on LD 151. Thank you.