



Testimony in Opposition of:

L.D. 1022 “An Act To Make Agricultural Workers and Other Workers Employees under the Wage and Hour Laws”

April 1, 2021

To: Senator Craig Hickman, Chair
Representative Mike Sylvester, Chair
Distinguished Members of The Joint Standing Committee of Labor & Housing

Jasper Wyman & Son is proud to be a Maine Company that has operated in Maine since 1874. We are one of the largest berry farms in the nation, and we are proud to have successfully managed our land sustainably throughout the generations. We also strive to manage our workforce with the same focus of social sustainability. We currently pay time and a half to all of our employees in both our Agricultural and Manufacturing facilities. We offer a full benefit package, and many additional benefits.

We are extremely concerned with the proposed repeal of the Agricultural Exemption in this legislation which would limit mandatory overtime, 26 MRS §603, sub-§2.

The Agricultural nature of our business sometimes requires mandatory overtime over the maximum of 80 hours in any two-week period. For example, if it does not rain for two weeks which happened last year in the severe drought we experienced, our employees irrigate 12 hours a day 7 days a week until it rains. We cannot control weather to comply with this proposed law. We also work during harvest 7 days a week to harvest one of Maine’s iconic crops which is extremely fragile. Our industry cannot afford to shut down any production or harvest during the extremely short harvest window. If we must comply with this proposal, we would potentially have to give our employees two days off per week. In this current labor climate, we cannot hire enough labor to make up for this shortfall. This proposed limit on mandatory overtime may inhibit our ability to deal with invasive species, climate change, and other factors that limit Maine’s Wild blueberry crop. This may result in severe economic impacts to the entire Wild Blueberry Industry in Maine.

We have been advertising for additional labor weekly with limited success. This spring we need to hire three additional skilled employees for the farm to bring the size of our workforce back to last year’s numbers. I have little hope that we will succeed.

We urge this committee to vote Ought Not to Pass on LD 1022.

Sincerely,

Darin Hammond
Senior Manager of Farm Operations
Jasper Wyman and Son



Jasper Wyman & Son

P.O. Box 100, Milbridge, ME 04658 | Finance: 207.546.3800 | Sales & Traffic: 207.546.2311
www.wymans.com