

TESTIMONY IN OPPOSITION TO
LD 151, An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining

Nate Williams, Director of Collective Bargaining & Research
Maine Education Association
Before the Joint Standing Committee on Labor & Housing

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Senator Hickman, Representative Sylvester, and the other esteemed members of the Committee on Labor and Housing:

My name is Nate Williams, and I am the Director of Collective Bargaining and Research for the Maine Education Association (MEA) which represents 24,000 teachers, education support professionals, and retired educators across Maine.

I am here to testify in support of LD 151, An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining.

According to the U.S. Bureau of Labor Statistics, less than 2% of agricultural workers are currently represented by a union.¹ There are a number of reasons for such a low number, but Maine's labor laws should not be a barrier to agricultural workers being able to seek better working conditions and pay.

Agricultural workers are absolutely essential to keeping us all alive, they make the food we eat possible. During the current pandemic, agricultural workers have been declared essential workers by the U.S. Centers for Disease Control and Prevention.² Yet, agricultural workers are among the most vulnerable in our society.³ In addition, there is a disproportionate share of recent immigrants and other communities of color in the workforce, and agricultural workers have been exempted from minimum wage and overtime pay laws in many cases.⁴

This bill specifically looks to protect those workers not fully covered by federal labor laws and make it easier for workers to form a union and collectively bargain. Studies have shown that the presence of a

¹ See *Economic News Release, Table 3, Union affiliation of employed wage and salary workers by occupation and industry 2019-20*, <https://www.bls.gov/news.release/union2.t03.htm>

² See *COVID-19 Essential Workers in the States*, <https://www.ncsl.org/research/labor-and-employment/covid-19-essential-workers-in-the-states.aspx>

³ See *Addressing Worker Vulnerability in Agricultural Food Supply Chains*, Ethical Trading Initiative, https://www.ethicaltrade.org/sites/default/files/shared_resources/vulnerable_workers_toolkit.pdf

⁴ See U.S. Dept. of Labor *Fact Sheet #12: Agricultural Employees Under the Fair Labor Standards Act*, <https://www.dol.gov/agencies/whd/fact-sheets/12-flsa-agriculture>

labor union in a market improves the wages, benefits, and working conditions for all workers, union and nonunion alike, in that market and industry.⁵

These workers, who literally put food on our tables, deserve to get paid a fair wage.

Not to mention, there is a huge racial and social equity issue here that exacerbates the power imbalance between employer and employee. According to the National Center for Farmworker Health, 73% of U.S. farmworkers were foreign born, and 59% spoke little to no English. More than one-third (36%) make less than \$20,000 per year, with 18% making less than \$10,000. Only 14% are covered by employer-sponsored health care.⁶

All this paints a picture that calls out for union representation. Workers with a high potential for exploitation are in most need of representation to help them gain a voice in their workplace. People who do so much for all of us deserve to be treated with respect at work. Making it easier for them to form a union if they choose to do so, is something that we can do for them.

MEA is a proud member of Maine's labor community, and we support the rights of all workers to organize and we stand for greater racial and social equity here in Maine.

For these reasons, MEA encourages you to vote "Ought to Pass" on LD 151.

⁵ See Economic Policy Institute, *How Unions Help All Workers*,
https://www.epi.org/publication/briefingpapers_bp143/

⁶ See National Center for Farmworker Health, *Agricultural Worker Demographics*, April 2018,
<http://www.ncfh.org/agricultural-worker-demographics.html#:~:text=The%20age%20of%20agricultural%20workers,between%2035%20and%2044%20years>