

Agricultural Workers Minimum Wage Committee

Meeting Notes

Monday, September 25, 2023, 1:00pm – 3:30pm

DMR Marquardt Building, Room 118, 32 Blossom Lane, Augusta

- **Opening remarks by Co-Chairs Labor Commissioner Laura Fortman, and Agriculture, Conservation and Forestry Deputy Commissioner Nancy McBrady**
- **Members present**
 - Department of Labor Commissioner Laura Fortman (Chair)
 - Department of Agriculture, Conservation and Forestry Deputy Commissioner Nancy McBrady (Chair)
 - Thom Harnett, on behalf of Speaker Talbot Ross
 - Sen. Mike Tipping, on behalf of Senate President Jackson
 - A representative of the Maine Farm Bureau
 - Penelope Jordan
 - A representative of the Maine Potato Board
 - Jeannie Tapley
 - A representative of the Wild Blueberry Commission
 - Eric Venturini
 - A representative of the Maine Dairy Industry
 - Heath Miller
 - A representative of the Maine Organic Farmers and Gardeners Association
 - Heather Spalding
 - A representative of the Passamaquoddy Wild Blueberry Co.
 - Holli Francis
 - A representative of the Maine AFL-CIO
 - Matt Schlobohm
 - A representative of Pine Tree Legal Assistance Farm Worker Unit
 - Mike Guare
 - A representative of the Maine Center for Economic Policy
 - Arthur Phillips
 - A representative of a statewide organization dedicated to supporting farmworkers and immigrants Downeast
 - Juana Rodriguez, Mano en Mano
 - Sean Douglas, Mano en Mano
 - A representative of a statewide land trust dedicated to protecting farmland and supporting farmers
 - Shelley Megquier, Maine Farmland Trust

- **Review of working agreements and agenda by Facilitator Jo D. Saffair, Special Assistant to the Commissioner of Agriculture, Conservation and Forestry and Committee Members**
- **Technical Presentations**
 - Wage & Hour presentation by Bureau Director Mike Roland and Assistant Attorney General Anne Macri
 - Workers Compensation presentation by Executive Director John Rohde
 - Unemployment Insurance presentation by Bureau of Unemployment Compensation Director Laura Boyett
- **Committee Discussion**
 - Sean Douglas, *Committee Member (Alternate)* – As the Committee considers accessibility, many employed in agriculture face language barriers and the Committee is addressing complex subjects in English. Recommends the Committee utilize the Zoom interpreter function as a virtual option to accommodate folks for whom English is not their first language. Offered to work with Committee staff to coordinate.
 - Shelley Megquier, *Committee Member* Suggested ensuring there is an opportunity for public input on the Committee’s recommendations before submitting to Governor.
 - Heather Spaulding, *Committee Member* – Suggested adjusting the schedule to accommodate for evening meetings, to encourage participation from farmers and farm employees, noting this time of year is challenging. Also noted the holidays in November.
 - Matt Schlobohm, *Committee Member* – Reminded Committee members that if the Governor chooses to put in a bill based on the recommendations of the Committee, that bill will follow the normal legislative process and receive a public hearing and work session, just as the bills in former legislative sessions have.
 - Penny Jordan, *Committee Member* – Responded that there was confusion during the legislative process in the recent session of the 131st Legislature, and that many people don’t trust the current legislative process. Suggested that this process, in addition to the normal process, would help answer outstanding questions and ease potential public confusion.
 - Sen. Tipping, *Committee Member* – thanked farmers, farm workers for taking part in the day-long public hearing during the legislative session.
 - Commissioner Fortman, *Committee Chair* – Reiterated the commitment, from Committee members and the Chairs: “Yes, we are committed to engaging farmers and farm workers and having their voices heard.”
- **Public Input**
 - Jason Palomo, University System, also works closely with Mano en Mano – asked the Committee what measures are being taken to increase the attendance of folks who will be directly affected by this statutory change.

- Sparked a Committee discussion about alternative meeting times, virtual meetings with in-person satellite offices, and other means to reach individuals engaged in agriculture. Jo D. mentioned that the Committee interested parties list has been expanded by 14,000+ emails from the DACF general listserv.
 - Arlee Crouse – partner is a farmer. Thinks the meetings are great, but finds it impossible to expect farmers to leave their fields to make the day-time Committee meetings. Will the committee allow written comment? Arlee is concerned that farmers have a small voice in the room.
 - Confirmed later in the meeting that members of the public may email AgMinWage.DOL@maine.gov, or Dillon.f.murray@maine.gov, both of which are on the website: <https://www.maine.gov/labor/mwaw/>
 - Judy Tilton-Flood, Maine Dairy Farmer – Echoed Arlee’s comments, suggested hosting a public meeting to include farm employees. As difficult as it is for employers to leave their operations to participate, it is even harder for workers.
 - Sen. Jeff Timberlake, Maine Apple Farmer and Senator – He is looking for public input from farmers. Noted that there is common knowledge within the farmer community that this process is happening. He has received numerous calls asking for his attendance. Recommended public meetings that are solely for the purpose of hearing from the public, and that there is a concrete set of recommendations for the public to react to, instead of speculation. Also noted that people are concerned that this is happening behind closed doors, while noting that the Committee process has done a good job of providing transparency to the public. Encouraged the Committee have public events that are outside of the harvest season, closer to the end of the Committee process.
 - Garrett Sorber, farmworker and nursery owner – thinks it is outrageous that this is not law already. “Rising tides lift all boats.”
- **Discussion of Next Steps**
 - Took informal poll from Committee members on the concept of a future evening meeting at a different location. Asked Committee members to reach out to [Dillon](#) via email with feedback on this idea.
- **Closing Remarks from Commissioner Fortman, Deputy Commissioner McBrady and Committee Facilitator Jo D. Saffeir**
- **Meeting Adjourned**