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To the Maine Agricultural Worker Minimum Wage Committee:

As a member of the public who attended many of the meetings, listening sessions and has taken advantage of the opportunity to provide public comment and has provided testimony to the Labour and Housing Committee in the past on this topic I realize that I have neglected to provide my comments in writing. I wish to rectify this now.

For those who do not wish to read more let me cut to the chase:

Minimum wage on Maine dairy farms and year round farms, regardless of size and number of employees, should be required by law. Dairy farms and other year round agricultural employers, regardless of size and number of employees, should be required to keep accurate records and provide employees with a pay statement, offer voluntary 30 minute breaks to employees after 6 hours of work, and NOT REQUIRE employees to work more than 160 hours in any consecutive 2 week period (except for during times of emergencies declared by the Governor, essential public services, public health and safety...)

For context as to from where and whom this comment is coming and as an introduction, I am part of our family farm, Flood Brothers, LLC in Clinton, Maine. The farm is operated and owned by a 3 generation family that represents 23 family members, 8 households (5 of which are solely dependent upon dairy farming as its income). Our family farm is home to 3,400 animals, 1,700 of which we milk everyday and produce 17,000 gallons of milk which finds its way onto our neighbours' tables within 24-48 hours after it leaves the farm. As a part of Maine agriculture our farm provides more than just an economic impact for our State-we are an integral part of the food system providing fresh, high quality food and truly impacting the triple bottom line of sustainability. Minimum wage is an important opportunity to further invest in the sustainability of Maine Agriculture and the equity and justice of our food system.

On our farm we employ, on average, 38 people a week. (3 of whom are family members receiving a paycheck based upon the same scale and rate of their coworkers, 4 additional family members not included in the number of employees but are daily participants in the operation, work and management of the farm and are not on the weekly payroll). Our wage paid is currently at the Maine state minimum or higher, depending upon role and length of employment, (through the years our average wage has been more than twice than the Maine minimum) and has applied to all employees, regardless as to whether they are students or adults, full time or part time. At the height of our crop season our payroll can increase to almost 52 employees, many of those additional employees are retirees or high school students and they are also paid the Maine minimum or above.

For our full time employees (and around 99% of our employees are full time) we offer, above their hourly wage:

Health Insurance

Cost sharing of health insurance for the employee's family members HSA(Health Savings Account)

Sick Pay

Vacation Pay

Flexibility in scheduling

Bonuses

For many of our employees we offer:

Housing(both reimbursement as well as a few homes we have ended up purchasing)

Utilities

Heating fuel

Most of our employees receive all or 98-99% of the above benefits. (Housing and utilities being the two items not uniform across the board)

Our workforce is diverse and includes men, women, foreign born employees and those born in US. We measure our job retention, for all employees, in years and decades, not months; we have multiple generations of families working with us; we

have seen the retirement of employees that have outlasted our own family members lifetimes; we have seen romances begin and new families start on the farm (we've seen some of the more not so fairy tale romances too-but, that's life); and most importantly we have seen the dream of home ownership and the building of dream homes right here in Maine by employees and co-workers happen. I firmly believe that it is due, in part, to the benefits we are able to provide the folks who work so hard to help us care for our animals and land and produce high quality, fresh, local milk. We compete with other industries for skilled and dedicated work force...multiple mills, school districts, health care, retail, and municipal and State jobs. We compete against industries that are able to recoup their investments and inputs out of the marketplace. As a dairy farm we are unable to do so, however that is no justification for a failure to provide the basic tenets of employment as listed above regarding minimum wage. In a perfect world we should be able to meet all the other needs and rights of labour and workforce but this world is not perfect and it would be, at this point, detrimental to not only our sector but also to those who are members of the workforce, to meet all those other requirements provided to employees outside of ag as it would specifically result in a reduction of the benefits and additional compensation we currently provide that are not typical or even part and parcel of other industries. (In other words it would be more out of pocket expenses to employees).

We may be an outlier but that is beside the point. What is more imperative is that the Maine dairy industry should be firmly, solidly, and on record as being in support of the minimum wage on our dairy farms and for year round farm employment, regardless of size and number of employees as well as the accompanying record keeping, voluntary breaks and limits to more than 160 hours required overtime in two week periods.

More importantly our legislators, farmer and farm worker organizations, processors, retailers, and the Governor's office should be actively engaged in dismantling the barriers and legal confines that enable marginalization of ag workers, especially those who are foreign born and come to the US and to Maine to work. The President of the United States has the tools necessary to provide workforce authorization for those ensuring our local, regional, and national food systems are secured and productive through their skilled and dedicated labour, both currently and in the future by means of work permits

via expand **parole**, Temporary Protected Status (TPS) and Deferred Enforced Departure (DED). We need to ensure that those working in ag, *all of those working in ag*, are safe, secure and protected not just on a farm but where they live, pay taxes, invest their money, worship, contribute to their communities and raise their families-including the next generation of Americans. Providing these securities and rights would level the playing field and the growing fields far more equitably and justly than by trying to do so solely in a Subchapter of labour law.

I also think it is important to note that historically, when we have come to a point to take ownership of the impact of systemic rules and inadequacies that are rooted in racism and lack of equity, justice, and dignity that rule making and policy making has found it necessary to mark out territory that is separate, as opposed to simply trying to repair the wrongs of wording and exemptions. We cannot own the intent of many of these rules and requirements but we *can* be intentional in designing and building something better. I think the committee and interested parties should be mindful of this when it comes to the idea of additional sections, or subchapters...less thinking of them as carve outs and exemptions and more thinking of them as new foundations built on better ground.

As always, I welcome any of you to visit our family farm or to ask questions. Thank you for your time and work on this matter and for reading my comments. My apologies for not providing written documentation at an earlier time to record our support for a better and more just dairy community in Maine.

Sincerely and with Gratitude,

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