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The Honorable Craig Hickman, Senate Chair
The Honorable Mike Sylvester, House Chair
Joint Standing Committee on Labor and Housing
Cross Building, Room 202
Augusta, Maine 04333

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

Dear Senator Hickman and Representative Sylvester,

I am writing in support of LD 151, *An Act To Protect Farm Workers by Allowing Them To Organize for the Purpose of Collective Bargaining*, which will otherwise be known as the Agricultural Employees Labor Relations Act.

I strongly support the right of workers to organize, form and join unions, and to collectively bargain. The decision on whether to unionize should always belong to the workers. Numerous studies have shown that increased unionization lifts-up all workers, whether they belong to unions or not, in the form of higher pay and more robust benefits. Thus, supporting the labor movement is supporting the strengthening of the dignity of work.

Agricultural workers historically have faced numerous obstacles in their struggle to win greater dignity in the workplace. One is that under current law, they are not protected by minimum wage or overtime laws. Another has been their exclusion from the National Labor Relations Act (NLRA). The lack of minimum wage or overtime protections, and the exclusion from the NLRA – which typically would preempt state laws on a variety of collective bargaining and union issues – make LD 151 necessary. The exclusion of agricultural workers from the NLRA is also what makes LD 151 legally valid, as the bill would not be vulnerable to a challenge on pre-emption grounds.¹

I strongly encourage the Committee to support this important bill.

Sincerely,

Aaron M. Frey
Attorney General

¹ *New York State Vegetable Growers Ass'n, Inc. v. Cuomo*, 474 F. Supp. 3d 572, 584 (W.D.N.Y. 2020) citing *United Farm Workers of Am., AFL-CIO v. Az. Agr. Emp't Rels. Bd.*, 669 F.2d 1249, 1257 (9th Cir. 1982)