



HELP WANTED

Biden's immigration proposal prompts renewed calls for farm labor reforms

By **GEORGE PLAVEN**
Capital Press

On his first day in office, President Joe Biden sent a clear message to Capitol Hill that his administration was ready to make immigration reform a top priority.

Biden offered a sweeping proposal, dubbed the U.S. Citizenship Act, that seeks to fast-track legal status for 11 million undocumented immigrants — including farmworkers who make up the backbone of American agriculture.

The new Democrat-led Congress is now working to develop that legislation, with Sen.

Bob Menendez, D-N.J., and Rep. Linda Sanchez, D-Calif., leading the effort. It remains unclear whether lawmakers will push for comprehensive reform, or break up the Biden plan into a series of smaller bills.

Either way, farm advocates say more is needed to solve labor shortages that have dogged the industry for decades.

Leon Sequeira, an attorney based in Washington, D.C., and former assistant secretary of labor under President George W. Bush, said the Biden plan has serious gaps. It makes no reference to fixing the country's guestworker

program, which is growing in both usage and cost for farms.

"There is virtually nothing (here) that is going to solve the agricultural labor issue that we face," Sequeira said. "That is one area where Congress is going to have to fill in the details."

Worker shortage

According to the American Farm Bureau Federation, agriculture needs 1.5 million to 2 million hired workers every year to pick,



Leon Sequeira

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Courtesy of California Strawberry Commission
Pickers harvest strawberries near Santa Maria, Calif. Reform of the guestworker visa program for agriculture is among the immigration issues facing Congress.

Bill amended to require retroactive overtime

By **DON JENKINS**
Capital Press

OLYMPIA — The Senate labor committee Monday passed a bill calling on every farm employer in Washington to go back three years and pay workers time-and-a-half for overtime.

Democrats on the committee amended Senate Bill 5172, which originally would have barred the state Supreme Court's Nov. 5 ruling on overtime from being applied retroactively.

The bill now would do the "exact opposite" of what he intended, the legislation's prime

sponsor, Sen. Curtis King, R-Yakima, said. "First time I've seen that happen," he said.

The committee's vote, however, was not a total loss for agricultural employers. If not approved by the committee Monday, the bill would have died, falling victim to a legislative deadline.

Farms would have been left to defend against back-pay lawsuits without any intervention by lawmakers.

The committee's chairwoman, Sen. Karen Keiser, D-Kent, said talks on a final bill will continue. "This is not an easy issue,"



Washington State Capitol

she said. "I believe it is a work in progress and has much work ahead of us. ... But it's an important issue we should keep alive."

Farm groups took consolation

in Keiser's remark.

"It sent a pretty strong signal that she's still open to negotiate and shape the bill," said Dan Wood, executive director of the Washington State Dairy Federation.

"The bill passed by the committee will make things far worse than they are now, for all of agriculture," he said. "You would see a whole bunch of farms shut down and farmworkers lose their jobs."

The court's 5-4 ruling declared that exempting dairies from the state's overtime law was unconstitutional.

The court's majority did not rule on whether workers could sue for back pay. The four dissenting justices said it would be unfair to allow back-pay lawsuits. Nevertheless, some 30 such lawsuits have been filed in a half dozen counties.

The bill that passed the labor committee confirms that the court's ruling should be applied retroactively and to all farms, not just dairies.

Farms would have to find workers and pay them back overtime, plus 12% per year interest.

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Easterday Dairy moving forward despite company's trouble

By **GEORGE PLAVEN**
Capital Press

BOARDMAN, Ore. — Plans to revive Oregon's second-largest dairy remain unchanged, despite the new owners — a prominent farm family based in southeast Washington — facing allegations of fraud by Tyson Foods.

Easterday Farms purchased the dairy, formerly Lost Valley Farm, in 2019. The family regis-



The Lost Valley Farm outside Boardman, Ore.

E.J. Harris/EO Media Group File

tered a new business in Oregon, called Easterday Dairy LLC, which is now seeking state approval to

reopen the dairy in rural Morrow County with up to 28,300 total cattle.

But Oregon regulators say they are proceeding with caution and watching closely amid an unfolding scandal involving Easterday Ranches, the livestock arm of the family's multi-pronged agricultural operation.

Easterday Ranches supplies cattle for a beef plant run by Tyson Fresh Meats near Pasco, Wash. In January, Tyson sued Easterday Ranches for \$225 million, accusing the ranch of faking invoices and charging

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