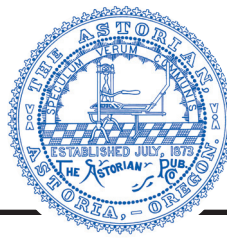


# OPINION



# the Astorian

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Founded in 1873

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## OUR VIEW

# Time will tell on overtime rule

An overtime bill passed by the Washington Legislature gives producers time to adjust and protects them from backpay lawsuits set in motion by a recent state Supreme Court ruling.

Senate Bill 5172 applies to agricultural producers — including Pacific County cranberries, cattle, dairy, vegetables, etc. — and likely also will intersect with the county's much larger aquaculture industry. Overtime is required for working more than 55 hours a week starting in January; more than 48 hours in January 2023; and over 40 hours in January 2024.

The bill — and similar legislation working its way through the Oregon Legislature — is sure to prompt dramatic changes in farm labor in the Pacific Northwest.

Congress in 1938 established a federal minimum wage and provided for overtime pay for work over 40 hours. The act provided a host of job classifications, including farmworkers, that were exempt from the overtime rule.

Washington lawmakers in 1959 adopted a similar provision into state law.

In a case filed by two former milkers from Yakima County, the Supreme Court struck down the exemption in a 5-4 decision last



Chinook Observer

**New Washington state overtime legislation will probably have an impact on some Willapa Bay oyster operations.**

November. Left unclear by the state ruling was whether it applied just to dairies or all farms, or whether those impacted could collect three years in back wages as made possible under a separate state law.

A bill originally was introduced to protect farmers from having to retroactively pay overtime. It was amended instead to require all

farmers to pay overtime.

After much wrangling and negotiation, a bill was finally hammered out that will require Washington farmworkers be paid time-and-a-half pay after 40 hours in a week beginning in 2024. It also protects farmers from those retroactive pay lawsuits.

Much has changed since 1938. If fairness were the only consid-

eration, it's hard to argue against paying farmworkers overtime.

But the economics of agriculture have not changed. Farmers are still price takers, not price makers, who cannot simply pass along higher labor costs to consumers the way retailers and manufacturers — though limited by the impacts of competition — do.

Oyster growers also must work within the sometimes-narrow confines of a commodity market, and confront several other severe operational challenges, including lack of good options for controlling destructive burrowing shrimp. Interestingly, although SB 5172 specifically includes "cultivation, raising, harvesting and processing of oysters," it doesn't mention clams, which have become important products on Willapa Bay.

So, farmers will do whatever they can to cut down on labor by adopting more automation, different cropping systems or by choosing to produce less labor-intensive crops.

No doubt some workers will receive deserved overtime. But, in the end, there may be fewer workers receiving a paycheck.

Times change. Time will tell if this legislation will produce the benefits sponsors intend.

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## LETTERS TO THE EDITOR

### A responsibility

The election in Oregon is May 18. In Oregon, we vote by mail. Registered voters here in Clatsop County should see your ballot shortly.

There are several small service, school, college and transportation district board positions on the ballot.

Your county voter information booklet will soon arrive in your mailbox. Your vote is very important, and needed. Across the nation, voter rights are under attack.

Voting is a responsibility as a citizen. I may sound like your mother, but this is truly important. Become informed by reading the voter guide. Then vote.

BOB WESTERBERG  
Astoria

### Our most basic act

We will soon receive our voters' pamphlet and ballot for this year's special election. This election chooses leaders for our community college, local school districts, port, water, health and fire districts, parks and recreation and transportation services.

These folks will be responsible for leading our agencies in carrying out the services we depend on every day. This is what citizen-led government is all about. Read the voters' pamphlet, make sure you're a registered voter, then vote.

Voting is our responsibility as citizens. Ballots are due by Election Day May 18.

Ballots can be mailed, or dropped off at seven convenient local election drop boxes around the county. If you use a drop box, your ballot must be in the box by 8 p.m. on Election Day.

Voting is our most basic act of citizenship. Not voting is giving up your voice.

REBECCA READ  
Seaside

### At liberty

An open letter to the Sunset Empire Park and Recreation District Board of Directors: According to CNN, 45 mass shootings have occurred in a month from March 16 through April 16.

On March 30, one of the songs being played in the pool during the 10 a.m. swim was "Pumped Up Kicks," by Foster The People.

Some of the lyrics go like this: "All the other kids with the pumped up kicks/You better run, better run, outrun my gun/... You better run, better run, faster than my bullet." I sent two emails regarding this incident,

one to board president Katharine Parker who, "thanked me for my feedback" and told me to "have a great evening!" Is that all the board president had to say about this egregious situation?

The other email went to Justin Smith, the pool manager. I am relieved to report that Justin responded to my email, because the music being played the next day was far more appropriate.

However, the mere fact that the life-guards are at liberty to even play this sort of music, and I use the term "music" loosely, needs to be addressed.

Once again, I ask the board to establish strict guidelines as to the genre of music to be played. Furthermore, the music should

be appropriate for those who are using the pool.

I don't think "Highway to Hell" by AC/DC is an appropriate selection for any audience, especially the morning arthritis class being held in the therapy pool.

MARTI WAJC  
Seaside

### Octogenarian wisdom

There is a statement in the film "O Brother, Where Art Thou" that says, "That don't make no sense." I'd like to apply that to this letter.

I feel it applies to the restrictions that we



MATSON  
caglecartoons.com

## LETTERS WELCOME

Letters should be exclusive to The Astorian. Letters should be fewer than 250 words and must include the writer's name, address and phone number. You will be contacted to confirm authorship. All letters are subject to editing for space, grammar and factual accuracy. Only two letters per writer are allowed each month. Letters written in response

to other letter writers should address the issue at hand and should refer to the headline and date the letter was published. Discourse should be civil. Send via email to editor@dailyastorian.com, online at bit.ly/astorianletters, in person at 949 Exchange St. in Astoria or mail to Letters to the Editor, P.O. Box 210, Astoria, OR., 97103.

face every day due to COVID-19, and though many don't want to state their feeling on this, I do. I'm too old to care.

Virtual Crab, Seafood & Wine Festival: Why? The main reason for the crab fest is to eat crab and drink wine. Virtual? Extra money the chamber of commerce doesn't know what to do with? We have been watching the many small projects that the city and various organizations have been pushing. You can name those.

And here sits Shively Park — a beautiful place in its heyday, in the 1911 100-year celebration. Look it up on the internet, if you would. Beautiful.

Twelve acres, neglected and overgrown with trees and bushes. Enough room where you could put all the tributes to the people who contributed to make Astoria great.

An amphitheater which was once beautiful and useful, gone to waste. I would ask why someone younger than me doesn't start this project? You could, you know.

The Astorian: I love our local news. I applaud The Astorian for this. Don't forget these small businesses. I have noted the lack of advertising during COVID-19. That is bound to affect their small business income and loss statement.

We should support them, as well as others — the small business is the heart of America. Thank them all.

DeLORES MAY RICHARDS  
Astoria