

## EDITORIAL

## Overtime law will change agriculture

Oregon Gov. Kate Brown has signed legislation that will grant farmworkers overtime pay after 40 hours of work beginning in 2027.

Under the law, farmworkers will be owed time-and-a-half wages after 55 weekly hours of work in 2023, after 48 hours of work in 2025-26 and after 40 hours per week beginning in 2027.

The legislation changes a farm pay formula that has stood for 84 years, and will lead to big changes for both employers and employees.

The Fair Labor Standards Act, passed by Congress in 1938, established a federal minimum wage and provided for overtime pay for work beyond 40 hours. The act also provided 19 job classifications, including farmworkers, that are exempt from the overtime rule.

Critics argue the exemption was the product of racism and pandering to the needs of special interests — big, “corporate” farming concerns. Farmers of every scale note that farm work is distinct from factory production. The nature of most farm work makes it difficult to schedule in eight-hour days and 40-hour work weeks.

The economics of agriculture have not changed since 1938. Farmers still are 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.

Gov. Brown acknowledged the bill she signed is not perfect. She points out the bill allows for a phase-in for overtime pay, a provision she says will give farm interests time to negotiate changes and improvements to the legislation.

No doubt farm interests will try to get the law changed. But, it seems unlikely there will be significant changes made. It is more likely that farmers and processors will use the grace period to find ways they can change their operations to reduce labor costs.

Mary Anne Cooper, vice president of government affairs at the Oregon Farm Bureau, said farm employees also will lose out when employers can't afford to hire more workers or must offer workers fewer hours.

“We think this legislation will have devastating consequences for our family farms and their employees, will likely result in significantly reduced farm employment in Oregon and is really going to change the landscape of Oregon agriculture,” Cooper said.

Innovators are busy designing machines that can do intricate and delicate work such as picking fruit and pruning trees. Higher labor costs will hasten that effort.

Farmers who produce labor-intensive crops also are weighing the profit potential of growing crops that require less labor. Those crops generally are not as valuable as the labor-intensive crops, but for smaller producers the potential reductions in costs could make those crops more viable.

Inevitably, some farmers will decide they can't afford higher labor costs, increased automation or changes in their cropping plans. They will sell out to a larger operation that can.

We think everyone performing farm work should be paid as much as business conditions allow. But we know that mandating overtime won't change the basic economics.

*Unsigned editorials are the opinion of the Baker City Herald. Columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the Baker City Herald.*



## YOUR VIEWS

## Witham is the right choice for county commission

I am writing in support of Christina Witham for Baker County Commission, Position 2. Christina has built and run a successful business in Baker City for 3 decades. She is familiar with our diverse economy and has working relationships with folks in natural resources, ranching, manufacturing, recreation and retail. She understands the needs of job creators and knows how important a strong economy and healthy environs are for the future generations of Baker County.

Her knowledge of Baker County history and commitment to our shared values regarding private and public lands are key to a healthy future for our rural lifestyle. Christina's ability to learn, listen, and involve all involved parties to find reasonable solutions and get things done will benefit the operation of the county and inspire future leaders.

We need a commissioner that will seek solutions, that will listen and actively work to forge the best path forward for Baker County. We don't need elected officials that talk, talk, talk or make decisions that directly benefit their own pockets. We need local officials that are committed to communicating and solving problems, not looking for someone else to blame. We need county commissioners that are dedicated to serving the people of Baker County, all of the people of Baker County.

We need Christina Witham. Please join

me in voting for Witham for Baker County Commission, Position 2.

Beverly Calder  
Baker City

## City, county need to solve the ambulance problem

I was saddened to see the paper where the dedicated and concerned firefighters and paramedics spent their own time to knock on doors and explain and pass out flyers regarding the budget situation for the ambulance service. I am shocked, appalled and ashamed that the City Council, County Commissioners and Budget Committee seem unwilling to roll up their sleeves, come up with options and make this work. Those firefighters/paramedics did not hesitate to spend their own time knocking on doors to talk to the community in person.

The community and County are best served if the ambulance service is part of the Fire Department. The community and the County get a 2 for 1 already with most of these folks that are trained and able to do BOTH firefighting and serve as professional paramedics. They are truly public servants and we are all better off with them being part of the community, the economy and raising their families here.

However, if the community and county contract with an outside “for profit” service we can expect something very different. They can be expected to be unfamiliar with

our community, provide fewer services in a timely manner and cut corners to save profit. I have experienced this in another community. The contract service was limited in knowledge, could not find the transport location and left their patient (my father-in-law) in the rain outside while they knocked on doors to get into the facility.

If we lose the ambulance service from the fire department, we will lose more than half of the firefighters/paramedics, leaving the staff below safe levels to even go into a burning structure to save someone. How would you feel about that circumstance if your home was burning with someone still inside?

I am requesting that the City Council, County Commissioners, and Budget Committee work overtime to find a solution to keeping the ambulance service a part of the fire department. Consider Mr. Nichols' ideas, develop your own proposals. The County residents that are not in the City can pay their part along with the City residents. When services are provided to folks driving through on the freeway, charge them for it. Everyone expects to pay for services. There is no excuse to work on anything more important than funding emergency services. I am sure we all will believe this when we call the 911 for an ambulance or fire. We do not expect to wait a few months or years until the City or County decide to solve this problem. Make it happen please!

Dorothy Mason  
Baker County

## OTHER VIEWS

## Recognizing the value of nuclear power

## Editorial from The Orange County Register:

California Gov. Gavin Newsom has opened up to the possibility of extending the operation of the Diablo Canyon Nuclear Power Plant, according to multiple reports, despite past opposition. That's a positive development. We encourage the governor to resist ideological or special interest pressure to shutter the facility, which provided 6% of the state's power last year.

Six years ago, Pacific Gas and Electric, which owns and operates the plant, agreed to close Diablo Canyon by 2025.

According to The Associated Press, PG&E stated at the time that the decision to close Diablo Canyon was made as part of an agreement with environmental and labor groups, with PG&E saying its decision was out of “recognition that California's new energy policies will significantly reduce the need for Diablo Canyon's electricity output.”

But, fast forward to today and it's apparent that Diablo Canyon's carbon-free energy is still as needed as ever while the state contin-

ues its long, expensive march toward a green future.

“The governor is in support of keeping all options on the table to ensure we have a reliable (electricity) grid,” spokeswoman Erin Mellon told The Associated Press last Saturday. “This includes considering an extension to Diablo Canyon, which continues to be an important resource as we transition to clean energy.”

Newsom reportedly has suggested PG&E seek a portion of the \$6 billion in federal funding the Biden administration is making available to keep nuclear power plants open.

It's a bit of a reversal from Newsom, who supported the shuttering of Diablo Canyon and remains opposed to nuclear power in the long run because of the admittedly unsolved problem of nuclear waste.

But his newfound openness to keeping Diablo Canyon open is a sensible approach.

Last year, researchers at Stanford University and the Massachusetts Institute of Technology found that keeping Diablo Canyon open until 2035 would reduce the state's

“power sector carbon emissions by more than 10% from 2017 levels and reduce reliance on gas, save \$2.6 billion in power system costs, and bolster system reliability to mitigate brownouts.”

The researchers further noted that if the facility were to be paired with a desalination facility and hydrogen plant, the benefits would become even more pronounced.

Doing this would not only provide tremendous amounts of water, but “produce clean hydrogen to meet growing demand for zero-carbon fuels, at a cost up to 50% less than hydrogen produced from solar and wind power, with a much smaller land footprint.”

These are ideas that merit nonpartisan discussion. The issues at hand — power and water — are practical issues about which all sensible approaches should be openly considered.

While what to do from here is ultimately PG&E's call, with the governor's resistance to the plant now out of the way, keeping the plant open is a logical thing to do.

## CONTACT YOUR PUBLIC OFFICIALS

**President Joe Biden:** The White House, 1600 Pennsylvania Ave., Washington, D.C. 20500; 202-456-1111; to send comments, go to [www.whitehouse.gov](http://www.whitehouse.gov).

**U.S. Sen. Jeff Merkley:** D.C. office: 313 Hart Senate Office Building, U.S. Senate, Washington, D.C., 20510; 202-224-3753; fax 202-228-3997. Portland office: One World Trade Center, 121 S.W. Salmon St. Suite 1250, Portland, OR 97204; 503-326-3386; fax 503-326-2900. Baker City office, 1705 Main St., Suite 504, 541-278-1129; [merkeley.senate.gov](http://merkeley.senate.gov).

**U.S. Sen. Ron Wyden:** D.C. office: 221 Dirksen Senate Office Building, Washington, D.C., 20510; 202-224-5244; fax 202-228-2717. La Grande office: 105 Fir St., No. 210, La Grande, OR 97850; 541-962-7691; fax, 541-963-0885; [wyden.senate.gov](http://wyden.senate.gov).

**U.S. Rep. Cliff Bentz (2nd District):** D.C. office: 1239 Longworth House Office Building, Washington, D.C., 20515, 202-225-6730; fax 202-225-5774. Medford office: 14 N. Central Avenue Suite 112, Medford, OR 97550; Phone: 541-776-4646; fax: 541-779-0204; Ontario office: 2430 S.W. Fourth Ave., No. 2, Ontario, OR 97914; Phone: 541-709-2040. [bentz.house.gov](http://bentz.house.gov).

**Oregon Gov. Kate Brown:** 254 State Capitol, Salem, OR 97310; 503-378-3111; [www.governor.oregon.gov](http://www.governor.oregon.gov).

**Oregon State Treasurer Tobias Read:** [oregon.treasurer@ost.state.or.us](mailto:oregon.treasurer@ost.state.or.us); 350 Winter St. NE, Suite 100, Salem OR 97301-3896; 503-378-4000.

**Oregon Attorney General Ellen F. Rosenblum:** Justice Building, Salem, OR 97301-4096; 503-378-4400.

**Oregon Legislature:** Legislative documents and information are available online at [www.leg.state.or.us](http://www.leg.state.or.us).

**State Sen. Lynn Findley (R-Ontario):** Salem office: 900 Court St. N.E., H-475, Salem, OR 97301; 503-986-1730. Email: [Sen.LynnFindley@oregonlegislature.gov](mailto:Sen.LynnFindley@oregonlegislature.gov)

**State Rep. Mark Owens (R-Crane):** Salem office: 900 Court St. N.E., H-475, Salem, OR 97301; 503-986-1460. Email: [Rep.MarkOwens@oregonlegislature.gov](mailto:Rep.MarkOwens@oregonlegislature.gov)

**Baker City Hall:** 1655 First Street, P.O. Box 650, Baker City, OR 97814; 541-523-6541; fax 541-524-2049. City Council meets the second and fourth Tuesdays at 7 p.m. in Council Chambers. Councilors Jason Spriet, Kerry McQuisten,

Shane Alderson, Joanna Dixon, Kenyon Damschen, Johnny Waggoner Sr. and Dean Guyer.

**Baker City administration:** 541-523-6541. Jonathan Cannon, city manager; Ty Duby, police chief; Sean Lee, fire chief; Michelle Owen, public works director.

**Baker County Commission:** Baker County Courthouse 1995 3rd St., Baker City, OR 97814; 541-523-8200. Meets the first and third Wednesdays at 9 a.m.; Bill Harvey (chair), Mark Bennett, Bruce Nichols.

**Baker County departments:** 541-523-8200. Travis Ash, sheriff; Noodle Perkins, roadmaster; Greg Baxter, district attorney; Alice Durlinger, county treasurer; Stefanie Kirby, county clerk; Kerry Savage, county assessor.

**Baker School District:** 2090 4th Street, Baker City, OR 97814; 541-524-2260; fax 541-524-2564. Superintendent: Mark Witty. Board meets the third Tuesday of the month at 6 p.m. Council Chambers, Baker City Hall, 1655 First St.; Chris Hawkins, Andrew Bryan, Travis Cook, Jessica Dougherty, Julie Huntington.