

Resolution supporting overtime pay for farmworkers defeated

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<http://www.davisenterprise.com/local-news/county-government/resolution-supporting-overtime-pay-for-farmworkers-defeated/>

Yolo County will not be on the record in support of overtime compensation for farmworkers when state lawmakers begin considering such a proposal next week.

Yolo County Supervisor Don Saylor of Davis had asked his colleagues to endorse AB 1066, a bill that would extend overtime compensation to agricultural employees after eight hours of work in a day and 40 hours in a week.

Currently, overtime is paid when a farmworker works more than 10 hours in a single day and more than six days during any week.

Saylor noted that workers in the field are the only members of the food production system who do not receive the typical overtime compensation after eight hours a day and 40 hours a week.

“Truckers are paid overtime, processors are paid overtime, the people in the grocery stores are paid overtime,” he said. “I think given our focus on agriculture and the fact that so many people in our county are farmworkers or farm owners and operators, that it’s appropriate for us to weigh in.”

Supervisor Jim Provenza of Davis joined Saylor in support of a resolution endorsing AB 1066, but with Supervisors Oscar Villegas of West Sacramento and Matt Rexroad of Woodland voting against it — and Supervisor Duane Chamberlain of the rural 5th District recusing himself — the resolution failed.

Both Rexroad and Villegas questioned why the board should weigh in on a matter over which it has no authority.

Villegas also requested more information on the impact of AB 1066, saying “the unintended consequences of this bill are not clear to me.”

According to Jeff Merwin, a Clarksburg farmer and president of the Yolo County Farm Bureau, the consequences could be significant to farmworkers themselves.

“(A)s it stands right now,” Merwin told supervisors, “farm laborers are able to make 50 percent more wages than any of their peers in other businesses by working a 60-hour week.”

During the slow winter season, he said, “we cut to a five-day week (and) that five-day week is a hardship for them. It’s a cut in pay. I’m not just making this up because I’m a farmer. I’m not a slave driver. They look forward to the day when they can work six-day weeks.

“So many of these folks work all year long and what will happen is farmers will find ways to cut the hours back to eight hours to avoid the overtime and these folks will have to get a second job somewhere else.”

Chamberlain, a farm owner himself, agreed.

Speaking from the podium during public comment after recusing himself from the vote, Chamberlain said, "I let my guys work 10 hours a day year-round. ... My guys make ... \$900 a week minimum. If I cut them to eight hours a day, we cut them to \$600 a week."

Supporters of AB 1066 see it differently.

Yolo County Superintendent of Schools Jesse Ortiz, who worked in the fields as a teen, called the issue one of equality.

"The message today in terms of the county taking a position (is) a message of value and caring for individuals in Yolo County," Ortiz said. "It's the same thing you would want for your children ... for your relatives ... for yourself. To be treated equally."

Sean Raycraft, a Davis resident and grocery store employee — who helped lead efforts aimed at raising the minimum wage in Davis — called the lack of overtime compensation for farmworkers "a relic of institutional racism."

He noted that he is "at the opposite end of the food production chain," working in an air-conditioned environment, in comfort, with overtime protections.

"It's only the people who put the produce on the truck that do not have these protections," Raycraft said. "They're outside in 105-degree heat working very long hours and I think it's only fair that they get the same protections that I get so they can have a decent quality of life."

Provenza agreed.

"We have a large number of farmworkers in Yolo County," Provenza said, adding that many are his constituents.

"I don't really believe that anyone really wants to work for 60 hours a week in the hot sun," he said. "I think they're doing it because they have to. ... These are rights that every single other worker in the state and the nation has except farmworkers."

Provenza also took issue with arguments by Rexroad and Villegas that the county should not be weighing in on state legislation.

"The way legislation works in Sacramento," he said, "there is a list of supporters and a list of opponents and that is influential."

Saylor agreed.

"It's important to have Yolo County on record," he said.

But the resolution putting Yolo County on the record in support of AB 1066 failed on a 2-2 vote.

The bill, authored by Assemblywoman Lorena Gonzalez, D-San Diego, is similar to legislation that failed to pass out of the Assembly in June, falling short by four votes. AB 1066 is scheduled to be taken up by the Senate Appropriations Committee on Aug. 1.