

March 22, 2022

Chair Jason Rarick
Senate Labor and Industry Policy Committee
3411 Minnesota Senate Building
St. Paul, MN 55155

Dear Chair Rarick and Members of the Committee:

On behalf of the members of the Minnesota Agri-Growth Council (AgriGrowth), I am writing today to express our serious concerns regarding SF3881.

For the past year, I have proudly and actively served on the Governor's Worker Committee on the Safety, Health, and Wellbeing of Agricultural and Food Processing Workers (AWWC). Over the course of the year, the AWWC met more than 2 dozen times, spending 50 plus hours together in Zoom discussions. We worked diligently and carefully to research, discuss, and deliberate solutions to a range of safety, health, and wellbeing issues impacting ag and food processing workers in our state.

Our conclusions and recommendations were summarized in our December 1, 2021 [report to the Governor](#) and included several very broad recommendations to improve the safety, health, and wellbeing of ag and food processing workers. This winter, several bills include language that is being attributed to the "unanimous" conclusions of the AWWC. In fact, not all committee members were available to vote on the recommendations. Moreover, our recommendations noted in the report do not have the specificity implied in the proposed legislative language of HF 4314 and similar bills.

Specifically, this bill concerns us because:

- Section 3, 2.10, Subd. 3 – As written, use of "native language" is not only unrealistic, but it does not reflect the discussions of the AWWC, which included a recommendation that information be available in more languages than they are (not every imaginable language). As written, people needing work from certain countries will not gain employment because employers cannot anticipate every country a potential employee may come from and therefore could not comply.
- Section 13, 6.9, Subd. 4 clarifies what an "employer" is, which the AWWC discussed. The language also changes the "employer" to anyone who employs 1 or more people and makes that "employer" subject to all the rules. The previous language was "more than 30 migrant workers". The AWWC never discussed and agreed the striking of 30 and changing it to 1. This would affect any farmer or small business that may employ a team of one or two migrant workers; this does not represent the view of the AWWC I am a part of.
- Increasing fines and fees were discussed by the AWWC as a potential deterrent to poor provision of an environment conducive to worker safety and wellbeing. However, most of the increases to fines and fees for non-compliance that are detailed seem excessively harsh for smaller employers.

Thank you for your time and consideration of this letter.

Sincerely,



Tamara A. Nelsen
Executive Director