



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara joins colleagues at forum on the impact of proposed 'Farmworkers Fair Labor Act': Hears testimony from farmers, farmworkers and others on potentially devastating action

THOMAS F. O'MARA May 6, 2019

| ISSUE: **FAMILY FARMS**



The misguided and misrepresented Farmworkers Fair Labor Practices Act poses an extreme action at a time of already severe economic struggle for New York State farmers.

Elmira, N.Y., May 6—State Senator Tom O'Mara (R,C,I-Big Flats) recently joined Senate and Assembly colleagues at an agricultural roundtable in Western New York to hear testimony on the potential impact of proposed legislation that many fear could drive family farms out

of business and decimate local farm economies if it's enacted.

The controversial legislation (**S.2837/A.2750**) is known as the “Farmworkers Fair Labor Practices Act.” Two downstate New York legislators sponsor the measure, Senator Jessica Ramos (D-East Elmhurst), chair of the Senate Labor Committee, and Assemblywoman Catherine Nolan (D-Long Island City). The measure is currently in the Labor Committee in each house.

Last Thursday's roundtable in Batavia was sponsored Senator Rob Ortt (R,C,I,Ref-North Tonawanda), the ranking Republican member on the Senate Agriculture Committee. Legislators heard from farmers, farmworkers, agricultural industry experts, and farm community leaders and residents.

Ortt said, “The purpose of this roundtable was to gain additional insight and inform our local residents and the media on how impactful pending labor legislation could be to our small family farms. We wanted to draw on these farm owners' and farmworkers' expertise, and we wanted to offer them an opportunity to voice their concerns and speak with their elected representatives about what can be done to stop newly proposed labor laws. The sponsor of this new labor legislation and the Chair of the Senate Committee on Agriculture have refused to hold any hearings in western New York, so we have taken it upon ourselves to give these farm owners, farm workers, farm bureaus and elected officials an opportunity to voice their opinions.”

Earlier this year, in a letter to legislative leaders, O'Mara and Assemblyman Phil Palmesano (R,C,I-Corning) called for statewide public hearings on the proposal. They wrote, in part, “The misguided and misrepresented Farmworkers Fair Labor Practices Act poses an extreme action at a time of already severe economic struggle for New York State farmers. Worse, the Act's consequences would produce a nightmare of a ripple effect across local communities in

every region of this state and profoundly diminish the future of high quality, local food production. In short, S.2837/A.2750, far from implementing fair labor practices, would in reality spark an enormous loss of family farms and the thousands of livelihoods these farms support across the industry and throughout hundreds of local economies statewide.”

If enacted, the Act’s opponents, led by the New York Farm Bureau, argue that it would increase already exorbitant farm labor costs in New York State by nearly \$300 million or close to 20%, resulting in an across-the-board drop in net farm income of 23% and driving many farmers out of business. For many specific agricultural sectors, including the dairy industry, and vegetable and fruit growers, the increased costs would be unsustainable. According to a 2016 economic analysis from Farm Credit East (www.farmcrediteast.com), an agricultural credit and financial organization, total farm labor costs in New York State were 63 percent of net cash farm income, compared to 36 percent nationally.

Mandatory overtime pay as called for under S.2837/A.2750 would greatly exacerbate the impact of farm labor costs on farm income at a time when the farm economy is already struggling. Over the past five years, for example, New York State has lost 20 percent of its dairy farms.