



NEW YORK STATE SENATOR

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## Farm Labor Act Will Hurt NY Farmers

PATRICK GALLIVAN July 10, 2019

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In the final days of the legislative session, both the Senate and Assembly approved a bill called the “Farm Laborers Fair Labor Practices Act.” It mandates overtime pay, collective bargaining rights, and worker’s compensation and unemployment benefits to farmworkers across the state. While I believe these men and women deserve a fair wage for the hard work they do, the legislation is flawed and imposes mandates and burdensome costs that put New York farm families at a competitive disadvantage with other states.

In representing one of the most agricultural districts in the state, I have learned that farms do not have a standard eight-hour workday and cannot accommodate a rigid factory-like schedule. Weather dictates planting and harvesting. Our cold, wet spring has demonstrated that, with heavy rains putting local farmers behind schedule and forcing them and their employees to squeeze in weeks of work into just a few dry days. Work never stops inside the barn either. For instance, cows must be fed and milked multiple times every day. A farm worker strike or confining work agreements could jeopardize a crop or the health of an animal. Everyone who works in farming understands this, including farm workers.

The farm families I have met have great respect for the people who they employ. Like all small businesses, they value their employees' commitment, work ethic, and the partnership it takes to get the job done.

Many agricultural workers enjoy competitive wages, housing, health coverage and other benefits. They are covered by both the Migrant and Agricultural Seasonal Protection Act and the Agricultural Fair Labor Standards Act at the federal level, and are covered under state minimum wage laws, the state sanitary housing code for farm employees, and both federal and state Worker Protection Standards to ensure safe environmental working conditions. All farm workers are also required to have a completed farm work agreement with their employer, which covers pay rates, housing benefits and working conditions.

Agriculture is New York's leading industry and nowhere is that more apparent than in Western New York. Local farms feed our families and generate more than \$5 billion in annual revenue. Despite all of this, many of our farmers are struggling to make ends meet, forcing some to sell-off livestock or land that has been in families for generations. These new mandates will increase operating costs for farmers by an estimated \$300 million a year, a jump of more than 17%. This is on top of New York's recent minimum wage increases, which have also had a direct impact on the farm industry.

For these reasons, I opposed the “Farm Laborers Fair Labor Practices Act” when it came to the floor last week. The legislation, put forth by a New York City dominated majority, does not accurately reflect the needs of farm workers or the needs of our farm families who live in rural communities across Upstate New York.