

1 **2022 NYSAC Fall Seminar**
2 **Standing Committee on Agriculture & Rural Affairs**
3 **Resolution #3**

4
5 **Resolution Calling for the Elimination of the Farm Laborers Wage Board**

6 **WHEREAS**, the Farm Laborers Wage Board has made a recommendation to reduce
7 the current 60-hour overtime threshold for farm workers to 40 hours; and

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9 **WHEREAS**, in January 2022, after numerous public hearings that included testimony
10 from farmers, farm workers and industry stakeholders, the wage board recommended
11 lowering the threshold, despite the fact that more than 70 percent of the testimony
12 conveyed the harm that would be caused by such a change; and

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14 **WHEREAS**, the wage board proposes four-hour decreases in the overtime threshold
15 every other year; and

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17 **WHEREAS**, farmers would pay overtime wages up front and then be reimbursed for
18 overtime hours after the fact, and hours worked over 60 hours would be covered by tax
19 credit; and

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21 **WHEREAS**, the wage board has just one member with an agricultural background,
22 making it ill-equipped to render sound, informed decisions concerning New York State's
23 critically-important agriculture industry; and

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25 **WHEREAS**, the wage board is ignoring data from a 2021 Cornell University study that
26 shows lowering the threshold would economically hurt both farmers and farm workers;
27 and

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29 **WHEREAS**, New York State farmers continue to face a tremendous number of
30 challenges outside of their control including changes in consumer demand leading to
31 price change, obtaining labor, climate change regulation and mandates, land
32 management policies, foreign and regional market competition, NYS regulations,
33 livestock and crop disease; and

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35 **WHEREAS**, communities rely on farmers to maintain production during shortages;
36 and

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38 **WHEREAS**, New York State farms donate the majority of produce used in food
39 pantries and local feeding programs, which will suffer due to higher mandated costs of
40 labor, making less donated produce available to Nourish NY programs; and

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42 **WHEREAS**, counties are urging the State Legislature to provide the farmers and farm
43 workers relief from the already onerous burden the Farm Workers Fair Labor Practices
44 Act and other existing government mandates that place our farms at a competitive
45 disadvantage with neighboring states and Canada.

1 **NOW, THEREFORE BE IT RESOLVED**, that NYSAC emphatically opposes any
2 decrease to the 60-hour farm worker overtime threshold proposed by the Farm Laborers
3 Wage Board; and

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5 **BE IT FURTHER RESOLVED**, that NYSAC urges Governor Hochul to strongly
6 consider Senator Borrello's request of repealing section 674-a of the labor law, relating
7 to establishing the Farm Laborers Wage Board and eliminating the three-member Farm
8 Laborers Wage Board; and

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10 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties
11 of New York State encouraging member counties to enact similar resolutions; and

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13 **BE IT FURTHER RESOLVED**, that NYSAC will submit a copy of the adopted
14 resolution to the Governor of the State of New York, members of the State Legislature,
15 the New York State Labor Commissioner, the New York State Agriculture and Markets
16 Commissioner, the New York State Farm Bureau, and all others deemed necessary and
17 proper.