



NEW YORK STATE SENATOR

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Farmers Applaud Ag Committee Vote on Labor Bill

DARREL J. AUBERTINE April 21, 2010

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Farmers thank Sen. Aubertine for his leadership working with the committee to ‘do the right thing’

ALBANY (April 21, 2010)—Farmers from across New York are applauding the Senate Agriculture Committee’s decision to vote down the Farmworker Fair Labor Practices Act (S.2247B), saying the bill would have devastated their businesses and in fact, limited the earning potential and job opportunities for farm laborers statewide.

“We really appreciate the efforts of Senator Aubertine to make sure the Ag Committee did the right thing and I look forward to his continued fighting on our behalf,” said Douglas W. Shelmidine of Sheland Farms, a dairy farm partnership with his father and brother in the town of Ellisburg, Jefferson County. “It was a good thing that happened. Senate leadership in the Ag Committee came through and won the day. The efforts of Senator Aubertine and Senator (Catharine M.) Young made the difference.”

“I’m very pleased that Senator Aubertine and the Senate Agriculture Committee put forth a very bipartisan effort to look at what they were voting on and do the right thing,” said Cathy Martin of John B. Martin & Sons Farms Inc., and president of Monroe County Farm Bureau. “For the entire Ag committee, it shows a great deal of respect for all parties involved and the taxpayers of New York State by working together to do the right thing.”

Kevin Bowman of Bowman Orchards, an apple grower in Clifton Park in Saratoga County said: “Needless to say we’re extremely happy the Ag Committee did the right thing. The chainsaws were sharpened and we would have been removing many acres of trees from production that will now remain in production.”

“This is certainly good news and we really appreciate Senator Aubertine’s leadership in opposing this legislation which would have been a tremendous hardship on farmers at a time like this when we’re already hurting,” said Jon Greenwood of Greenwood Dairy, in the town of Potsdam.

The legislation would have created onerous regulations for farms large and small, regardless of whether they have regular employees or hire a worker when needed. The bill would also require a day of rest provision, time and a half overtime, and collective bargaining. For farms with stable work force needs, these new expenses would force farmers to limit hours or reduce pay to fit within what they can afford.

“We certainly don’t need this legislation and would hurt the very people it’s intended to help,” Mr. Greenwood said. “Despite the number of unemployed, there are not a lot of people looking for farm work. Farmers are forced to pay decent wages and farmers do provide benefits to keep good employees. The proponents pushing this legislation do not understand the farm labor situation and the realities that are out there.”

Mr. Shelmidine added: “It certainly would have caused a lot of hardship and cause farms to have fewer workers or just more disorganization within the workforce as we tried to figure out ways to cope with it. It doesn’t recognize the special needs of agriculture and how we operate.” He also noted that a shortage of reliable workers has resulted in competitive wages and benefits, including regular time off.

According to the USDA, the demand for farm workers has the average wage in New York at around \$10 per hour. State law requires farm wages to be at least equal to the federal minimum wage. Mr. Greenwood said that on his farm, in addition to paying competitive wages, he offers his employees regular time off, though there are times when workers put in long hours for longer stretches.

“Our farm workers understand the importance of making hay while the sun shines as the saying goes, and take time off when the weather is off,” Mr. Greenwood said. “We do understand the need to be at their kids’ events and go to the doctor. As farm owners, we’re working alongside our employees and we understand their needs. It’s not like a factory.”

Now that the bill in its current form has failed to make it through the committee process, some farmers indicated that a better approach for advocates would be to start from the ground up working with agriculture interests to develop legislation that is fair to all affected parties.

“We’re pleased with the agriculture committee’s decision and I want to thank Senator Aubertine,” said Peter Martini, vineyard manager for Martini Vineyards and the Anthony Road Wine Company in Penn Yan. “I truly appreciate all he’s doing and the work of the whole committee. We’re not against legislation, but it needs to be more carefully thought out. If they truly want a compromise the only way that can happen is if they come to the table before introducing a bill.”

“I absolutely think agriculture needs to be at the table,” Mrs. Martin added. “This is our livelihood and people are trying to justify laws that won’t necessarily help the people they’re trying to help. Sometimes the best of intentions create something that makes it worse. This bill would have destroyed the ability of farm workers to earn what they want to earn. Farm workers should be at the table too. I appreciate Senator Aubertine and Senator Young standing up for farmers across the state.”

The farmers said they appreciated the thorough process which included hearings in Watertown and Albany, plus roundtables in every region and the collection of input from

farmers and other agricultural interests, including farm workers, across the state.

“There were many things brought up at the hearing that were falsehoods and half truths,” Mr. Bowman added. “We want to deal with anything that is an issue, but most of what was brought up was not the reality. It’s just the advocates trying to gain power for themselves at the expense of the residents of New York State. I thank Senator Aubertine and the committee for seeing through the rhetoric that was presented and actually looking into both sides and coming up with the proper conclusion.”

The farmers also commended the committee’s vote in support of the Farm Tax, Fee and Mandate Relief Act (S.6947A), sponsored by Sen. Aubertine.

“It’s a good bill. I think that farming is over taxed and over regulated,” said Mrs. Martin. “We have fees every day and they’re going up 50 percent or 100 percent at times. It may not go on the books as a tax increase, but we’re bearing a larger piece of the burden of paying for state government. I think this bill is a start to helping farmers and I appreciate Senator Aubertine and the committee moving this bill forward.”