



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara: Wage Board shouldn't have power to drive more family farms out of business

THOMAS F. O'MARA February 28, 2020

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We cannot risk the state mandating and regulating more farms out of business, and that is exactly what's at stake here.

Albany, N.Y., February 28—State Senator Tom O'Mara (R,C,I-Big Flats) today voiced strong opposition to any move by the state's newly created "Farm Laborers Wage Board" to roll back the current 60-hour threshold requiring farmers to pay their employees overtime.

The overtime threshold was part of a comprehensive “Farmworkers Fair Labor Practices Act” enacted by Governor Cuomo and the Legislature last year. **O’Mara voted against the Act** and singled out the Wage Board provision for particular opposition. The three-member board has the power, **following a series of public hearings beginning today in Albany**, to change the law without the Legislature’s approval.

O’Mara and other opponents, including the New York Farm Bureau and Unshackle Upstate, are afraid that the board will quickly move to lower the overtime threshold before the law’s impact can be fully assessed, thereby increasing farmworkers’ pay at the great expense of family farmers.

“I was opposed to this Act, and especially the creation of this Wage Board, from the start. In fact, when this legislation was being debated **I voiced my fear on the floor of the Senate about giving such far-reaching authority to an unelected, unaccountable body.** Governor Cuomo and the so-called progressive legislative leaders who enacted this law don’t want to take the heat. They believe this Wage Board lets them duck tough decisions and stay politically protected,” said O’Mara, a longtime member of the Senate Agriculture Committee. “It is critical for upstate legislators, for whom the farm economy is a foundation of communities we represent, to keep close watch on a Wage Board now holding so many farmers’ futures in its hands. We cannot risk the state mandating and regulating more farms out of business, and that is exactly what’s at stake here. If this Wage Board drives more farmers out of business, Governor Cuomo and the Democrat legislative majorities will be responsible.”

Farm Bureau President David Fischer recently warned that today’s public hearing in Albany is far too early to be helpful in assessing the law’s impact.

“Keep in mind, the first hearing will happen before the first crops are even in the ground,” Fischer said. “It will be incredibly difficult to judge in a significant way how farms and their employees are managing schedules and dealing with the financial burdens just two months

into the year.”

The Farm Bureau wants the board to have adequate time, resources and appropriate data to assess the law’s full impact before recommending changes.

According to one recent report, farm labor costs in New York State increased 40 percent over the past decade. Total farm labor costs are at least 63 percent of net cash farm income in New York, compared to 36 percent nationally.