



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara warns any move by 'Farm Wage Board' could drive more farmers out of business: Says worst possible time for action to jeopardize farm economies, food supply chain

THOMAS F. O'MARA August 31, 2020

| ISSUE: **FARMING**



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Elmira, N.Y., August 31—State Senator Tom O'Mara (R,C,I-Big Flats) today continued voicing his 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.

O'Mara joined members of the Senate Republican conference on a virtual news conference earlier today to call on the Board to delay any further action until at least 2024. O'Mara said that he will co-sponsor recently introduced legislation (S8944) that would extend the date for the Board to submit its report from December 31, 2020 to December 31, 2024. The legislation would give the Board more time to collect and assess data that would provide a more definitive picture of the impact of the 60-hour threshold on the finances and operations of New York farms, as well as consider additional factors including the COVID-19 impact on the agricultural industry.

O'Mara, a longtime member of the Senate Agriculture Committee, said, "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. 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 the future of so many farmers and rural economies in its hands. This is the worst possible time to risk 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."

The overtime threshold was part of a comprehensive "Farmworkers Fair Labor Practices Act" enacted by Cuomo and the Legislature in 2019. 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 currently underway, to change the law without the Legislature's approval.

O'Mara and the Senate GOP conference, together with many farm industry advocates, stress that the board must take adequate time and have the appropriate data to assess the law's full impact – as well as the impact of COVID-19 -- before recommending changes.

It has been reported that farm labor costs in New York State increased 40 percent over the past decade and that the 2019 law could result in another crippling 44-percent increase in wage expenses.

Total farm labor costs are at least 63 percent of net cash farm income in New York, compared to 36 percent nationally.