



NEW YORK STATE SENATOR

George M. Borrello

Senate Republicans Call on the Farm Laborers Wage Board to Reject Reduction of the Overtime Threshold

GEORGE M. BORRELLO December 28, 2021

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ALBANY, NY -- Senate Republican Leader Rob Ortt, Senator George Borrello, Ranking Member of the Agriculture Committee, along with members of the **Senate Republican Conference** yesterday sent a letter to the Farm Laborers Wage Board, urging board members to vote against the reduction of the overtime threshold beyond the current 60 hours established in the Farm Laborer Fair Labor Practices Act (FLFLPA) of 2019.

“As we start the new year, the agriculture industry continues to struggle under burdensome state mandates and the lingering effects of the COVID-19 pandemic. Lowering the overtime threshold will push workers to other states and drastically lower production, leaving family farmers with a serious risk of losing their livelihoods,” **said Leader Ortt.**

In January, the New York State Farm Labor Wage Board will revisit the threshold set in 2019 and make a determination on whether to lower the threshold to 40 hours. Ninety-six percent of farms in New York State, most of which are family-owned, are unable to cover the costs of paying time and a half; a threshold reduction would result in less hours for employees to work and smaller paychecks. With farms being local economic engines, this Albany mandate would have devastating effects on communities across New York State.

In their letter, the Republican legislators cited a [recent study](#) conducted at Cornell University. The study found that if the overtime threshold was lowered to 40 hours, two-thirds of dairy farmers would make significant changes to their operation, including leaving the industry or investing out of state, and half of fruit and vegetable farmers indicated they would decrease their operations or exit the industry.

“Despite all the obstacles that New York State has put in their paths, every farmer I know is dedicated to their work, to their farm and employees, and to producing high-quality products. As difficult as it has been for most to implement the new requirements of the Farm Labor Law, they’ve done what they always do in hard times: sacrifice more, work harder and adapt. However, if the overtime threshold were lowered to 40 hours, this already-strained industry would reach the breaking point, as a recent study by Cornell affirmed. With their “extra” already depleted by burdensome and costly policies, even the most resilient of these New Yorkers would be forced to relinquish labor-intensive dairy or crops operations, relocate to other states or abandon agriculture entirely. I urge the members of the Wage Board to listen to researchers as well as those on the front lines, including farm

workers, and reject any overtime changes. The future of farming and food security in our state hangs in the balance,” said **Senator George Borrello, Ranking Member of the Senate Agriculture Committee.**

Fellow Members of the Senate Republican Conference **Senator Pam Helming, Senator Mike Martucci, Senator Patty Ritchie, Senator Sue Serino, Senator Fred Akshar, Senator Patrick Gallivan, Senator Anthony Palumbo, Senator Tom O’Mara,** and **Senator Alexis Weik** also signed onto the letter.

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