



NEW YORK STATE SENATOR

Susan Serino

SENATE & ASSEMBLY REPUBLICANS CALL ON FARM LABOR WAGE BOARD TO REJECT REDUCTION OF OT THRESHOLD

SUSAN SERINO September 1, 2022

| ISSUE: **FARM LABOR WAGE BOARD**



SCHODACK LANDING, NY – New York State Senators Sue Serino and Daphne Jordan today stood with Assembly Members Jake Ashby and Chris Tague and members of the local agriculture community calling on the Farm Labor Wage Board in Albany to reject a reduction of the overtime threshold from the current 60 hours to the proposed 40 hours.

"I govern by listening and when our family farmers and workers tell me that this change could devastate the agricultural industry that our state depends on, I take notice," **said Senator Sue Serino.** "It is far past time for others in Albany to do the same and put an end to their misguided attempts to lower the overtime threshold. Our family farms are a staple in our communities and the backbone of our economy, and we should be focusing instead on advancing policies that actually enable them to thrive. I am committed to ensuring that the voices of our farmers and workers are heard and their needs met, which is why I am urging the Board to do the right thing, stay at 60 and save the future of farming in New York State."

"The Farm Laborers Wage Board must heed what they are being told as the future of New York's farms is hinged on the Wage Board's decision in just five days. Lowering the threshold 40 hours will impact our family farms significantly, including leaving the industry and heading out of New York. Our economy cannot afford to lose farmers and the important agricultural resources they bring to communities. Instead we should be developing and working on policies that enable our Agriculture community to thrive and prosper," said Senator Daphne Jordan.

"Our State relies on our agricultural industry not just as vital food producers but also as the economic backbone of many communities. It is imperative that we ensure the continued success and existence of our local family farms and an easy start is eliminating this unnecessary regulation on overtime wages," said Assemblyman Jake Ashby.

"The members of the Farm Laborers Wage Board have a choice to make this month, as they decide whether to stand with farmers and farm workers or with radical ideologues who have rammed this proposal through the regulatory process against the wishes of farm owners and laborers alike. The consequences of this decision, and the personal impact it will have on New Yorkers working in agriculture, have been laid out plainly before the board. If they do decide to move forward with lowering this threshold, they will have done so with full

knowledge of the devastating impact such a decision will have on farms, rural communities and our state's food security," said Assemblyman Chris Tague.

"My family works here. The people who work here are my family and they are committed to success. We need farms in New York if we want a safe, reliable food source. We need to give farms a chance to survive and succeed," said Nate Chittenden, owner of Dutch Valley Farms.

On January 28, 2022, the Farm Labor Wage Board revisited the overtime threshold set in 2019 through the Farm Laborer Fair Labor Practices Act (FLFLPA), and voted to reduce the threshold from 60 hours to 40 over the next decade, decreasing the threshold by four hours every two years. On September 6, the Board will reconvene to advance their final report and recommendations on the overtime threshold for farm laborers.

During public hearings held by the Board, hundreds of farmers took time from their busy days to give emotional comments expressing their concerns that increased labor costs will threaten their small family farms, which make up 96 percent of New York's farms. Several economic development and business organizations have also come out in opposition to reducing the 60-hour overtime threshold, including the Grow NY Farms Coalition, the Business Council of New York State, the National Federation of Independent Businesses of New York (NFIB) and Upstate United. Most recently, [the owner of Indian Ladder Farms in Altamont](#) stated that lowering the overtime threshold would force smaller, family-run farms out of business and leave only large factory farms across the state.

In December 2021, Senate Republicans wrote a [letter](#) to the Farm Labor Wage Board, citing a Cornell University [study](#) that found that 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, if the overtime threshold was lowered to 40 hours.

Members of the Senate Republican Conference also signed onto a follow up letter written August 16, 2022.

A copy of the letter is attached.

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