



Key Provisions: Farmworkers Fair Labor Practices Act A.1792 (Nolan)/S.1743 (Espaillat)

New York's farmworkers form the backbone of the state's multi-billion dollar agricultural industry, but these workers are excluded from basic labor law protections under state and federal law.

This statutory relic of the Jim Crow era deprives more than 80,000 farmworkers of the rights that other workers take for granted.

The Farmworkers Fair Labor Practices Act would end this injustice. This new law would:

- Establish an 8 hour workday for farmworkers
- Provide farmworkers overtime pay of at least time and one half after 8 hours of work
- Allow farmworkers one day of rest each week, which they may decline
- Require that farmworkers are paid the minimum wage
- Prohibit child farmworkers from being paid a wage lower than the minimum wage
- Give farmworkers the right to organize and bargain collectively for the purposes of representing and protecting their interests
- Ensure that farmworker housing facilities meet basic standards under the Sanitary Code, including: structurally safe buildings, clean water, adequate light and ventilation, and facilities for sewage disposal
- Provide farmworkers with unemployment pay when laid off from work or terminated
- Require employers to provide workers' compensation benefits to farmworkers who are injured during the course of employment
- Require a foreman or supervisor who learns that a farmworker is injured on the job to inform the farmowner of that injury
- Allow farmworkers to receive disability benefits when unable to work due to non-job related sickness or injuries
- Prohibit employers from discharging or discriminating against a farmworker who attempts to seek workers' compensation for injuries suffered on the job by requesting a claim form
- Require the posting of a notice in English and Spanish that informs farmworkers of their right to workers' compensation benefits, as required by law