



February 3, 2022

The Honorable Kathy Hochul
Governor of New York State
NYS Capitol Building
Albany, NY 12224

Dear Governor Hochul,

As a proud Upstate New Yorker, I'm sure you know how important farms are to our communities and the Upstate economy. Approximately 33,000 farms support 55,000 jobs and generate billions in economic activity. Farms also support important programs such as the Nourish New York program – which has provided more than 40 million pounds of food to hungry families across the state during the pandemic.

After carefully listening to the testimony provided by farmers and farm workers as well as evaluating the in-depth research from Cornell University, I strongly urge you to reject the recommendations advanced by the Farm Labor Wage Board to lower the current overtime threshold for farm workers.

Lowering the farm labor overtime threshold to 40 hours is not progressive – it is problematic.

Family farms – which in many cases, have been passed down through generations – will have to radically change their operations or close for good.

Employees at those farms – dedicated men and women who have made the choice to work in agriculture and enjoy unique benefits including housing – will lose their livelihoods.

Consumers across the state will ultimately pay higher costs for milk, produce and other farm products that will be shipped in from other states. Bear in mind, those consumers are already paying more for food due to historic inflation rates.

I applaud your continued pledge to make New York the most business-friendly and worker-friendly state in the nation. However, given the testimony and research on this issue, it's clear that lowering the overtime threshold will be detrimental to both farmers and farm workers.

Regarding the rights of workers, I would like to highlight the fact the original Farm Labor Fair Practices Act gave workers the right to organize and collectively bargain. For workers that choose to join a union, they can also choose their own path to 40 hours. Offering a choice, rather than a mandate via Department of Labor regulations, is reasonable and responsible.

Ensuring the viability of New York's agricultural community and all those who rely on it is essential. I urge you to help – not hurt – New York's farms. New York has already lost more than 2,000 farms over the last decade. Please instruct the Commissioner of Labor to reject the Wage Board's recommendations and keep the current overtime threshold in place.

Sincerely,

A handwritten signature in blue ink that reads "Justin Wilcox". The signature is written in a cursive, flowing style.

Justin Wilcox
Executive Director, Upstate United