

Inter-County Association of Western New York

Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates.

RESOLUTION NO. 2022-03-IC

OPPOSING ANY DECREASE TO THE FARM LABOR OVERTIME THRESHOLD

Motion By: Rochelle M. Stein (*Genesee*)

Seconded by: Mark Rondinaro (*Schuyler*)

WHEREAS, agriculture is New York State's largest industry, and

WHEREAS, the Farm Laborers Wage Board has proposed to decrease the farm labor overtime threshold from 60 to 40 hours, and

WHEREAS, farms are critical components of our regional economy and are necessary to ensure supermarkets are stocked with food, and

WHEREAS, from the outset of the COVID-19 pandemic, farmers have stepped up and ensured their operations continued and were responsible for donating thousands of pounds of food to local food banks at a time of significant need, and

WHEREAS, Western New York farmers face a tremendous number of challenges outside of their control including changes in consumer demand leading to price change, obtaining labor, climate change, land management policies, foreign market competition, livestock and crop disease, and

WHEREAS, in addition to the practical issues related to growing and selling food products, New York farmers have to contend with wavering levels of government regulations including changes in wages and overtime threshold, and

WHEREAS, one of the more pressing issues for the farming community has been mandated overtime requirements since the 2019 Farm Laborers Fair Practice Act, currently gives farmworkers a right to overtime after sixty (60) hours of work each week, and

WHEREAS, Western New York farmers are reliant on migratory work forces during the short growing season here in Western New York as workers are here for only a few months in the spring and summer and they have only so many hours each year to get the work done, and

WHEREAS, the Act does not prohibit the Farm Laborers Wage Board from arbitrarily decreasing the overtime threshold again thereby increasing costs to local farms, and

WHEREAS, decreasing the overtime threshold will negatively impact the farming community by increasing costs to farmers, who are already operating under very tight margins and will potentially cut into work opportunities for migrant workers, and

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WHEREAS, cutting budgeted support levels and drastically increasing costs through government interference should be avoided whenever possible, and

WHEREAS, NYS Assembly Deputy Minority Leader Steve Hawley has voiced concern through letters written to Governor Kathy Hochul and NYS Labor Commissioner dated January 31, 2022, and

WHEREAS, most of the testimony provided in the hearing process requested “NO CHANGE” to the overtime threshold. This is another example of New York City interests ignoring the “other New York” and its robust economy. Now, therefore be it

RESOLVED, that Inter-County Association of Western New York hereby supports the farmers and migrant workers who do not want their hours reduced and urges utilizing all budgeted funding for the promotion of New York State farming products, provide critical applied research, ensure access to markets, educate the public and connect them to their food and any other program designed to benefiting local fanners, and be it further,

RESOLVED, Inter-County Association of Western New York emphatically opposes any decrease to the 60 hour farm worker overtime threshold proposed by the Farm Laborers Wage Board and directs the Inter-County Association of Western New York secretary to forward a copy of is resolution to Gov. Hochul, Senate Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Assemblyman Hawley, Senator Rath, NYS Labor Commissioner, NYS Agriculture and Markets Commissioner, NYS Farm Bureau, Genesee County Farm Bureau, NYSAC, WNY Inter-County Association and any others deemed necessary.

This is to Certify that I, the undersigned, Secretary of the Inter-County Association of Western New York, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Association at a session held on the 18th day of February 2022 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Inter-County Association of Western New York dated February 18, 2022.



Lisa K. Casey
Inter-County Association of Western New York



Sponsored by: Genesee County, Motioned by: R. Stein Seconded by: M. Rondinaro (*Schuyler*)

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