



Christopher W. Tague  
Assemblyman, 102<sup>nd</sup> A.D.

Albany, Columbia, Delaware,  
Greene, Otsego, Schoharie and  
Ulster Counties

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

RANKING MINORITY MEMBER  
Committee on Agriculture

COMMITTEES  
Election Law  
Environmental Conservation  
Real Property Taxation  
Tourism, Parks,  
Arts and Sports Development

November 5, 2021

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

Ms. Brenda McDuffie, Chair  
New York Farm Labor Wage Board  
W.A. Harriman Campus, Building 12  
Albany, NY 12240

Ms. Roberta Reardon, Commissioner  
New York State Department of Labor  
W.A. Harriman Campus, Building 12  
Albany, NY 12240

Mr. Richard Ball, Commissioner  
New York State Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235

Dear Governor Hochul, Chairwoman McDuffie, Commissioner Reardon & Commissioner Ball,

As the Farm Labor Wage Board prepares to reconvene in the next few weeks to further evaluate and study the extent to which overtime hours for farmworkers can be lowered below sixty hours, we write to respectfully request the preservation of the current threshold.

Late last year, the Farm Labor Wage Board voted to keep the overtime threshold for farmworkers at sixty hours per week, for at least one year, in recognition of the disruptions the COVID-19 pandemic has had on the agricultural industry and the economy more broadly. While this decision was prudent, we are gravely concerned that a future reduction to the overtime limit will not only stifle the economic recovery of the industry but will severely harm our family farms as well as the very workers this measure is intended to help.

The agricultural industry in New York State is overwhelmingly composed of small, family-owned operations that are lucky to turn a profit. The impacts of fluctuating commodity prices, extreme weather events, and burdensome regulations, mean that our farmers function on slim margins (now and then unable to even take a paycheck for themselves) and do not have the financial resources to pay their employees overtime wages. Since the implementation of a 60-hour workweek, among other worker protections, many farmers have had no choice but to reduce the number of hours available for their employees. As a result, we have already witnessed seasonal workers leave the industry and migrant workers, who have labored on the same farm for years, seek employment in other States in order to maximize their earning potential.

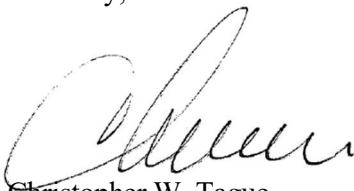
Beyond a shrinking workforce, we are also in the midst of an interrupted food supply chain crisis the likes of which is being felt in the wallets of all New Yorkers. A limited and unpredictable food supply has led to dramatic increases in prices, with grocery bills becoming a significant expense for families, and restaurants passing on the inflated costs to consumers. As fewer laborers are available to harvest crops locally, the accessibility of fresh New York State grown and processed foods diminishes, further compounding the problem. Not only does this make New Yorkers reliant on outside products and therefore more vulnerable to market volatility but it also means that too many of our neighbors will not be able to afford to put food on their tables.

Simply put, we are facing a precarious moment for the future of New York State agriculture. Despite the challenges, our farmers produce some of the healthiest and safest foods in the world and were a lifeline during the COVID-19 pandemic for so many of our neighbors who were hungry, struggling to make ends meet. At a time of renewed focus on food insecurity and developing permanent solutions to getting fresh, local products into the hands of those in need, it would be irresponsible to adopt a policy that will inhibit our farmers' ability to thrive.

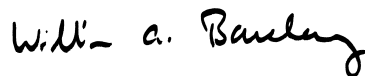
To that end, we respectfully request the Farm Labor Wage Board indefinitely postpone any further reductions, below sixty hours, to the current overtime threshold and continue to examine the financial health of New York State farms and their ability to absorb such a cost. Beyond that, we remain ready to work with the Board to ensure all farmworkers, who make it possible for us to have access to high-quality, safe, and fresh foods, are fairly compensated for the vital jobs they do.

Thank you for your consideration of our concerns and we look forward to hearing from you.

Sincerely,



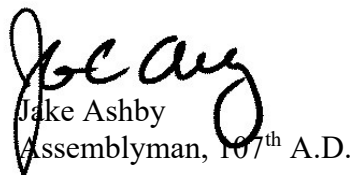
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Assemblyman, 102<sup>nd</sup> A.D.



Will Barclay  
Assembly Minority Leader



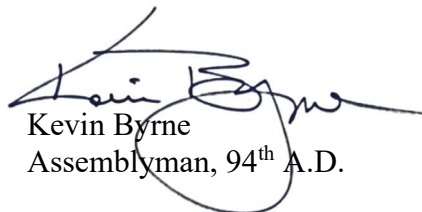
Joe Angelino  
Assemblyman, 122<sup>nd</sup> A.D.



Jake Ashby  
Assemblyman, 107<sup>th</sup> A.D.



Karl Brabenec  
Assemblyman, 98<sup>th</sup> A.D.



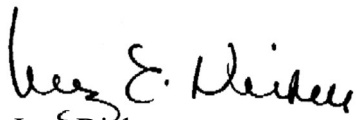
Kevin Byrne  
Assemblyman, 94<sup>th</sup> A.D.



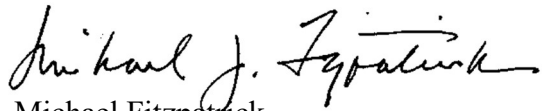
Marjorie Byrnes  
Assemblywoman, 133<sup>rd</sup> A.D.



William Colton  
Assemblyman, 47<sup>th</sup> A.D.



Inez Dickens  
Assemblywoman, 70<sup>th</sup> A.D.



Michael Fitzpatrick  
Assemblyman, 8<sup>th</sup> A.D.



Christopher Friend  
Assemblyman, 124<sup>th</sup> A.D.



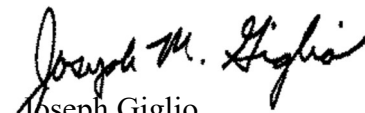
Sandy Galef  
Assemblywoman, 95<sup>th</sup> A.D.



Jeff Galahan  
Assemblyman, 131<sup>st</sup> A.D.



Jodi Giglio  
Assemblywoman, 2<sup>nd</sup> A.D.



Joseph Giglio  
Assemblyman, 148<sup>th</sup> A.D.



Andy Goodell  
Assemblyman, 150<sup>th</sup> A.D.



Steve Hawley  
Assemblyman, 139<sup>th</sup> A.D.



John Lemondes  
Assemblyman, 126<sup>th</sup> A.D.



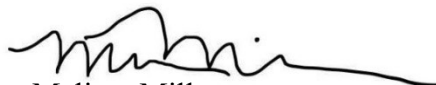
Brian Manktelow  
Assemblyman, 130<sup>th</sup> A.D.



David McDonough  
Assemblyman, 14<sup>th</sup> A.D.



Brian Miller  
Assemblyman, 101<sup>st</sup> A.D.



Melissa Miller  
Assemblywoman, 20<sup>th</sup> A.D.



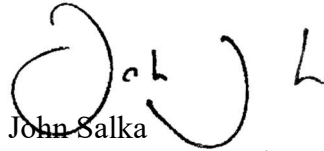
Michael Norris  
Assemblyman, 144<sup>th</sup> A.D.



Philip Palmesano  
Assemblyman, 132<sup>nd</sup> A.D.



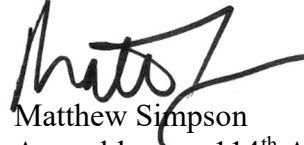
Edward Ra  
Assemblyman, 19<sup>th</sup> A.D.



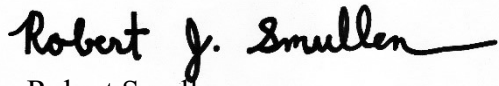
John Salka  
Assemblyman, 121<sup>st</sup> A.D.



Colin Schmitt  
Assemblyman, 99<sup>th</sup> A.D.



Matthew Simpson  
Assemblyman, 114<sup>th</sup> A.D.



Robert Smullen  
Assemblyman, 118<sup>th</sup> A.D.



Fred Thiele, Jr.  
Assemblyman, 1<sup>st</sup> A.D.