



# Monroe County Legislature

**GEORGE J. HEBERT**  
LEGISLATOR – DISTRICT 15

**ROBERT COLBY**  
LEGISLATOR – DISTRICT 20

March 7, 2022

Monroe County Legislature  
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Committee Assignment	
Memorializing Referral -L	

**Re: Memorializing Governor Kathy Hochul and the New York State Legislature to Oppose Any Decrease to the Farm Labor Overtime Threshold**

Honorable Legislators:

The Farm Laborers Wage Board has recently proposed to decrease the farm labor overtime threshold from 60 to 40 hours. While this seems innocuous, it could have a detrimental effect on New York State's largest industry. Farms are critical components of our regional economy and are necessary to ensure supermarkets are stocked with food and other products. 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. Western New York farmers face a tremendous number of challenges outside of their control including changes in consumer demand that lead to price change, obtaining labor, the environment, land management policies, foreign market competition, and livestock and crop disease. 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.

One of the more pressing issues for the farming community has been mandated overtime requirements since the 2019 Farm Laborers Fair Practice Act, which currently gives farmworkers a right to overtime after sixty (60) hours of work each week. 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 – workers depend upon these hours and wages and farmers depend upon the extra help during busy season.

Any decrease to 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. Cutting budgeted support levels and drastically increasing costs through government interference should be avoided whenever possible. Therefore, I urge Governor Hochul and the New York State Legislature to support farmers and migrant workers who do not want their hours reduced and oppose the lowering of the farm laborer overtime threshold.

Respectfully submitted,

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