

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. 2022-17-IC

RESOLUTION IN SUPPORT OF SENATE BILL S9509 TO ELIMINATE THE FARM LABORERS WAGE BOARD CREATED THROUGH THE FARM WORKERS FAIR LABOR PRACTICES ACT

Motioned by: Rochelle M. Stein (*Genesee*)

Seconded by: Gary Barnes (*Allegany*)

WHEREAS, Inter-County Association of Western New York is in full support of Senator Borrello to repeal the act Section 674-a of the labor law, relating to establishing the Farm Laborers Wage Board and urging Governor Hochul to eliminate the three-member Farm Laborers Wage Board, and

WHEREAS, the Wage Board is charged with making a recommendation on whether to reduce the current 60-hour overtime threshold for farm workers to 40 hours, and

WHEREAS, in January 2022, after numerous public hearings on the issue that included testimony from farmers, farm workers and industry stakeholders, the Wage Board recommended lowering the threshold, despite the fact that more than 70 percent of the testimony conveyed the harm that would be caused by such a change, and

WHEREAS, the Wage Board proposes four-hour decreases in the overtime threshold every other year. Farmers would pay overtime wages up front and then be reimbursed for overtime hours after the fact which it would be unlikely, hours worked over 60 hours would be covered by tax credit, and

WHEREAS, the Wage Board has just one member with an agricultural background, making it ill-equipped to render sound, informed decisions concerning New York State's critically-important agriculture industry, and

WHEREAS, data from a 2021 Cornell University study is being ignored by the Wage Board which results in findings that show lowering the threshold would economically hurt both farmers and farm workers, and

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

WHEREAS, farmers are heavily relied on to continue to produce food during shortages throughout the Country while keeping in mind, farmers and farm workers remained constant during the pandemic, and

WHEREAS, New York State farms donate the majority of produce used in food pantries and local feeding programs. These programs will suffer due to higher mandated costs of labor, making less donated produce available to Nourish NY programs, and

WHEREAS, the Inter-County Association of Western New York is urging state legislature to provide the farmers and farm workers relief from the already onerous burden the Farm Workers Fair Labor Practices Act and other existing government mandates which have placed our farms at a competitive disadvantage with neighboring states and Canada. Now, therefore, be it

RESOLVED, the 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. Be it further

RESOLVED, the Inter-County Association of Western New York urges Governor Hochul to strongly consider Senator Borrello's request of repealing the act, section 674-a of the labor law, relating to establishing the Farm Laborers Wage Board and eliminating the three-member Farm Laborers Wage Board. Furthermore, be it

BE IT FUTHER RESOLVED, that the Secretary of the Inter-County Association of Western New York shall forward copies of this resolution Governor Hochul, Senate Majority Leader Stewart-Cousins, NYS Assembly Speaker Heastie, Assemblyman Hawley, Senator Borrello, Senator Rath, NYS Labor Commissioner, NYS Agriculture and Markets Commissioner, NYS Farm Bureau, Genesee County Farm Bureau, New York State Association of Counties (NYSAC).

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 19th day of August 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 August 19, 2022.



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

Sponsored by: Genesee County, Moved by: Rochelle M. Stein (*Genesee*) and Seconded by: Gary Barnes (*Allegany*).

