

# TALKING POINTS

## 1

THE FARMWORKERS FAIR LABOR PRACTICES ACT (SENATE BILL 2837/ASSEMBLY BILL 2750) WILL PROVIDE FARMWORKERS WITH THE

1. ability to organize and advocate for themselves,
2. provide overtime pay,
3. a day of rest (if they choose to have one), and be
4. eligible for Unemployment Insurance benefits.

These are basic labor protections from which other workers in the country have benefited for decades. The passage of this Bill will right an egregious injustice that goes back to the Jim Crow period when farmworkers of color were excluded from these basic rights.

## 2

FARMWORKERS LIVE IN ALMOST EVERY COUNTY IN NEW YORK STATE

They are the backbone of a 5 billion-dollar agricultural industry. They live in western New York along Lake Ontario and Lake Erie, harvesting apples, grapes, and other fruits; in central New York planting and harvesting vegetables; in the Finger Lakes region trimming and harvesting grapes; in the Hudson Valley harvesting apples, onions, and corn; in the Champlain Valley harvesting apples; on Long Island working in nurseries and harvesting a variety of fruits and vegetables; and throughout the state toiling for New York's largest agricultural industry – dairy. They often work 60 to 70 hour weeks and still live in poverty. **We cannot maintain an unjust system that rests on the backs of farmworkers.**

## 3

THE PROBLEMS FACING SMALL FARMERS HAVE TO DO IN LARGE PART WITH THE CORPORATIZATION OF AGRICULTURE.

### 3A

Due to the lack of essential worker protections, large farms employing many farmworkers can legally exploit their employees to undercut family **farms' prices**. Basic labor protections will help level the playing field for farms that employ very few workers, or that already treat their workers fairly. By creating an agricultural economy which allows sustainable agriculture to thrive, we reject one which squeezes workers and small producers alike.

### 3B

Family farms can be big, multi-million dollar operations; not all are small and struggling. Moreover, delis, restaurants, bakeries, manufacturing plants, and other establishments are often family businesses, yet they are subject to basic labor laws.

True family farms—where the labor is performed by the family—are untouched by this Bill. In fact, they will benefit from the leveling effect described above.

### 3C

As the employment rate rises, the pressure to find workers becomes more challenging. Hand in hand with these challenges, is the reality that people with other options will avoid agricultural work as long as it fails to provide the labor protections New Yorkers have rightly come to expect while on the job.

## 4

MAJOR AGRICULTURAL INDUSTRIES IN NEW YORK STATE, SUCH AS POULTRY, DAIRY, AND NURSERIES, DO NOT INVOLVE A SINGLE HARVEST SEASON, AND UNION CONTRACTS OFTEN CONTAIN A 'NO-STRIKE' TO ADDRESS PRECISELY THIS CONCERN.

Besides, collective bargaining is not just about forming a union; it is about being able to merely *talk* about that possibility – without fear of retaliation from employers.