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**Department
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Labor Market Information

New York State's Agriculture Industry

Data Update for the Farm Laborers Wage Board Hearing

Requested Statistical Data and Other Key Information

From Commissioner's Order – Requested Data

- Agricultural employers' gross and net income as published annually by the United States Department of Agriculture (USDA)
- Employee retention rates for the industry based on Department of Labor data
- The impact of the sixty-hour overtime threshold and other worker protections implemented under the Farm Laborers Fair Labor Practices Act on employers and employees within particular sectors of New York's agricultural industry
- The impact of wage and other worker protections in other similarly situated industries in New York State
- Agricultural employees' economic security and mental and physical health as documented by occupational safety and health clinics and other organizations within NYS that provide direct services to this population

Target Data Sources

- USDA 2020 Income Statements
- NYS Wage Records
- NYS Agricultural Industry Employment and Wage Data from the Quarterly Census of Employment and Wages (QCEW)
- Previously provided qualitative data on similarly situated industries
- Testimony from experts or public comments

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Note – where we have data, the impact of the overtime threshold and worker protections on over-the-year changes cannot be isolated from other possible causative factors, such as the pandemic.

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**Agricultural employers' gross and net income as published annually by the United States
Department of Agriculture**

USDA Agriculture Industry Income Statements

New York State

- New York State's agricultural industry's net income was down 3%, dropping \$74 million from \$2.251 billion in 2019 to \$2.177 billion in 2020.
- Despite the drop, net income was still \$601 million (38%) above the 5-year average of \$1.576 billion.
- Industry income included an unusually high amount of direct government payments (\$721 million, highest on record and approximately eight times New York State's 5-year average).
- If the 2020 direct government payments had matched the 5-year average, net income would have actually dropped by \$700 million (31%).

Source: United States Department of Agriculture (USDA)

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USDA Agriculture Industry Income Statements

United States, New York and Select States

	Gross Income	Expenses	Net Income
United States	+3%	+3%	+4%
California	+2%	-3%	+20%
Hawaii	+2%	+5%	-13%
Maryland	-8%	+11%	-54%
Minnesota	+7%	-4%	+55%
New York State	+5%	+11%	-3%
Washington	+17%	+28%	-7%

Source: United States Department of Agriculture (USDA)

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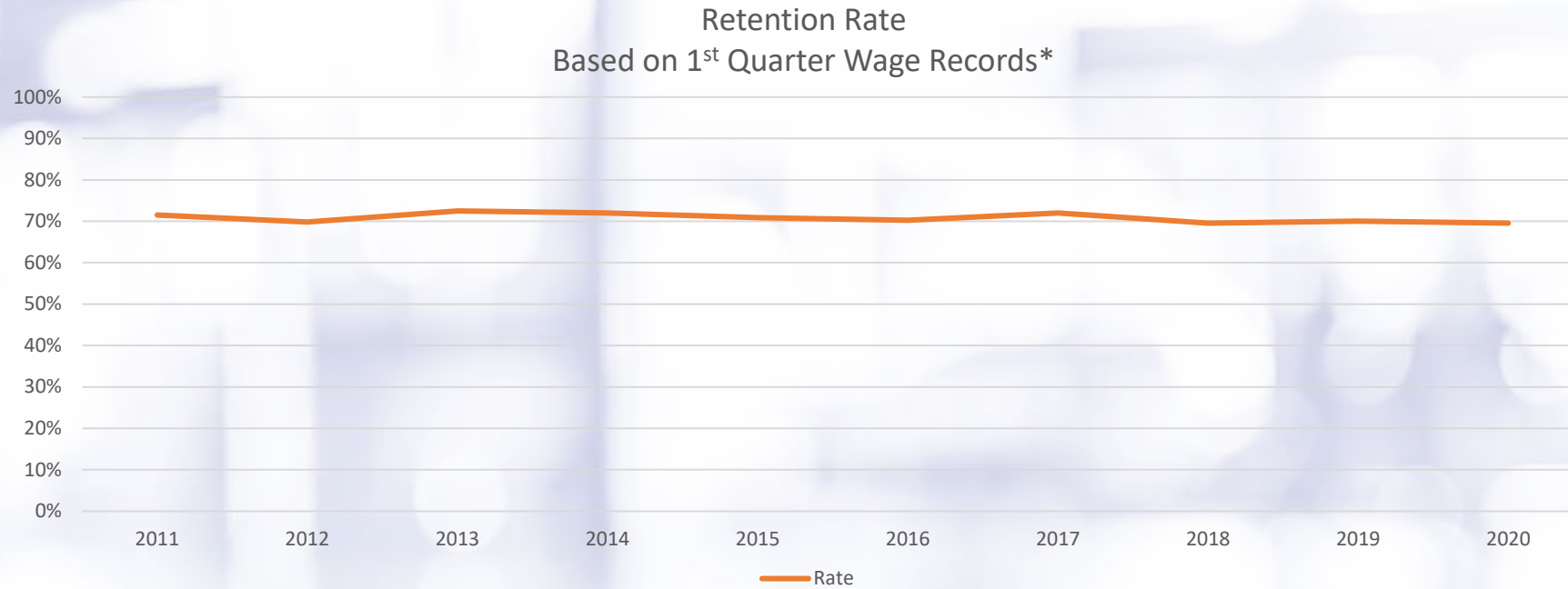
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Employee retention rates for the industry based on Department of Labor data

Retention

How many who start the year employed on a farm were still working there a year later?

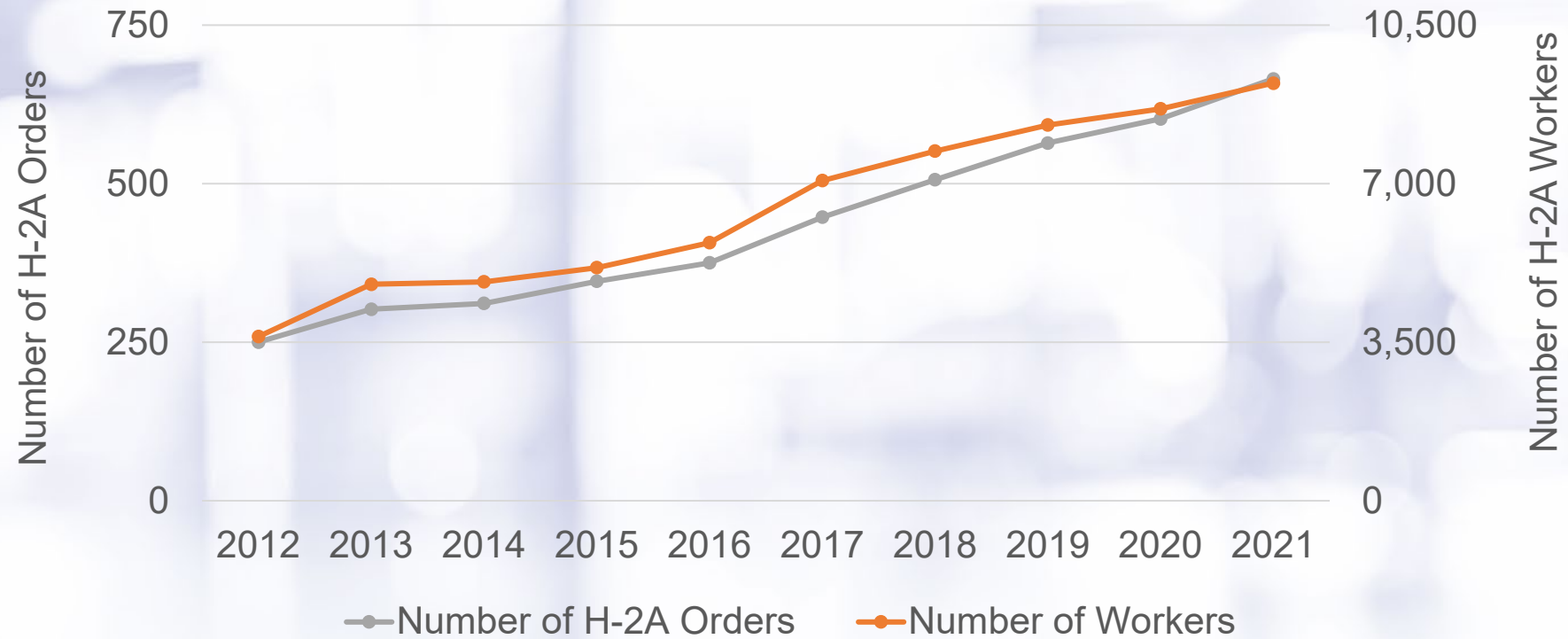


The retention rate has not varied significantly over the last decade, even in recent years.

*Seasonal nature of some work may complicate the numbers.

H-2A Visas

H-2A changes from 2012 to 2021



Source: New York State Department of Labor's Foreign Certification Unit

The number of H-2A job orders and workers has risen every year ...

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Impact of the sixty-hour overtime threshold and other worker protections implemented under the Farm Laborers Fair Labor Practices Act on employers and employees within particular sectors of New York's agricultural industry

Caveats on using Agricultural Industry QCEW and Wage Record Data

Only roughly half of farm workers are captured in the Quarterly Census of Employment and Wages and the concomitant wage records, making analysis with these records problematic.

- Only official 'employees' are captured. Many workers, including some family workers on family farms, sole proprietors, partners, and others who do not qualify for New York State unemployment insurance, are not counted.
- Furthermore, the remuneration threshold (set by NYS labor law) at which agriculture industry employers must report a wage is higher than in other industries, which means employees that may have been reported if working in other industries are not reported in Agriculture.
- The seasonal nature of some work, as well as how itinerant workers are paid (some may be independent contractors or paid by outside companies), may complicate the numbers.

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Agriculture Industry Employers

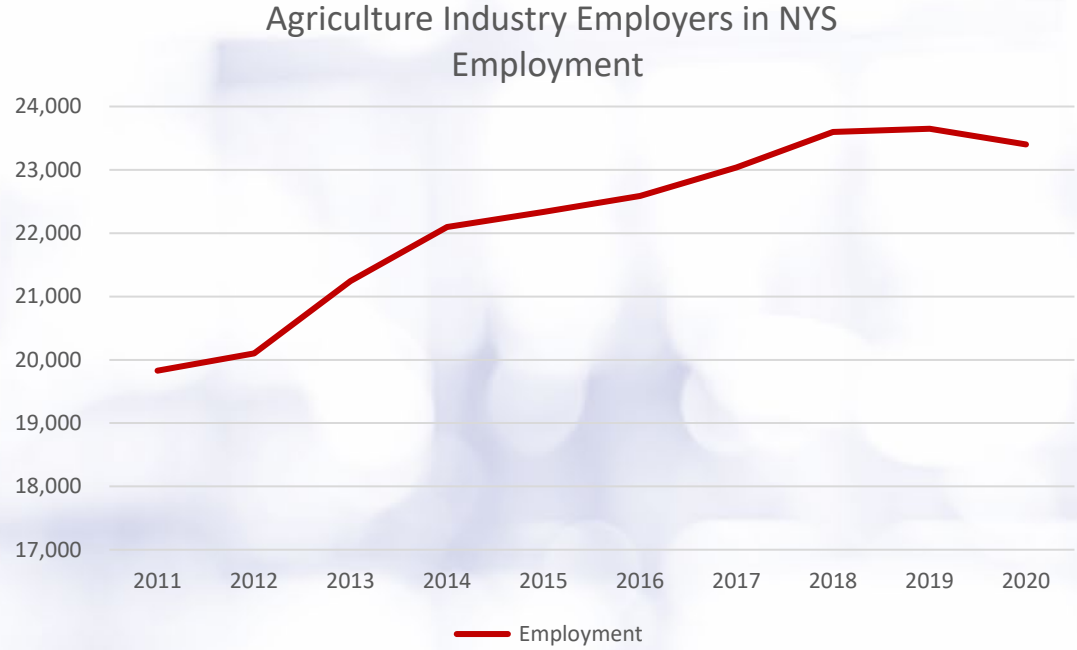
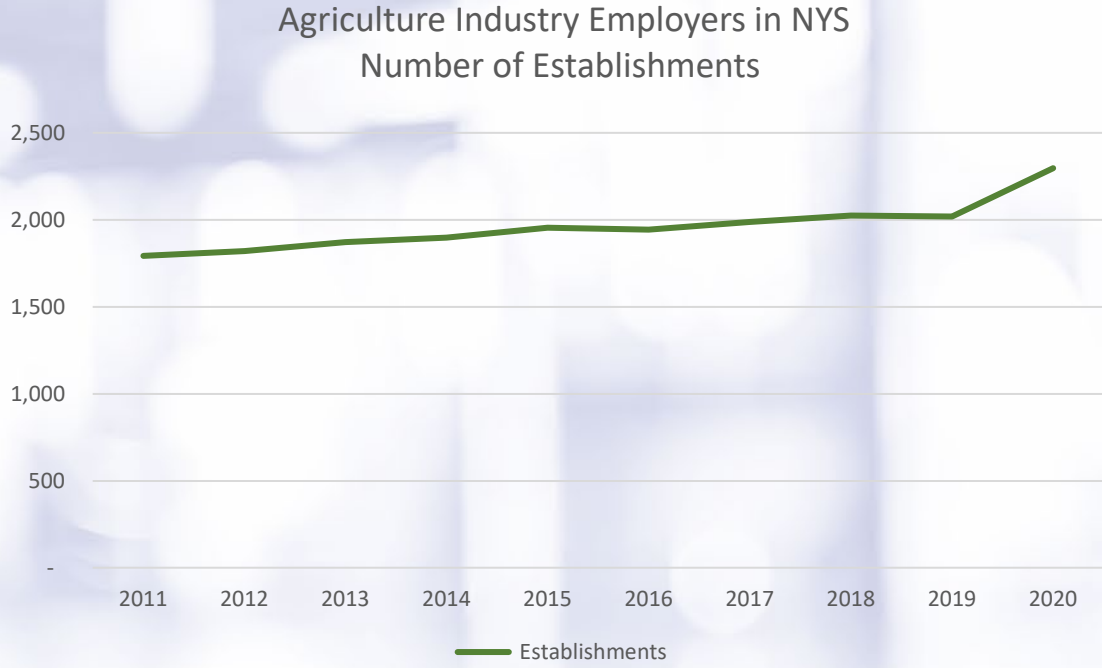
Employment and Wage Data

Year	Establishments	Employment	Total Wages	Average Wage
2011	1,794	19,829	\$572,899,014	\$28,892
2012	1,821	20,099	\$593,327,699	\$29,520
2013	1,873	21,244	\$638,231,234	\$30,043
2014	1,899	22,097	\$674,606,970	\$30,529
2015	1,955	22,334	\$713,414,164	\$31,943
2016	1,945	22,587	\$744,444,203	\$32,959
2017	1,989	23,037	\$793,349,096	\$34,438
2018	2,026	23,596	\$844,622,529	\$35,795
2019	2,019	23,648	\$890,567,166	\$37,659
2020*	2,297	23,402	\$915,889,377	\$39,137

Source: Quarter Census of Employment and Wages (QCEW), Annual Averages

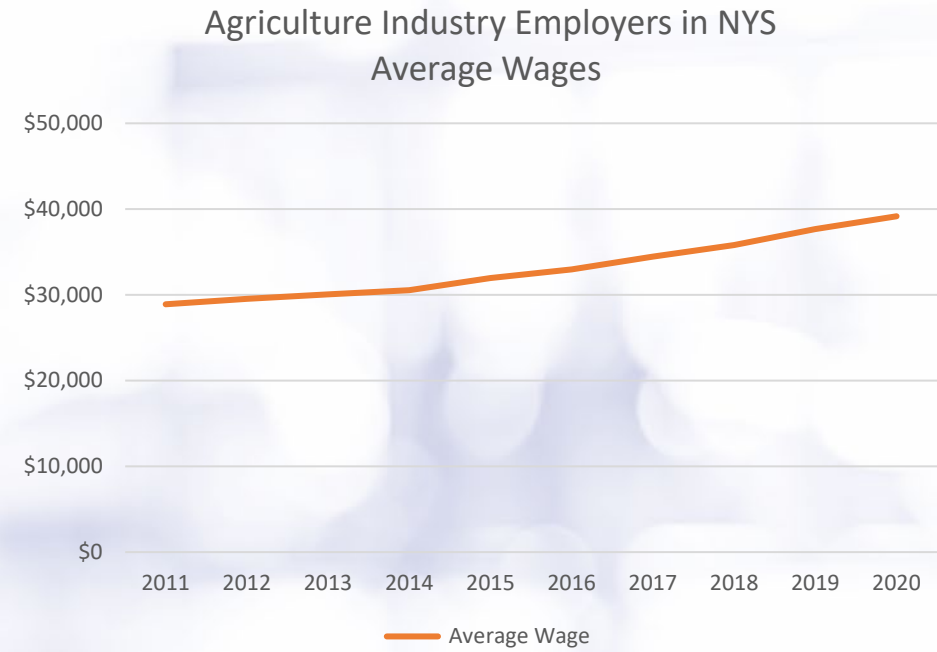
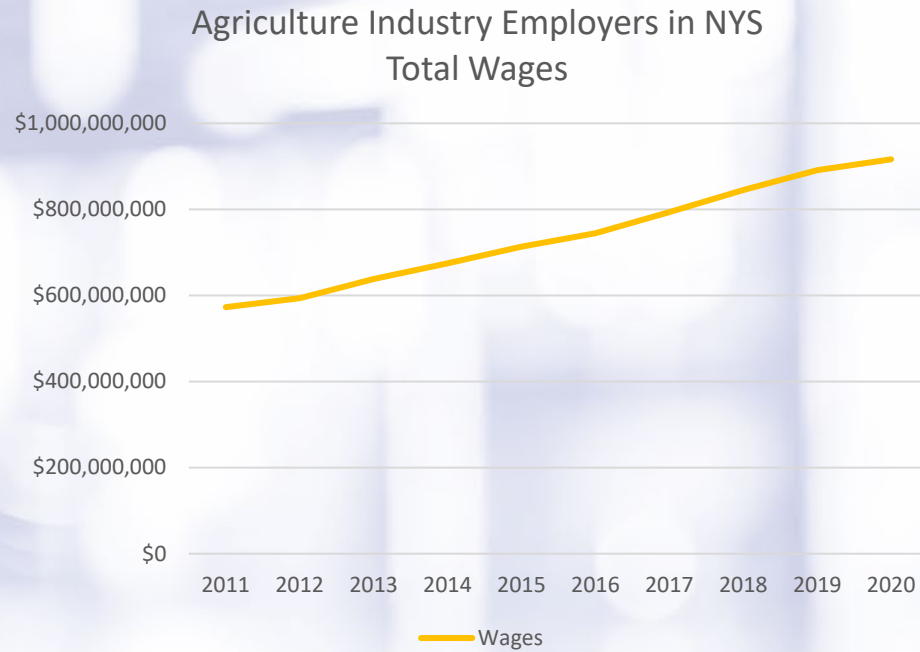
*Due to a change in labor law, more farms were included in the 2020 census and will continue to be counted in the future.

Trend in Employment



Despite the number of establishments being counted in the QCEW rising significantly in 2020 (most likely because of changes in labor law that mandated participation by more farms), employment in this group dropped.

Trend in Wages



Total wages and average wages continue to rise.

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Impact of wage and other worker protections in other similarly situated industries in New York State

Similarly Situated Industries Information Is Unchanged

There were no changes for any of the Similarly Situated Industries we examined last year.

List of Industries:

- Transportation and Warehousing
- Retail
- Golf Courses
- Landscaping
- Construction
- Hotels and Motels
- Recreational and Vacation Camps
- Zoos and Botanical Gardens
- Pet Care Services
- Veterinary Services

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Thank you

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