

WE ARE YOUR DOL



Department of Labor

PROTECTION FOR FARM WORKERS

You should know that there are federal and state laws related to employment, which provide important protections for you.

HOUSING

Places to live that you receive as part of your job must meet certain safety and health standards. If your employer gives you a place to live and you think it is not safe or sanitary, call the nearest US Department of Labor (USDOL) Wage and Hour office and explain why you believe your housing is not safe. Their toll-free number is **866-487-9243**. You can also contact the NYS Department of Health, Bureau of Community Environmental Health and Food Protection at their toll-free number **1-800-458-1158**, Ext. **27600**.

PAY

If you work on a farm, you have a right to receive a written work agreement stating the conditions of your employment in a language you understand. The information must include your rate of pay and whether you will be paid by the hour or by the piece. Your employer must follow the agreement and your pay must be at least the minimum wage. Effective January 1, 2024 overtime must be paid to you at a rate of one and a half times (1 1/2 times) your regular rate of pay for any hours worked over 56 in a calendar week.

1/1/24 - 12/31/24

New York City **\$16.00/hour**

Long Island and Westchester County **\$16.00/hour**

Remainder of New York State **\$15.00/hour**

DAY OF REST

Effective January 1, 2020 you have the right to receive at least one day (24 consecutive hours) of rest in every calendar week. You may voluntarily work during the day of rest as long as you are paid at the overtime rate.

Contact the nearest office of the NYS Department of Labor, Division of Labor Standards at **888-469-7365** if:

- You do not receive a written work agreement
- You do not receive all the pay you were promised
- Your pay is less than minimum wage
- You do not receive overtime pay
- You are denied a day of rest during the calendar week or if you are not paid the overtime rate for working on your designated day of rest

TRANSPORTATION

If you work for a Farm Labor Contractor who takes you to and from work, the vehicle you ride in must meet federal or state safety standards and the contractor must have vehicle insurance. If you believe the vehicle is not safe, contact the nearest USDOL Wage and Hour office. Their toll-free number is **866-487-9243**.

WORKING CONDITIONS

Federal and state laws require that workers be able to do their jobs in settings that do not threaten their health or well-being. If you think your working conditions are unsafe or unsanitary, contact the nearest USDOL Wage and Hour office. Their toll-free number is **866-487-9243**.

OTHER PROTECTIONS

- You have the right to be notified and receive access to Workers' Compensation coverage for injuries occurred in the work place
- If eligible, you have the right to receive Disability Benefits (DB) for an off-the-job injury or illness, and Paid Family Leave (PFL) insurance coverage to bond, care and assist your loved ones
- You have the right to receive Unemployment Insurance coverage (Note: H-2A Foreign Guest Workers are excluded from Unemployment Insurance coverage)
- You have the right to organize to form, join or assist a labor organization in pursuit for better working conditions; you also have the right to bargain collectively

COMPLAINTS

You have a right to complain to the NYS Department of Labor when:

- There is a problem with an employer about a job the Labor Department sent you to
- You feel there is something wrong with the service you received from the State Labor Department

If your complaint is about something else, the Department staff will help you find the right agency to correct the problem. Contact the NYS Department of Labor at the nearest office listed in the blue pages of your phone book, or call **888-469-7365**.