

**Order of Commissioner of Labor Roberta Reardon on the
Report and Recommendations of the 2022 Farm Laborers Wage Board**

The 2022 Farm Laborers Wage Board (the Wage Board) has fulfilled its charge. After nearly two years of study and deliberations informed by significant public input from people directly affected by farming in New York State, the majority of the Wage Board voted to advance its final report and recommendations on the overtime threshold for farm laborers on September 6, 2022.

Section 656 of the Labor Law authorizes me to accept, reject, or modify the report and recommendations of the Wage Board or to remand the matter for further consideration. I have reviewed and considered the Wage Board's report and recommendations, the record of testimony, documents, and deliberations before the Wage Board, as well as the objections and comments to the report and recommendations filed with me. I have also reviewed the minimum wage provisions of Articles 19 and 19-A of the Labor Law.

Now, in accordance with the requirements of Articles 19 and 19-A of the Labor Law, and my authority under such laws, I hereby accept the Wage Board's report and recommendations in all respects, including, but not limited to, the following matters:

I accept the factual findings of the Wage Board reflected in its report, adopt them as my own, and incorporate them fully by reference as if fully set forth in this order. I accept the analysis and consideration of factors and other considerations articulated by the Wage Board reflected in its report, adopt them as my own, and incorporate them by reference as if fully set forth in this order.

I accept each of the Wage Board's three recommendations, as further set forth below.

Recommendation 1: The overtime threshold for farm laborers, which is currently set at sixty hours, be reduced to forty hours.

I accept the Wage Board's recommendation that the overtime threshold for farm laborers, which is currently set at sixty hours, be reduced to forty hours.

Recommendation 2: The reduction of overtime threshold from sixty to forty hours be phased in over ten years with reductions of four hours on a biannual basis.


I accept the Wage Board's recommendation that the reduction of overtime threshold from sixty to forty hours be phased in over ten years with reductions of four hours on a biannual basis.

Recommendation 3: The phase-in schedule will begin on January 1, 2024, with the threshold set at 56 hours; on January 1, 2026, with the threshold set at 52 hours; on January 1, 2028, with the threshold set at 48 hours; on January 1, 2030, with the threshold set at 44 hours; on January 1, 2032, with the threshold set at 40 hours.

I accept the Wage Board's recommendation that the phase-in schedule will begin on January 1, 2024, with the threshold set at 56 hours; on January 1, 2026, with the threshold set at 52 hours; on January 1, 2028, with the threshold set at 48 hours; on January 1, 2030, with the threshold set at 44 hours; on January 1, 2032, with the threshold set at 40 hours.

CONCLUSION

This Order is hereby filed with the Secretary of the Department of Labor, to be effective 30 days after publication of a notice of such order in at least 10 newspapers of general circulation in the state.



ROBERTA REARDON

Commissioner of Labor

Dated: September 30, 2022

New York, New York