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## MEMORANDUM IN SUPPORT OF THE FARMWORKERS FAIR LABOR PRACTICES ACT

The farmworkers fair labor practices act, A. 1172-B/S.5130-A, would grant collective bargaining rights, workers' compensation and unemployment benefits, and other rights to farmworkers, and would change New York labor laws, which categorically exclude farmworkers from basic workers' rights and protections.

Among other provisions, this act would require employers of farm laborers to allow at least 24 consecutive hours of rest each week (voluntary on the part of workers); provide for an 8-hour workday for farm laborers and require an overtime rate of one-and-one-half the normal compensation; grant collective bargaining rights to farm laborers; and ensure that the sanitary code shall apply to all farm and food processing labor camps intended to house migrant workers.

New York, to its shame, has perpetuated the exclusion of farmworkers from labor rights by exempting "service on a farm" from the definition of what constitutes an "employee."

Recently, the State Legislature has addressed, in a very piecemeal approach, some of the exclusions by granting farmworkers the same minimum wage as other workers and by providing drinking water and toilets in the fields. These are but tiny, baby steps. It is long past time for New York to affirm that it is committed to the principle that all workers are entitled to dignity, respect and equal rights.

The New York State Constitution, in Article I, Section 17, declares: **"Labor of human beings is not a commodity nor an article of commerce, and shall never be so considered or construed.** This section of the Constitution goes on to state: **"Employees shall have the right to organize and to bargain collectively through representatives of their own choosing."** Passage and enactment of A. 1172-B/S. 5130-A would finally, honor our Constitution's clear statement.

Passage of this legislation is supported by a broad coalition of labor unions, religious groups, elected officials and others. Newspapers throughout the state are in editorial support of farmworker rights.

It is long past time for New York to release farmworkers from their status as second-class workers. **Interfaith IMPACT of New York State**, which represents Protestant, Reform Jewish and Unitarian Universalist congregations, clergy and other individuals across the state, urges immediate passage of A. 1172-B/S. 5130-A.

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