

Urging The New York State Legislature And Governor Of The State Of New York To Oppose Senate Bill No. S2247-B And Assembly Bill No. A1867-A To Amend The Labor Law Requiring Collective Bargaining, Overtime, Unemployment And Disability Benefits For Farm Workers

The Budget and Finance Committee (Chairman Gerentine and Legislators Bernardo, Frey, Hansut, Harris, Maio, Maloney, Gregorius, Lomita, Provenzano and Sheeley) and Co-Sponsors: The Economic Development and Tourism Committee (Chairman Maloney and Legislators Frey, Hayes, Petit, Sweeney, Terrizzi, Donaldson, Loughran and Rodriguez) offer the following:

WHEREAS, members of the New York State Legislature are proposing legislation which would amend the Labor Law for the purpose of providing collective bargaining rights to farm laborers, one day of rest each week, payment of overtime compensation and entitlement to unemployment insurance, and

WHEREAS, the New York Farm Bureau, a state organization, representing the interests of agricultural production in New York State has analyzed this legislation and finds that the bill; fails to recognize (i) present federal and state laws that regulate the rights of farm workers such as the Migrant and Agricultural Seasonal Protection Act and the Agricultural Fair Labor Stands Act, New York's minimum wage law, the New York State Sanitary House Code and the EPA and DEC Worker Protection Standards; (ii) the detrimental costs this bill would have on an already distressed farming community; and (iii) the failure to amend the Labor Law to uniformly provide for collective bargaining provisions in all industries; including but not limited to legislative employees, domestic workers and taxi cab drivers, and

WHEREAS, Agriculture is an important industry in Ulster County. The Ulster County Agricultural and Farmland Protection Board has opposed the proposed legislation. The Board noted that 2009 proved to be a test of survival for all sectors of our agricultural community. The recession, federal and state regulations and mother nature have taken their toll on the agricultural industry in New York. The New York dairy industry suffered from the lowest milk prices in years. Surrounding counties were declared an agricultural disaster area due to loss of crops from hail storms, rain, flooding and blight, and

WHEREAS, Ulster County has long recognized the value and dedication of the migrant farm workers, many of whom have been assimilated into our local communities. In New York, the Farm Worker Equity and Wage Reform Act guarantees minimum wage equal to the federal wage to farm workers. Most farmers in Ulster County provide housing for the workforce. Ulster County was one of the first counties in the nation to establish a HUD program for rehabilitating migrant

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workforce housing. Public health facilities, health education and day care programs are offered to farm workers. Local not-for-profit groups such as 4-H, the Girl Scouts and Literacy Volunteers offer programs to farm workers and their families to help them acclimate in our communities, now, therefore, be it

RESOLVED, that we, the Ulster County Legislature, hereby urge the New York State Senate, Assembly and the Governor of the Sate of New York to oppose Senate Bill No. S2247-B and Assembly Bill No. A1867-A to amend the Labor Law in relation to collective bargaining agreement right provisions, unemployment insurance and disability benefits to farm workers, and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, Senate Majority Leader Pedro Espada Jr., Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian M. Kolb, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Frank K. Skartados and the New York State Association of Counties,

and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 16 NOES: 15
(AYES: Legislators Aiello, Belfiglio, Bernardo, Fabiano, Felicello, Gerentine, Hansut, Harris, Hayes, Maio, Maloney, Petit, Roberts, Ronk, Sweeney, and Terrizzi)
(Absent: Legislators Frey and Wadnola)

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was **defeated** by said Legislature on the 20th day of April, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21st Day of April in the year Two Thousand and Ten.

Karen L. Binder, Clerk
Ulster County Legislature