

## FFLPA Talking Points—Debunking Rationalizations

Farmworkers live in almost every county in New York; they are the backbone of a 5 billion dollar industry. They live in western New York along Lake Ontario and Lake Erie harvesting apples, grapes, and other fruits; in central New York planting and harvesting vegetables; in the Finger Lakes region trimming and harvesting grapes; in the Hudson Valley harvesting apples, onions, and corn; in the Champlain Valley harvesting apples; on Long Island working in nurseries and harvesting a variety of fruits and vegetables; and throughout the state toiling for New York's largest agricultural industry: dairy. They often work 60 to 70 hour weeks and still live in poverty. **What possible justification could there be for denying farmworkers equal rights?**

- “Equal rights for farmworkers would put farmers out of business.”

In fact, the problems facing small farmers have to do in large part with the corporatization of agriculture. **Due to the lack of essential worker protections, large farms employing many farmworkers can legally exploit their employees to undercut family farms' prices.** Basic labor protections will help level the playing field for farms that employ very few workers or that already treat their workers fairly. By creating an agricultural economy which allows sustainable agriculture to thrive, we reject one which squeezes workers and small producers alike.

- “Agriculture is different; in NY it is a family business.”

‘Family farms’ can be big, multi-million dollar operations; not all are small and struggling. Moreover, delis, restaurants, bakeries, manufacturing plants, and other establishments are often family businesses, yet they are subject to basic labor laws. True family farms—where the labor is performed by the family—are untouched by this bill. In fact, they will benefit from the leveling effect described above.

- “New York farmers have a labor shortage. They need more workers willing to do hard agricultural work, not more worker protections.”

As the unemployment rate climbs, ‘labor shortage’ complaints become increasingly disingenuous. In reality, *poor working conditions* have led to a shortage in the supply of agricultural labor. Other industries that entail difficult and dangerous work developed job standards that have aided in recruitment and retention. People with other options will avoid agricultural work as long as it fails to provide the labor protections New Yorkers have rightly come to expect while on the job.

- “Freedom of association rights would be too risky for agriculture; what if farmworkers strike during harvest?”

Agriculture in California has flourished since farmworkers were granted collective bargaining protections. California has increased its share of US Farm cash receipts from 9.5% in 1960 to 13.2% in 2004. Major agricultural industries in New York such as poultry, dairy, and nurseries do not involve a single harvest season, and union contracts often contain a ‘no-strike’ to address precisely this concern. Besides, collective bargaining is not just about forming a union; it is about being able to merely *talk* about that possibility, without fear of retaliation from employers.

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NYS legislators have generously supported the agricultural industry with tax breaks and subsidies. For instance, the 2008-2009 budget included a new **\$40,000,000 additional allocation to establish an Upstate Agribusiness Fund.** Where is the parity? It is time to show some consideration for farmworkers by enacting the **Farmworkers Fair Labor Practices Act** to give farmworkers the same rights and respect as other workers.