



NYCLU

NEW YORK CIVIL LIBERTIES UNION

NY FARMWORKER FAIR LABOR HUMAN RIGHTS HEARING
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STATEMENT OF LISA ZUCKER, NYCLU

This year marks eighty years since New York passed its first comprehensive labor law to address worker exploitation, and for eighty years the men and women who do the back-breaking work of harvesting the food we eat have been excluded from the protection of this law. For eighty years, farmworkers have not had access to the rights that all other hourly workers enjoy. For eighty years, this valuable workforce has been excluded from the right to fair pay, a humane work schedule, safe working conditions, and even the right to organize and engage in collective bargaining to try to improve their situation.

How can this be? The simple answer is that, like most states, New York's labor law was modeled on the federal labor laws which were part of Franklin Roosevelt's New Deal legislation in the 1930s. At that time, in order to win support of lawmakers from the Jim Crow south, FDR had to agree to exclude from the law agricultural workers, a group made up of largely African-Americans at the time.

But it is 2018, not 1938! Today, New York farms employ between 80,000-100,000 farmworkers. The vast majority of these workers are Latino; they are the backbone of New York's massive, multi-billion dollar agricultural industry. As a primarily immigrant group, our farmworkers are especially vulnerable to poverty wage rates, wage theft and working conditions so unsafe that, in the dairy industry alone, sixty nine farm fatalities were reported between 2006 and 2015. In addition, in this moment of national concern for the rights of women in the workplace, women in the fields are among the most vulnerable to sexual assault and harassment.

Today, the New York Civil Liberties Union calls upon lawmakers and Governor Cuomo to end this shameful legacy by passing the Farmworker Fair Practices Labor Act, legislation that would restore to agricultural workers their much-deserved fair labor rights. Other states like California have passed similar legislation, yet New York remains conspicuously and disgracefully silent. The denial of fundamental workers' rights to farm laborers is not only inconsistent with the values of New York State; it is also inconsistent with international human rights principles. It is long past time that New York lawmakers acted to end this injustice.