Labor Information for
YEAR-ROUND AGRICULTURAL EMPLOYERS
2020

WE ARE YOUR DOL
Division of Immigrant Policies and Affairs
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**EFFECTIVE JANUARY 1, 2020:**

**WAGES AND OVERTIME**
All farmworkers, including Foreign Visa workers, must now be paid one and a half times the regular rate of pay for hours worked over 60 in a calendar week. For more information, please contact the NYS Department of Labor at 833-NY-FARMS (833-693-2767) or www.labor.ny.gov/FarmLabor.

**DAY OF REST**
Employers must provide at least one day (24 consecutive hours) of rest in every calendar week. The employer must designate, and notify the worker in advance of, their day of rest and, whenever possible, ensure that the day off coincides with a traditional day for religious worship. Farmworkers are permitted to voluntarily work on the day of rest, provided the employer pays them at the overtime rate. Employers must keep a weekly record of hours and days worked. For more information, please contact the NYS Department of Labor at 833-NY-FARMS (833-693-2767) or www.labor.ny.gov/FarmLabor.

**UNEMPLOYMENT INSURANCE**
Farm employers, and farm crew leaders under certain conditions, are required to provide unemployment insurance coverage for their employees. H-2A Foreign Guest Workers are excluded from unemployment insurance coverage. For more information, please contact the NYS Department of Labor at Unemployment Insurance Employer Hotline 888-899-8810.

**WORKERS’ COMPENSATION**
Farm employers, owners and operators are required to provide workers’ compensation coverage for their employees, regardless of their annual payroll, and all employers are required to post the mandatory workers’ compensation notice of compliance poster in both English and Spanish. Additionally, farm labor contractors, forepersons and supervisors who receive notice of an injury must notify the employer, owner or operator of the farm where the injury occurred, and employers are prohibited from discriminating against farm laborers who request workers’ compensation claim forms. For more information, please contact the Workers’ Compensation Board at 877-632-4996 or www.wcb.ny.gov.*

**DISABILITY INSURANCE AND PAID FAMILY LEAVE**
Farm employers, owners and operators are required to provide New York’s disability benefits (DB) and Paid Family Leave (PFL) insurance coverage to eligible farm laborers. See PaidFamilyLeave.ny.gov for information on PFL employee eligibility and opt-out waivers that employers must give to those who qualify. All employers are prohibited from discriminating against employees who request DB or PFL claim forms. For more information, please call 844-337-6303.*

*For more information and employer resources related to workers’ compensation, disability benefits and paid family leave, please see the Workers’ Compensation Board’s Toolkit for Farm Employers at www.wcb.ny.gov/farmtoolkit.

**RIGHT TO ORGANIZE**
Farmworkers possess the right to organize, which includes forming, joining, or assisting labor organizations, and the right to bargain collectively through representatives of their own choosing. This includes the right to engage in concerted activities (any activity, discussion, or meeting directed at improving terms and conditions of employment, or the group interests of employees), for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion of employers. However, farmworkers do not have the right to strike. Farmworkers are protected from retaliation, including termination, if they are speaking to each other about labor conditions and organizing. For more information, please contact the Public Employment Relations Board at 518-457-6410 or see perb.ny.gov.

**EFFECTIVE JANUARY 1, 2021:**

**MIGRANT FARMWORKER HOUSING PERMIT**
Employers are required to contact the NYS Department of Health (or local County Health Department) and apply for a permit to operate a farm or processing labor camp which will be occupied by one or more migrant workers. For information on the permitting process, please contact the NYS Department of Health at 518-402-7600. Find your county health department at: www.health.ny.gov/contact/contact_information/
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The New Law

1. What is the Farm Laborers Fair Labor Practices Act (FLFLPA)? The bill, signed on July 17, 2019 by Governor Andrew Cuomo, establishes the Farm Laborers Fair Labor Practices Act to protect farm laborer rights, ensuring safe housing and working conditions. The bill grants farm laborers overtime pay, a day of rest each week, disability and Paid Family Leave coverage, unemployment benefits and other labor protections. The bill also requires the Commissioner of Labor to convene a Wage Board.

2. When is the effective date of the FLFLPA? All provisions, except for the migrant housing permitting requirement, will be effective on January 1, 2020. The expansion of migrant housing permit requirement will be effective on January 1, 2021.

Coverage

3. Are all farms required to comply with the overtime and day of rest provisions of the FLFLPA? Yes, all farms regardless of size are covered by the Act.

4. Who is covered by the day-of-rest provision of the FLFLPA? All farm laborers are covered except for the foreman in charge (may be more than one), and members of the employer’s immediate family including a parent, child, or spouse.

5. Who is covered by the over-60 overtime provision of the FLFLPA? All farm laborers, including crew leader/chief and foremen in charge, are covered by the overtime provisions of the Act except for the members of the employer’s immediate family including a parent, child or spouse.

6. Are family members of LLCs, S-corps, C-Corps or partnerships excluded from the day of rest and overtime provisions? Yes, the immediate family members, including a parent, child or spouse, are excluded from the day of rest and overtime provisions. The immediate family members of shareholders are not excluded from the day of rest and overtime provisions.

7. Are all foreign guest workers covered by the overtime and day of rest provisions? Yes, all foreign guest workers (H-2A, J-1, TN, etc.) engaged in agricultural work are covered by the overtime and day of rest provisions. Overtime must be paid at 1 ½ times the AEWR, prevailing wage rate or contract rate.

8. Are interns or apprentices covered by FLFLPA? Interns or apprentices are farm laborers and therefore covered by FLFLPA. Under the Minimum Wage Order for Farm Workers (Part 190), for a trainee enrolled in an organized vocational education training program in agriculture under a recognized educational, nonprofit or governmental agency or authority, including but not limited to programs such as the Farm Cadet, the
Agricultural Student Work program of the New York State College of Agriculture at Cornell University and high school agricultural vocational student-work programs, provided such program is approved by the commissioner, the payment of compensation under such program shall be deemed to meet the requirements of the wage order.

**Hours of Work**

9. Are farm laborers allowed to work more than 60 hours per week? *Farm laborers may not work more than 60 hours per week unless they voluntarily agree to do so. If they do work more than 60 hours per week, then they must be paid overtime at a rate of 1 ½ times their regular rate of pay for such hours.*

10. Are farm laborers required to receive breaks or meal periods? *Meal periods are required for all farm laborers. See guidance document [LS 443](#) for more information about requirements for the length of a shift.*

11. What is a calendar week for purposes of overtime and day of rest? *For purposes of compliance with the overtime and day of rest, the term calendar week will mean an established, recurring, consecutive 7 days designated by the employer. A calendar week should not be changed from week to week.*

**Overtime Pay**

12. What is the overtime rate of pay for farm laborers who agree to work over 60 hours per calendar week? *The overtime rate of pay is 1 ½ times the regular rate of pay.*

13. What hours must be counted to calculate regular and overtime rate of pay? *You must use all hours worked in the employer’s calendar week. You do not need to count hours of rest or bona fide meal periods as hours worked.*

14. How is the regular hourly rate of pay calculated for workers who are paid per piece or by salary? *Farm Laborers must be paid 1½ times their regular rate of pay for all overtime hours worked. The regular rate of pay cannot be less than the minimum wage. An employee’s regular rate is the amount that the farm laborer is regularly paid for each hour of work. When a farm laborer is paid on a non-hourly basis (e.g. piece work, salary), the regular hourly wage rate is found by dividing the total hours worked during the week into the farm laborer's total earnings. Where a farm laborer has multiple rates of pay, the regular rate is the weighted average of the laborer’s multiple rates of pay for the week based on the number of hours worked at each rate. The weighted average is the total regular pay divided by the total hours worked in the week. The overtime rate may vary from week to week depending on how many hours the farm laborer worked at each rate of pay. Certain payments are not part of the regular rate. They include: ★ Pay for expenses incurred on the employer's behalf ★ Premium*
payments for overtime work  ❧ True premiums paid for work on Saturdays, Sundays, and holidays  ❧ Discretionary bonuses  ❧ Gifts  ❧ Payments in the nature of gifts on special occasions  ❧ Payments for occasional periods when no work is performed due to vacation, holidays, or illness.

15. Can an employer take credit for fringe benefits, such as paid sick leave, or discretionary bonuses toward my overtime payment obligation? Except for holiday pay and weekend shift differentials, fringe benefits and discretionary benefits are not allowed to offset overtime wages owed.

16. Can an employer take an allowance, or a credit for meals and/or lodging if the farm laborer earns more than the Minimum Wage? No. Allowances are considered part of the Minimum Wage obligation and may not be taken if the farm laborer earns more than the Minimum Wage. For farm laborers earning the minimum wage, allowances or credits may be taken for adequate meals and lodging provided. There are limits to the allowances permitted per day or week. For more information on allowances see CR190. Please remember allowances for utilities and lodging are not allowed for migrant farm laborers.

17. Is an employer required to pay overtime to a farm laborer who works over 60 hours in a calendar week while working for two different employers on a joint H-2A order? The H-2A worker is entitled to overtime when the total hours worked exceed 60 in a calendar week. H-2A foreign guest workers and domestic farm laborers employed under the joint H-2A job order agree to work for both employers for the number of days and hours detailed in the contract. Joint employers agree to adhere to the terms and conditions of the certified job order and are jointly liable for any violations.

18. Does an employer still have to pay overtime to farm laborers who process other farms’ food after 40 hours? Yes. Employees whose work includes processing, handling, or packaging other farms agricultural products are covered by the Miscellaneous Wage Order for that work and must be paid overtime after 40 hours worked in a week.

19. When must an employer pay overtime to a farm laborer who process the produce from their own farm? The employer must pay overtime after 60 hours worked in the calendar week, or if they work on their day of rest.

20. Does an employer have to pay overtime to farm laborers who work on their day of rest? Yes. Employees who voluntarily agree to work on their day of rest must be paid time and ½ the regular rate for the hours worked on that day, even if they have not worked more than 60 hours in that calendar week.

21. Does a farm laborer have to be paid “double-overtime” if they have already worked over 60 hours and they agree to work on their day of rest? If farm laborers work more than 60 hours in a calendar week, they must be compensated at 1½ times their regular rate for hours worked (“standard OT”). Farm Laborers are also entitled to
the OT rate (“premium OT”) for any hours voluntarily worked during their day of rest. However, no additional payment of premium OT is required if the worker’s hours has already exceeded 60 hours for the calendar week.

22. When does an employer have to pay earned overtime wages? Farm laborers, as manual workers, must be paid wages within 7 days from the end of the payroll week in which they are earned.

23. Can a farm laborer bank overtime pay to collect a lump payment at the end of the season? No. All wages, including overtime wages, must be paid within 7 days from the end of the payroll week in which they are earned.

24. Can a farm laborer take time off instead of being paid overtime? A farm laborer may not take (or bank) time, often referred to as compensatory (“comp”) time off, instead of being paid overtime wages.

25. When is an employer required to pay overtime to farm laborer that works in the field and in the employer’s cafe? Restaurant work is covered by the Hospitality Industry Wage Order and therefore, the employer must pay overtime after 40 hours per week at 1½ times the regular rate of pay. Restaurant work must be paid an at hourly rate.

26. How does the employer calculate the regular rate if allowances toward the Minimum Wage for housing or meals are taken? The regular rate and overtime rates are calculated before allowances are taken.

27. Are production bonuses, like a milk quality bonus, included in the regular rate calculation for overtime purposes? It depends on whether the bonus is discretionary or non-discretionary. Non-discretionary bonuses must be factored into the regular rate calculation for overtime purposes.

Day of Rest

28. How often does a farm laborer need to receive a day of rest? A farm laborer must receive one 24 consecutive hours of rest once per calendar week.

29. Does the employer have to schedule a farm laborer’s day of rest in advance? The law does not require that the day of rest be scheduled in advance. The day of rest can be designated and recurring, or it can vary, and should occur at the latest on the 7th day of the calendar week.

30. Can a farm laborer waive their day of rest? No, an employee may not waive their day of rest, but an employee may voluntarily agree to work on their day of rest and must be paid overtime for doing so.
31. Is an employer required to document a day of rest was provided? Yes, employers must keep records of daily and weekly hours worked.

32. Is an employer required to document that a farm laborer voluntarily agreed to work on their day of rest? The law does not require a record for this specific purpose, but an employer should document that an employee voluntarily agreed to work on their day of rest so overtime wages may be paid accordingly for that pay period.

33. If work cannot take place due to weather or other circumstances, does that count as a day of rest? Yes, 24 consecutive hours of rest due to weather or other circumstances may count as a weekly day of rest.

34. Can an employer provide a day of rest in increments, or part days? No, the day of rest must be 24 consecutive hours of rest in a calendar week.

35. Can a farm employer apply for a variance from the day of rest provision? Yes, an employer may apply for a variance by completing the LS 137. But the employer must pay the overtime rate for hours worked on the seventh day.

**Employer Record Keeping Requirements**

36. What type of payroll and time records am I required to keep? The Record keeping requirements in the Labor Law remain the same. Employers must keep true and accurate and contemporaneous time records of daily and weekly hours worked, and payroll records showing rate of pay, gross wages, legal deductions, allowance and net wages for 6 years.

37. What new payroll records do I need to keep as a result of the FLFLPA? The provisions of Article 6 and/or Part 190 apply to Farms. No new record keeping requirements have resulted from the FLFLPA.

38. Does the employer need to provide a new pay notice to farm laborers? Yes. Employers must provide the LS309 to farm laborers which explains they are entitled to a day of rest and overtime pay.

39. Does the employer need to provide different information on the farm laborer’s pay stub (wage statement)? The requirements remain the same under the law.

**Wage Board**

40. What does a Wage Board do? Wage boards bring together workers, businesses, other stakeholders, and the public to consider minimum workplace standards across industries.
41. Who will be on the Wage Board? The Wage Board will consist of 3 individuals: one representative of the NY Farm Bureau, one representative of state AFL-CIO, and one representative (the Chairperson) chosen by the Commissioner of Labor.

42. When will the Wage Board meet? The Wage Board will conduct public hearings within 45 days of members’ appointment and hold its first hearing no later than March 1, 2020. The Wage Board must make a report to the Governor and Legislature including its recommendations no later than December 31, 2020.

43. What kind of changes can the Wage Board recommend? The Wage Board will consider overtime rates and thresholds. The Board’s overall recommendations cannot decrease protections or benefits for workers.

Enforcement

44. When will enforcement of the FLFLPA begin? Employers are required to be in compliance with the all provisions of the FLFLPA starting on January 1, 2020. Employers are required to be in compliance with the migrant housing permit requirements on January 1, 2021.

45. Are there penalties for failing to comply with the provisions of the FLFLPA? Yes. Violations for failure to pay the Minimum Wage, agreed wages, or failure to keep required records have always been subject to civil penalties.

46. Will an employer have to pay back wages if found to be in violation of the overtime rules? Yes, the Department of Labor calculates wages due and recovers and returns wages to underpaid workers.

Grower Processor, Farm Labor Contractor and Camp Commissary Registration

47. Have farm labor contractor, grower processor, or commissary registration requirements changed? No, registration requirements remain the same.

Insurance

48. Do employers need unemployment insurance? As of January 1, 2020, farm employers are required to register for unemployment insurance when you have paid at least $300.00 in quarterly wages or have purchased the business of another liable employer. This also applies to certified crew leaders who employ agricultural workers.

49. How does an employer register for unemployment insurance? Go to https://labor.ny.gov/ui/employer.shtm for general information and download form NYS100-A (NYS Employer Registration Form for Unemployment Insurance, Withholding Tax and Wage Reporting), at
https://www.labor.ny.gov/formsdocs/ui/nys100aq.pdf, which can then be faxed to (518) 485-8010. Once you apply, you will be notified of your Employer Registration number in 3-4 weeks. For questions, call the UI Employer Hotline at 888-899-8810.

More Information

50. Where can I find more information? For information on updates to the labor law, please call 1-833-693-2767 (833-NY-FARMS), or visit www.labor.ny.gov/FarmLabor.

51. Where can I find more information on Workers Compensation, Disability and Paid Family Leave? For questions about Workers Compensation and Disability, please call 877-632-4996. For Paid Family Leave questions, please call 844-337-6303. You can also find more information at www.wcb.ny.gov/farmtoolkit/

52. Where can I find more information on unions? For questions about unions, please call 518-457-6410 or visit https://www.perb.ny.gov/resources-for-farm-laborers-and-agricultural-employers/
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### REAL ID
- Accepted for boarding a domestic flight or entering a federal building
- No additional fee
- Qualifications: proof of social security, proof of citizenship or lawful status, 2 proofs of residency, and 6 points of proof of name.

### ENHANCED
- Accepted for boarding a domestic flight or entering a federal building
- Accepted at U.S. Land/Sea Border Crossings
- Available to U.S. Citizens only
- Additional $30 fee
- Qualifications: proof of social security, proof of citizenship, 2 proofs of residency, and 6 points of proof of name.

### STANDARD
- Not accepted for boarding a domestic flight or entering a federal building
- Not federally recognized form of identification
- No additional fee
- Qualifications: proof of date of birth, 1 proof of residency, and 5 points of proof of name. (For CDL & Non-Driver ID requirements, see page 4)

For more information about REAL ID or Enhanced, you may visit dmv.ny.gov/realid

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**NOTE:**
- You must provide original documents or documents that are certified by the issuing agency.
- Unless specifically noted, DMV does not accept expired documents.

#### A) You must provide one (1) item regarding Social Security from below. Mark the Proof of Name points for the proof selected.

<table>
<thead>
<tr>
<th>Document</th>
<th>Proof of Name Points Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Social Security Card</td>
<td>2</td>
</tr>
<tr>
<td>Social Security Ineligibility Letter (see requirements on Page 3 for more information)</td>
<td>0</td>
</tr>
<tr>
<td>Affidavit of never having been issued a social security number (NSS-1)**</td>
<td>0</td>
</tr>
<tr>
<td>Social Security Number without the card (Number must be printed on MV-44)**</td>
<td>0</td>
</tr>
</tbody>
</table>

#### B) You must provide one (1) proof of Date of Birth, U.S. Citizenship, or Lawful Status from below. Mark the Proof of Name points for the proof selected.

<table>
<thead>
<tr>
<th>Document</th>
<th>Proof of Name Points Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Passport or Passport Card</td>
<td>4</td>
</tr>
<tr>
<td>Certificate of Naturalization or Citizenship (N-550, N-560, N-561, and N-570)</td>
<td>3</td>
</tr>
<tr>
<td>U.S. Birth Certificate (issued by a state or local government)</td>
<td>0</td>
</tr>
<tr>
<td>Foreign Birth Certificate (issued by government entity)**</td>
<td>0</td>
</tr>
<tr>
<td>Original or certified copy of U.S. Consular Report of Birth Abroad (FS-240, DS-1350, F-545)</td>
<td>0</td>
</tr>
<tr>
<td>Foreign Passport (see Foreign Passport requirements on Page 3 for more information) *</td>
<td>4</td>
</tr>
<tr>
<td>Unexpired Permanent Resident Card I-551 *</td>
<td>3</td>
</tr>
<tr>
<td>Expired Permanent Resident Card (expired no longer than 2 years)**</td>
<td>2</td>
</tr>
<tr>
<td>Employment Authorization Card (I-688B or I-766) with photo accompanied by documentation approved by Department of Homeland Security (e.g., I-797) that specifically states valid U.S. lawful status as defined by 6 C.F.R. 373 *</td>
<td>3</td>
</tr>
<tr>
<td>Employment Authorization Card (I-688B or I-766) with photo, issued by Immigration &amp; Naturalization Service/Department of Homeland Security (must be valid)**</td>
<td>3</td>
</tr>
<tr>
<td>Expired Employment Authorization Card (I-688B or I-766) with photo, issued by Immigration &amp; Naturalization Service/Department of Homeland Security (expired no longer than 2 years)**</td>
<td>2</td>
</tr>
<tr>
<td>St. Regis Mohawk Tribal Photo ID Card **</td>
<td>2</td>
</tr>
<tr>
<td>Tribal Birth Certificate from a Federally recognized tribe, proving birth in the U.S. **</td>
<td>0</td>
</tr>
<tr>
<td>Consular ID document **</td>
<td>4</td>
</tr>
<tr>
<td>Foreign Driver License with Photo. Must be current or expired no longer than 2 years. **</td>
<td>4</td>
</tr>
<tr>
<td>Border Crossing Card **</td>
<td>3</td>
</tr>
<tr>
<td>Photo Driver License/Learner Permit/Non-Driver ID card issued by another U.S. state, jurisdiction or possession, or Canadian province or territory. Must be current or expired no longer than 2 years. **</td>
<td>4</td>
</tr>
</tbody>
</table>

*Not usable for an Enhanced Document
** Not usable for an Enhanced or REAL ID Document

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Add the Proof of Name points you marked in Sections A & B together

- If you have at least 6 points, use Section C to meet the residency requirements for the document you are applying for.
- If your total is less than 6 points, you must provide additional proofs from Section C to bring your total to 6 points or more, which must include the residency proofs required for the documents you are applying for.
### C) Proof of New York State Residence and Additional Proofs of Name

You must provide either 2 proofs of residency for an Enhanced or REAL ID document, or 1 proof of residency for a Standard License or Permit.

<table>
<thead>
<tr>
<th>Document Description</th>
<th>New York State Residence Proof</th>
<th>Proof of Name Point Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York State Driver License/Permit/Non-Driver ID Card. Must be current or not expired for more than 2 years.</td>
<td>YES</td>
<td>6</td>
</tr>
<tr>
<td>DMV Statement of Identity and/or Residence by Parent/Guardian (MV-45) IF UNDER AGE 21</td>
<td>YES</td>
<td>4</td>
</tr>
<tr>
<td>DMV Statement of Identity and/or Residence (MV-45A) - For Applicants Represented by Government or Government Approved Facilities</td>
<td>YES</td>
<td>4</td>
</tr>
<tr>
<td>DMV Statement of Identity (MV-45B) - For applicants who can be considered a disenfranchised, homeless youth**</td>
<td>YES</td>
<td>4</td>
</tr>
<tr>
<td>New York State Certificate of Title</td>
<td>YES</td>
<td>2</td>
</tr>
<tr>
<td>New York State Professional License</td>
<td>YES</td>
<td>2</td>
</tr>
<tr>
<td>New York State/NYC Pistol Permit</td>
<td>YES</td>
<td>2</td>
</tr>
<tr>
<td>U.S. High School Photo ID Card with Report Card or Official Transcript</td>
<td>YES (if issued within 1 year)</td>
<td>2</td>
</tr>
<tr>
<td>U.S. College Photo ID Card and Official Transcript</td>
<td>YES (if issued within 1 year)</td>
<td>2</td>
</tr>
<tr>
<td>Bank Statement</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>Cancelled Check</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Computer Printed Pay Stub</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Municipal ID Card with photo</td>
<td>YES</td>
<td>1</td>
</tr>
<tr>
<td>Life Insurance Policy or Current Statement (in effect at least 2 years)</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>Utility Bill</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>Federal or New York State Income Tax W-2</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>IRS Tax Transcript or Individual Taxpayer Identification Number Issuance Letter **</td>
<td>YES (if issued within 1 year)</td>
<td>1</td>
</tr>
<tr>
<td>Annual Social Security Statement (SSA-1099)</td>
<td>YES (Current year)</td>
<td>1</td>
</tr>
<tr>
<td>Federal or New York State Income Tax or Earning Statement (SSA-1099, SSA-1098)</td>
<td>YES (Current year)</td>
<td>0</td>
</tr>
<tr>
<td>DMV Certificate of Residence (MV-44NYR)**</td>
<td>YES</td>
<td>0</td>
</tr>
<tr>
<td>Assisted Living or Nursing Home Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Credit Card Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Current proof of Homeowners/Renters Insurance (Policy, Proof of Claim)</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Jury Duty Notice</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Medical Examiner’s Certificate with New York State address and signature (for CDL medical exam required)</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Military Orders that are still in effect</td>
<td>YES</td>
<td>0</td>
</tr>
<tr>
<td>Postmarked mail</td>
<td>YES (if postmarked within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Proof of Current Mortgage</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Property Deed</td>
<td>YES</td>
<td>0</td>
</tr>
<tr>
<td>Property or School Tax Bills or Receipts for current year (must reflect current address on mailing portion and portion stating what property is being taxed)</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Residential Lease</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Retirement Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Selective Service Card</td>
<td>YES</td>
<td>0</td>
</tr>
<tr>
<td>Supplemental Security Income Award Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Unemployment Benefit Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Voter Registration Notification Card</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Welfare Benefit Statement</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>Parent/Spouse ID (in the same last name or with proof of relationship)</td>
<td>YES (if issued within 1 year)</td>
<td>0</td>
</tr>
<tr>
<td>U.S. Military Photo ID Card (issued to active, reserve, and retired military personnel only)</td>
<td>NO</td>
<td>3</td>
</tr>
<tr>
<td>Reentry Permit (I-327)</td>
<td>NO</td>
<td>3</td>
</tr>
<tr>
<td>Refugee Travel Document (I-571)</td>
<td>NO</td>
<td>3</td>
</tr>
<tr>
<td>New York State Benefit/Medicaid Card with photo</td>
<td>NO</td>
<td>3</td>
</tr>
<tr>
<td>New York State Interim License/Permit/Non-Driver ID, without photo</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>New York State Registration Document (Vehicle or Boat only)</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>Photo Driver License/Learner Permit/Non-Driver ID card issued by another U.S. state, jurisdiction or possession, or Canadian province or territory. Must be current or expired no longer than two years.</td>
<td>NO</td>
<td>4</td>
</tr>
</tbody>
</table>
C) Proof of New York State Residence and Additional Proofs of Name (continued)

You must provide either 2 proofs of residency for an Enhanced or REAL ID document, or 1 proof of residency for a Standard License or Permit.

<table>
<thead>
<tr>
<th>Current address must appear pre-printed on the document to be used as a Residence Proof (P.O. Box is not acceptable). Electronic statements and e-bills must be printed. Only one of each proof can be accepted. Mark the box to track the documents you plan to bring to the DMV office.</th>
<th>New York State Residence Proof</th>
<th>Proof of Name Point Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Marriage or Divorce Record issued by a state or local government OR Court Issued Name Change Decree **</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>Foreign Marriage or Divorce Record (issued by government entity) OR Court Issued Name Change Decree **</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>U.S. Military Dependent ID</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>New York State Benefit/Medicaid Card WITHOUT Photo</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>Cash Card (ATM) (must have signature and pre-printed name)</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>Valid Major Credit Card</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Employee ID Card</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>U.S. High School Diploma OR GED</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Supermarket Check Cashing Card (must have signature and pre-printed name)</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Union Card</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>Veterans Universal Access Photo ID Card</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>Health Insurance Card/Prescription Card to show current proof of health insurance coverage</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Court Document with the applicant named as a party **</td>
<td>NO</td>
<td>1</td>
</tr>
<tr>
<td>Foreign school report card/record with photo **</td>
<td>NO</td>
<td>2</td>
</tr>
<tr>
<td>Foreign school report card/record without photo **</td>
<td>NO</td>
<td>1</td>
</tr>
</tbody>
</table>

* Not usable for an Enhanced Document  ** Not usable for an Enhanced or REAL ID Document  *** Not usable for a Standard Document

Add the Proof of Name points you marked In Sections A, B & C together (must total at least 6 points)

<table>
<thead>
<tr>
<th>ALL APPLICANTS MUST:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Complete Application for Permit, Driver License or Non-Driver ID Card (form MV-44).</td>
</tr>
<tr>
<td>2. Present required proofs of identification. You may visit the New York State DMV's online document guide at dmv.ny.gov/DocumentGuide. OR refer to the tables on pages 2 &amp; 3 for acceptable proofs.</td>
</tr>
<tr>
<td>3. License and Learner Permit applicants must pass a Vision Test.</td>
</tr>
<tr>
<td>4. Pay fees. You can pay with credit card, cash, or check or money order, payable to &quot;Commissioner of Motor Vehicles&quot;.</td>
</tr>
</tbody>
</table>

GENERAL REQUIREMENTS:
- Social Security Ineligibility (Standard and REAL ID only):
  - If you are not eligible to have a Social Security Number, you must provide a letter from the Social Security Administration (SSA) dated within 30 days of your office visit stating you are not eligible for a Social Security Number. You must also show the Department of Homeland Security documentation that was issued by the SSA to determine you are not eligible.
  - For information on how to obtain a duplicate card or for your local SSA office address, go to www.ssa.gov
- Foreign Language Documents:
  - Documents in a foreign language must be accompanied by a certified English translation in order to be accepted.

REQUIREMENTS FOR ENHANCED & REAL ID:
- Full Legal Name:
  - The combination of your full legal name - first, middle (if applicable), last and suffix (if applicable). This full name will appear on your card.
  - If your name has changed due to marriage, divorce, or legal name change, you must bring original or certified copies documenting the change (marriage certificate, divorce decree, court issued documents). If your name has changed multiple times, you must bring multiple documents that link all names.
- Foreign Passport:
  - If you are submitting a foreign passport as proof of lawful status, you must have either:
    - a valid Visa and an I-94 issued by Immigration & Naturalization Service/Department of Homeland Security or Stamp Issued by Customs & Border Patrol
    - a valid I-551 stamp - Type of Lawful Status determined by Department of Homeland Security verification
    - a valid I-551 statement on the Visa - Type of Lawful Status determined by Department of Homeland Security verification
  - A foreign passport without accompanying documentation can be used as Proof of Date of Birth. It will NOT be accepted as proof of lawful status and cannot be used for an Enhanced or REAL ID document.
- Current New York State Address:
  - Each document must show your current address in New York State.
  - An address with a P.O. box is not acceptable.
  - Your current address will appear on your REAL ID or Enhanced document.
- Temporary Lawful Status:
  - If you have temporary lawful status, be prepared to show current documentation.
- Additional Social Security Card Options:
  - If you have a valid New York State Photo Document, you may submit one of the following documents instead of your Social Security Card. The document must display your full Social Security Number. The documents below are acceptable for this purpose, regardless of issuance date.
    - Federal or New York State Income Tax W-2
    - Annual Social Security Statement (SSA-1099)
    - Federal or New York State Income Tax or Earning Statement (SSA-1099)
TO APPLY FOR A:

Learner Permit - Class D (Operator) or M (Motorcycle):
• You must pass a written test and a vision test. The driver manual and practice exams are available on our website at dmv.ny.gov
• You must be at least age 16 to apply for a learner permit or driver license. Parental consent is required if you are age 16 or 17, unless you are age 17 and have a Driver Education Certificate of Completion (form MV-285).
• New drivers receive a permit that can be valid for more than one year. If you have temporary lawful status and are applying for a REAL ID, you will receive a document that expires no later than the expiration date on the temporary lawful status document.

Non-Driver ID Card:
• You must provide proof of citizenship or lawful status.
• For a Standard document, proof of residency is not required.
• There is no age restriction to obtain a non-driver ID card, however if you are under age 16, parental consent is required.
• If you are a Supplemental Security Income (SSI) recipient, please bring documentation with you to the office.

New York State license by transferring an out-of-state license:
• The written and road test may be waived if you hold a Driver License issued by another U.S. State, U.S. jurisdiction, Canadian Province, or Canadian Territory that has been in effect for 6 Months and is not expired more than 2 Years.
• If the issue date on your license is within the past 6 months, you must obtain a certified copy of your driving record to show you have had a license for more than 6 months.
• New York State will retain your out-of-state license.
• Parental Consent is required if you are under 18 years old.

TO UPGRADE A:

DJ or MJ license to a D or M license:
• If you are age 17, bring your Driver Education Certificate of Completion (form MV-285). If you are age 18, you do not need to visit an office, a document will automatically be mailed to you.

Higher class license or add a license class:
• To upgrade to a Class E license you must pay an additional license fee.
• To obtain a Class A, B, or C license you must pass the General Knowledge CDL written test and you may be required to pass a CDL Endorsement written test. Class A and B licenses also require a learner permit and a skills test. You will have to prove lawful status and proof of New York state residence.
• You may submit an Employment Authorization Card (I-688B or I-766) as proof of lawful status when applying for a Standard Commercial Driver License.
• If you apply for a Farm Endorsement (F or G) or a Tow Truck Endorsement (M) you will be issued a Class C license.
• You may submit a New York State Photo Document Renewal Invitation (MV-2) as proof of residence when applying for a Standard Commercial Driver License.

TO AMEND A:

Name on your existing New York State photo document:
• You must present an original U.S. marriage or U.S. divorce record or certified copy of court issued name change decree in your new name.

Other item on your existing New York State photo document:
• For additional amendment options you may visit https://dmv.ny.gov/amend

TO REPLACE A:

Lost, mutilated, or stolen New York State photo document:
• DMV recommends reporting stolen documents to local law enforcement before applying for a replacement document. If you report stolen documents to the police prior to visiting the office, be sure to bring a copy of your police report.

<table>
<thead>
<tr>
<th>TRANSACTION TYPE</th>
<th>Total will not be more than</th>
</tr>
</thead>
<tbody>
<tr>
<td>Learner Permit (Class DJ/D or MJ/M)</td>
<td>$136.00</td>
</tr>
<tr>
<td>License (Class D or M)</td>
<td>$98.50</td>
</tr>
<tr>
<td>License (CDL or Class E)</td>
<td>$180.50</td>
</tr>
<tr>
<td>Non-Driver ID Card</td>
<td>$13.00</td>
</tr>
<tr>
<td>Non-Driver ID Card [Supplemental Security Income (SSI) Recipient]</td>
<td>$6.50</td>
</tr>
<tr>
<td>Upgrade to a Higher License (CDL or Class E)</td>
<td>$153.00*</td>
</tr>
<tr>
<td>Replacement License/Permit</td>
<td>$17.50</td>
</tr>
<tr>
<td>Replacement Non-Driver ID Card</td>
<td>$8.00</td>
</tr>
<tr>
<td>Replacement Non-Driver ID Card [Supplemental Security Income (SSI) Recipient]</td>
<td>$6.50</td>
</tr>
<tr>
<td>Amend License/Permit</td>
<td>$12.50</td>
</tr>
<tr>
<td>Amend Non-Driver ID Card</td>
<td>$5.00</td>
</tr>
</tbody>
</table>

NOTE: Add $30 for Enhanced document transactions except Replacement documents. *Additional Written and Road Test fees may apply.
The 2020 Census and Confidentiality

Your responses to the 2020 Census are safe, secure, and protected by federal law. Your answers can only be used to produce statistics—they cannot be used against you in any way. By law, all responses to U.S. Census Bureau household and business surveys are kept completely confidential.

Respond to the 2020 Census to shape the future.

Responding to the census helps communities get the funding they need and helps businesses make data-driven decisions that grow the economy. Census data impact our daily lives, informing important decisions about funding for services and infrastructure in your community, including health care, senior centers, jobs, political representation, roads, schools, and businesses. More than $675 billion in federal funding flows back to states and local communities each year based on census data.

Your census responses are safe and secure.

The Census Bureau is required by law to protect any personal information we collect and keep it strictly confidential. The Census Bureau can only use your answers to produce statistics. In fact, every Census Bureau employee takes an oath to protect your personal information for life. Your answers cannot be used for law enforcement purposes or to determine your personal eligibility for government benefits.

By law, your responses cannot be used against you.

By law, your census responses cannot be used against you by any government agency or court in any way—not by the Federal Bureau of Investigation (FBI), not by the Central Intelligence Agency (CIA), not by the Department of Homeland Security (DHS), and not by U.S. Immigration and Customs Enforcement (ICE). The law requires the Census Bureau to keep your information confidential and use your responses only to produce statistics.
There are no exceptions.
The law requires the Census Bureau to keep everyone’s information confidential. By law, your responses cannot be used against you by any government agency or court in any way. The Census Bureau will not share an individual’s responses with immigration enforcement agencies, law enforcement agencies, or allow that information to be used to determine eligibility for government benefits. Title 13 makes it very clear that the data we collect can only be used for statistical purposes—we cannot allow it to be used for anything else, including law enforcement.

It’s your choice: you can respond securely online, by mail, or by phone.
You will have the option of responding online, by mail, or by phone. Households that don’t respond in one of these ways will be visited by a census taker to collect the information in person. Regardless of how you respond, your personal information is protected by law.

Your online responses are safe from hacking and other cyberthreats.
The Census Bureau takes strong precautions to keep online responses secure. All data submitted online are encrypted to protect personal privacy, and our cybersecurity program meets the highest and most recent standards for protecting personal information. Once the data are received, they are no longer online. From the moment the Census Bureau collects responses, our focus and legal obligation is to keep them safe.

We are committed to confidentiality.
At the U.S. Census Bureau, we are absolutely committed to keeping your responses confidential. This commitment means it is safe to provide your answers and know that they will only be used to paint a statistical portrait of our nation and communities.

Learn more about the Census Bureau’s data protection and privacy program at www.census.gov/privacy.
Pay Notice and Work Agreement for Farm Workers

This notice, when properly completed, satisfies the:

- Pay notice provisions of Section 195 of the NYS Labor Law
- Written work agreement provisions of Part 190, the Farm Minimum Wage Order

1. Employer Information:
   - Name: ____________________________ Phone: ____________________________
   - Doing Business As (DBA) Name(s): ____________________________
   - Physical address: ____________________________
   - Mailing address: ____________________________
   - Federal Employer Identification Number (FEIN) (optional): ____________________________

2. Notice given:  □ At hiring  □ Before a change in pay rates, allowances claimed, or payday

3. Specific location where worker will work: ____________________________

4. Types of work to be performed: ____________________________

5. Hours for standard work day: ____________________________  Hours for standard work week: ____________________________
   (Per Section 161.1 of the NYS Labor Law hours may not exceed 60 per work week except by prior mutual agreement.)

6. Describe employer provided housing arrangements, if any, including number of rooms and cooking facilities: ____________________________

7. Employee’s regular hourly rate(s) of pay and overtime rate of pay:*  
   - Indicate basis; per hour, shift, day, week, salary, or per unit. (Give capacity of unit.)
   - Rate: _________ per: ____________________________  Overtime rate: ____________________________
   - Rate: _________ per: ____________________________  Overtime rate: ____________________________
   (This must be at least time and one-half the regular pay rate. If the pay rate is not hourly based, the regular rate must be at least 1½ times the worker’s weighted average of the multiple rates of pay for the week, with few exceptions)

8. Payday: ____________________________  For week ending: ____________________________


10. Allowances, if any, to be credited towards minimum wage:
   - Number of meals per day: _______  Amount per meal $ _______  
   - Lodging: $ ____________________________
   - Payments in kind (specify): ____________________________ $ ____________________________

11. All planned payroll deductions (e.g., health insurance, retirement contributions, other):

   ____________________________
12. Employer provided benefits (e.g. paid sick time, vacation, personal days, holidays, other):

13. Approximate period of employment: Start date: ___________________________  End date: ___________________________

14. Non-economic terms and conditions of employment (e.g., transportation availability, medical service, child care, schooling, etc.):

15. Designated day-of-rest†: ___________________________.

Employers may not compel farm laborers to work on the designated day-of-rest. Farm Laborers must be paid time and one-half their regular rate of pay for volunteering to work on their designated day-of-rest.

16 Employee Acknowledgment and Affirmation:

On this day, I have been notified of my pay rate, overtime rate, designated day-of-rest, allowances, and designated payday. I affirm that I told my employer what my primary language is. Check one:

☐ I have been given this pay notice in English because it is my primary language, or
☐ I have been given this pay notice in English only, because the Department of Labor does not yet offer a pay notice form in my primary language, which is: ___________________________.

Employee’s name (print): ___________________________  Date: ___________________________

Signature: ___________________________  Title: ___________________________

17. Preparer’s name (print): ___________________________  Date: ___________________________

Signature: ___________________________

The employee must receive a signed copy of this form. The employer must keep a copy for 6 years.

Instructions and additional information:

Section 195 NYS Labor Law requires that the information on this notice be provided in writing to all employees at the time of hiring. Employers must notify employees in writing of any changes to the information in this notice at least seven calendar days prior to the time of such changes, unless such changes are reflected on the employee’s wage statement. However, even if the change will be reflected on the employee’s wage statement, employers may not lower an employee’s rate(s) of pay without notifying the employee before the work is performed.

Section 195 also requires that employers notify their employees in writing or by publicly posting their policy on sick leave, vacation, personal leave, holidays and hours.

Section 195 also requires that employers preserve their payroll records for 6 years.

The Minimum Wage Order for Farm Workers requires that employers post, in a conspicuous place on the farm, a copy of any generally applicable work agreement and a posting issued by the NYS Department of Labor summarizing the Farm Minimum Wage provisions.

* Section 163-a NYS Labor Law: Beginning on January 1, 2020 agricultural employers must pay at least time and one-half of the employees’ regular rate of pay for all hours worked in excess of 60 during a calendar week, and employees must agree to work more than 60 hours in the calendar week in question.

† Section 161.1 NYS Labor Law: Beginning on January 1, 2020 every farm laborer shall be allowed at least 24 consecutive hours of rest in each calendar week. Nothing in this provision prevents a farm laborer from voluntarily working on his/her day-of-rest provided that his/her employer compensates the employee at a rate of at least time and one-half of the employees’ regular rate of pay for all hours worked on the day-of-rest. 24 consecutive hours off for weather events, or crop conditions may count as a day of rest in a calendar week.

It is unlawful for an employee to be paid less than an employee of the opposite sex or because the employee is in a protected class. Employers may not prohibit employees from discussing their wages with co-workers. Employers may not enquire about an employee’s salary history.
Aviso de pago y contrato de trabajo para trabajadores agrícolas

Este aviso, cuando se llena correctamente, satisface:
- Las disposiciones sobre aviso de pago de la Sección 195 de la Ley del Trabajo del Estado de NY
- Las disposiciones sobre contrato de trabajo por escrito de la Parte 190 de la Orden de Salario Mínimo Agrícola

1. Información del empleador:
   - Nombre: ____________________________ Teléfono: ____________________________
   - Operando bajo el nombre: ____________________________
   - Dirección física: ____________________________
   - Dirección postal: ____________________________
   - Número de Identificación Federal del Empleado (FEIN) (opcional): ____________________________

2. Aviso dado:
   - ☐ Al ser contratado
   - ☐ Antes de un cambio en el sueldo, las prestaciones o el día de pago

3. Lugar específico en donde trabajarán los trabajadores: ____________________________

4. Tipos de trabajo que harán:

5. Horas por día laboral estándar: ____________ Horas por semana laboral estándar: ____________
   (De acuerdo con la Sección 161.1 de la Ley de Trabajo del Estado de New York las horas no pueden ser más de 60 por semana laboral, salvo por mutuo acuerdo).

6. Describa los arreglos de vivienda, de haberlos, incluyendo la cantidad de habitaciones y las instalaciones para cocinar:

7. Sueldo regular del empleado y sueldo por tiempo extra:* ____________
   - Indique la base: por hora, turno, día, semana, salario, o por unidad. (Incluya la capacidad de la unidad).
   - Sueldo: ______ por: ____________Sueldo por tiempo extra: ____________
   - Sueldo: ______ por: ____________Sueldo por tiempo extra: ____________
   (Debe ser al menos una y media veces el sueldo por hora regular. Si el sueldo no es por hora, explique la base de cálculo del sueldo por tiempo extra a una y media veces el importe del sueldo normal).

8. Día de pago: ____________ Para la semana que terminó el: ____________


10. Prestaciones, si las hay, para acreditar para el salario mínimo:
    - Número de comidas al día: ______ Importe por comida: ______
    - Alojamiento: ______
    - Pagos en especie (especifique): ______

11. Todas las demás deducciones de nómina previstas (como seguro social, impuestos, otras):
12. Beneficios provistos por el empleador (por ejemplo, permiso pagado por enfermedad, vacaciones, días por motivos personales, feriados, otros):


14. Términos y condiciones no económicos de empleo (por ejemplo, disponibilidad de transporte, servicio médico, guardería, escuelas, etc.):

15. Día de descanso designado†: ______________.

Los empleadores no pueden obligar a los empleados a trabajar en su día de descanso designado. Los empleados deben recibir pago a razón de una y media veces su sueldo regular por trabajar voluntariamente en el día de descanso designado.

16. Aceptación del empleado:

En este día se me han notificado mi sueldo, mi sueldo por tiempo extra, mi día de descanso designado, mis prestaciones y mi día de pago designado. Le he dicho a mi empleador cuál es mi idioma principal. Marcar uno:

☐ Me han entregado este aviso de pago en español porque es mi idioma principal, o
☐ Me han entregado este aviso de pago solamente en inglés, porque el Departamento de Trabajo aún no ofrece un formulario de aviso de pago en mi idioma principal, que es: ________________________________.

Nombre del empleado (en letra de molde): ________________________________
Firma: ________________________________ Fecha: ______________

17. Nombre de quien contestó (en letra de molde): ______________ Puesto: ______________
Firma: ________________________________

El empleado debe recibir una copia firmada de este formulario. El empleador debe conservar una copia durante 6 años.

Instrucciones e información adicional:

La Sección 195 de la Ley de Trabajo del Estado de NY exige que la información de este aviso se entregue por escrito a todos los empleados al momento de su contratación. Los empleadores deben notificar por escrito a los empleados sobre cualquier cambio en la información en este aviso al menos siete días calendario antes del momento del cambio, salvo cuando dichos cambios se reflejen en el recibo de pago del empleado. Sin embargo, incluso si el cambio se reflejará en el recibo de pago del empleado, los empleadores no pueden reducir el sueldo de un empleado sin notificarlo al empleado antes de que desempeñe el trabajo.

La Sección 195 también exige que los empleadores avisen a sus empleados sobre sus políticas de permiso por enfermedad, vacaciones, permisos personales, días feriados y horas trabajadas, ya sea por escrito o publicándolas en un lugar prominente.

La Sección 195 también exige que los empleadores conserven sus registros de nóminas durante 6 años.

La Orden de Salario Mínimo para Trabajadores Agrícolas ordena que los empleadores publiquen en un lugar prominente de la granja una copia de cualquier contrato de trabajo de aplicación general, así como una publicación expedida por el Departamento de Trabajo del Estado de New York que resuma las disposiciones referentes al salario mínimo agrícola.

*Sección 163-a de la Ley de Trabajo del Estado de NY: A partir del 1 de enero de 2020, los empleadores agrícolas deben pagar al menos una y media veces el salario regular de los empleados por todas las horas trabajadas en exceso de 60 durante una semana calendario, y los empleados deben estar de acuerdo en trabajar más de 60 horas en la semana calendario en cuestión.

† Sección 161.1 de la Ley de Trabajo del Estado de NY: A partir del 1 de enero de 2020, todos los trabajadores agrícolas deben recibir al menos 24 horas consecutivas de descanso en cada semana calendario. Nada de lo expresado en esta disposición impide que un trabajador agrícola trabaje voluntariamente en su día de descanso, siempre y cuando su empleador remunere al empleado con un sueldo que sea al menos una y media veces el sueldo regular del empleado por todas las horas trabajadas en el día de descanso. Un período de 24 horas consecutivas sin trabajar debido a eventos meteorológicos o las condiciones del cultivo puede contar como un día de descanso en una semana calendario.

Es ilegal que un empleado reciba un pago menor que el de un empleado del sexo opuesto o debido a que el empleado forma parte de una clase protegida. Los empleadores no pueden prohibir a los empleados que hablen sobre sus sueldos con sus compañeros de trabajo. Los empleadores no pueden hacer preguntas sobre la historia salarial de un empleado.
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