

■ FARM LABOR CONTRACTOR REGISTRATION LAW

TERMS:

Contractor Registration — In general, it is illegal for any individual, for a fee, to recruit, transport, supply or hire any farmworker to work for or under the direction of someone else, or to recruit, transport, supply or hire any farmworker and supervise the worker for profit, unless the individual has a valid farm labor contractor registration certificate issued by the state. Farm labor contractors must carry their registration certificate at all times while engaging in such activities, and no one may contract with any farm labor contractor for the employment of farmworkers until the contractor presents a current certificate.

Exceptions — This law *does not apply* to farm owners or operators, or to owners or operators of packinghouses or food processing plants, who employ workers in planting, cultivating, harvesting or preparing agricultural products for delivery to such packinghouses or food processing plants. The law also does not apply to anyone who transports workers solely by means of a carpool.

Prohibited Acts — The state may revoke, suspend or refuse to renew a certificate of registration when there is evidence that the farm labor contractor has (1) violated any provision of the Farm Labor Contractor Registration Law, (2) made any false or misleading statement in the application for the certificate, (3) given false or misleading information concerning the terms, conditions or existence of employment to persons recruited or hired to work on a farm, or (4) failed to pay unemployment insurance taxes or federal employment taxes, if required by law.

Contractor Responsibilities — Among other duties, every farm labor contractor must display at the worksite, and on all vehicles used by the contractor to transport workers, a copy of the registration certificate and a statement — in English and in the language of the majority of the non-English-speaking workers — showing the pay rate the contractor is receiving from the grower for whom the work is being performed and the pay rate the contractor is paying to the workers for their services. Twice a month or at the time of each payment of wages, the contractor must furnish each worker with an itemized written statement showing each and every deduction made from the worker's pay.

Insurance — Farm labor contractors are required to have adequate insurance against injury or damage resulting from operation or ownership of any vehicle used to transport farmworkers that they recruit or hire. Furthermore, contractors must provide evidence to the state agency that each vehicle they use for worker transportation meets state and federal safety requirements, or has a valid inspection sticker indicating that the vehicle has passed inspection in the state where it is registered.

ENFORCEMENT: *Farm Labor Program, Division of Regulation, Department of Business and Professional Regulation, Tallahassee, Florida 32399 (850-488-6603).*

SPECIAL NOTE: Under a signed agreement with the U.S. Department of Labor, this agency is also authorized to receive and process applications for, and to issue, farm labor contractor registration certificates under the federal Migrant and Seasonal Agricultural Worker Protection Act (*see entry, U.S. — Labor Contractors & Worker Recruitment — Farm Labor Contractor Registration*).

SPECIAL NOTE: It is illegal for a farm labor contractor to retaliate against anyone who has filed a complaint or aided an investigation under this law.