

■ FARM LABOR CONTRACTOR LICENSING LAW

TERMS: Individuals who charge a fee or receive other compensation for recruiting, soliciting, hiring, employing, furnishing or transporting any migrant or seasonal agricultural worker, must obtain a farm labor contractor license from the state and comply with other requirements and restrictions.

Licensing — No one may act as a farm labor contractor without obtaining a license to do so from the state labor department. As conditions for issuing the license, the applicant must provide information that will enable the department to confirm the person's fitness, competency and qualifications to engage in the farm labor contracting business.

Financial Responsibility — Farm labor contractors must have insurance or post a bond of at least \$10,000 (\$30,000 if they employ more than 20 workers), to cover liability to the workers for any unpaid wages or other damages.

Duties — Among many other duties, farm labor contractors must:

- (1) Carry their contractor license with them at all times.
- (2) Promptly pay their workers and others with whom they do business as a contractor.
- (3) Provide their workers — at the time they are recruited, hired or sent to a worksite — a written statement detailing the wage or piece rate to be paid, the terms and conditions of the job, any housing or other facilities to be provided, and the workers' rights, including the right to make a claim against the contractor's insurance or bond.
- (4) Provide the workers with a written pay statement — at the time of each payment — itemizing the total amount of pay, the amount and purpose of each deduction, the hours worked, and the number of units of production if paid on a piecework basis.

Recordkeeping — Contractors must make a record, and keep it for at least 3 years, of each worker's wages, hours, total earnings, pay deductions, and work locations.

Prohibited Acts — Among other things, it is illegal for a farm labor contractor, or an applicant for a contractor license, to:

- (1) Make false or misleading statements on the license application.
- (2) Make a false, fraudulent or misleading statement to any person, or to circulate or publish false or misleading information concerning the terms, conditions or existence of any employment.
- (3) Use force, intimidation or a threat — including a threat of deportation — to induce workers to give up any part of the wages to which they are entitled.

ENFORCEMENT: *Idaho Department of Labor, Boise, Idaho 83735 (208-332-3570).*

SPECIAL NOTE: It is illegal for a farm labor contractor to fire or discriminate in any other way against a worker because the worker made a claim against the contractor, testified in a proceeding, or discussed or consulted with anyone concerning the worker's rights under this law.