

## ■ MIGRANT REGISTRATION LAW

### TERMS:

**Contractor Registration** — Before any individual, for a fee, recruits, transports, or hires farm or food processing workers on another person's behalf, or recruits, transports, or hires such workers and, for a fee, directs, supervises or controls their work, the individual must obtain a certificate of registration from the state. On the registration application, the contractor must provide information on wages, working conditions, housing and other aspects of the agricultural services to be performed. The application must be co-signed by each grower or food processor who utilizes those services.

**Disclosure to Workers** — A registered labor contractor is required to give a copy of the registration application, or a summary of the job specifications included in the application, to each worker recruited or employed. This must be done no later than the worker's time of arrival in New York or, if the worker is not from out of state, no later than the time the job begins. A copy must also be kept posted at any camp in which the workers are housed.

**Pay Statements** — Each worker employed, supervised or paid by a farm labor contractor is entitled to receive a written statement from the contractor with every payment of wages, showing the employer's name and address, the worker's name, the wage rate, the wages earned, the number of hours worked, units of production, all deductions fully itemized and explained, and net pay.

**Growers and Processors** — No farm operator or food processing plant may use the services of a farm labor contractor unless the grower or processor has a certificate for that purpose issued by the state and the contractor is properly registered. If the contractor fails to comply with the information and wage statement requirements outlined above, the state enforcement agency will notify the grower or processor, who will then be responsible for compliance. Likewise, any grower or processor who, without assistance from a farm labor contractor, brings 5 or more migrant farmworkers or food processing workers into New York must register with the state and comply with essentially the same requirements that apply to registered labor contractors.

**ENFORCEMENT:** *Division of Labor Standards, New York State Department of Labor, Albany, New York 12240 (518-457-4256; toll-free 888-469-7365).*

**SPECIAL NOTE:** An employer or farm labor contractor may not fire, discipline or discriminate in any way against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by this provision. A worker subjected to any such retaliation may file a complaint with the Department.