

Illinois

■ ONE DAY REST IN SEVEN ACT

TERMS: Farmworkers who work or are expected to work at least 7½ hours straight on a particular day are entitled to a meal period of at least 20 minutes, beginning no later than 5 hours after the start of the workday.

ENFORCEMENT: *Fair Labor Standards Division, Illinois Department of Labor, Chicago, Illinois 60601 (312-793-2810).*

Kentucky

■ **MINIMUM WAGE LAW (*LUNCH AND REST PERIODS*)**

TERMS: Farm employers must provide their workers with (1) a reasonable daily lunch break, no sooner than 3 hours and no later than 5 hours after the start of the workday, and (2) a rest period of at least 10 minutes during each 4 hours of work.

For workers who are paid by the hour or paid a fixed salary, the rest period counts as paid work time and must be provided in addition to the regularly scheduled lunch break.

ENFORCEMENT: *Division of Employment Standards, Apprenticeship, and Mediation, Department of Workplace Standards, Frankfort, Kentucky 40601 (502-564-1524).*

As an alternative to filing a claim or complaint with the Department, the law gives workers who have been denied lunch breaks or paid rest periods the right to sue the employer in civil court to enforce these provisions, using a private attorney or a public legal services program.

Massachusetts

■ STATE LABOR LAWS (*MEAL PERIODS*)

TERMS: With very few exceptions, no one may be required to work for more than 6 hours on any day without a period of at least 30 minutes for a meal.

ENFORCEMENT: *Office of the Massachusetts Attorney General, Boston, Massachusetts 02108 (617-727-2200; Fair Labor Hotline 617-727-3465).*

Minnesota

■ STATE LABOR LAWS (*MIGRANT LABOR GUARANTEED MINIMUM HOURS*)

TERMS:

Guaranteed Hours — Every processor of fruits and vegetables that recruits and employs more than 30 migrant workers per day for more than 7 days in a calendar year must guarantee to each such worker a minimum of 70 hours' pay for work in any 2 consecutive weeks. If a worker's pay for the hours actually worked amounts to less than the minimum guarantee, the employer must pay the worker the difference within 3 days after the regular payday for the pay period involved. Payment for the guaranteed hours must be at the hourly wage rate, if any, specified in the employment statement required at the time of recruitment (*see entry, Minnesota — Labor Contractors & Worker Recruitment — Recruitment Standards*), or at the federal minimum wage, whichever is higher.

Period of Guarantee — The pay guarantee applies for the minimum period of work specified in the employment statement, beginning on the date on which the work is supposed to begin.

Reduction of Guaranteed Hours — When weather or some other uncontrollable force causes loss of employment for a period of 7 or more consecutive days during any two-week period after the work begins, the guarantee will be reduced by 5 hours a day for each such day, provided that each worker is paid the sum of \$5 for each such day.

Termination of Employment — Whenever a worker quits or is fired for good reason before completing the job for which he or she was hired, the worker is not entitled to any further guarantee of hours from that employer. If termination occurs before the end of the two-week pay period, the worker is not entitled to a guarantee for that period.

Refusal or Inability to Work — If on any day for which work is offered a worker refuses to work, or is unable to work due to illness or disability, the employer may reduce the pay period's guarantee by the number of hours of work actually offered by the employer that day.

ENFORCEMENT: Using a private attorney or a public legal services program, a migrant farmworker affected by a violation of these provisions may file a lawsuit against the processor involved for damages and other corrective action.

Nevada

■ WAGE, HOUR, AND WAGE PAYMENT LAWS (*MEAL AND REST PERIODS*)

TERMS: A farm operator or any other employer who has more than one worker at any location may not employ such workers for 8 hours straight without providing a meal period of at least 30 minutes. Similarly, farmworkers (other than those working alone) who are employed for 3 1/2 hours or more on any given day are entitled to a paid rest break of 10 minutes for every 4 hours or fraction thereof on the job.

ENFORCEMENT: *Office of the Labor Commissioner, Nevada Department of Business and Industry, Carson City, Nevada 89706 (775-684-1890)*. A worker who is denied a meal period or a paid rest break as required under these provisions may file a complaint with the Commissioner, who is authorized to prosecute for enforcement through the local district attorney.

SPECIAL NOTE: An employer may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

New Hampshire

■ EMPLOYEE PROTECTIVE LEGISLATION (*DAY'S WORK AND DAY OF REST*)

TERMS:

Day's Work — In all contracts relating to labor (including agricultural services), 8 hours is deemed a day's work, unless otherwise agreed to by the parties.

Meal Periods — In general, no farm operator or any other employer in New Hampshire may require an employee to work more than 5 consecutive hours without a half-hour lunch or eating period.

Making Up Lost Time — An employer may not require a worker in any occupation to work more hours in any one day than allowed by law, in order to make up time lost to a legal holiday.

ENFORCEMENT: *Inspection Division, New Hampshire Department of Labor, Concord, New Hampshire 03301 (603-271-3176).*

Pennsylvania

■ SEASONAL FARM LABOR ACT (*HOURS OF LABOR*)

TERMS:

Maximum Hours — No seasonal farmworker may be required to work, or be penalized for failing to work, for more than 6 days or more than 48 hours in any one week, or for more than 10 hours in any one day. Where a worker is employed by more than one employer on any day or in any week, the combined number of hours during which the individual may be required to work may not exceed 48 hours in any one week or 10 hours in any one day.

Meal or Rest Periods — An employer of seasonal farm labor is prohibited from requiring a worker to work for more than 5 hours straight (including any break lasting less than a half-hour) without a meal or rest period of at least 30 minutes. The employer does not have to pay the worker for meal or rest periods.

ENFORCEMENT: *Bureau of Labor Law Compliance, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17120 (717-787-4763; toll-free 800-932-0665).*

SPECIAL NOTE: Interference with, harassment of, eviction of, or termination of the employment of any seasonal farmworker for having filed a complaint under the Seasonal Farm Labor Act is punishable as a criminal offense.