



## The right row to hoe: State Senate must give long-overdue protections to New York farm workers

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For a Legislature that has fallen below the worth of a tinker's damn, here's a way to start a long climb toward rehabilitation: Give basic rights to [New York's](#) least-protected laborers.

State Sen. Majority Leader [Malcolm Smith](#) and his Democrats are uniquely positioned to move the state's 21st century farmworkers out from near-bondage under 19th century employment law. And they can do so in a show of bipartisanship that would be truly rare for [Albany](#).

As we've written many times, farmworkers throughout the state - though city folk forget it, New York has thousands of farms and tens of thousands of people who tend them - do not have rights that are generally taken for granted by everyone else.

They are denied the right to overtime pay and one unpaid day off per week. They get unequal unemployment and workers' compensation coverage. And they are denied the right to organize and bargain collectively, despite a state Constitution granting that right to all employees.

For numerous years running, the Assembly, dominated by Democrats, has passed a Farmworkers Fair Labor Practices Act. And for just as long, the Senate, led until this year by Republicans, has failed to follow suit. Former [Majority Leader Joe Bruno](#) blocked the measure - despite the fact that most senators supported it.

Now, Smith and his party have taken charge. But they'll likely need Republican support to pass the bill. They will have to form alliances with [GOP](#) members, letting the Republicans even serve as co-sponsors. That's not how things are done in Albany, which is why the place is so dysfunctional.

It is incumbent on Smith to extend a gracious hand to at least the half-dozen Republican senators who championed equal rights against Bruno's wishes. They are [John Flanagan](#), [Carl Marcellino](#), Chuck Fuschillo and [Kemp Hannon](#) of [Long Island](#), [Frank Padavan](#) of [Queens](#) and upstater [Joe Robach](#). And it is incumbent on the Republicans to respond with comity.

Do it, Sen. Smith. Have a press conference, flanked by Republicans and Democrats. Announce plans to bring this legislation to the floor. It will pass. [Gov. Paterson](#) has said he'll sign it.

Only then will we give our fellow New Yorkers, the people who pick the food we eat, basic rights they deserve.