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**HUMAN RIGHTS** activist Kerry Kennedy and New York State United Teachers President Richard Iannuzzi listen Monday during a hearing of the state Senate's Agriculture Committee on a bill aimed at improving working conditions for farmworkers in the state.

## Farm debate pits rights, costs

Measure that would guarantee overtime, days off for workers faces skepticism at hearing

By **BRYAN FITZGERALD**  
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ALBANY — Members of the state Senate Agriculture Committee hosted a lengthy public hearing Monday on legislation that would extend the rights of farmworkers in New York.

In a hearing room crowded with more than 200 farmers opposed to the bill, the committee heard testimony from almost two dozen witnesses on either side of the proposed legislation, which would grant farm workers mandatory overtime and a guaranteed day of rest, among other provisions.

Senators at the hearing — including rural Democrats — acknowledged they would like to help farmworkers, but expressed concerns that the bill in its current form would drive many New York farms out of business.

"We're not looking at this piece of legislation in a vacuum," said Sen. James Seward, R-Oneonta. "We're in a situation today where agriculture and farms in New

York state are under a great deal of stress, as are the farmers. ... Obviously we do not want to move forward with any type of legislation that will be that final nail in the coffin for any farms in New York."



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The legislation was passed in the chamber's Labor Committee in January, but was referred to the Agriculture Committee by the Senate's Democratic leadership at the request of its chairman, Darrell Aubertine, D-Cape Vincent. Advocates for the measure were irate over the decision and fear the bill will never make it to the Senate floor.

Aubertine, a dairy farmer whose seat is a primary target for Republicans this fall, and Sen. Catharine Young, R-Olean, questioned several proponents of the bill on their backgrounds in farming and how the legislation would affect the state's agricultural industry.

"I for one am going to make damn sure that it's the right thing to do for farmers, for laborers, for consumers, for the whole state," Aubertine said.

For more than 90 minutes, the hear-

ing became a human rights debate after Kerry Kennedy of the Robert F. Kennedy Memorial Center for Justice and Human Rights told the committee she has heard stories of working conditions she likened to modern-day slavery, including claims from several female farmworkers that they were sexually abused on the job.

Senate Majority Leader Pedro Espada Jr., a staunch supporter of the bill but not a member of the Agriculture Committee, said he had visited farms where Hispanic women were too afraid to speak up about sexual abuse they had suffered or witnessed.

"These stories were not made up," said Espada, of the Bronx.

Aubertine, a dairy farmer, was visibly upset at any suggestion that the committee was overlooking farmworkers' rights.

"To imply that any member would stand by and watch people's human rights be trampled upon is disingenuous," Aubertine said.

Aubertine defended the decision to route the bill through his committee, saying that the measure would change the role of the state agriculture commissioner, whose agency falls under the panel's oversight.