

# *Catholic Courier*

Posted: May 7, 2010 Last Updated: May 7, 2010

## Advocates hopeful despite farmworker bill's defeat

*By Annette Jiménez/Catholic Courier /Roman Catholic Diocese of Rochester*

Advocates of the Farmworker Fair Labor Practices Act have not given up hope after the bill's recent defeat in the New York state Senate's agricultural committee.

"We are hopeful that it will be reintroduced because farmworkers deserve to have labor protections," said Ruth Putnam Marchetti, justice-and-peace coordinator for Catholic Charities in Livingston, Wayne and the Finger Lakes counties and a member of the diocesan Public Policy Committee. Comprehensive immigration reform tops this year's public-policy agenda.

In January, the state Senate's labor committee voted in favor of the bill before it was sent to the agriculture committee. State Sen. George Onorato, chairman of the labor committee, has not yet decided on the next plan of action in regard to the bill, according to a representative from his office.

"We're still looking right now at our options and what we're going to do," said Janet Kash, Onorato's spokeswoman.

She explained that state Sen. Darrell Auburtine had requested that the bill be referred to the agriculture committee, of which he is chairman, because it deals with farming issues.

"We disagreed with that," Kash said. "The bill should have remained in the labor committee because it amends labor law."

Once the Senate leadership decided to grant Auburtine's request, she said that Onorato would have preferred that the agriculture committee make a report and refer the bill to the codes committee, as is procedure. The agriculture committee did vote in favor of a bill that would reduce taxes, fees and mandates for farmers.

Officials from the Justice for Farmworkers campaign believe that the agriculture committee's actions circumvented senate rules and should not have taken place.

"Throughout 2010, the bill has been the victim of procedural maneuvering," said Jordan Wells, the campaign's coordinator. "The Justice for Farmworkers campaign stretches back many years and will not relent until justice prevails."

But a representative of the New York Farm Bureau, which has lobbied against the bill's passage, said that the legislation is not a justice issue.

"No farmer has ever asked to be exempted out of basic laws governing freedom from workplace violence, civil rights, whistle-blower protections, minimum wages or any basic freedom that everyone takes for granted in this country," said Julie Suarez, the farm bureau's public-policy director.

Dean Norton, the bureau president, said in a press release that passage of the bill would have damaged farmers' ability to produce food locally.

"The farmworker legislation would have driven up costs and labor regulations to a level that would rank New York second only to California, a state with a much larger agricultural industry, better growing days and significantly larger farms," Norton said in the release.

Marchetti said that diocesan and state activists recognize that farmers are struggling and worked diligently to engage them in dialogue that produced the compromise bill defeated by the agricultural committee.

Compromises included increasing the overtime threshold to 60 hours a week and 10 hours a day; eliminating unemployment tax liability for guest-worker wages and exempting small farms from that same liability; and exempting small farms from having to offer workers' compensation.

"Farmers around here do care about workers and do treat them well," Marchetti acknowledged. "They want the best for them and want the

best for themselves and their own families. ... This law's always has been about protecting workers from those (farmers) who don't (treat workers well)."

EDITOR'S NOTE: The Justice for Farmworkers campaign will begin a week of vigils on June 8 that will culminate with Farmworker Albany Day on June 15. For more information, visit [www.labor-religion.org/farmworkers-updates.htm](http://www.labor-religion.org/farmworkers-updates.htm).