Seasonal farm workers are protected by New Jersey's wage and hour laws

This publication gives an overview of laws that protect farm workers. These laws are enforced by the New Jersey Department of Labor and Workforce Development. We do not investigate the legal status of any worker who contacts us. We do not share information with Immigration. New Jersey labor laws protect all workers in this state, regardless of legal status.

The NJ Seasonal Farm Labor Act

allows us to enter public or private property:

- to see if there is a camp subject to the law
- to inspect all camps and all living areas and all equipment connected with farm work
- to inspect the land next to the camp to determine if it complies with sanitary laws and other requirements.

The NJ Crew Leader Registration Act

- requires farm crew leaders to register with the Center for Workforce and Economic Development at Cumberland County College in Vineland.
- sets forth penalties for violations.

Duties of Crew Leaders

By law, crew leaders must:

- keep record of farm workers' names, work hours, workplaces, and any pay or other compensation, and related details
- tell farm workers when they are recruited
  - where they will be working
  - what crops and operations are involved
  - what transportation, housing and insurance are provided
  - rate of pay
  - how much the crew leader charges for their services
- always display the terms of employment, and offer a copy of it to each seasonal farm worker.

Shelter Requirements

Every camp must provide places to sleep that are in sound structural condition. Farm workers must be sheltered from the elements and ground dampness, and protected from fire hazards. Sleeping areas must be clean and free from vermin and any infectious or contagious matter. The grounds around sleeping areas must be properly drained and free from accumulations of dirt and garbage.

Drinking Water & Toilet Facilities

By law, farms with 10 or fewer workers in the field must:

- provide clean drinking water in the fields. Water must not be more than 60° F (15.5° C).
- provide clean, private toilet facilities in the working area, unless there are toilets within 500 feet,152 meters, 5 minutes' walking time, or 5 minutes' driving time of the working area. Male and female facilities must be separate. One seat must be provided for every 20 men or women. Toilets must be supplied with adequate toilet paper.
- provide clean bathing facilities.
- provide handwashing facilities near toilet facilities and in the working area. Near means within 500 feet, 152 meters, 5 minutes' walking time, or 5 minutes' driving time. There are penalties if a farmer does not comply.

Child Labor

- No minor under age 12 may do farm or agricultural work.
- A person must be at least 12 years old to work on a farm. Permitted farm work includes helping raise livestock; working in a nursery; using nonpowered hand tools to rake, shovel, plant; or do "first processing" of farm products.
- Minors under 16 years of age must obtain a special agricultural permit. The permit must state exactly what kind of work the minor will do, the minor's work hours, pay, and any special conditions or work requirements.
- An agricultural permit is valid for only 6 months.
- Minors aged 16 and 17 do not need an agricultural permit or working paper.
- 12-year-old workers may work no more than 10 hours a day, 6 days a week, outside of school hours.
- 16-year-old workers may work no more than 10 hours a day, 6 days a week during school hours.
- Workers under 18 must get a 30-minute meal or rest break after 5 continuous hours of work. No exceptions!
- Workers must be 16 to work with conveyor belts, farm tractors, power lawn mowers, power woodworking or metal working tools, or power-driven machinery. Power-driven machinery does not include agricultural machines when used on farms, such as standard type poultry feeders, egg washers, egg coolers, and milking machines.

The law does not restrict the number of hours that minors can work directly for their own parents or legal guardian, in connection with their own home, outside of school hours.

IMPORTANT!

New Jersey Law Says

You must earn at least $10.44 an hour (minimum wage) even if you work piece-rate.

Effective January 1, 2022:

If you work piece-rate	You must earn at least
9 hours a day	$98.10 a day
8 hours a day	$87.20 a day
7 hours a day	$76.30 a day
6 hours a day	$65.40 a day
5 hours a day	$54.50 a day
4 hours a day	$43.60 a day
3 hours a day	$32.70 a day
2 hours a day	$21.80 a day
1 hour a day	$10.90 a day

If you receive less than these wages, or if you want more information, call **609-984-3004**
or e-mail *wage.hour@dol.nj.gov*
or fax **609-984-1279**

or write to:
Division of Wage and Hour Compliance
New Jersey Department of Labor and Workforce Development
PO Box 389
Trenton, NJ 08625-0389

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Notificación: No investigamos el estado legal de ningún trabajador, o ninguna trabajadora, que se comunique con nosotros. No compartimos información con 'la migra' (Inmigración). Las leyes laborales del Estado de New Jersey protegen a todos los trabajadores y a todas las trabajadoras en este estado, sin importar su estado legal.

nj.gov/labor

Labor laws that apply to agriculture

- NJ Seasonal Farm Labor Act
- NJ Crew Leader Registration Act
- NJ Drinking Water and Toilet Facilities Act
- NJ Seasonal Farm Workers Regulations
- NJ Child Labor Laws (regarding hours, prohibited occupations, and working papers)
- USDOL Migrant Seasonal Protection Act (MSPA)

THE NEW JERSEY DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT
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What farm workers, crew leaders & farmers need to know about New Jersey's labor laws