

# Fact Sheet #21 Farm Labor



## Wages

The Federal minimum wage is \$7.25/hour, but Massachusetts Minimum Wage is \$8.00/hr. However, the minimum wage for hourly work in agriculture is \$1.63/hour. This does not apply to minors or family members. Agricultural workers are not covered by overtime law where employers pay time and a half wage.

The Attorney General enforces the Massachusetts laws relating to the payment of wages to employees, including when, how, and how much an employee must be paid. For more information, see the Attorney General's Workplace Rights [webpage](#) or call the Fair Labor division at (617) 727-3465.



## Workers' Compensation Insurance

Massachusetts employers are required to have workers' compensation insurance for all their employees, including family members and yourself if you are an employee of your company. Insurance can be purchased through any agent or broker who handles business insurance or through a direct writer of insurance. For more information, contact the [Workers' Compensation Rating and Inspection Bureau](#), at (617) 439-9030.

## Youth Labor (excluding your own children)

Child labor laws restrict both the number of hours minors may work and the types of work they can perform. You may not hire anyone 11 years or younger in Massachusetts. Twelve and thirteen year-olds may work in harvest operations if they have written permission from a parent or are accompanied by a parent during certain times of the day and year. Minors aged 14 through 17 may work on farms with a [work permit](#) during non-school hours. Farm workers under 16 are prohibited from performing farm tasks involving power machinery. Contact the [Massachusetts Department of Labor](#) at (617)-626-7100 or consult the US Department of Labor's [website](#) about youth and agricultural labor for more details.

## Interns and Apprentices

An internship or apprenticeship is the exchange of agricultural education for labor. If you have limited capital but are willing to provide a rich learning experience in sustainable agriculture in exchange for help on the farm, establishing an internship program could be the

right option for you. Because an internship is at its core an educational experience, you must be willing to assume a role as teacher and mentor. As a rule of thumb, you should at least provide either room and board or a stipend, although it is ideal to offer both, if possible. For more information on internships, see [this article on bfnmass.org](#) and NESFI's guide [For On](#)



[Farm Mentors](#). If you are looking for a place to advertise your internship program, visit [bfnmass.org](#) and click “User Login” at the top-right corner of the front page, and follow the prompts to either log in or create a new account. You will eventually see an option to “add internship/job,” where you can add a title, brief description, and link to more information or your website. See [bfnmass.org/jobs](#) for internship opportunities.

## Migrant Farm Workers

If you use the services of a farm labor contractor or crew leader, you must verify that person has a

[Farm Labor Contractor Certificate of Registration](#) issued by the US Department of Labor. To do so, call [866] 4US-WAGE.

Workers must be given written notice of wages, nature of work, period of employment, transportation, housing, benefits, and more. Employers must keep proper payroll records as with other employees. For assistance in complying with migrant farm worker regulations, contact the [US Department of Labor](#) at [866] 487-2365.

## Housing

If you plan to house two or more workers you must obtain a farm labor camp certification from the Massachusetts Office of Health and Human Services (OHHS). For more information, see DPH's [website](#) or call the [Bureau of Environmental Health](#) office at [617] 624-5757.

## Agricultural Foreign Labor Certification (FLC)

The H-2A temporary agricultural worker program allows farmers to apply for Foreign Labor Certification if they anticipate a shortage of domestic workers. Contact the [Massachusetts Office of Labor and Workforce Development](#) at [617] 626-7122 for more details.

## Further Reading

For general information on federal policy related to agricultural employment see the US Department of Labor [website](#) or this [fact sheet](#) on the subject.