

Basics in Farm Employment Law: Massachusetts

Minimum Wage: Massachusetts farm and ranch businesses must pay workers performing agricultural work at least the state's agricultural minimum wage of \$8.00/hr. Agricultural work is defined as work conducted on the farm involving growing and harvesting agricultural, floricultural, and horticultural products. If the business assigns a worker non-agricultural work, including any post-harvest tasks, the business must pay that worker the Massachusetts minimum wage of \$14.25/hr.

Overtime: Massachusetts farm and ranch businesses are not obligated to pay overtime wages to workers so long as the worker performs exclusively agricultural labor. If the worker performs non-agricultural labor, non-agricultural rules apply and the employee is owed overtime pay for all hours worked over 40 in that week. Employees with salary-based pay may qualify for an exemption if they make at least \$684 per week (regardless of time spent working) AND have managerial authority.

Meal and Rest Breaks: Farm businesses in Massachusetts are required to offer a thirty minute unpaid meal break if the employee works more than six hours.

Workers' compensation: Massachusetts farm and ranch businesses are obligated to secure workers' compensation for agricultural workers just as for other workers.

Unemployment Insurance: Farms and ranches in Massachusetts must begin paying unemployment insurance tax for agricultural workers through the Federal Unemployment Tax Act (FUTA) and state unemployment program when either of the following occurs: 1) during any calendar quarter of the current or preceding calendar year the farm paid wages of \$20,000 or more, OR 2) the farm employed 10 or more individuals in agricultural labor during at least some part of a day (whether or not at the same time) during any 20 or more different weeks of the current or previous year.

Disclaimer: This is a highly-abbreviated selection of specific agricultural employment laws and is not an encompassing list of obligations or detailed description of rules. It is intended for educational use only and is not to be construed as legal advice. Other obligations and rules may apply, particularly when a worker performs non-agricultural labor or is a sole proprietor, owner, manager, or family member of the farm business. For information, specific to an individual situation, a person must consult a qualified attorney licensed to practice in their state.