

## Basics in Farm Employment Law: Rhode Island

**Minimum Wage:** Rhode Island farm and ranch businesses are obligated to pay at least the minimum wage to workers. As of 2022, the Rhode Island minimum wage is \$12.25/hr.

**Overtime:** Rhode Island 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 Rhode Island that have three or more employees are required to provide one twenty-minute unpaid mealtime during a six-hour shift or one thirty-minute unpaid meal period during an eight hour shift.

**Workers' compensation:** Rhode Island farm and ranch businesses are not obligated to secure workers' compensation unless they employ 25 or more farm laborers for 13 consecutive weeks. Even farms that meet these numbers are exempt from the state's workers' compensation laws so long as they maintain health and disability insurance for all their employees at premiums that exceed the workers' compensation insurance premiums.

**Unemployment Insurance:** Farms and ranches in Rhode Island must begin paying unemployment insurance tax for agricultural workers through the Federal Unemployment Tax Act (FUTA) 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.

In addition, nearly all employees in Rhode Island are covered by state Unemployment Insurance, which is funded by their employers paying an Employment Security Tax. However, farms that paid less than \$1,000 in total cash wages in any calendar quarter are exempt from paying the Employment Security Tax. Sole proprietors, partners, and parents working for their child who is the sole proprietor of a business are also exempt.

*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.*