

**SENATE . . . . . No. 2347**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Diana DiZoglio***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to overtime pay for agricultural and farm work.

PETITION OF:

NAME:

*Diana DiZoglio*

DISTRICT/ADDRESS:

*First Essex*

**SENATE . . . . . No. 2347**

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 2347) (subject to Joint Rule 12) of Diana DiZoglio for legislation relative to overtime pay for agricultural and farm work. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act relative to overtime pay for agricultural and farm work.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to ensure the sustainability of the agricultural industry in the Commonwealth given the recent judicial ruling in *Arias-Villano v. Chang and Sons Enterprises, Inc.*, 481 Mass. 625 (March 15, 2019), therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 2 of Chapter 151 of the General Laws shall be amended:-

2 Strike the definition of “Agricultural and farm work” from Section 2 of Chapter 151 of  
3 the General Laws and replace it with:-

4 “Agricultural and farm work as defined in Section 1A of Chapter 128 of the General  
5 Laws”

6 SECTION 2. Section 2A of Chapter 151 of the General Laws shall be amended by adding  
7 at the end:-

8           Notwithstanding the preceding paragraph regarding a basic minimum wage for  
9 agricultural and farm workers, agricultural and farm workers, as defined in Section 1A of  
10 Chapter 128 of the General Laws, shall be exempted from the provisions of Section 1A of  
11 Chapter 151 of the General Laws.

12           SECTION 3. Section 1A, subsection (19) of Chapter 151 of the General Laws shall be  
13 amended as follows:-

14           Strike the words “on a farm” and add to the end of subsection (19) “as per Section 1A of  
15 Chapter 128 of the General Laws.”

16           So that the section shall read:-

17           “(19) as a laborer engaged in agriculture and farming as per Section 1A of Chapter 128 of  
18 the General Laws.”