

HOUSE No. 1979

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González

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 establishing fairness for agricultural laborers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/17/2021</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/26/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/24/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>4/1/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>5/11/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>7/29/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>8/13/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>9/14/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>9/17/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>10/9/2021</i>

HOUSE No. 1979

By Mr. González of Springfield, a petition (accompanied by bill, House, No. 1979) of Carlos González and others relative to employees engaged in seasonal agricultural and farm work. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing fairness for agricultural laborers.

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. Chapter 136 of the General Laws is hereby amended by adding the
2 following new

3 section:

4 Section 17. Every person employed in seasonal agricultural and farm work as defined in
5 section

6 2 of chapter 151 who is not the parent, child, spouse or other member of the employer's
7 immediate family shall be allowed at least 24 consecutive hours of rest in each calendar
8 week.

9 Twenty-four consecutive hours spent at rest due to circumstances such as inclement
10 weather or

11 unfavorable crop conditions shall be deemed to constitute the rest required by this
12 section. No
13 provision of this section shall prohibit an employee engaged in seasonal agricultural and
14 farm
15 work from voluntarily agreeing to work on such day of rest required by this paragraph,
16 provided
17 that the work is compensated at a rate which is at least one and one-half times the
18 laborer's
19 regular rate of pay for all hours worked on such day of rest.

20 SECTION 2. Section 1A of chapter 151 of the General Laws is hereby amended by
21 inserting at

22 the end of the first sentence, after the word "employed", the following provision:

23 ; provided, however, that with respect to employers employing employees engaged in
24 seasonal

25 agricultural and farm work as defined in section 2, no employer in the commonwealth
26 shall

27 employ any such employee for a work week longer than 55 hours unless such employee
28 receives

29 compensation for his employment in excess of 55 hours at a rate not less than one and
30 one-half

31 times the regular rate at which he is employed.

32 SECTION 3. Said section 1A of said chapter 151 is hereby further amended by striking
33 out
34 clause 19.

35 SECTION 4. Section 2 of said chapter 151 is hereby amended by striking out, in the first
36 sentence of the definition of 'Occupation,' after the words "professional service", the
37 words
38 "agricultural and farm work,".

39 SECTION 5. Said section 2 of said chapter 151 is hereby further amended by adding the
40 following definition:

41 "Seasonal", when modifying "agricultural and farm work" as used in this chapter, means
42 labor
43 performed during a period of an agricultural business's operation of growing and
44 harvesting (a)

45 lasting not more than 235 continuous days that includes the months of June, July and
46 August, or

47 (b) beginning not earlier than the first day of August nor later than the first day of
48 September and

49 lasting not more than 100 continuous days.