

RESOLUTION # 12

AGRICULTURE AND THE STATE MINIMUM WAGE

1 **WHEREAS**, New Jersey agriculture is heavily concentrated in the production of fruit
2 and vegetable crops meant for fresh-market sale, as well as nursery, greenhouse and
3 horticultural stock; and

4 **WHEREAS**, dairy farms are also labor-intensive operations and most dairy farms rely
5 on hired labor to help with the day-to-day operations throughout the entire year; and

6 **WHEREAS**, these sectors, as well as others, including equine and agri-tourism, are
7 labor-intensive operations, as the products being produced, or experiences being offered,
8 rely upon aesthetic appeal to the consumer as much as, or sometimes more than, any other
9 attribute; and

10 **WHEREAS**, there is a necessity for hand-picking and/or hand-tending of these
11 agricultural products and experiences; and

12 **WHEREAS**, most New Jersey farms are family-owned operations, in which there are
13 not enough family members to provide all the needed labor; and

14 **WHEREAS**, this creates the need for the hiring of outside labor; and

15 **WHEREAS**, many produce farm operators pay a “piece-rate,” in which workers are
16 paid based on the amount of fruits or vegetables they pick and, during peak harvest, good
17 workers can make significantly more than the minimum wage under this piece-rate system;
18 and

19 **WHEREAS**, by contrast, the farm operator must pay **at least** the state minimum
20 wage for those workers who pick less, or during times when there are not enough crops to
21 be picked, and their wages, regardless of how much they pick, must be equal to at least the
22 minimum per-hour wage; and

23 **WHEREAS**, the New Jersey State Board of Agriculture, working with representatives
24 of agricultural-interest groups in New Jersey, has created a list of “agriculture industry

25 survival tactics” as a response to the passage and signing into law of the new State Minimum
26 Wage; and.

27 **WHEREAS**, that list includes proposals to help farmers minimize the impact of the
28 new State Minimum Wage on their operations; and

29 **WHEREAS**, that list includes:

- 30 ✓ Seasonal Farmworker Job Retention Incentives – Annual incentives to New
31 Jersey farmers based on the difference between the 2013 constitutionally
32 mandated minimum wage levels and the newly scheduled increases for
33 seasonal workers.
- 34 ✓ Entry Level Worker Provisions -- Lower training wage for entry-level workers
35 under 18 years of age.
- 36 ✓ Definition of Agricultural Labor – Updating the definition of “farmworker” to
37 better match the range of workers (e.g. on-farm processing, farm-market
38 clerks, etc.) involved in today’s evolving farm operations.
- 39 ✓ Refundable Tax Credits for Farmworker Housing and Transportation – Many
40 farmers currently provide both for some workers. Credits would offset the
41 cost of those provisions that benefit farmworkers beyond their base wages.
- 42 ✓ Refundable Labor Tax Credits – Would offset increasing unemployment
43 insurance payments, state disability insurance payments, and workers
44 compensation insurance costs.
- 45 ✓ Loan Support – To expand the payback period and lower interest rates for
46 efficiency-increasing equipment.
- 47 ✓ Rural Access to Broadband – Enforcing state regulations requiring Internet
48 providers to improve rural broadband infrastructure.
- 49 ✓ Accelerated Depreciation Allowances – Adopt current federal tax allowances
50 (e.g. Section 179) for New Jersey Business tax returns to allow for more
51 rapid depreciation of capital expenses.

- 52 ✓ Fire Inspection – Exemption from annual fire inspections, with the exception
- 53 of buildings housing farm labor or those that provide public access.
- 54 ✓ NJ Ag Experiment Station Funding – Restored funding levels would better
- 55 enable NJAES to help farmers improve efficiency.
- 56 ✓ Expanded Property Tax Exemption for Single-Purpose Ag Structures –
- 57 Would extent the types of buildings under the current definition of Exempt
- 58 Structures, lowering the farm’s tax burden.
- 59 ✓ Farmworker Housing Restrictions – Exemption for overly restrictive farm-
- 60 labor housing regulations in the Pinelands and Highlands.

61 **NOW, THEREFORE, BE IT RESOLVED**, that we, the delegates to the 104th State
62 Agricultural Convention, assembled in Atlantic City, New Jersey, on February 6-7, 2019,
63 support the efforts of the New Jersey State Board of Agriculture to pursue – through
64 regulation, legislation or other means – the Agriculture Industry Survival Tactics detailed
65 above to help farmers counteract the impact of the newly enacted minimum wage in New
66 Jersey.

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