



2024 LOFP Winter Conference Labor Update

- Union update and strategy
 - Preliminary Injunction Hearing on February 21, 2024 –appeal likely if granted
 - Educate workers about unionization using facts, opinions & experiences (FOE)
- New overtime rules now in effect (1.5X wage after 56 hours/week)
 - NYS Overtime Tax Credit offered to ease burden—training to follow
- Most H-2A jobs still fit into AEWL wage rates (\$ 17.80/hour)
 - SOC codes 45-2041 (graders & sorters), 45-2091 (ag equip. operators), 45-2092 (farmworkers & farm laborers), 53-7064 (packers & packagers), 45-2099 (other ag workers).
 - Heavy truck driver, farm manager, mechanics, construction workers = more \$\$\$
 - Use O*NET Online (<https://www.onetonline.org>) to write job order descriptions

O*NET Example: Farmworkers & Laborers

- **Farmworkers and Laborers, Crop, Nursery, and Greenhouse45-2092.00**

- Manually plant, cultivate, and harvest vegetables, fruits, nuts, horticultural specialties, and field crops. Use hand tools, such as shovels, trowels, hoes, tampers, pruning hooks, shears, and knives. Duties may include tilling soil and applying fertilizers; transplanting, weeding, thinning, or pruning crops; applying pesticides; or cleaning, grading, sorting, packing, and loading harvested products. May construct trellises, repair fences and farm buildings, or participate in irrigation activities.
- **Sample of reported job titles:** Farm Laborer, Farmer, Field Irrigation Worker, Gardener, Greenhouse Worker, Grower, Harvester, Nursery Worker, Orchard Worker, Picker

Source: O*NET Online, retrieved from <https://www.onetonline.org/link/summary/45-2092.00>.

O*NET Example: Farmworkers & Laborers

- Farmworker tasks include:

- **Identifying Objects, Actions, and Events** — Identifying information by categorizing, estimating, recognizing differences or similarities, and detecting changes in circumstances or events.
- **Communicating with Supervisors, Peers, or Subordinates** — Providing information to supervisors, co-workers, and subordinates by telephone, in written form, e-mail, or in person.
- **Controlling Machines and Processes** — Using either control mechanisms or direct physical activity to operate machines or processes (not including computers or vehicles).
- **Operating Vehicles, Mechanized Devices, or Equipment** — Running, maneuvering, navigating, or driving vehicles or mechanized equipment, such as forklifts, passenger vehicles, aircraft, or watercraft.
- **Updating and Using Relevant Knowledge** — Keeping up-to-date technically and applying new knowledge to your job.
- **Inspecting Equipment, Structures, or Materials** — Inspecting equipment, structures, or materials to identify the cause of errors or other problems or defects.
- **Making Decisions and Solving Problems** — Analyzing information and evaluating results to choose the best solution and solve problems.
- **Repairing and Maintaining Mechanical Equipment** — Servicing, repairing, adjusting, and testing machines, devices, moving parts, and equipment that operate primarily on the basis of mechanical (not electronic) principles.