RESOLUTION # 21

AGRICULTURE AND THE STATE MINIMUM WAGE

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

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

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

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

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

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

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

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

WHEREAS, the New Jersey State Board of Agriculture, working with representatives of agricultural-interest groups in New Jersey, has created a list of steps that it believes are
essential to bolster the industry’s economic viability in response to the passage and signing of the new minimum wage in the state; and

WHEREAS, that list includes:

✓ **Seasonal Farmworker Job Retention Incentives** – Annual incentives to New Jersey farmers based on the difference between the 2013 constitutionally mandated minimum wage levels and the newly scheduled increases for seasonal workers.

✓ **Definition of Agricultural Labor** – Updating the definition of “farmworker” to better match the range of workers (e.g. on-farm processing, farm-market clerks, etc.) involved in today’s evolving farm operations.

✓ **Tax Credits for Farmworker Housing and Transportation** – Many farmers currently provide both for some workers. Credits would offset the cost of those provisions that benefit farmworkers beyond their base wages.

✓ **Labor Tax Credits** – Would offset increasing unemployment insurance payments, state disability insurance payments, and workers compensation insurance costs.

✓ **Accelerated Depreciation Allowances** – Adopt current federal tax allowances (e.g. Section 179) for New Jersey Business tax returns to allow for more rapid depreciation of capital expenses, especially for equipment that will improve efficiency.

✓ **Expanded Property Tax Exemption for Single-Purpose Ag Structures** – Would extend the types of buildings under the current definition of Exempt Structures, lowering the farm’s tax burden.

**NOW, THEREFORE, BE IT RESOLVED,** that we, the delegates to the 105th State Agricultural Convention, assembled in Atlantic City, New Jersey, on February 5-6, 2020, support the efforts of the New Jersey State Board of Agriculture to pursue – through regulation, legislation or other means – the measures enumerated above to bolster economic viability in the state’s agricultural industry.