

# FACT SHEET

## Protect Virginia Farmworkers

### Support:

**HB 1785- Delegate Ward**

**HB 1786- Delegate Ward**

**SB 1358- Senator Hashmi**

### Problems:

***Farmworkers in Virginia are exempt from Virginia's minimum wage law:*** A vestige of the Jim Crow-era state laws, Virginia continues to exempt farmworkers from the protections of the Virginia Minimum Wage Act.

***Farmworkers experience dangerous heat stress:*** One of farmworkers biggest concerns is their exposure to heat, especially in the summer. A bill to address heat stress would help farmworkers and other workers who face significant exposure.

### Policy solutions:

**HB 1786 (Delegate Ward)** is patroning a bill to repeal §40.1-28.9(A)(1), the subsection of the statute that exempts farmworkers under the Virginia Minimum Wage Act (VMWA).

**HB 1785 (Delegate Ward) & SB 1358 (Senator Hashmi)** is patroning a bill to require the Safety and Health Codes Board to establish the following regulations: provide water, shade, or a climate-controlled environment, rest periods of 15 to 45 minutes per day, training, and emergency response procedures.

### Why Virginia Should Protect Farmworkers:

***Livable Wages:*** Farmworkers do important and hard work. We depend upon them for our food. According to the National Agricultural Workers Survey (NAWS) "the average total income of farmworkers is between \$15,000 to \$17,499 a year for individuals and \$20,000 to \$24,999 for a family." Such wages do not allow them to have a sustainable life.

***Labor Protections:*** The hands of farmworkers provide us with food supply, yet most farmworkers do not have health insurance, paid sick time, or overtime pay for long hours. At the minimum, farmworkers deserve to be paid the minimum wage and be protected from Virginia's hot summers.

***Health Protection:*** Farmworkers are required to work under high temperatures causing major health conditions. According to the Centers for Disease Control and Prevention, farmworkers are more likely to die from a heat-related illness than other U.S. civilian workers.

***Small Farms:*** Small farms need farmworkers, especially in harvest times. Although many small farmers are struggling, their primary problems are low prices for commodities (such as milk), lack of access to mechanization, lack of access to credit, cost of land, especially near urban areas, and inability to compete with large corporate farms. Farmworker wages are not why small farms are struggling. A recent study of the effect of raising the minimum wage in counties and other rural areas where the new minimum is a high share of the overall typical (median) wage found positive impacts on wages, a reduction in household and child poverty rates, and no adverse effects on employment, weekly hours, or annual weeks worked.

*Sources: Farmworkers Advocacy Network, Legal Aid Justice Center, National Farm Worker Ministry, Centers for Disease Control and Prevention, Farm Worker Justice, Farm Aid, The Commonwealth Institute*