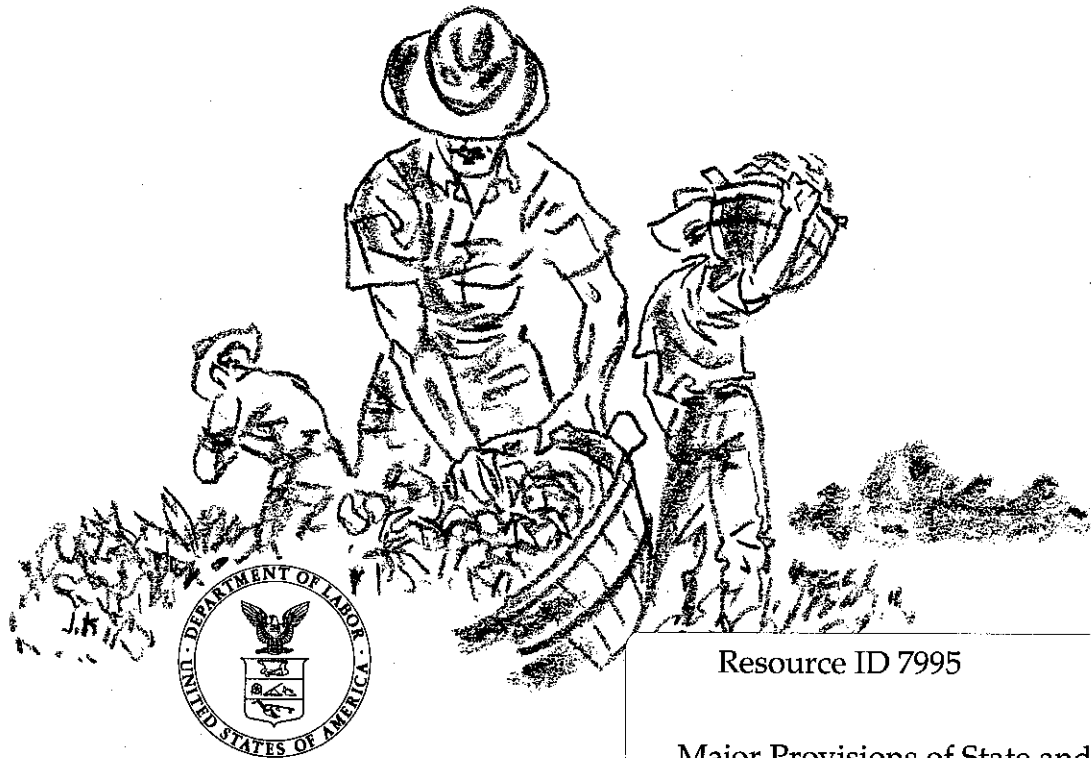


MAJOR PROVISIONS OF STATE AND FEDERAL Farm Labor Contractor Laws

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Major Provisions of State and Federal Farm
Labor Contractor Laws

U.S. DEPARTMENT OF LABOR

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FOREWORD

This bulletin has been prepared in response to the growing interest of public and private organizations in any legislation which deals with the activities of farm labor contractors as they relate to migratory farm workers, particularly since the passage of the Federal Farm Labor Contractor Registration Act of 1963. At present, in addition to the Federal Act, there are such laws in eight States, and these States are among those having great demand for seasonal migratory agricultural workers.

This publication presents an analysis of the laws in the eight States and of the Federal act. Other laws applicable to migratory farm workers are discussed in Fact Sheet No. 2, "Status of Agricultural Workers Under State and Federal Labor Laws," and Bulletin No. 264, a map series showing coverage of such laws, issued by the Bureau of Labor Standards, U. S. Department of Labor.

The Bureau wishes to thank the administrators of these laws for their cooperation and assistance in reviewing the information shown in the tables.

This bulletin was prepared by Deborah T. Bond, under the general direction of Milton Brooke, Chief, Division of State Services and Standards, Bureau of Labor Standards, U. S. Department of Labor.

MAJOR PROVISIONS OF STATE AND FEDERAL FARM LABOR CONTRACTOR LAWS

Farm labor contractors or crew leaders are responsible for placement of many of the migratory agricultural workers in farm jobs. Usually their duties are to contract with growers to recruit and supply workers, and, for these workers, enter into agreements with the growers as to wages, transportation, housing, and working conditions. They generally receive a fee for such services, sometimes paid by the grower, sometimes by the workers. They may also supervise the work, control and distribute the wages, and make arrangements for board, lodging, and transportation of the migrants.

Because this relationship of the farm labor contractor or crew leader with the migratory farm worker has led to some undesirable practices, eight States and the Federal Government regulate the activities of farm labor contractors or crew leaders by laws designed to curb the most prevalent abuses, such as failure to give migratory farm laborers explicit information on employment conditions, and to prevent other types of exploitation of these workers.

The terms "crew leader" and "farm labor contractor" are used interchangeably in six of these State laws.

The other two laws, those of Nevada and Oregon, however, clearly define the two terms for the purpose of exempting crew leaders entirely as in Nevada, or partially as in Oregon. Under these two laws, a crew leader is defined as the member of a group of farm workers who (a) acts as spokesman for the group, which he may have formed, (b) travels with the group from State to State, (c) performs agricultural work along with the group, and (d) supervises the group for the farmer. However, he receives no extra compensation from the group members or the farmer for such duties or services. A farm labor contractor is defined as a person who, for a fee, recruits, supplies, or employs workers to perform farm labor for another in connection with the production or harvesting of certain crops; he may also furnish board, lodging, or transportation for the workers.

STATE LAWS

The eight States with laws or regulations which apply to the activities of farm labor contractors are: 1/

California	New York
Colorado	Oregon
Nevada	Pennsylvania
New Jersey	Washington

Six of the States have specific farm labor contractor laws: California, Nevada, New Jersey, New York, Oregon, and Washington. In New Jersey there are two laws: the migrant housing law, which contains provisions applying to farm labor contractor crew leaders of migratory farm laborers, and a law applying to crew leaders of day-haul farm laborers. 2/

The other two States have farm labor contractor regulations. In Pennsylvania, under the authority of the general safety laws, the Commissioner of the Department of Labor and Industry has

1/ This analysis does not include a Texas law, which is primarily an Emigrant Agent Act, but has some requirements for agents who recruit agricultural workers for out-of-State use, nor a Puerto Rico law which regulates the activities of all labor agencies and which probably could include those who recruit farm workers.

2/ Day-haul farm laborers are local farm workers who are provided daily transportation to and from the farms where they are working.

issued comprehensive regulations for crew leaders. In Colorado, the crew leader has certain responsibilities relating to the wages of migratory farm workers under the general wage payment and wage collection law. To assist with the enforcement of this part of the law, the Colorado Industrial Commission requires registration of crew leaders by an administrative regulation.

All of the eight States cover all farm labor contractors regardless of the size of the crew supervised or controlled. 3/

Regulation of the activities of the farm labor contractor

Initially, the State must identify the farm labor contractors who carry on business in the State. To accomplish this, all eight require some type of certification and define the responsibilities of the farm labor contractors and the restrictions on their activities.

Licensing.--The most significant control that the States place upon the farm labor contractor is

3/ However, the New York law also applies to growers or processors who bring in 5 or more out-of-State migratory workers without utilizing the services of farm labor contractors. These growers are required to obtain a certificate of registration and to comply with certain provisions of the farm labor contractor law.

the requirement for obtaining a license or certificate of registration from the administrative agency. (See Table 1.) California, Nevada, Oregon, Pennsylvania, and Washington require licenses, and New Jersey and New York require certificates of registration; and in all of these States the licenses or certificates must be renewed annually. In Colorado the crew leader is required to register with the Industrial Commission, where he is issued a certificate of registration; a renewal period is not specified.

A licensing fee is charged in four States-- California, Nevada, Oregon, and Washington. The initial fee in California is \$25 for the license and \$10 for filing. Renewals cost \$25 if the application is filed prior to December 31; if not, the cost is \$35. The other three States charge \$10 annually. The laws of Colorado, New Jersey, New York, and Pennsylvania have no fee requirements.

Aside from payment of fees, various prerequisites for licensing are set out in the laws. For example, in all States a written application for a new or renewed license or a certificate is required. The laws specify that the application form supplied by the administrative agency must request information necessary to assess the character, competence, and reliability of the applicant. In New York and Pennsylvania, an applicant must submit a set of his fingerprints with each written application. In addition, New York provides that the application must be countersigned by the grower, using the services of the farm labor contractor, and that this grower also be issued a certificate of registration. In Nevada and Oregon any individual may

file with the administrative agency a protest against the issuance of a license and he will be granted an opportunity to present his objections. Some agencies are specifically directed to make follow-up investigations to verify the information supplied by the applicant.

The farm labor contractor must post a surety bond as evidence of financial responsibility in California, Nevada, and Washington. These three States, as well as Oregon, require liability insurance on vehicles used by farm labor contractors to transport workers. As a further control, all of the States, with the exception of Pennsylvania forbid transfer of a license or certificate to another person. Requirements such as these aid the administrative agency in its determination of the reliability of the potential licensee and provide it with background information for enforcement.

Practices prohibited by farm labor contractors--Certain practices adversely affecting the welfare of the migratory farm worker, whether directly or indirectly, are prohibited in all States except Colorado. Typical practices prohibited are: giving false information to workers as to the terms, conditions, or existence of employment; making false statements in an application to the administrative agency concerning the applicant's personal history; acting in ways to cause a violation of an employment contract; and performing any act which constitutes a crime. In addition to usual prohibited practices, New Jersey prohibits crew leaders of day-haul workers from charging unreasonable or excessive prices for transportation or food, and farm labor contractors from housing migratory farm workers in unsuitable quarters.

Duties of farm labor contractors or crew leaders.--In recognition of the relationship that exists between the farm labor contractor and the migratory farm worker when the contractor controls the pay, six States (all but New Jersey and Pennsylvania) specifically place some responsibility on the farm labor contractor, along with his other duties, for the payment of wages to the workers. California, Colorado, Nevada, Oregon, and Washington require prompt payment of wages when due. California, Colorado, and New York require maintenance of payroll records showing a detailed account of wages earned and deductions made, and an itemized wage-and-withholding statement furnished each worker.

Among the other duties specified in the laws for the farm labor contractor are the responsibility for keeping the work contract between himself and the grower open for inspection by the administrative agency or the worker (Nevada, Oregon, Washington), filing his change of permanent address with the nearest Post Office (California, Nevada, Oregon, Washington), and carrying the license or certificate of registration on his person at all times (California, Nevada, New Jersey, New York, Oregon, Washington). New Jersey and Pennsylvania also make the farm labor contractor jointly responsible with the grower for maintaining migratory farm labor camps in a sanitary and healthy condition.

Grounds for revoking or suspending a license or certificate.--All of the laws except that of Colorado contain specific grounds for refusing to issue or for revoking licenses or certificates issued to farm labor contractors. Important among these are: violation on the part of the contractor

of any provision of the specific labor law or regulation applying to him or to his workers; irresponsible conduct; financial mismanagement; and misinformation given to the agency at the time of the application or to the workers regarding employment.

Penalty.--All eight States provide penalties for violation. In Colorado the only penalty is a \$10 fine for each failure by a crew leader to pay wages to workers. In the other States the penalties range from a minimum of \$25 or 15 days imprisonment for any violation of the law by a crew leader of day-haul workers in New Jersey, to \$5,000 or 2 years imprisonment, or both; in Oregon for making false statements on an application for a license.

Administration and enforcement of the laws

In seven of the States the major responsibility for administration and enforcement of the laws is vested in the administrator of the State department of labor, while the Nevada law vests such responsibility in the administrator of the department of agriculture. The Nevada, Oregon, and Washington laws also permit the delegation of certain responsibilities to the State Employment Service. In Nevada, the Employment Service may receive applications and fees for transmittal to the Director of Agriculture. In Oregon, the Employment Service may receive the application as well as the appropriate fees, and forward them to the Commissioner of Labor for his action; in the meantime, the Employment Service may issue a temporary permit. However, if the Commissioner fails to approve the application, the temporary permit is terminated immediately. The Washington law

requires the farm labor contractor to file with the nearest Employment Service office any information regarding the work agreement, which may include wages to be paid, work to be performed, and other information as required by the Department of Labor and Industries.

FEDERAL LAW

The Farm Labor Contractor Registration Act of 1963, effective January 1, 1965, applies, with certain exceptions, to those who make arrangements between workers and growers for interstate agricultural employment. Specifically, the law applies to any person who recruits, solicits, hires, furnishes, or transports for a fee 10 or more migratory workers (exclusive of his immediate family) for employment across State lines.

Regulation of the activities of farm labor contractors

As in the State laws, this law provides for the identification of farm labor contractors, and defines their responsibilities.

Licensing.--The farm labor contractor is required to obtain a certificate of registration from the Secretary of the U. S. Department of Labor. The certificate must be renewed annually and is not transferable to another person. There is no charge to the farm labor contractor for either the original certificate or its renewal.

For each new or renewed certificate, the farm labor contractor is required to file a written application which is used in the Secretary of Labor's

determination on whether or not to issue a certificate of registration. Also required with the application are a show of satisfactory assurances of liability insurance coverage and a set of fingerprints. In addition to these requirements for the farm labor contractor, his regular or full-time employees must have in their possession such identification as is required by the Secretary of Labor. These employees are bound by all provisions of the act and regulations issued thereunder that are applicable to the farm labor contractor except those dealing with financial responsibility.

Duties of farm labor contractors.--Like the State laws, the Federal law requires a contractor who actually pays workers to keep payroll records and to give employees wage-and-withholding statements. The contractor must also give to workers specified information in regard to employment at the time of recruitment as well as post a copy of the terms and conditions of employment. When the farm labor contractor is responsible for providing housing, he must post the terms and conditions of occupancy.

Grounds for revoking, refusing, or suspending a license or certificate.--The Secretary of Labor may revoke or refuse to issue a certificate if the farm labor contractor commits certain specified acts, as shown in Table 4. Among these are: giving false or misleading information to workers concerning terms, conditions, or existence of agricultural employment, or to the Secretary in an application for a certificate; failing to comply with agreements with workers or to perform agreements entered into with farm operators; failing to show satisfactory insurance coverage;

failing to comply with the applicable regulations of the Interstate Commerce Commission; employing persons in violation of the immigration laws; and being convicted of certain crimes under State or Federal laws.

Penalty.--The law provides a fine of up to \$500 for willful violation of the act or any regulations issued under it.

VALUE OF THE LAWS TO THE WORKERS

By these legal requirements and restrictions, the State and Federal Governments attempt to curb the most common abuses practiced against migratory agricultural employees and improve their living and working conditions.

Although neither the Federal law nor any of the State laws include all of the following provisions, where the various requirements are in effect they contribute materially to the protection offered the migratory farm worker. For example, the worker is:

- protected against undesirable farm labor contractors by the requirement that only persons who show the capacity for responsible performance may be licensed;
- granted financial security by the requirement that all moneys be paid them when due and that a bond must be posted by the contractor;
- protected against exploitation by the requirement that exact information

as to wages and working conditions be given at the time of recruitment;

- protected in case of an accident while traveling by the requirement that the contractor carry liability insurance; and
- guaranteed reasonably adequate living conditions by the requirement that standards for operating farm labor camps be maintained.

The Bureau of Employment Security, in discussing the intention of the Federal law, noted that the law was "... an attempt to assure more equitable treatment for the migrant agricultural worker by requiring that farm labor contractors and crew leaders meet certain requirements in their relationships with their crew members. ... It should be emphasized that this new legislation does not have the specific aim of improving working or living conditions for migratory workers. ... Basically, the law attempts to improve communication between the farm labor contractor and his crew members or his employer. ... At present migratory workers are excluded from legislation which benefits most other workers. The Farm Labor Contractor Registration Act gives them an avenue of legal complaint should there be abuse at the hands of a farm labor contractor."^{4/}... This appraisal of the intention of the Federal law certainly is relevant also to the State farm labor contractor laws.

^{4/} "Farm Labor Contractor Registration Act of 1963," Employment Service Review, pp. 10-11, January-February 1965, Manpower Administration, U. S. Department of Labor.

Table 1.--Coverage and Administration

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
California	Law (specifically applicable to farm labor contractors). ^{1/}	<p>License required.</p> <p>Fees: \$10 filing; \$25 annual licensing.</p> <p>License renewable annually on January 1; not transferable.</p>	<p>\$1,500 surety bond.</p> <p>Liability insurance in amount satisfactory to Commissioner for damages to persons or property arising out of operation of vehicles used to transport workers.</p>	<p>Industrial Relations Department, Division of Labor Law Enforcement.</p> <p>Labor Commissioner to:</p> <ol style="list-style-type: none"> 1. Require a sworn application. 2. Issue license upon approval of application. 3. Refuse, revoke, or suspend license for cause. 4. Take assignments for wage claims against a licensee. 5. Investigate character, competency, and responsibility of licensee. 6. Require registration of those vehicles used to transport farm workers when vehicles are not owned by the licensee. 	<p>Violation is a misdemeanor punishable by a fine up to \$500 and/or imprisonment up to 6 months.</p>

^{1/} California also includes day-haulers.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
Colorado	Law and regulation (specific regulation applicable to field farm labor contractors or crew leaders issued under general wage payment and wage collection law).	<p>Certificate of registration required by regulation.</p> <p>Fees: None required.</p> <p>Duration of certificate not specified; not transferable.</p>	None specified.	<p>Industrial Commission.</p> <p>By regulation:</p> <ol style="list-style-type: none"> 1. Require a sworn application. 2. Issue certificate of registration upon approval of application. <p>By law:</p> <ol style="list-style-type: none"> 1. Investigate any violation of wage payment. 2. Bring civil suit to recover unpaid wages. 	Every employer who fails to pay wages shall forfeit to State \$10 for each such failure for each worker.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
Nevada ^{2/}	Law (specifically applicable to farm labor contractors).	<p>License required.</p> <p>Fees: \$10 annual licensing.</p> <p>License renewable annually on January 1; not transferable.</p>	<p>Surety bond required. Value based on the volume of the payroll of the licensee.</p> <p>Liability insurance in an amount satisfactory to the Director for damages to persons or property arising out of operation of vehicles used to transport workers.</p>	<p>State Department of Agriculture.</p> <p>Executive Director to:</p> <ol style="list-style-type: none"> 1. Require a sworn application. 2. Issue license upon approval of application. 3. Investigate the character, competency, and reliability of licensee. 4. Revoke, suspend, or refuse to issue license for cause. 5. Maintain a fund of fees and other money received under the law for the administration and enforcement of the law. <p>Employment Security Department may accept an application and forward it to the Executive Director if satisfied that adequate insurance is available, \$10 fee is paid, and bond has been posted.</p>	<p>Violation is a gross misdemeanor.</p>

^{2/} The Nevada law excludes the crew leader of day-haul farm laborers or of an interstate laborer when he acts only as a spokesman and also works along with the laborers.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
New Jersey	Law (provisions specifically applicable to farm labor contractors or crew leaders in Migrant Labor Act).	Certificate of registration required. Fees: None specified. Certificate renewable annually on January 1; not transferable.	None specified. ^{3/}	Department of Labor and Industry. Labor Commissioner to: 1. Require a written application for a certificate of registration. 2. Issue certificate of registration upon approval of application. 3. Refuse, revoke, or suspend a certificate for cause.	Commissioner may impose a penalty up to \$200, or file court charges, violation punishable by up to 60 days imprisonment in addition to a \$200 fine.
	Law (specifically applicable to crew leaders of day-haul farm laborers).	Certificate of registration required. Fees: None specified. Certificate renewable annually on January 1; not transferable.	None specified.	Department of Labor and Industry, Bureau of Migrant Labor. Labor Commissioner to: 1. Require an application. 2. Issue a certificate of registration upon approval of application. 3. Refuse, revoke, or suspend a certificate for cause.	Violation punishable by fine of \$25 to \$200 and/or imprisonment up to 15 days.

^{3/}A regulation of the Division of Motor Vehicles requires insurance on vehicles used to transport migratory farm workers in an amount of not less than \$20,000 per person, and \$50,000 on all judgments. Failure to provide insurance may cause revocation of the right to operate a vehicle in the State.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
New York ^{4/}	Law (specifically applicable to farm labor contractors).	<p>Certificate of registration required.</p> <p>Fees: None required.</p> <p>Certificate renewable annually on April 1; not transferable; set of fingerprints required with application.</p>	None specified.	<p>Department of Labor.</p> <p>Industrial Commissioner to:</p> <ol style="list-style-type: none"> 1. Require an application for a certificate of registration. 2. Issue certificates of registration to the farm labor contractor and to the grower using his services upon approval of the application. 3. Give each person certified under the act information concerning workmen's compensation insurance and farmer's liability insurance. 4. Refuse, revoke, or suspend a license for cause. 	<p>Violation is a misdemeanor punishable by a fine for first offense up to \$100; second offense up to \$500 and/or imprisonment up to 30 days; subsequent offenses not less than \$300 and/or imprisonment up to 60 days.</p>

^{4/}The New York law requires growers and processors who do not use the services of farm labor contractors but themselves bring five or more out-of-State farm workers into the State for employment to comply with certain provisions of the law, such as filing an application for a certificate of registration with the Commissioner, giving each worker a copy of such application, and posting a copy in a conspicuous place where workers are housed, and keeping payroll records and giving wage statements to workers.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
Oregon ^{5/}	Law (specifically applicable to farm labor contractors).	<p>License required.</p> <p>Fees: \$10 annual licensing.</p> <p>License renewable on January 1; not transferable.</p>	<p>No bond required.</p> <p>Insurance policy in amount adequate under rules of Bureau of Labor for vehicles used to transport workers.</p>	<p>Bureau of Labor.</p> <p>Commissioner to:</p> <ol style="list-style-type: none"> 1. Require a written application. 2. Issue license upon approval of application. 3. Refuse, revoke, or suspend a license for cause. 4. Investigate the character, competency, and reliability of applicants. 5. Establish a fund of fees received; provide funds to the Unemployment Service for costs incurred in administering the act. <p>The Oregon State Employment Service may receive an application and forward same to the Labor Commissioner and may issue a temporary permit valid up to 20 days; if Commissioner rejects application, temporary permit expires immediately.</p>	<p>Violation punishable by fine up to \$250 and/or up to 60 days imprisonment.</p> <p>Anyone who defaces or alters a license or permit is guilty of a misdemeanor; anyone making a false statement on the application for license is punishable by a fine up to \$5,000 and/or up to 2 years imprisonment.</p>

^{5/} The Oregon law exempts crew leaders, but requires them to register with any local Employment Service office. By regulation, the crew leader is defined as one who, among other things, travels with and acts as spokesman for a group of farm workers and who may also perform certain duties for the farmer at no cost to either the worker or the farmer. The regulation requires the crew leader to file an application on the same form as used by the farm labor contractor, upon approval of which, and without a fee or requirement for insurance, the Employment Service office will issue a certificate of registration.

Table 1.--Coverage and Administration (cont.)

State	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
Pennsylvania	Regulation (specifically applicable to crew leaders, issued under the general authority of the Department of Labor and Industry).	License required. Fees: None specified. License renewable annually; set of fingerprints required with application.	None specified.	Department of Labor and Industry to: 1. Require an application for license. 2. Issue license upon approval of application. 3. Refuse, revoke, or suspend a license for cause.	Law provides: first offense fine up to \$100 or up to 30 days imprisonment; second offense up to \$200 or up to 60 days; third offense up to \$500 and/or 6 months.
Washington	Law (specifically applicable to farm labor contractors).	License required. Fees: \$10 annual licensing. License renewable annually on January 1; not transferable.	Bond may be required in an amount specified by the Director. Insurance in amount satisfactory to Director against liability for damages to persons or property arising out of operation of a vehicle to transport workers.	Department of Labor and Industry. Director shall: 1. Require a written application. 2. Investigate character, competency, and reliability of applicant. 3. Issue license upon approval of application. 4. Refuse, revoke, or suspend a license for cause. 5. Establish a fund of moneys paid as fees or fines for violation, to be use for administering this law.	Violation a misdemeanor punishable by a fine up to \$5,000 and/or imprisonment up to 6 months.

Table 2.--Duties of farm labor contractors and grounds for refusal of license

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
California	<ol style="list-style-type: none"> 1. Pay promptly when due all moneys or property entrusted to him. 2. Have available for inspection by his employees and growers a written statement showing rate of compensation received from growers and rate paid to employees. 3. Give to each worker an itemized statement of wages and deductions, semimonthly or at time of payment of wages. 4. Have proper operator's license for vehicles used to transport workers. 5. Register with the Commissioner all vehicles used to transport workers when the vehicles are not owned by the licensee. 6. Comply with the terms of all legal agreements entered into in his capacity as a farm labor contractor. 7. File changes of permanent address with Post Office. 8. Carry license on his person at all times. 	<ol style="list-style-type: none"> 1. Making false statements in application. 2. Giving false information to workers concerning terms or conditions or existence of employment. 3. Sending workers where strike exists without notifying the worker. 4. Performing any act which constitutes a crime involving moral turpitude. 	<ol style="list-style-type: none"> 1. Failure to comply with this law, or any State law regulating the employment of women and minors in agriculture, payment of wages to farm workers, or safety and health of farm employees. 2. Conditions under which license was issued have changed. 3. Sale of intoxicating liquors at place of business. 4. License was revoked within 3 years of application.

Table 2.--Duties of farm labor contractors and grounds for refusal of license (cont.)

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
Colorado	<ol style="list-style-type: none">1. Pay wages at least monthly; pay discharged employees immediately and pay those who quit on the next regular payday, or if 72 hours notice was given, within 3 business days after quitting.2. Pay workers in lawful money.3. Keep payroll records for period of 3 years.4. Post in a conspicuous place a notice specifying the regular paydays and the time and place of payment.5. Mail payroll records to the Commission on July 1 and December 1 (or monthly if necessary), or when the labor contractor leaves the State or terminates his contract.6. Give each worker a statement of wages and deductions with each payment.	None specified.	None specified.

Table 2.--Duties of farm labor contractors and grounds for refusal of license (cont.)

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
Nevada	<ol style="list-style-type: none">1. Pay promptly when due all moneys and property entrusted to him.2. File report with the Commissioner on work agreements with farmers and workers including wages and work to be performed.3. File changes of permanent address with Post Office.4. Comply with the terms of all legal agreements entered into in his capacity as a farm labor contractor.5. Carry license on his person at all times.	<ol style="list-style-type: none">1. Making false statements in application.2. Giving false information concerning terms or conditions or existence of employment.3. Performing any act which constitutes a felony under State law.4. Soliciting or inducing the violation of any contract of employment.	<ol style="list-style-type: none">1. Failure to comply with this law.2. Unfit character, incompetence, or unreliability evidenced by the licensee.3. Conditions under which license was issued have changed.4. License was revoked or denied within 3 years of application.

Table 2.--Duties of farm labor contractors and grounds for refusal of license (cont.)

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
<p>New Jersey (farm labor contractors or crew leaders)</p> <p>(crew leaders for day-haul farm laborers)</p>	<ol style="list-style-type: none"> 1. Carry certificate on his person at all times. 2. Exercise constant supervision over migrant workers in camps (see also Practices prohibited, Column 3). <ol style="list-style-type: none"> 1. Have reasonable knowledge of labor laws applicable to himself and his workers. 2. Carry certificate on his person at all times. 	<ol style="list-style-type: none"> 1. Acting as a crew leader for a camp in which: <ol style="list-style-type: none"> a. housing and living quarters are not fit for human habitation or not in accordance with Migrant Labor Act; b. sanitation facilities are not provided in accordance with the Migrant Labor Act. 1. Misrepresenting facts relating to working conditions and hours or wages to be paid. 2. Charging unreasonable or excessive prices for transportation, food, or drink. 3. Misrepresenting facts on application for certificate of registration. 4. Violating any State or Federal labor or criminal law. 5. Acting contrary to the meaning and purpose of this Act. 	<p>Discretionary with Commissioner if he finds that issuance of license would be:</p> <ol style="list-style-type: none"> 1. Contrary to the purpose of the Migrant Labor Act. 2. Detrimental to the best interest and welfare of migrant workers. <p>(Same as Practices prohibited, Column 3.)</p>

Table 2.--Duties of farm labor contractors and grounds for refusal of license (cont.)

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
New York	<ol style="list-style-type: none"> 1. File an application containing information on wages, working conditions, and housing, countersigned by the grower. 2. Distribute copies of the application filed with the Commissioner to workers and post a copy in a conspicuous place in the camp. 3. Keep and make available for inspection payroll records. 4. Give to each worker with each payment of wages a statement showing wages and deductions. 5. Carry certificate of registration on his person at all times. 	<ol style="list-style-type: none"> 1. Failure to comply with any of the provisions of this law. 2. Conviction for any crime or offense, except traffic infractions. 3. Misrepresentation or false statements in application for registration certificate. 4. Giving misleading information to workers concerning terms, conditions, or existence of employment. 	<p>(Same as Practices prohibited, Column 3.)</p>
Oregon	<ol style="list-style-type: none"> 1. Pay promptly when due all moneys to individuals entitled thereto. 2. Comply with terms of all valid agreements or contracts. 3. File at an office of the Oregon State Employment Service information relating to work agreements with farmers and workers. 4. File changes of permanent address with Post Office and notify the Commissioner. 5. Carry license on his person at all times. 	<ol style="list-style-type: none"> 1. Making false statements in application for a license. 2. Making false statements concerning terms, conditions, or existence of employment at any place. 3. Causing the violation of a contract of employment. 4. Performing any act that constitutes a felony under State law. 	<ol style="list-style-type: none"> 1. Violation of the provisions of this act. 2. Conditions under which the license was issued have changed. 3. Unfit character, unreliability or incompetence evidenced by the licensee.

Table 2.--Duties of farm labor contractors and grounds for refusal of license (cont.)

State	Duties of farm labor contractors or crew leaders	Practices by farm labor contractors or crew leaders which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
Pennsylvania	<ol style="list-style-type: none"> 1. Thoroughly instruct workers as to the necessity for maintaining orderly conduct and respect for property. 2. Exercise constant supervision over workers or designate a foreman of the crew to act in his stead. 3. Be responsible with owners of camps for maintenance of sanitation and cleanliness in camp areas. 	<ol style="list-style-type: none"> 1. Permitting workers to: <ol style="list-style-type: none"> a. occupy housing which is not in accordance with requirements of regulations for migrant farm labor camps; b. occupy housing in camps where sanitary facilities are not provided. 	<ol style="list-style-type: none"> 1. Violation of regulation governing crew leaders. 2. Violation of any Federal or State law on wages, hours, fair labor standards, or school attendance. 3. Violation of regulation for migratory labor camps. 4. Licensee shows conduct detrimental to the well-being of migratory workers. 5. Conviction of any felony or misdemeanor.
Washington	<ol style="list-style-type: none"> 1. Pay promptly, when due, all moneys or other things of value entrusted to him. 2. File change of permanent address with Post Office. 3. File information regarding his work offer with the nearest Employment Service office, including information on wages and work to be performed. 4. Comply with the terms of all agreements and contracts. 5. Carry license on his person at all times. 	<ol style="list-style-type: none"> 1. Making false statement in application for license. 2. Making false statement concerning the existence of work or terms or conditions of work. 3. Sending worker to place where a strike or lockout exists. 4. Performing or causing an act which constitutes a crime involving moral turpitude. 	<ol style="list-style-type: none"> 1. Violation of this law. 2. Conditions have changed since license was issued. 3. Failure to comply with any State law regulating employment in agriculture, payment of wages to farm workers, or health and safety standards. 4. Violation of any existing contract of employment. 5. Sale of intoxicating liquor on premises where he operates as a farm labor contractor. 6. License was revoked within 3 years of application.

Table 3.--Coverage and Administration

Federal law	Law or regulation	License or registration requirements	Bond; special insurance	Administrative agency and duties	Penalty
<p>United States: Farm Labor Contractor Registration Act (P.L. 88-582, effective 1/1/65)</p>	<p>Law (applicable to farm labor contractors engaging 10 or more farm workers for interstate agricultural employment).</p>	<p>Registration required.</p> <p>Fees: None specified.</p> <p>License renewable annually; not transferable.</p>	<p>No bond required.</p> <p>Liability insurance policy satisfactory to the Secretary against damages to person or property arising out of operation of vehicles used to transport workers in an amount not less than \$5,000 for death or injury of one person; \$20,000 for death or injury of all persons in one accident; \$5,000 for property loss or damage in one accident.</p>	<p>U. S. Department of Labor.</p> <p>Secretary of Labor to:</p> <ol style="list-style-type: none"> 1. Require a sworn application. 2. Issue a certificate of registration upon approval of application. 3. Issue some form of identification to employees of duly registered farm labor contractors. 4. Require a set of fingerprints to accompany each application. 5. Revoke or suspend license for cause. 6. Enter into agreements with Federal and State agencies and to delegate to the agencies such authority, as other than rulemaking, as necessary to carry out the provisions of the act. 	<p>Violation punishable by a fine up to \$500.</p>

Table 4.--Duties of farm labor contractors and grounds for refusal of license

Federal law	Duties of farm labor contractors or crew leaders	Practices by farm labor contractor or crew leader which are prohibited	Grounds for refusing, suspending, or revoking license or certificate
<p>United States: Farm Labor Contractor Registration Act (P.L. 88-582, effective 1/1/65)</p>	<ol style="list-style-type: none"> 1. Ascertain and disclose to each worker at the time the worker is recruited: <ol style="list-style-type: none"> a. area of employment. b. crops and operations on which he may be employed. c. transportation, housing, and insurance to be provided. d. wage rates to be paid. e. charges to be made by the contractor for his services. 2. Post in a conspicuous place at work-site a statement of terms and conditions of employment. 3. Post in a conspicuous place terms and conditions of occupancy in event he controls housing facilities. 4. Keep detailed payroll records for time workers as well as piece workers and provide each worker with a wage statement. 5. Carry certificate of registration on his person at all times. 	<p>None specified. (However, see Grounds for refusing to issue, suspending, or revoking license or certificate, Column 4).</p>	<ol style="list-style-type: none"> 1. Misrepresentation or falsification of statements on application. 2. Falsification of information to migrant workers concerning terms, conditions, or existence of agricultural employment. 3. Failure to perform agreements entered into with farm operators. 4. Failure to comply with terms of working arrangements with migrant workers. 5. Failure to show financial responsibility. 6. Recruitment, employment, or utilization of the services of a person violating the provisions of immigration and nationality laws of the United States. 7. Conviction of specified crimes under State or Federal law. 8. Failure to comply with rules and regulations promulgated by the Interstate Commerce Commission. 9. Failure to comply with any of the provisions of this law. 10. Employment of a person to act in his stead who violates any provision of this law.