

[home](#)[research emphases](#)[key topics](#)[briefing rooms](#)[publications](#)[data](#)[newsroom](#)[about ERS](#)[home](#) > [briefing rooms](#) > [farm labor](#)**briefing room****farm labor: labor laws and regulations**

Hired labor is an important part of the U.S. farm production process. Agricultural employers should know the Federal laws and regulations governing employment, taxes, wages, and working conditions, and should be aware of changes in those laws and regulations.

The laws and regulations affecting labor relations are complex. In general, they offer:

- wage, hour, and workplace protections to employees;
- benefits for work-related injuries, establishment of occupational health and safety standards, and regulation of pesticide use;
- help controlling unauthorized immigration into the United States;
- assistance in the enforcement of child support; and
- assurance of equal employment opportunities.

Some of these laws such as the Fair Labor Standards Act, came into effect with the New Deal legislation of the 1930's. Other laws, such as the Family and Medical Leave Act, came into effect more recently. Some laws, such as minimum wage legislation, are designed for all employers, but with special considerations given to agriculture, based on size of farm, number of employees, and type of work. Still other laws, such as the Personal Responsibility and Work Opportunity Reconciliation Act, require the same compliance for farm and nonfarm employers. The major Federal laws and regulations affecting agricultural employers are summarized below.

The Fair Labor Standards Act of 1938 (FLSA), a Federal law with broad application, contains provisions and standards on minimum wages, maximum hours allowable without overtime pay, child labor, and recordkeeping. Farm employers are exempt from paying for overtime, many are exempt from paying the minimum wage, but most are not exempt from child labor provisions.

The Occupational Safety and Health Act of 1970 (OSHA) focuses on assuring safe and healthful working conditions for working adults and contains standards affecting several aspects of the agricultural workplace. Major provisions of the act cover standards for temporary labor camps, field sanitation, hazardous substances, cadmium usage, and logging operations. Farm

[Briefing room front page](#)[Demographic characteristics of hired farmworkers](#)[Employment characteristics of hired farmworkers](#)[Farm labor data sources](#)[Farm safety](#)[Labor laws and regulations](#)

employers that do not employ 11 or more employees on at least one day are exempt from all OSHA provisions, except for the temporary labor camp provision.

The Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (FIFRA) sets an overall risk/benefit standard for pesticide registration, requiring that all pesticides perform their intended function when used according to labeling instructions, without imposing unreasonable risks of adverse effects on human health or the environment. The Environmental Protection Agency (EPA) requires the certification of all pesticide applicators and their employees who will be applying pesticides. In 1992, EPA issued a new Worker Protection Standard that covers all employers using pesticides or having them applied.

The Migrant and Seasonal Agricultural Worker Protection Act of 1983 (MSPA) provides migrant and seasonal farmworkers with protections concerning pay, working conditions, and work-related conditions. Farm employers, but not farm labor contractors, have the same exemptions under MSPA as under FLSA.

The **Immigration Reform and Control Act of 1986 (IRCA)** requires all employers, including farm employers, to verify the eligibility of each employee hired to work in the United States, and prohibits employers (of four or more employees) from discriminating against any individual because of citizenship status.

Workers' compensation laws provide medical and cash benefits to employees or their dependents who incurred a work-related injury or illness through no fault of their own, and relieves employers of liability from lawsuits involving negligence.

The **Family and Medical Leave Act of 1993 (FMLA)** allows employees to balance their work and family life by taking reasonable unpaid leave for certain family and medical reasons. FMLA applies to agricultural employers with 50 or more employees in 20 or more workweeks in the current or preceding calendar year.

The **Personal Responsibility and Work Opportunity Reconciliation Act of 1996**, commonly known as the welfare reform act. Agricultural employers, like all employers, are affected by the provision that each State must have a program that collects and processes timely information about the newly hired so that child support can be effectively enforced.

Federal Equal Employment Opportunity Laws—**Equal Pay Act of 1963, Civil Rights Act of 1964 (Title VII), Age Discrimination in Employment Act of 1967**, and **Americans with Disabilities Act of 1990**—provide qualified workers equal access to employment opportunities.

Federal employment tax laws—**Federal Insurance Contributions Act of 1935**, (commonly known as Social Security), **Federal Unemployment Tax Act of 1935**, and Federal income tax codes may require employers to withhold money from wages and send the withheld portion to the U.S. Treasury.

For more information see: [Summary of Federal Laws and Regulations Affecting Agricultural Employers, 2000](#).

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