

## [New California Overtime Regulations Applicable to Farm Workers](#)



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On September 12, 2016, California became the first state to introduce time-and-a-half pay for farm workers who work in excess of eight hours in a day, or 40 hours in a week.

California is the largest producer of agricultural goods in the country. It is also the first state to apply the same overtime regulations applicable to most employees (in other industries) to farm workers.

Previously California's farm workers were entitled to overtime pay after working 10 hours in a day or 60 hours in a week. However, after a concerted lobbying effort by the United Farm Workers, California's Legislature passed AB 1066. The new overtime rules will be phased in over a four-year period starting in 2019.

Starting in 2019, the current 10-hour-day threshold for overtime will decrease by half an hour each year until it reaches the standard eight-hour day. Likewise, the 60 hour-a-week threshold will decrease by five hours each year until it reaches the standard 40 hour-a-week threshold. The rules will be in full effect for the majority of businesses by 2022 and by 2025 for companies with 25 or fewer employees.

Opponents of the bill argue that the new overtime protections will hurt farmers and farm workers alike, as employers will simply hire more workers and cut their hours to avoid paying overtime. Supporters of AB 1066 argue that the new protections promote equality.

The bill includes a safe harbor allowing the governor to temporarily suspend any part of the process for a year depending on economic conditions.

Employers with additional questions about the new law should consult counsel.

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