Labor Standards: Agricultural Workers and Food Processing Workers

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Specific legal protections for agricultural workers in Minnesota

• Minnesota Migrant Labor Act (Minn. Stat. §§ 181.85 – 181.91)
  • Applies to recruited migrant cannery workers
  • Right to written employment statement in English and Spanish at time of recruitment including:
    • Date of arrival at place of employment, start date of employment, approximate hours of employment, and minimum period of employment
    • Crops and operations on which migrant worker will be employed
    • Wage rate and information regarding 70-hour guarantee
    • Whether housing will be provided and related deductions
  • Guarantee of at least 70 hours of pay for every two weeks of work

• Overtime protections after 48 hours in a workweek (limited exceptions at Minn. Stat. 177.23(7))
Specific legal protections for food processing workers in Minnesota

- **Food Processing Employment Recruitment (Minn. Stat. § 181.635)**
  - Applies to recruited meat or poultry processing workers
  - Right to written disclosure in English and Spanish at time of recruitment including:
    - Nature of work to be performed
    - Wage rate and deductions; benefits
    - Hours per week and anticipated slowdowns or shutdowns
    - Workers’ comp coverage information
    - Housing availability and cost
  - DLI has standard disclosure form
Challenges and opportunities related to these specific legal protections

- Limited employee and employer awareness of requirements
- Limited compliance with requirements
- Low penalties and damages
- Limited enforcement authority
- Additional challenges and opportunities?
Questions?

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