

FLSA-428

January 6, 1978

This is in reply to your letter of November 30, 1977, concerning the minimum wage for farmworkers.

The Fair Labor Standards Act is the Federal law of most general application concerning wages and hours of work. The present minimum wage for farmworkers is \$2.65 an hour, effective January 1, 1978. This increases to \$2.90 an hour on January 1, 1979; \$3.10 an hour on January 1, 1980; and \$3.35 an hour on January 1, 1981 due to the 1977 Amendments to the Act.

The minimum wage applies to farmworkers who grow or harvest crops for interstate commerce provided the employer used more than 500 man-days of farm labor in any calendar quarter in the previous calendar year. A man-day is any day during which an employee does farm work for at least 1 hour. Exempt from the minimum wage are those farm workers whose employer used less than 500 man-days of farm labor in all quarters of the previous calendar year. There is a complete exemption from the overtime provisions of the Act for all farmworkers. Coverage and exemption of farmworkers under the Act are discussed in the enclosed copy of WH Publication 1161.

If after reading the enclosed material, you have any further questions, you may wish to contact our Wage and Hour Division that office will be glad to assist you in any way possible.

Sincerely,

Brooks N. Sipes, Acting Chief
Branch of Wage and Hour Standards

Enclosure