
**Labor & Workplace Standards
Committee**

ESSB 6261

Brief Description: Strengthening the farm labor contractor system by removing an exemption for nonprofits.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators McCoy, Saldaña, Conway, Kuderer, Hasegawa, Wilson, C., Das, Nguyen and Keiser).

Brief Summary of Engrossed Substitute Bill

- Removes the nonprofit organization exemption from the application of the farm labor contractor laws.
- Modifies the definition of agricultural employee to include a person who has rendered personal services in connection with an employer's agricultural activities.

Hearing Date: 2/25/20

Staff: Lily Smith (786-7175).

Background:

A "farm labor contractor" is a person who, for a fee, recruits, solicits, employs, supplies, transports, or hires agricultural employees. An "agricultural employee" is any person who renders personal services to, or under the direction of, an agricultural employer in connection with the employer's agricultural activity.

The Department of Labor and Industries licenses and regulates farm labor contractors. To be eligible for a farm labor contractor license, applicants must meet certain surety bond and insurance requirements.

Farm labor contractors must give agricultural employees information about their compensation and conditions of employment, as well as other work-related information. Farm labor

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contractors must also keep employment records. Farm labor contractors are prohibited from discriminating against agricultural employees for pursuing their rights under the state farm labor contractor law.

The farm labor contractor laws do not apply to a nonprofit corporation or organization which performs certain functions for its members where: none of its directors, officers, or employees are deriving any profit beyond a reasonable salary; and membership dues and fees are used solely for the maintenance of the association or corporation.

Summary of Bill:

The nonprofit exemption from the application of the farm labor contractor laws is removed.

The definition of agricultural employee is modified to include any person who has rendered, in addition to any person who renders, personal services to agricultural employer in connection with the employer's agricultural activity.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 21, 2020.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.