

Servicios Legales para Los Trabajadores Agrícolas
Farmworker Legal Services of New York, Inc.
Trayayè-Fèm Sèvis Legal de New York

1187 Culver Road
Rochester, NY 14609
Tel: (585) 325-3050
Fax: (585) 325-7614
<http://www.flсны.org>



1-800-724-7020

LEGAL RIGHTS MANUAL FOR FARM WORKERS IN NEW YORK STATE

INTRODUCTION

This book gives you information about the legal rights of farm workers.

If you think someone is violating your rights, you can:

- Talk to the person yourself. You should always try to bring someone with you to witness the conversation; and/or
- Complain to the Department of Labor Office; and/or
- Call Farmworker Legal Services COLLECT on our toll free number to get more information about your rights, or if you want someone to represent you. Our phone number is on the back of this book.

OUR HELP IS FREE!

DO NOT SIGN ANYTHING WITHOUT READING IT FIRST. KEEP A COPY OF ANYTHING YOU SIGN. IF YOU DO NOT UNDERSTAND A PAPER, ASK SOMEONE YOU TRUST TO HELP YOU OR CALL FARMWORKER LEGAL SERVICES AND WE WILL HELP YOU.

YOU ARE FREE TO LEAVE YOUR CAMP AND YOUR JOB ANYTIME YOU WANT, EVEN IF YOU OWE THE CREWLEADER OR THE GROWER MONEY. IT IS AGAINST THE LAW TO STOP YOU FROM GOING WHERE YOU WANT TO GO. IF YOU ARE TOLD YOU MUST WORK OFF A DEBT, CALL THE POLICE OR LEGAL SERVICES IMMEDIATELY.

If you are told you must work off a debt and/or physical or emotional threats are used to prevent you from leaving the camp, ask for help immediately by calling Farmworker Legal Services or the police.

CERTAIN SMALL FARMS MAY NOT BE COVERED BY SOME OF THE LAWS WRITTEN ABOUT IN THIS PAMPHLET. CALL FARMWORKER LEGAL SERVICES IF YOU HAVE ANY QUESTIONS ABOUT THESE LAWS.

EDUCATION

Your children have the same rights to education that any child has. Your children are entitled to have school books and attend the same classes as other children. If you don't speak English, the school is obligated to provide a translator for you. If the school

wants to place your child in special education, you have the right to go to school for a meeting to decide if you agree with the school. You can bring a friend with you. Even if you are undocumented, your child is entitled to an education. The school cannot ask you for your immigration papers and the school cannot call the immigration service or the border patrol. Call Farmworker Legal Services immediately if the school violates your rights.

BASIC EMPLOYMENT RIGHTS

As a migrant worker, you have certain legal rights which growers and crewleaders must obey. The Agricultural Protection Act (AWPA) is a federal law which protects farm workers. These rights protect you from the time you first find out about the job until you return to your home. Some of these rights are:

- The person who talks to you about the job must give you a paper that tells you how long you will be working, where you will be living and working, how much you will be paid for each type of work you do and what you will be charged for meals and housing. The paper must be written in a language that you understand.
- The crewleader must be licensed as a labor contractor with the United States Department of Labor (USDOL). You have the right to be shown this license.
- The crewleader must only drive you in a bus, van or car which is safe and insured, and the crewleader must have permission to use that vehicle from the USDOL. Each person who drives the vehicle must have a crewleader license from USDOL.
- The camp or housing you live in must meet certain safety requirements and have been licensed by the Health Dept. The License must be posted.
- A paper issued by USDOL must be posted at the labor camp telling you about your rights.
- You can wait until you leave the job to sue or you can complain right away to Farmworker Legal Services, and we will keep your name secret until you leave the job or camp. You cannot lose these rights under any oral or written agreement that is different from this law.

WAGES

Farm workers must be paid at least \$7.25 an hour for every hour worked in a week, even if you get paid by piece rate.

For example:

- If you work 40 hours, you must be paid a gross pay of \$290.00.
- If you are being paid \$10 a bin and you picked 15 bins while working 40 hours in that week, your piece wages would be \$150.00. The boss must pay you an additional \$140.00 for that time you worked.
- You must be paid every week and get a wage stub telling you what you are being paid and what is being deducted from your pay.
- If you were promised more than \$7.25 an hour, you must receive the pay you were promised. If you work on a farm where there are guest workers on contract, you must be paid the same wage as the guest worker if you are doing similar work.

DEDUCTIONS

The law allows your employer to take some deductions from your pay. However, they cannot take money out of your pay for:

- Crops spoiling
- breaking equipment
- being late, quitting, or doing something wrong on the job
- beer, wine, or other alcohol
- a fee for getting you the job
- your travel costs
- debt owed to a smuggler rent, if you make minimum wage and are a migrant or seasonal farm worker
- in many cases, food costs, depending on how much money you earn

ACCESS

While in New York, the camp is your home. You have the right to have anyone come and visit you at your home. You do not have to get the permission of the grower or crew leader to have visitors. IT IS UNLAWFUL FOR AN EMPLOYER TO PREVENT YOU FROM HAVING ANY VISITORS TO YOUR HOME.

EVICCTIONS

It is illegal for a grower or crewleader to evict you from your housing, even if you quit or are fired before the work is over, **WITHOUT** a court order. **Only a judge can order you to leave your housing.** You have the right to go to court to present your side of the case. It is illegal for the grower or crewleader to:

- force you to leave
- call the police and ask the police to arrest you for trespassing
- change the locks of your room
- shut off the water, heat, or lights
- throw your things outside or take them from you. The Police should protect you if any of this happens. If they don't, call Farmworker Legal Services.

RECORD KEEPING

It is very important for you to keep records of your work. Growers and Crewleaders are required to keep this information but they often do so incorrectly. You will need proof if you try to get back wages, unemployment benefits, or Social Security.

You should record:

- name and address of employer
- hours worked each day & date
- how many pieces picked
- pay rate & total pay
- anything bought from your boss

You should keep the records for 3 years.

YOUR RIGHT TO COLLECTIVE BARGAINING AND THE RIGHT TO ORGANIZE

There are several laws that protect your right to discuss your working agreement. Federal law only protects you when you try to organize a union if you work in certain packing houses or packing sheds in which half of the goods packed come from different farms. If you are fired because you talked with your boss about your wages or working conditions, call Farmworker Legal Services immediately.

H2-A CONTRACT WORKERS

A grower can, with the permission of the Labor Department, bring workers from other countries into the United States to fill jobs. These workers are called H2-A workers. If you work for a grower that employs H2-A workers, you must receive AT LEAST the same rate per hour of wages for your work as the H2-A workers who do the same work. You must also have the same quality housing and equal housing conditions. It is also illegal for a grower not to hire you, but to then hire H2-A contract workers. If you feel you are being discriminated against call Farmworker Legal Services.

WORKERS RECRUITED BY STATE EMPLOYMENT OFFICES

If you receive a job by applying at a Job Service Office, you have the right to receive a paper called the Clearance Order in a language you understand. The clearance order gives you information about your job. The clearance order is a contract. The grower must keep the promises listed in the contract. If the grower breaks those promises, you can make a complaint at the nearest Job Service Office. If you are not satisfied, call Farmworker Legal Services.

DISCRIMINATION

An I-9 is a form given to you by your employer that you fill out to prove that you are work authorized. It is illegal for an employer to ask to see your work authorization documents BEFORE you are hired. AFTER you are hired, you must fill out the I-9 by showing documents from a list on the I-9 form. Your employer cannot demand to see any specific document. If you feel you have been discriminated against, you may call the Office of Special Counsel (OSC) at 1-800-255-7688 or call Farmworker Legal Services.

It is also illegal for an employer to refuse to hire, fire or pay you lower wages because of your race, sex, age, creed, color, national origin, disability or marital status. Bars, restaurants, stores, and hotels cannot refuse to serve you for any of those reasons. Landlords cannot refuse to rent to you because of these things or because you have children. It is also illegal for a boss, landlord or anyone to sexually harass you.

IF YOU FEEL YOU HAVE BEEN DISCRIMINATED AGAINST, CALL FARMWORKER LEGAL SERVICES AS SOON AS POSSIBLE.

UNEMPLOYMENT BENEFITS

Sometimes farm workers who are not working can receive unemployment benefits. Each state has its own rules about who can get benefits.

To apply for benefits, go to the nearest unemployment office and take your Social Security card, identification, pay stubs for the last two years, and the name and addresses of all your employers for the last two years.

If the unemployment office turns you down, they will send you a letter. The letter will tell you that you have the right to ask for a hearing if you think they are wrong. You must ask for a hearing right away, or else you won't get one. Please call Farmworker Legal Services when you get the letter.

WORKERS' COMPENSATION

If you are injured while working or are in an accident in the labor camp, you have a right to receive workers= compensation benefits. This includes medical care and, if your injury causes you to miss more than 7 days of work, you should also receive 2/3 of your average weekly wages. To claim these benefits, you must:

- Get prompt medical care. If it is an emergency, call an ambulance
- As soon as possible, tell your boss that you have been hurt and how and where it happened
- Tell the doctor that it is a workers' compensation case
- File a claim form (C-3) with the Workers= Compensation Board

If you are not provided a C-3 by the doctor or if your employer fights your claim, please call Farmworker Legal Services for assistance and a referral to a Workers' Compensation Lawyer.

WAGE STUBS

You must be given a wage stub or a pay slip each week when you receive your pay. Your wage stub must show:

- name and address of employer
- your name
- hours worked each day & date
- the total number of boxes, crates, or bins, if you are paid by piece rate
- hourly rate of pay deductions from your pay and what they are for
 - your total wages (gross pay)
 - the money you get (net pay)
 - the dates of the pay period

You should keep the wage stubs for at least 3 years.

CAMP CONDITIONS

Migrant labor camps, as well as all other housing in New York State, must meet legal standards. In most situations, the owner of the camp must get a permit from the Health Department to run the camp and the permit must be posted at the camp. The housing must:

- be clean and safe
- have no pesticides stored in the housing area
- be in good repair and protect you from the wind, rain, rodents and insects
- have a bed, cot or bunk with springs and clean mattress for each person
- have lights, ventilation, windows, screens
- have a good and pure supply of hot and cold water
- have safe heating equipment that can keep the temperature in each room at 68 degrees
- have at least one shower with hot and cold water for every 10 or 15 persons
- have at least a clean toilet for every 15 men and another for every 15 women
- have an inspected fire extinguisher
- have ready access to a telephone

POLICE

If a police officer stops you, you may give them your name and address, but you are not required to unless you are arrested. If you are arrested do not fight the police even if you feel the police are wrong. If you are injured, ask to see a doctor. Remember every detail you can about your involvement with the police and right it down as soon as you can to keep the details fresh in your mind. DO NOT ANSWER ANY

QUESTIONS OR MAKE A STATEMENT OR SIGN ANY PAPER OR STATEMENT UNTIL YOU HAVE A LAWYER. IF YOU ARE ARRESTED AND CANNOT AFFORD A LAWYER, TELL THE JUDGE AND THE COURT SHOULD ASSIGN YOU A FREE LAWYER. DO NOT VOLUNTEER YOUR IMMIGRATION PAPERS OR YOUR IMMIGRATION STATUS TO THE POLICE.

If you are stopped by the police and asked for your immigration papers, call Farmworker Legal Services.

BORDER PATROL

The Border Patrol is the police for Immigration. If you are stopped by the Border Patrol:

- Tell only your name. You have the right not to answer any questions and what you say can hurt you.
- If the Border Patrol comes to your house, do not let them in unless they have a search warrant. Tell them to put the warrant under the door if they have one. It is illegal for the Border Patrol to force their way into your house unless they have a proper warrant.

DO NOT SIGN ANY PAPERS WITHOUT SPEAKING TO A LAWYER FIRST.

PESTICIDES

The Worker Protection Standard is a law that protects agricultural workers and pesticide handlers. It does not cover dairy farms. It is a federal law passed by the US Environmental Protection Agency – it doesn't matter in which state of the United States you are working.

- All workers have the right to receive information about each pesticide application in their own language. If your boss does not give you this information, you have the right to request it.
- There is a period of time after each application of pesticides during which it is not safe to enter the field. You should receive this information for each application.
- You should **NOT** be in the field while pesticides are being sprayed.
- If you do not have official training to be a pesticide applicator, you should **NOT** do this work.

- All workers that have had contact with pesticides, or with fields that have been sprayed in the last 30 days, should have access to decontamination supplies.
- If you become sick from pesticides, your boss has to provide you transportation to the nearest medical center and give the doctor specific information about the pesticides used.
- Your boss must provide you official training in this law (WPS) and you should receive retraining every 5 years.
- Your boss cannot retaliate against you (for example, by firing you) because you try to follow this law – that is illegal!

Also, New York State law says that while you are working, farm workers should have access to clean drinking water, as well as toilet and hand washing facilities.

Pesticides are very dangerous for you and your family. They can cause many immediate and chronic effects. In the short-term, the effects can include: excessive sweating, stomachache, vomiting, rashes, diarrhea, headaches, and much more. These effects sometimes can be very similar to the symptoms of a cold or flu. In the long term, effects can include cancer, birth defects, neurological problems, and much more.

Take precautions to protect yourself and your family. Wash your hands throughout the day, protect yourself with the proper clothing, don't eat the crops that you are picking, don't bring pesticides from the field to your house, don't walk in the house with work shoes, shower after working, and wash work clothes separately from other clothes in hot water before wearing them again. These are some examples of things that you can do to protect yourself – remember that pesticides are very dangerous, but there are still ways to help protect yourself and your family.

Domestic Violence:

Defined as when one person in an intimate relationship (past or current) maintains power and control over another person through one or a combination of: Physical, Sexual, Economic, emotional, and/or psychological abuse.

If you are a victim of domestic violence you have the right to live free from abuse and fear, even if you are

undocumented in the United States. Many victims of domestic violence are unaware of their rights.

You have the right to call your county's local domestic violence service provider or call The Victim Resource Center at one of its toll-free, confidential, 24 hours/7 days a week hotlines: 1-800-456-1172 or 1-866-343-8808 to speak with a trained crisis intervention advocate.

- You have the right to leave your partner if you are being abused.
- You have the right to refuse sexual advances, even if your partner or spouse makes them.
- You have the right to call the police and ask for protection if you have been abused or assaulted.
- You have the right to seek help through the court system if you have been the victim of a crime at the hands of your partner or anyone else.
- You have the right to file for a restraining order against your abuser, which is a court order obtained through family or criminal court where the judge legally orders the abuser to stay away from you.
- You have the right to petition family court for legal/physical custody of your children.
- You have the right to petition family court for child support.
- You have the right to seek emergency shelter.
- You have the right to receive emergency medical care.
- You have the right to petition for legal residency under the following options:
 - VAWA self petition: Petition for legal permanent residency for yourself when your abusive spouse who is a lawful permanent resident or citizen refuses to petition for you.
 - U-Visa: A visa for immigrant victims of various crimes including domestic violence, sexual assault, stalking, etc. who are willing to help with the prosecution.
 - T-Visa: this visa is for immigrant victims of domestic violence, sexual assault, or stalking who may also be a victim of a severe form of trafficking in persons, and may be eligible for a T-Visa.
 - Gender-based asylum: this visa is for immigrant women who fear for their safety if they return to their home country.

You have the right to live free of violence and fear.

Sexual Assault:

Defined as any sexual activity perpetrated upon a person against her/his will, Sexual Assault is about power and control and is a violent act committed upon another person.

If you are a victim of sexual assault you have the right to receive help, even if you are undocumented in the United States.

- You have the right to call your local Rape Crisis Center in your county.
- You have the right to call the police.
- You have the right to receive medical attention. It is important
- If you are sexually assaulted to seek immediate medical attention. If you think you may want a medical examination try to resist the natural
- Urge to shower, bathe, or change clothes before seeking care.
- If you choose to seek medical attention: You should go to the Newark-Wayne Community Hospital or Strong Memorial Hospital within 72 hours of the assault. There, you can receive a medical examination by a S.A.N.E. Nurse (Sexual Assault Nurse Examiner) who is specially trained in collecting evidence. Unless a deadly weapon was used in the assault, you will not be forced to report the crime to the police.
- Refrain from washing your clothes, sheets, etc. If you think that they contain any evidence that you can use in the event that you wish to press charges.
- To the best of your ability, write a description of the person who assaulted you-his/her approximate age, height, weight, hair color, and any other distinctive characteristics.
- You have the right to petition for legal residency under the following options:
 - U-Visa: a visa for victims of various crimes including sexual assault, domestic violence, stalking, etc. who are willing to help with the prosecution of the perpetrator.
 - T-Visa: this visa is for immigrant victims of sexual assault, domestic violence, stalking who may also may be a victim of

a severe form of trafficking in persons, and may be eligible for a T-Visa.

You have the right to say "NO!" to your spouse, intimate partner, or acquaintance.

It is important for the victim to know that they are never to blame for not avoiding an attack or for not fighting off the attacker. Sexual Assault is a violent and devastating crime and is no way the Victim's fault.

Toll-Free # for Farmworker Legal Services: 1-800-724-7020

Gender Discrimination:

Gender Discrimination is defined as giving differential treatment to individuals based on their gender. As well as, any action that specifically denies opportunities, privileges, or rewards to a person or a group because of their sex.

Examples of Gender Discrimination:

- Being fired from your employment because you are a woman or a man.
- Being rejected for employment because you are a woman or a man.
- Being qualified for a job, but you are overlooked because you are a woman or a man.
- Made to do a lesser paying job, because you are a woman or man.
- Being denied certain terms, conditions, and privileges because you are a woman or a man.
- There should be equal pay for equal work; equal opportunity for jobs; job assignments should not differ b/c of gender (the common practice of assigning women to the packing shed and men to the field is illegal).
- Methods of pay are different for you because you are a woman or a man.
- If men/women are getting piece work, you should receive piece rate; if men/women are getting paid by the hour, then you should be getting paid by the hour. There should be no cash payments.
- Different methods are set up for you to receive your pay.
- You must receive your own paycheck. This is important b/c if you are being recorded under your husband's/boyfriend's or wives/girlfriend's name and their social

security number, then you will be unable to receive disability or unemployment benefits.

process for addressing the issue of gender discrimination.

If you are a victim of Gender Discrimination you have the right to:

- Be treated fairly and with respect. Don't blame yourself. The person/persons who are discriminating against you are accountable for their own behavior.
- Get support. Tell someone you trust (a co-worker or a friend).
- Keep a written record of everything. Write down details of any incident that occurs. Include dates, times, and place that the incidents have occurred.
- Make a complaint. Tell your supervisor or boss about the discrimination. Follow-up your verbal complaint with a written complaint, and keep a copy for yourself.
- Use any employer complaint mechanism or grievance system available to you to address the sexual harassment.
- You have the right to file a claim with the U.S. Equal Employment Opportunity Commission, (EEOC).

Call Farmworker Legal Services of NY, Inc. for assistance and advice in regards to addressing your rights as a victim of gender discrimination

Can you be fired for complaining about Gender Discrimination?

- Whether you are an undocumented or documented immigrant in the United States, under the state and federal law, it is illegal for a person or company to retaliate against someone who complains about gender discrimination in the workplace.
- Examples of retaliation may include; terminating an employee, moving an employee to less favorable jobs or shifts, providing undeserved negative evaluations to an employee, or making the original discrimination worse.

The employer has the responsibility to:

- Clearly communicate to employees that gender discrimination will not be tolerated.
- Take immediate and appropriate action when an employee complains.
- Establish an effective complaint or grievance

Under the state and federal laws that make it illegal for an employer to discriminate against employees, there are stipulations that have to be followed in regards to the number of employees that are employed. Therefore, depending on the number of people employed at your place of employment, the federal and state laws may or may not apply to you.

No one deserves to be discriminated against because of their gender, no matter what the work situation may be. Please contact Farmworker Legal Services of NY, Inc. at 1-800-724-7020 regarding your rights as a victim of gender discrimination.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature constitutes sexual harassment. Sexual harassment can be a pattern of behaviors that happen frequently over a period of time, as well as a single incident can be serious enough to be considered harassment.

Examples of Sexual Harassment:

- Touching you inappropriately
- Making offensive jokes or remarks about women or men
- Making sexual requests or suggestions
- Staring at or making unwelcome comments about your body
- Displaying sexually offensive pictures
- Being verbally abusive to you because of your gender
- Your boss, landlord, crew leader, or other authority figure uses his position of power to sexually harass you.
- A person suggests that if you become sexually involved with him or her, he or she will give you a better job, better hours, days off, more pay, etc.
- A person who has authority or power denies you something important, punishes or threatens you for refusing a sexual request, or for complaining about inappropriate

sexual behavior or comments.

- Even if the harassment is not directed toward you, but you over hear the harassment, you have grounds for sexual harassment.

Who is the victim? Who is the harasser?

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employer.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Sexual harassment may occur without economic injury to the victim.
- The harasser's conduct must be unwelcome

If you are being sexually harassed:

- You have the right to be treated with respect.
- Don't blame yourself. Harassers are responsible for their own behavior.
- Get support. Tell someone you trust (a co-worker or a friend).
- Tell the harasser how you feel. Say that you want the behavior to stop!
- Keep a written record of everything. Write down details of any incident that occurs. Include dates, times, and place that the incidents have occurred.
- Make a complaint. Tell your supervisor or boss about the harassment. Follow-up your verbal complaint with a written complaint, and keep a copy for yourself.
- Use any employer complaint mechanism or grievance system available to you to address the sexual harassment.
- You have the right to file a claim with the U.S. Equal Employment Opportunity Commission, (EEOC).

Call Farmworker Legal Services of NY, Inc. for assistance and advice in regards to addressing your rights as a victim of sexual harassment.

Can you be fired for complaining about the sexual harassment?

- Whether you are an undocumented or documented immigrant in the United States, under the state and federal law, it is illegal for a person or company to retaliate against someone who complains about sexual harassment in the workplace.
- Examples of retaliation may include; terminating an employee, moving an employee to less favorable jobs or shifts, providing undeserved negative evaluations to an employee, or making the original harassment worse.

The employer has the responsibility to:

- Clearly communicate to employees that sexual harassment will not be tolerated.
- Take immediate and appropriate action when an employee complains.
- Establish an effective complaint or grievance process for addressing the issue of sexual harassment.

*Under the state and federal laws that make it illegal for an employer to discriminate against employees, there are stipulations that have to be followed in regards to the number of employees that are employed. Therefore, depending on the number of people employed where you work, the federal and state laws may or may not apply to you.

No one deserves to be sexually harassed, no matter what the work situation may be.

Please contact Farmworker Legal Services of NY, Inc. at 1-800-724-7020 regarding your rights as a victim of sexual harassment.

Pregnancy Discrimination:

Discrimination on the basis of Pregnancy, childbirth, or related medical conditions to your pregnancy. Women who are pregnant or affected by related conditions must be treated in the same manner as other employees with similar abilities or limitations.

Examples of Pregnancy Discrimination:

- You are not hired because you are pregnant.
- You are fired or laid off because you are pregnant.
- You are turned down for a promotion because you are pregnant.

- You are not treated the same as other individuals who have a temporary illness or condition.

If you are being discriminated against because you are pregnant:

- Keep a written record of the incidents. Include dates, times, and place of the incidents.
- Get support. Tell a co-worker or a friend about the discrimination.
- Don't blame yourself for the discrimination. The individual, who is discriminating against you, is responsible for their own behavior.
- Make a complaint of the discrimination to your boss and/or supervisor. Follow-up the verbal complaint with a written letter. Keep a copy of the letter for yourself.
- Use any employer complaint mechanism or grievance system available to you to address the pregnancy discrimination.
- You have the right to file a claim with the U.S. Equal Employment Opportunity Commission, (EEOC).
- Call Farmworker Legal Services of NY, Inc. for assistance and advice in regards to addressing your rights as a victim of pregnancy discrimination.

Can I be fired for making a complaint of Pregnancy Discrimination?

- Whether you are an undocumented or documented immigrant in the United States, under the state and federal law, it is illegal for a person or company to retaliate against someone who complains about pregnancy discrimination in the workplace.
- Examples of retaliation may include; terminating an employee, moving an employee to less favorable jobs or shifts, providing undeserved negative evaluations to an employee, or making the discrimination worse.

The employer has the responsibility to:

- Permit pregnant employees to work as long as they are able to perform their jobs.
- The employer may not require that the employee leave the job until the baby is born.
- The employer may not have a rule that prohibits the employee from returning to work for a predetermined time after the child is born.

- The employer has the right to require employees, who are pregnant; to submit a doctor=s statement concerning their inability to work and/or for doctor=s appointments taken related to the pregnancy.

*Under the state and federal laws that make it illegal for an employer to discriminate against employees, there are stipulations that have to be followed in regards to the number of employees that are employed. Therefore, depending on the number of people employed where you work the federal and state laws may or may not apply to you.

No one deserves to be discriminated against because of pregnancy or for medical conditions related to pregnancy, no matter what the work situation may be.

Please contact Farmworker Legal Services of NY, Inc. at 1-800-724-7020 regarding your rights as a victim of pregnancy discrimination.

Domestic Violence Services by County

- **Cayuga** Domestic Violence Intervention Program (800) 253-3358
- **Cortland**YWCA's Aid to Women Victims of Violence (800) 336-9622
- **Genesee** YWCA Domestic Violence Project (585) 343-7513
- **Livingston** Chances & Changes (888) 252-9360 Toll-free
- **Monroe** Alternatives for Battered Women (585) 232-7353
- **Niagara** YWCA of Niagara Alternatives to Domestic Violence Program (716) 433-6716
Passages Program Family & Children's Service (716) 285-6984
YWCA of the Tonawandas Domestic Violence Program (716) 692-5643
- **Onondaga** Vera House (315) 468-3260
- **Ontario** Family Counseling Service of the Finger Lakes (800) 695-0390
- **Orleans**County Department of Social Services/Domestic Violence Program/Rural Opportunities, Inc. 24hrs. (866) 314-7233
- **Oswego** Services to Aid Families (315) 342-1600
- **Seneca** Family Counseling Service of the Finger Lakes (800) 695-0390

- **Steuben** The Net Domestic Abuse Program (800) 286-3407
- **Wayne** Victim Resource Center (800) 456-1172
- **Wyoming** Wyoming County Victim Services (585) 786-8909
- **Yates** Family Counseling Service of the Finger Lakes (800) 695-0390

New York State Adult Domestic Violence Hotline

● In English:

- Voice telephone number: 1-800-942-6906
 - TTY for the Hearing Impaired: 1-800-818-0656
-
- In Spanish:
Voice telephone number: 1-800-942-6908.
 - TTY for the Hearing Impaired: 1-800-780-7660 (This includes a language bank of 140 different languages.)

National Sexual Assault Hotline is 1-800-656-4673, for both English/Spanish

FINANCIAL INFORMATION

Since 9/11/01, the Patriot Act of 2001 requires that banks and credit unions implement a Customer Identification program when opening a new account or cashing a check. The bank must:

- (1) verify the identity of the client through requested documents (valid residency card, passport, driver=s license);
- (2) maintain records of documents used as proof of identity (xerox copies of documents and signatures), and
- (3) check if client is on a government list of known or suspected terrorist groups. Usually a valid passport or driving license (even out of state) or residency card are sufficient for opening an account or cashing a check. You should call the Bank before opening an

account or cashing a check to ask the documents they require.

Remember that the Bank has no right to withhold your documents and cannot discriminate against you for your race, ethnicity, national origins, gender, marital status or religion. If you feel that the Bank discriminated against you call a lawyer immediately. Also, remember it is a serious crime to produce a fake ID or Social Security number.

Taxes

On your pay stub issued to you every week there are federal and state taxes listed as deductions from your gross pay. You may be able to get all or part of this money back, but you must file your tax returns. It is very important that you get a copy of the W-4 form that you were required to fill out for your employer when you first started work for him/her. All workers, including children, must fill out a W-4 form when you start work.

Earned Income Credit

The Earned Income Credit is money given to low income workers with children living with them by the Federal Government. Most farm workers qualify. You can get a tax refund even if you did not pay any taxes. You must file a tax return to get the credit. If you need help or don=t understand the instructions, go the Internal Revenue Service for help or call Farmworker Legal Services.

Hours

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Servicios Legales para Los Trabajadores Agrícolas
Farmworker Legal Services of New York, Inc.
Trayayè-Fèm Sèvis Legal de New York

1187 Culver Road
Rochester, NY 14609
Tel: (585) 325-3050
Fax: (585) 325-7614
<http://www.flsny.org>



1-800-724-7020

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