



INDUSTRIAL WORKERS OF THE WORLD

VANCOUVER GENERAL MEMBERSHIP BRANCH

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Farm Workers

This Employment Standards Factsheet is also available in a [printable pdf format](#)

Definition of a 'Farm Worker'

A farm worker is defined in the Employment Standards Regulation as "a person employed in a farming, ranching, orchard or agricultural operation, but does not include:

- A person employed to process the products of a farming, ranching, orchard or agricultural operation,
- A landscape gardener or a person employed in a retail nursery, or
- A person employed in aquaculture."

Farm workers are covered by most sections of the Employment Standards Act and Regulation with certain important exceptions described below.

Minimum Wage

Farm workers who harvest specified crops by hand must be paid a minimum piece rate for each crop. These piece rates are listed below.

Where farm workers are being paid on a piece rate basis, the employer must post notices stating: the volume of the picking containers, the volume or weight of the crop needed to fill a container and the piece rate for the crop.

All other farm workers, whether they are paid hourly, by salary or by any other method must be paid at least the minimum wage of \$8 per hour.

Paying wages

All farm workers must be paid **at least** twice a month.

Hourly and salaried farm workers must be paid all wages within eight days of the end of the pay period.

Piece-rate harvesters may be paid at least 80 percent of total estimated wages owing at the middle of each month. All remaining wages must be paid within eight days of the end of the month.

Overtime

An employer must pay a farm worker at least one-and-one-half time the regular wage (or 1.5X the applicable piece rate) for any hours worked in excess of 120 in a two-week period.

Hourly paid and salaried farm workers can bank their overtime and take time off with pay. All

banked overtime must be used within six months of being earned. After six months the employer must pay out any unused overtime as wages.

Farm workers paid on piece rates may not bank overtime.

A farm worker must not work excessive hours detrimental to the employee's health or safety.

Annual vacation and vacation pay

Vacation pay for piece-rate harvesters is included in the piece rates shown below.

Farm workers paid a salary or hourly rate are entitled to:

- Two weeks vacation after one year of employment and three weeks vacation after five consecutive years of employment.
- Vacation pay of four percent of total yearly earnings after completion of one year of employment and six percent of total yearly earnings after five years of employment. (See Factsheet on Annual Vacation)

If employment terminates before one year, a farm worker is entitled to a payout of four percent of gross earnings.

Instead of a lump sum vacation payout, four percent of earnings may be added to each pay.

Statutory Holidays

On statutory holidays, Farm workers paid a salary or hourly rate are entitled to either a day off with pay or an alternate day off with pay if they work on the holiday. An added 3.6 per cent of gross earnings may be added to each pay in lieu of statutory holiday pay. See Factsheet on [Statutory Holidays](#)

Statutory holiday pay for piece-rate harvesters is **included** in the piece rates shown below.

Wage statements

On paydays, an employer must give each employee a written wage statement that includes the following information:

- The employer's name and address.
- The number of hours worked.
- The employee's wage rate, whether hourly, salary, flat rate, piece rate, commission or other incentive basis.
- The employee's overtime rate(s).
- Any hours worked at the overtime rate(s).
- Any money, allowance or other payment the employee is entitled to.
- The amount and purpose of each deduction.
- How the employee's earnings are calculated if the employee is paid other than by the hour or by salary.
- The employee's gross and net wages, and any amounts withdrawn from the employee's time bank and how much remains.

Minimum Wage for Piece Work Crops effective November 2001

The minimum wage for farm workers who are employed on a piece work basis and hand harvest the following crops is as follows:

Raspberries	\$ 0.338/ pound
Strawberries	\$ 0.326/ pound
Blueberries	\$ 0.376/ pound
Cherries	\$ 0.213/ pound
Apples	\$ 16.18/ bin (27.1 cu. ft.)
Pears	\$ 18.22/ bin (27.1 cu. ft.)
Apricots	\$ 18.61/ 1/2 bin (13.7 cu. ft.)
Peaches	\$ 17.20/ 1/2 bin (13.7 cu. ft.)
Prune plums	\$ 18.22/ 1/2 bin (13.7 cu. ft.)
Grapes	\$ 17.20/ 1/2 bin (12.6 cu. ft.)
Brussels sprouts	\$ 0.154/ pound
Beans	\$ 0.222/ pound
Peas	\$ 0.277/ pound
Mushrooms	\$ 0.223/ pound
Daffodils**	\$0.125/ bunch (10 stems)

Note: the rate for daffodils **does not include statutory holiday and vacation pay.

For more information, please contact the Employment Standards Branch, Agricultural Compliance Team: 102-32555 Simon Avenue, Abbotsford, BC, V2T 4Y2

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