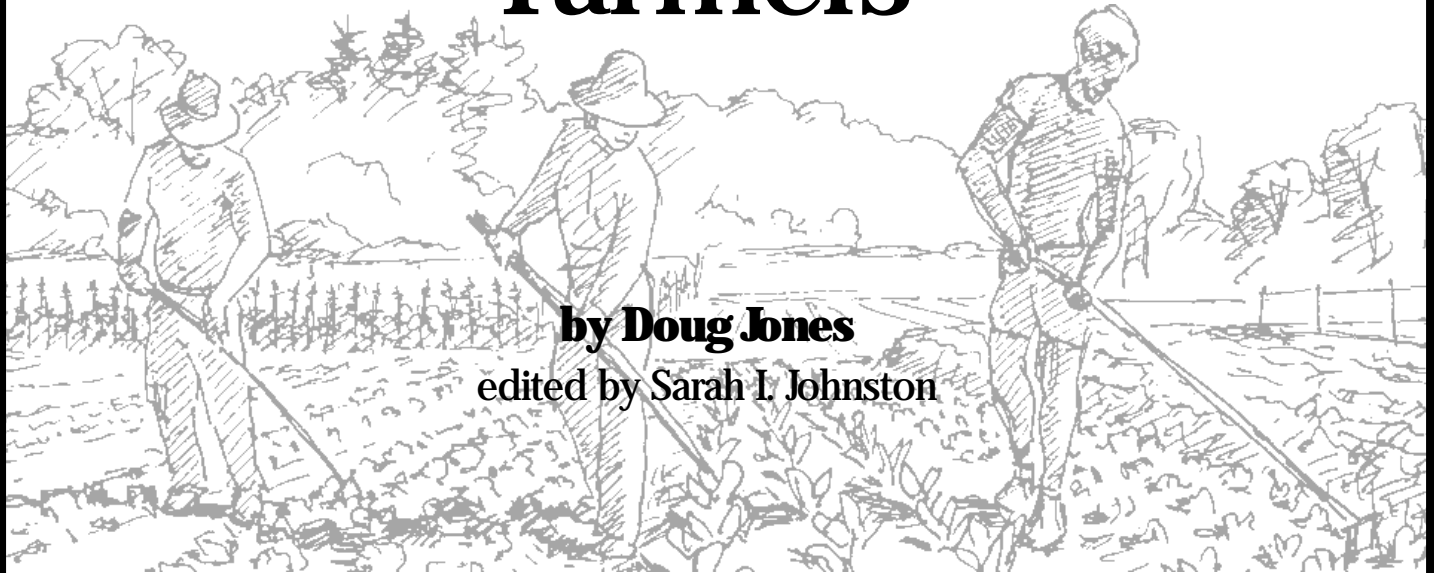


Internships In Sustainable Farming: A Handbook For Farmers



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“The present generation of farmers share an obligation to train the next generation of farmers. More farmers are coming out of apprenticeship programs than out of ag schools.”

- Sam Smith, Caretaker Farm in Massachusetts

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Introduction — Farmers as Teachers

“The present generation of farmers share an obligation to train the next generation of farmers. More farmers are coming out of apprenticeship programs than out of ag schools.”

If you are a farmer and your ideals resonate with the above quote by Sam Smith, an internship program could both give you the pleasure of contributing to the future of sustainable agriculture through passing on your skills and knowledge and give you some needed help from an enthusiastic worker/learner. It is safe to say that the valuable hands-on training which is almost indispensable to success in starting one’s own farm, is generally not available at regular agricultural colleges. In recent years, some colleges have developed academic sustainable agriculture programs, some have started “student farms” on campus, and a few require students to preform internships a part of their academic work.

Complementing this general institutional trend is an equally exciting development in improving the learning experience for farm internships, which will be explored in this handbook. A number of host farmers have felt a growing need and responsibility to go beyond the “learning by osmosis” of exclusively “on the job” style training. They are seeking to broaden the learning experience of interns by incorporating more theory and whole-farm planning into the “curriculum” of the internship, as well as more exposure to methods and ideas outside of their particular farm.

These farmers seek to improve the organization and operation of their programs, especially their systems for attracting and selecting suitable interns, for clearly communicating expectations and arrangements, for ongoing feedback by all parties involved, and for dealing with labor and tax regulations.

For this handbook we have studied how a number of successful on-farm internship programs are operated. We share the results here, in the spirit of networking and cooperation characteristic of farmers. We also include discussions about living arrangements, information on current labor regulations, advice on recruitment, and ideas for future directions and opportunities for augmenting the on-farm experience.

There are many ways to set up all the components of an internship. We hope this information will give you useful options for starting or improving your own unique program.

Is an Internship Right for You?

At a 1996 meeting organized by NOFA-VT, farmers who had hosted interns agreed that a clear distinction needs to be made between the educational orientation of internships and what is primarily an economic and production orientation

of a regular employer/employee arrangement. Employees on farms range from highly skilled managers to migrant farm laborers who are hired only for crop harvest. Employees usually do specialized work in one area of the farm; they often have prior experience; they receive an hourly wage and usually do not live with you. State and federal governments have many regulations and officials assigned to protect workers from exploitation by employers. The relationship between employers and employees is based strictly on the efficiency of the farm worker being commensurate with the pay received.

With interns, on the other hand, farmers assume a much greater obligation to instruct. Interns expect farmers to explain the “whys,” not just the “hows.” Interns deserve and expect a diversified learning experience through a broad exposure to many different tasks, as well as through frequent discussion of the overall goals, methods, and systems of the farm. They are preparing themselves for a vocation, or at least learning how to grow their own food. Interns usually live on the farm, expect to interact socially with farmers, and may have other learning goals as well, such as learning a variety of rural living skills (food preservation, construction, etc.). Hopefully, they will share some of your ideals and aspirations, and a mutually beneficial relationship will prevail, based on the farmers’ willingness to teach and the interns’ desire to learn.

Despite the actual differences in goals and activities, in New York State, there is no distinction made between employees and interns in the Minimum Wage Order for Farm Workers. Therefore, the minimum wage law applies to interns. If food and lodging are provided by the farmer, these costs can be subtracted from the hourly wage. The specific costs that can be subtracted are contained in the minimum wage order, contained in Appendix 1.

The potential rewards of hosting interns, as reported by a number of farmers, include: obtaining eager enthusiastic help that is affordable to the small sustainable farming operation whose owners typically make a very modest profit; the opportunity to contribute to the growth of sustainable farming by passing on your knowledge and experience to the next generation of food growers; the formation of new friendships and the potential personal fulfillment that can come from inspiring and mentoring budding farmers and gardeners.

As many farmers have discovered, there are potential drawbacks and problems related to these rewards. Some have dropped their internship programs out of frustration with these problems. Such a program is not for everyone. This handbook was written in the hope that a number of these problems can be avoided through sharing experiences and ideas of host farmers and former interns, better planning and working together to provide a more cohesive, diverse intern experience.

Along with eagerness and enthusiasm can come a romanticized view of farming, ignorance of the endurance required, or difficulties with transition from an urban to a rural lifestyle. Farmers must convey a realistic image of what

the intern candidates are getting themselves into through your literature and interviews. Let interns know that you are not operating a summer camp. As one grower put it: “I stress the negatives: long hours, hot sun, hard work. I also stress the need for strong commitment and good reasons for wanting to do this type of work. I encourage people to visit other farms, stress the importance of finding the right farmer/apprentice fit. I try to help people screen themselves out.”

This is an important point — many a disappointment probably could have been avoided by clearer initial communication of realities and expectations, and by a more thorough interviewing/screening process. The next two sections of this handbook offer useful ideas to accomplish these goals.

Another consideration: Is an internship really an “affordable” source of help for your operation? How much time, energy, and patience are you willing to devote to novices and their learning process? Are you prepared to train a whole new work force each year? Are you willing to learn the needs, strong points, and personality of each new person? Can you befriend them and then say good-bye a few months later? Do you like to teach? (In Germany, which has a highly organized apprenticeship system, farmers must first attend classes in how to teach apprentices, before being certified as host farmers.) Very few successful internships happen on larger farms; apparently, the farmer can’t give the individual attention necessary.

Your program will evolve over time, along with your ability to provide instruction. Experienced host farmers who offer an extensive, in-depth learning experience usually put substantial effort into selecting, from a large pool of applicants, those with great motivation and preferably some prior experience in farming or gardening. Some even specifically recruit interns who are sure they want to make their living in farming. Such an intern will eagerly absorb the farmer’s knowledge and methods, and will be dedicated to the tasks at hand and to exploring more efficient ways to grow and market food.

Such an intern is also relatively rare—the “career-track” intern with prior experience, who balances initiative and creativity with a reasonable respect for your experience and authority. Most applicants are in the novice category, but, after all, someone has to offer the initial farming experience which turns a beginner into an aspiring farmer.

Many internship applicants are not considering farming as a possible career. They are looking for a farm experience where they can learn to grow their own food. Some want to learn about environmentally responsible food growing and rural living, to enhance what they will have to offer as a teacher, community organizer, health care practitioner, Peace Corps Volunteer, etc. Many of these applicants will be dedicated workers, if their needs, educational goals, and personalities are well matched to the host farm.

“Needs” and “personality” deserve careful consideration. Do their expectations match what you have to offer, and vice-versa? Do they have a “chip on their shoulder” about authority figures; do they think they “have it all figured out”? Are they crushed by what they perceive as negative

feedback? (Are you in the habit of giving positive feedback? Are you skilled at giving honest feedback?) Are they low on initiative and confidence, requiring you to suggest every move they make? Do they seem to have other friends and interests that will be pulling them away from your farm, or cause them to quit outright in mid-season?

Of course the initial farm visit can’t offer definitive answers to all such questions. But they are drawn from real experiences of other farmers, and offered here to encourage you to be thorough in your selection process and to help you anticipate how you might deal with such situations if they arise. Very often, an honest, respectful, heart-to-heart talk or evaluation session will improve such difficult situations dramatically. Ideally, such evaluation sessions should be scheduled at intervals throughout the internship.

Some former interns also have their sad stories to tell about farmers who misled them, overworked and undereducated them, threw frequent temper tantrums, gave constant negative feedback, neglected them, spent much time away from the field or the farm, “micro-managed” them, or were simply unrealistic in what they offered or expected from their interns. The purpose of this handbook, which is based on successful internships, is to help farmers assess their own suitability for engaging interns, create the best possible program, and reap the substantial rewards awaiting both farmer and intern.

Designing Your Program

It is highly useful to sit down and consider all the elements listed below, and then spell out your plans in a written description to clarify what you can offer, what your policies and procedures are, your expectations, etc. This description can then be sent to anyone who inquires about your internship. There are many possible ways to do most of these things; the remaining sections of this Handbook offer ideas drawn from the experience of other farmers. Here are some important things to consider and possibly include in your description:

- General description of your farm and philosophy of farming; description of yourself and your family, your lifestyle, types of crops, marketing, other enterprises, climate, locality, etc. Talk about the big picture, about your farm as part of the alternative agriculture movement which is changing our food system and our impact on the environment.
- Number of interns you plan to take; duration of stay. (Do you have any flexibility with these? If you take only one intern and don’t have other people on the farm with whom he/she can easily socialize, he/she is likely to feel lonely and disappointed.)
- Living accommodations offered: level of privacy; how “primitive;” domestic chores expected; policy on visitors.
- Food provided: do interns cook for themselves? cook with you? do you cook for them? do you supply all ingredients? how much is homegrown? accommodation of different diets?

- Types of work to be done by interns; list of skills to be taught. The farmer should be specific in this area, with the understanding that different interns will have different goals which can be accommodated in a detailed agreement written by both the farmer and intern, discussed below.
- Wages offered; other bonuses, commissions, payments in kind. Some farmers offer wages that increase through the season, reflecting diminished need for training, greater competence, etc. Others offer a final bonus or profit share to those who fulfill their commitments through to season's end.
- Other learning experiences to be offered: planning sessions, on-farm tours or seminars, access to farm library, visits to other farms, classes, conferences, etc.
- Candid description of difficulty of the work, number of hours expected, days off, types of weather to expect to work in, mosquitoes to deal with.
- Safety & health concerns; insurance.
- Your expectations regarding their interest in and commitment to the work and the learning experience offered. How much flexibility is there for interns to choose different tasks?
- Plans for feedback on how things are going for everyone involved.
- Something personal about how your family likes to interact socially with interns.
- Recreational and social opportunities on the farm and in the local area.
- Method of applying; timing of visit/interview; questions you would like applicant to answer, either in letter form or on an application form drafted by the farmer.

Here is some information you may want to request:

- Please tell us about yourself, your interests, your long range plans, why you want to work on a farm.
- What do you hope to learn.
- Age and physical condition.
- Special considerations (diet, health).
- Previous related work or other experiences.
- Tell us what you think of our program, our policies, and how you would fit into our farm.
- When would you be available? (Any flexibility?).
- When could you come for a preliminary visit?
- Please provide 2–3 references we can contact regarding your learning style and work style.

The Selection, Training, and Evaluation Process

Clear and honest communication is highly recommended throughout the internship. The following suggested process will need to be tailored to your situation.

(1) Initial publicity and contact

You should publicize your intentions to locate interns as early in the winter as possible. There are many ways to

publicize your program, locally, regionally, and nationally. Many state organic farming organizations maintain a list or directory of farms that take interns. Often, they will print an announcement of your program in their newsletter. Posters at food coops, colleges, sustainable farming conferences, etc. can also be effective. See the Appendices for a listing of organizations with intern listing services.

You may want to send notices to college career placement offices, especially those with agriculture or environmental studies departments. Some growers get listed with colleges that require students to do an internship, such as Antioch College in Ohio, or Sterling College in Vermont, or the University of Maine in Orono. Other colleges may give credit for summer internships. Currently at Cornell, a student must find a sympathetic professor to sponsor their internship as an “independent study.” Some farm hosts and interns are finding each other through Internet postings.

The obvious drawback to taking students is the limited time they are available, though that time often coincides with the most intense part of the work season. Some growers take a mix of full-season and summertime interns. A good portion of the interns who utilize the directories listed below are not currently students.

(2) Information Exchange

Inquiries about your program are usually brief and are based on someone reading your brief description in one of the above lists. You should respond by sending them your brochure or other detailed description of your farm and internship program, as described in “Designing Your Program” above. This is your opportunity to ask them to tell you all about themselves, their interests, and their response to reading the information you have sent them. (See suggested questions above.) Some will not be interested further, and won't write back.

(3) Follow-up Letter or Application

Some will return a completed application or send a detailed letter of interest, sometimes with a resume. Sometimes you may have to ask for more information, or may want to call them to learn more about them and get a glimpse of their personality. You should follow up on references provided.

(4) Farm Visit

If you are strongly interested in someone, the farmers we interviewed highly-recommended a farm visit as the next step. If you decide to waive this requirement for someone thousands of miles away, then at least get references, spend plenty of time on the phone with them or ask them to answer further questions in writing. (Do you have a friend who lives near them who could interview them for you?) If you decide to accept them without a visit, consider doing so under the condition that the first week or two of their work stay will be a probationary period until you are both sure you've made the right decision. Even then, it's much harder to ask someone to leave, than it is to not invite them in the first place, after a

preliminary visit.

You can facilitate their visit by including information in your literature like a map, bus and train service to your area, etc. You might even suggest car pooling with another candidate from their area. Ask what other farms they plan to visit; perhaps you would have useful suggestions for an itinerary .

If they do visit, ask them to spend a couple days with you. Take time to get to know them, do some work with them, ask if they have any qualms about anything. Is your farm quite different than what they had imagined? Do your work styles and personalities jive? Do they appear healthy? Do they seem overly timid, unmotivated, unable to accept responsibility, or unable to respect you as an authority with knowledge to offer? What are their expectations? Ask again how they feel about your program and policies. Ask what other options and other farms they are looking at. Beware of those who say you're the only one they're interested in. This could indicate immaturity, or a romanticized view of your farm, or low self-esteem.

The farm visit is also an opportunity to share the intern agreement with the interviewee for their input. The legal requirements for the agreement's components are discussed in the Labor Relations section.

By conveying your sense of mission, the larger purpose of your farming life, along with the realities of hard work, stress, and low financial return, you can open a conversation that will help to reveal whether applicants have the necessary motivation and commitment.

(5) Selection and Notification

Inquiries will continue through winter and spring. You can keep a number of applicants in a growing pool of strong candidates, but at some point you will start losing them if you wait too long to decide. It's also not fair to them to keep them waiting for your decision, if they are receiving invitations from farms that are further down on their list of choices. Stay in touch frequently while you are deciding.

Once you notify an intern who agrees verbally, you should send them a copy of the intern agreement for their signature.

(6) Arrival, Orientation, Work Agreement

For those who accept your invitation to work with you, advise them of clothing and other articles to bring, and set a date for their arrival. When they arrive, give them a thorough orientation: where everything is, how things work, chores expected, etc. You may want to give them a day or so to settle into their living quarters and get their bearings, before they start working.

The Minimum Wage Law for Farm Workers makes no distinction between employees and interns. The NYS Department of Labor requires that a work agreement be used to notify the employee/intern in writing of the conditions of employment. We recommend that such an agreement also contain written input from the intern. You might ask them to sign the agreement as well. This is in effect a contract setting forth what is offered by both parties; an agreement that

training and educational services and whatever accommodation, meals, and wages are offered, are knowingly exchanged as compensation for work performed. A general description of the type of work and hours should be included. Though this may seem formal or cumbersome, a minimal work agreement is a requirement for all farm workers in New York State. Details are in the labor relations section.

(7) Work Plan

On farms where many different kinds of work are happening, with many changes from day to day as the season progresses, growers often find it useful to formulate a weekly and/or daily work plan. Interns need thorough guidance on where and when and how each job should happen. On some farms, interns participate in such work planning meetings; this not only ensures that the job will happen when and how you want it, but also enhances their learning experience and gives them a feeling that they have a stake in the outcome. You may want to create separate categories for tasks on the list, such as planting, weed control, harvesting. Also helpful: Note precise location of crop, tools to be used and other specifics, and whether you would like the intern to work with you or consult with you before tackling the job. Some interns will derive particular satisfaction from checking off jobs that they took responsibility for.

(8) Communication and Feedback

Much could be said about the art of clear communication between farmer and intern. Experienced farm hosts usually stress the following major points:

At the beginning of the season, make it clear what you expect in terms of respect for your experience and methods. Convey how important it is for interns to listen carefully, to try to see the task from your perspective, ask any questions necessary, and wait until they have "tried it your way" before they suggest alternatives or start experimenting on their own. Try to convey the overall plan, the "big picture" into which a particular task or crop fits. Give plenty of positive feedback on jobs well done. This opens the door of receptivity to corrections or suggestions for different methods.

Directions and suggestions are much more well received before they start a job than after. Be thorough in your training and set-up of a job; if you stop by later and try to make corrections, these will often be taken as criticism and disappointment with their efforts or ideas.

Set up some form of regular, scheduled feedback: a few minutes dedicated to "checking in" on how things are going, at weekly planning meetings or other times; perhaps a monthly evaluation session for both farmer and intern to give feedback in detail; frequent assurance that you really want them to speak up as needed, about any difficulties with how the work is going, the schedule, style and thoroughness in giving directions and training, accommodations and food, social needs, and in general, things turning out differently than they expected.

(9) Final Evaluation

Through a verbal and/or written evaluation at the close of the internship, you can determine how well expectations and goals have been met. Suggestions from interns will help you improve your program, and you can help them evaluate their strengths and weaknesses and their future possibilities in farming.

Living Arrangements

Most interns live on the farm for several reasons: (1) They can be more available for changes in the work schedule due to weather and markets. (2) Farms often have, or can create without too much trouble, suitable living space that interns can use in lieu of paying rent elsewhere (which makes low pay a more affordable option). (3) Interns are more integrated into the whole life of the farm, can experience the daily cycles, chores, and skills of rural living, and can spend personal time observing crops and livestock or simply enjoying nature, the elements, and the physical beauty of your farm. Such experiences are important to interns as they consider the desirability and realities of farming as an occupation and way of life.

A wide variety of living spaces have been offered by host farmers, including:

- A room in the farmer's own dwelling, with access to bathroom, kitchen, and other facilities
- A room or apartment in a separate house owned by the farmer
- A renovated space in some other type of building on the farm
- A bunkhouse constructed by the farmer—could include kitchen, toilet, shower
- Simple cabins, with access to facilities in the main farmhouse, or in some other structure set up as a common space with kitchen, etc.
- A comfortable travel trailer or small mobile home If the farm operates a CSA (Community Supported Agriculture) program, there may be a member willing to house an intern in trade for their produce share.

Housing an intern in your own dwelling could be more of a compromise of your privacy than you feel comfortable with. Interns may also seek a more quiet, private space. Perhaps they will want to invite friends to visit them. Interns' housing needs will vary considerably. For some, a bunkhouse may suffice for a while, but most will prefer or really need more privacy for a full season stay. For some, the more "rustic" or isolated, the better. Others will want more comforts or close social interaction. The important question is, what do you have to offer? Make sure an applicant has a clear understanding of what those conditions are, and use your intuition to detect whether they are likely to be uncomfortable.

In New York State, 'lodging' is defined in the Minimum Wage Law for Farm Workers as including, "room, house, or apartment and means living accommodations which meet

generally accepted standards for protection against fire, and all structural, sanitation, and similar standards in state and local laws, codes, regulations and ordinances applicable to the premises.

The Maine Organic Farmers and Gardeners Association (MOFGA) asks farmers who participate in their Apprenticeship Program to provide:

1. A safe physical environment (sound structure/fire/electrical) that is weatherproof, has adequate ventilation and is pest proof (some reasonable effort).
2. A natural source of light and a safe source of lighting (including instruction in the safe use of non-electrical lighting).
3. A reasonably clean, private and cleanable space (including both personal and common space like kitchen/bathroom) with a space for personal cleaning and a sanitary bathroom or latrine.
4. Access to potable water and a heated living area (seasonal).

For Meals Standards, MOFGA asks farmers to:

1. Clarify eating arrangements—separate or part of farm household? Will cooking and cleanup chores be shared?
2. Provide or compensate for adequate diet for strenuous activity.
3. Provide ample time for regular meals (including prep time).
4. For separate eating arrangements - provide adequate cooking facilities (stove, wash basin, refrigeration).
5. Clarify whether they are willing to provide special dietary needs (e.g., vegetarian meals).

Sharing cooking on a regular or occasional basis with your interns can add a rich dimension to their experience, as well as add diversity to your meals. By learning how to use and create with the products of the farm; they can both develop personal self-reliance and be more helpful in educating your customers in the uses of your produce.

Some host farms also involve interns in food preservation activities such as canning, freezing, pickling, and drying. They learn more skills while you fill your pantry more quickly. You could give them some preserved food as an extra thank-you when they leave. Consider offering some root-cellar items as a bonus for interns who stay through the whole season.

Providing a High-Quality Learning Experience

Farmers have a number of creative possibilities from which to choose as they develop the training and educational aspects of their internship program. The following ideas and suggestions were gathered from a number of farmers who are dedicated to the quality of their interns' learning experience.

Orientation—Soon after an intern arrives, give them a detailed tour of your place, explaining all the living arrangements, chores and responsibilities, system for organizing

work, update on current crops and upcoming work, etc. Devote some time to getting them “up to speed.” Remind them that you are open to their questions and feedback, and that they should keep you informed if problems arise with either the living arrangements or the work and training.

Ideas for Training—You will need to get to know each intern individually: their personality, learning style, work style, special abilities, and any limitations or problems they might have with particular tasks. Here are some ideas and recommendations:

A. Maximize your field time with interns.

Especially in the early season, when the work on many farms tends to be more complex, and the interns are new to everything, it will pay you to spend plenty of time with them, setting up projects, explaining why you do things in a particular way, and carefully noting how each person learns tasks and gravitates to certain types of work.

For a job with a number of sequential steps, some farmers find it useful to demonstrate the whole job first before the intern tries their hand at it. Seeing the process all the way to the “finished product” can help an intern understand how all the steps contribute to the desired result. Many tasks that you’ve performed hundreds of times may seem deceptively simple. It is useful to try to remember all that was involved in your own development of methods for the task at hand.

Make a continual effort to adapt to the individual learning style of each person; you will find yourself performing a constant balancing act between giving inadequate training and explanation—resulting in a job poorly done—and being so particular that the intern feels micro-managed or perceives that the farmer thinks they are stupid. Most experienced host farmers strongly recommend thorough prior training, along with plenty of background information, giving the intern a deep understanding of why they are doing it a certain way. A common, frustrating scenario for both farmer and intern consists of inadequate initial training followed by subsequent “corrections,” often perceived as criticism of the intern’s intelligence or common sense. Prevention is the best medicine. One farm sets the tone for this in their initial description sent to intern candidates:

Farmers need to ask interns to step into the role of learner, accepting farmers as mentors. One farmer’s way of doing things is not always the ‘right’ or ‘best’ way, but it is usually the result of a lot of experimentation and observation. Farmers must ask interns to respect that and see what they can learn from the farmer’s perspective before offering their own suggestions. The farmer also needs to be open and welcome constructive input and feedback; farmers can learn a lot from interns and appreciate new perspectives.

Of course, farmers need to follow through with their part of the bargain, and not allow farm demands to result in frequent short cuts that get the job done but leave the intern confused and poorly instructed.

B. Diversity vs. Specialization

A regular employee can be asked to do one job repetitively for days on end. Most interns, however, expect to be exposed to a wide range of tasks on a small diversified farm. This will require more of the farmer’s time, but that’s what the bargain is all about. Besides, their broad knowledge of crops and tasks will benefit you as the season progresses; you can give them more responsibility as their understanding of the big picture develops. Another benefit: you will witness their growing self-esteem and dedication to crops they have tended from planting to harvest. If an intern is personally involved in planting a crop (which you perhaps could have planted in less time if they hadn’t been involved), they are more likely to have the necessary motivation to spend the long hours required to weed or harvest that crop, and they will be excited to promote its virtues to your customers. Many growers notice an extra surge of motivation from the marketing itself, especially when interns can experience the satisfaction of your customers.

On the other hand, the benefits of occasional specialization should not be overlooked. Taking regular responsibility for a certain crop, animal or task can be a valuable experience. This could also lighten the farmer’s load of organizational or record-keeping duties. Some farmers have found the harvest season, with its lower level of complexity for most crops, to be the best time to give interns responsibility for individual crops. These jobs can occasionally be rotated, as well. Two of the farms we surveyed had several tractors designed for different tasks, and asked each intern to specialize in the operation and maintenance of one of those tractors.

C. Special Demonstrations

Many host farmers find it useful to set up special training sessions to present a particular task, or operation of a piece of equipment, in a focused way. This applies especially to safety, maintenance, and methods of using tools and equipment, or care of, and safety around, livestock. If you have several interns, group demonstrations can also represent an efficient use of your management time.

D. Involvement in Farm Planning

Some interns will also appreciate being included in planning meetings. The more they understand about why one crop follows another, schedules of successions, soil variations and amendments, individual crop needs, the expenses involved in farm operation, or what has to be done to meet certification standards, the more likely they are to do the job well, at the right place and time, and with the motivation that comes from feeling included and respected. This inclusion could extend to the farm’s interface with the public, such as CSA meetings or distribution organizing.

Teaching the Science of Farming

In addition to what can be learned from the work itself, there are other ways that you can share your knowledge of farming:

A. Offering Your Library

If you have a good selection of information materials, you could make them available to interns. Some farmers make photocopies of particularly relevant materials as “handouts.”

B. Tours of the Farm

As the season progresses and things are changing rapidly in the field, occasional farm tours can be a valuable teaching tool. Dedicating a certain time to a break from work for a purely educational tour can be both an effective teaching method and a way for everyone to get an update on crop conditions. You could encourage interns to keep a notebook on varieties, methods, pests, timing, etc.

C. Seminars, Workshops

Some groups of farmers offer seminars/workshops to their interns to study particular topics in-depth, ranging from occasional to weekly or semi-weekly scheduled sessions of 1–2 hours. New topics can be added to your “curriculum” each year; after a while you could accumulate a file of notes and handouts that makes these sessions relatively easy to do. Your curriculum could include topics such as: basic soil fertility, composting, cover crops, varieties or breeds, insects, weeds, diseases, perennials, water management, farm economics, an in-depth look at a particular family of crops, etc.

D. Special Projects for Advanced Interns

This could include specialization in a particular crop, experimenting with a new crop, participation in a building project, saving seeds, improving your market display, analyzing profitability of crops, repairing equipment, etc. A number of farmers are developing a “journey worker” program for second-year interns, increasing their involvement in the management of the farm.

Beyond the Resources of Your Farm

Thanks to the spirit of cooperation and sharing typical in the sustainable farming community, there are a number of possibilities for diversifying your interns’ experience beyond the boundaries of your farm:

A. Tours of Other Farms in the Area

Without looking very hard, you can probably find several local farmers or gardeners who would enjoy sharing what they have created. An especially appreciated resource might be “old timers” with skills and stories to share. As a trade for their time, your interns could help them out with the task of the day. You could invite beginning gardeners in the area to your own seminars, too. Or, why not arrange with other farmers who host interns to swap visits to each other’s farms? In the Hudson Valley and Western Massachusetts, twelve farms have organized a highly successful rotation of farm tours called CRAFT, Collaborative Regional Alliance for Farmer Training. The interns from all the farms go to one

farm every other Saturday for a tour and seminar on a special aspect of that farm. The interns have given it rave reviews, and cite the chance to socialize and compare experiences with their peers as a valuable benefit.

B. Conferences and On-Farm Workshops

Another easily accessible, valuable resource for broadening interns’ learning experience. You might consider helping them with expenses involved, as a bonus to their usual compensation.

C. Intern Gatherings

A few state farming organizations organize special gatherings for interns, to discuss their experiences, perhaps learn about the farm where the gathering takes place, and to connect with their peers. These organizations encourage host farmers to support their interns’ participation in these events.

D. Local Classes

In many areas, classes on topics of interest to interns are available in local colleges, cooperative extension programs, or other groups and institutions. Farmers could consider developing and helping to teach such classes. Several small farmers in central North Carolina have developed a “Sustainable Farming Program” of non-credit classes offered through the Continuing Education Program of a local community college. The fees are minimal and the farmers receive modest pay for their teaching time.

Dealing With Labor Regulations

Most host farmers who were interviewed for this handbook expressed some degree of anxiety and/or confusion about the relationship between internships and regular employment situations. How would all the many government agencies who deal with employers, go about interpreting labor laws and tax regulations as they apply to these home-grown, unique hybrids of work and learning? Many farmers are afraid to ask too many questions. So these farmers cautiously guess how to deal with the regulations, hoping no one will find their farms to be out of compliance.

The greatest concern is over interpretations of minimum wage laws; there is also concern about how “allowances”, such as room and board, are or would be treated in questions of employment tax liability, and workers compensation insurance coverage and premium determinations. In addition, “in-kind” services appear to refer only to farm products. Some farmers have begun to discuss these issues with each other. This handbook was written to answer these questions.

There is a major hurdle which is encountered by all new employers who can’t afford to pay a professional accountant: Even if there were clear and available answers, the new employer encounters an incredible maze of agencies, regulations, forms, deadlines, and procedures; and there appears to be no one public resource to walk the farmer step-by-step through the maze. Most officials know little about any of the regulations outside of their own domain. Nor is there an up-

to-date publication available from Cornell Cooperative Extension. Some County Extension agents have a fairly comprehensive knowledge of all that the beginning employer has to deal with. Some farmers have found their local Dept. of Labor to be very helpful in explaining applicable regulatory requirements.

This chapter will offer basic information to help you navigate through these obstacles. If you are not in New York State, only the federal information below will still be useful. Despite our efforts to check and double-check this information, it may be incomplete or become dated. Once you are listed with these agencies, they usually mail out changes in reporting requirements, but it is important to make an effort to keep abreast of any changes that may occur.

In New York State, the Minimum Wage Law applies to any farm employer if, during the preceding calendar year, the cash paid to all persons employed on the farm was greater than \$3,000. Interns, apprentices, trainees or any individuals engaged or permitted to work on a farm are subject to minimum wage law requirements. We will begin with an assumption that at least minimum wage will be offered at most farms, as part of the compensation for work being performed by interns. Consequently, this section is also a fairly comprehensive list of all the New York State and federal labor requirements that apply to employers.

Tax and labor laws apply in certain ways to cash wages, but “allowances” wages, namely food and lodging, receive different treatment, especially in agricultural employment. For example, the value of food and lodging can be counted toward satisfying minimum wage requirements, and is subject to income tax; but in agriculture it is not subject to Social Security and Medicare taxes, and is not counted in determination of withholding. More on that below. To the extent that you are considered an employer because of the wages you pay, you will need to go through certain steps to comply with laws and regulations. Each item is numbered to make it a bit easier to keep track of these items.

1. Employer Identification Number

The very first thing you should do is request a federal Employer Identification Number. Ask for Form SS-4, “Application for Employer Identification Number (EIN)”. You will be assigned a number which you will need to use on virtually all federal and state forms related to employment. Call 1-800-TAX-FORM or download forms from the Internet at <www.irs.ustreas.gov>. (The form is also available at local IRS and Social Security offices.) Once you have a completed form, you can mail, fax or phone in for your EIN.

2. Employment Verification System

Employers must require each new employee to fill out Form I-9 to document citizenship, legal alien status, or visa status. Employees must show their employer relevant documents, such as passport, birth certificate, or drivers license. The employer must keep Form I-9 on file for at least 3 years. N.Y.S. farmers can get Forms by calling the INS office in Buffalo at (716)846-4731.

3. Federal Taxes

First, get IRS Publication 51, “Circular A, Agricultural Employer’s Tax Guide” and other necessary federal forms. You should also have for reference Circular E, for additional definitions that apply to employers. Again, you can call 1-800-TAX-FORM, or download forms from the Internet at <www.irs.ustreas.gov>.

4. Social Security and Medicare Taxes

The combined tax rate for these is 15.3% of gross cash wages. (Payments in kind, such as meals and lodging, are not taxed.) Half (7.65%) of this is deducted by the employer from employee gross wages, the other half must be paid by the employer. This tax must be paid for any employee earning \$150 or more in cash wages during a calendar year. The employer may offer to pay the employee’s half, but then this extra payment must be counted as part of the employee’s wage subject to income tax.

5. Federal Income Tax Withholding

Farmers are now required to withhold income taxes on employees’ wages. New employees must fill out Form W-4 to determine their withholding allowances. The employer then uses a chart in Circular A to determine how much tax to withhold. If you pay an employee less than \$155 per week, no tax needs to be withheld. Once again, the value of meals and lodging “furnished as a condition of employment” doesn’t count as cash wages subject to withholding, though it does count as part of gross wages subject to income tax and reporting by you on federal Forms 943 and W-2 and State Form NYS-45.

6. Deposits and Reporting of Taxes

Employers with small payrolls are required to deposit all of the Social Security, Medicare, and Withheld Income Taxes accumulated during each month, by the 15th of the following month, at a Federal Reserve bank or authorized commercial bank. If you accumulate less than \$1,000 of these taxes in a whole year, you can make one payment with your tax return in January. You will need to use Form 8109, or Federal Tax Deposit Coupon booklets. If you are a new employer, the FTD coupons will be sent to you. Or you may need to order them from the IRS. Call the IRS general service number, 1-800-829-1040.

- a. By January 31, you must file Form 943, Employer’s Annual Tax Return for Agricultural Employees, to report totals of all wages and taxes for the previous year.
- b. By January 31, you must also send a Form W-2, Wage and Tax Statement, to each employee. The W-2 is a specialized duplicate form that you must get from the IRS, not by fax or Internet.
- c. By February 28, you must File a Form W-3 relating to these taxes, along with copies of the W-2’s, with the Social Security Administration.

7. Federal Unemployment Tax

Small farmers, who pay less than \$20,000 in cash wages to farm workers in any calendar quarter and have less than 10 employees, don't have to pay this.

State Requirements

8. N.Y.S. Income Tax Withholding

This involves similar procedures, but with different forms and rules. Withheld taxes for each calendar quarter must be sent to Albany by the 31st of the month following the quarter, using Form NYS-45. This form is a wage reporting form that must be filed even if no tax was withheld in that quarter. The form NYS-45 when filed for the 4th quarter, requires annual totals similar to the Federal 943, and is due by Feb. 28th. Also, each employee should fill out and sign a Form IT-2104, similar to the Federal W-4. You need to obtain Form WT-100, NYS Withholding Info. to help you do all this.

9. Workers Compensation Insurance

In N.Y.S., a farmer who paid at least \$1200 in cash wages for farm labor in the preceding calendar year must have workers' compensation insurance or equivalent coverage protecting each agricultural worker employed during any part of the 12 consecutive months beginning April 1 of the current calendar year. A worker who is injured on the job or is disabled by a job-related illness, is entitled to payment of the associated cost of medical treatment and cash payments to compensate for loss of wages. An employer who is uninsured will still be liable for these payments.

If an employee is hurt or dies from injury on the farm, the farmer who has workers compensation insurance cannot be sued personally for benefits above those paid out by workers compensation. The system basically protects the farmer from that liability.

Most farmers find this insurance to be quite expensive; generally, including refunds which are paid for those years with fewer claims by all farmers in the insured group, the premiums average 6-8% of payroll, depending on the type of farm work. On top of this, many small, farms are subject to two types of unfair treatment. First, there is a minimum annual premium of about \$800, depending on which insurer is used; a farmer paying a few interns, or employing some seasonal harvest help, could thus easily pay an additional 20-50% of their cash "payroll" for this required insurance. Secondly, the rates for each type of farm work are set with an assumed use of agricultural chemicals and dangerous machinery, with no consideration for the much lower risks experienced on most small, sustainable farms.

To locate the best possible rates under these circumstances, it is wise to consult other farmers in the same type of farming, to learn who their insurer is, how much they pay, and what their overall experience has been. Major options are agents who work with the State Insurance Fund, the Farm Bureau and those who work with private companies.

10. Pay Period

In N.Y.S., laborers must be paid on a weekly basis, no

later than 7 calendar days after the end of the week in which the wages were earned.

Minimum Wages

Concerns about how government agents would interpret minimum wage laws as applied to internship programs have been a source of anxiety for a number of intern host farmers. The following information will help farmers to understand the nature of these laws and how they affect internships.

11. Federal Minimum Wage

The federal minimum wage is currently \$5.15/hour. Federal minimum wage applies to every worker involved in agricultural production where agricultural goods (both inputs and farm products) have moved or will move across state lines, with some exceptions. Small farmers are exempt from minimum wage and federal overtime requirements if they had fewer than 500 "man-days" of hired agricultural labor in any calendar quarter of the preceding calendar year. This would be equivalent to having anything less than 7 full-time workers during the busiest quarter of the year. A man-day is "any day in which any employee performs any agricultural labor for one hour or more." Consequently, for small farmers, the concern is likely to be state minimum wage.

12. N.Y.S. Minimum Wage

This has remained at \$4.25/hr. since 1992. In New York State, the Minimum Wage Order for Farm Workers applies to interns. As an employer, you may include in your definition of wages a designated "allowance" value for meals and housing. The costs for these services which can be subtracted by the employer are contained in the state's wage order for Farm Workers, which set limits on what amounts can be subtracted from wages for meals and housing. The NYS minimum wage order for Farm Workers is reproduced in its entirety in Appendix 1. It lists a number of different allowance values for various housing arrangements and specific dollar amounts for meals.

The meal allowance is currently set at \$1.70 per meal. All meals in a 7-day week would add up to an allowance value of \$35.70. In a 40-hr. work week, this would be about \$.89 to be subtracted from the \$4.25/hr. minimum. Alternatively, if you don't provide meals but do provide "payment in kind" of food grown on your farm which is "acceptable to the employee as part of their wages," you can subtract the "cost or farm market value" of such food from the minimum wage.

A housing allowance of \$18.95 per week, single occupancy, or \$12.65 per week, multiple occupancy are the minimum amounts that can be deducted from the minimum wage in exchange for lodging. If the employer provides a house or apartment, a fair and reasonable amount may be allowed for such facilities, but may not exceed \$6.00/day or the value of comparable local facilities. If the intern lives with the employers family, \$8.00/day may be allowed as a deduction from the minimum wage.

As an example, if lodging in an apartment is provided for a 35 week season the payroll for one person would be

\$4,480 rather than \$5950.

13. Overtime

There is no requirement to pay overtime in the New York State minimum wage order for farm workers. Under the Federal Minimum Wage Law, agricultural workers are exempt from overtime pay requirements. However, the exemption no longer applies if the worker is handling another grower's crops or products, such as at a multi-farm farm stand.

14. Work Agreement

It is a legal requirement that farmers provide a written description of the conditions of employment to each new employee. The State calls this a "work agreement," though in the case of internships it would be appropriate to use the title "Internship Agreement" to reinforce the distinction of this arrangement includes a teaching component as well as employment. Putting the conditions of employment into writing has other advantages, in particular clear compliance with the minimum wage questions described above. It also will serve as a reference for clear understanding of expectations between intern and host farmer. The Minimum Wage Order lists the mandatory components of a work agreement in Section 190-6.1. Below is a list of these items, as well as a few of our recommendations for you to include in your Internship Agreement:

- State Work Agreement Requirements— Name and address of employer; Name of employee; Hours to be worked by employee; Rates paid; Gross wages; Allowances and deductions; Net wages
- Intern Work Agreement Additional Recommendations— Location and type of work; period of the internship; days off
- Non-economic terms and conditions of employment (Training to be provided: skills, farm tours, seminars, inclusion in planning, etc.) Intern's understanding of learning experiences to be gained during the season; Accommodations, meals, housekeeping and/or cooking duties; Plan for periodic feedback and final evaluation

Other Related Requirements

15. Signage

Employers are also required by law to post a notice, issued by the Commissioner of the Dept. of Labor, summarizing Article 19-A, and post a copy of any generally applicable work agreement.

Records for Employees and Employers

16. Payroll Statement

For each payroll period every employer shall furnish to each employee a statement showing the following, also listed in Section 190-8.1 of the Minimum Wage Law: Full name and address of the employer, name of the employee, hours worked by the employee, rates paid, gross wages, allowances

and deductions, net wages.

17. Payroll and Other Records

Employers are required to keep records on each employee, including the information listed in the paragraph above, plus Social Security number, and the employee work agreement, for a period of at least three years.

The list of regulations may seem daunting. We have heard about and experienced a great deal of variability among agency staff able and willing to help with these tasks. Check with your local Cooperative Extension staff and Dept. of Labor staff to find out if they can help. You may wish to have a local accountant help you set up your payroll and reporting requirements on your personal computer, thus making the task simpler. There are also payroll services that will take on the task for a fee, but be cautious—some may not know how to handle agricultural labor issues.

Conclusion

Farmers who take on the additional role of educators believe that the return they receive for providing work training is well worth the time, energy and money. Many farmers worried about the lack of hands-on training are dedicated to providing it despite the lack of acknowledgement. The future of sustainable agriculture is in desperate need of more farmer educators. We hope this handbook assists farmers in assessing whether they can play a role in the education of future farmers.

Internships and apprenticeships are accepted in agriculture and other professions as a matter of fact in other countries. In New York State, an interesting provision of the Minimum Wage Law allows for enrollment in an organized vocational education training program in agriculture under a recognized educational non-profit, to be deemed as meeting the requirements of the minimum wage law, if the program is approved by the Commissioner of Labor. NOFA-NY is committed to applying for approval of a sustainable agricultural internship program that may provide farmers with some additional flexibility to train future farmers.

About the Author

Doug Jones farms with Dulli Tingeler in St. Lawrence County on the border of New York and Canada. His farm has been certified organic by the NOFA-NY Organic Certification Program for 14 years, since the inception of the program. He has been farming for 27 years and has hosted interns at Birdsfoot Farm for 21 of those years.

He began the research for the handbook in 1996 by interviewing farmers who have worked with interns. Doug also spoke to farm interns during the course of his research.

Appendix 1

STATE OF NEW YORK DEPARTMENT OF LABOR

Minimum Wage Order for Farm Workers
Part 190 of Title 12 of Official Compilation of
Codes, Rules and Regulations,
effective October 31, 1990
Promulgated by the Commissioner of Labor
pursuant to Article 19-A of the
New York State Labor Law.

SUBPART 190-1. COVERAGE

Section

190-1.1 Coverage of Order

This order shall apply to every farm employer if, during the preceding calendar year, the cash remuneration paid to all persons employed on the employer's farms aggregated \$3,000 or more.

190-1.2 Basis of Wage Payment

Payment of the minimum wage provided by this order shall be required for each week of work or for each regularly established payroll period, whether the wage is paid on a commission, bonus, piece-rate, or other basis. An employee who has been terminated shall receive the full wages due not later than the regular payday for the payroll period in which the termination occurred, and, if requested by the employee, such wages shall be forwarded by mail. A written summary of total gross and net earnings for the employment period and a listing of all deductions shall be furnished to the employee, or mailed to the employee's permanent address, not later than the regular payday for the payroll period in which the termination occurred.

190-1.3 Definitions

Wherever used in this order:

(a) "Employer" means any individual, partnership, association, corporation, cooperative, business trust, legal representative or organized group of persons acting as an employer of an individual engaged or permitted to work on a farm. If a farm labor contractor recruits or supplies farm workers for work on a farm, such farm workers shall be deemed to be employees of the owner, lessee or operator of such farm.

(b) "Employee" includes any individual engaged or permitted by an employer to work on a farm, except:

- (1) the parent, spouse, child or other member of the employer's immediate family;
- (2) a minor under 17 years of age employed as a hand harvest worker on the same farm as the minor's parent or guardian and who is paid on a piece-rate basis at the same piece-rate as employees 17 years of age and over;
- (3) an individual employed by the federal, state or municipal government or a political subdivision thereof; and
- (4) for that part of the working time covered by the provisions of another minimum wage order promulgated by the Commissioner.

(c) "Commissioner" means the Commissioner of Labor of the State of New York.

(d) "Basic minimum hourly wage" means \$3.35 per hour until January 1, 1991; \$3.80 per hour on and after January 1, 1991; and \$4.25 per hour on and after January 1, 1992.

(e) "Minimum hourly wage" means the basic minimum hourly wage less allowances and deductions permitted by this Order.

(f) "Farm" includes stock, dairy, poultry, fur bearing animal, fruit and truck farms: plantations; orchards; nurseries; greenhouses and similar structures used primarily for the raising of agricultural or horticultural commodities.

(g) "Employed on a farm" means the services performed by an employee on a farm in the employ of the owner, lessee or operator of a farm in connection with:

- (1) cultivating the soil;
- (2) raising or harvesting any agricultural or horticultural commodity, including the raising or hatching of poultry, the raising, shearing, feeding, caring for, training, management of livestock, bees, fur-bearing animals and wildlife;
- (3) the production or harvesting of maple syrup or maple sugar;
- (4) the operation, management, conservation, improvement or maintenance of a farm and its tools and equipment;
- (5) the operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for removing, supplying and storing water for farming purposes; the handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to market or to a carrier for transportation to market, of any agricultural

or horticultural commodity raised on the employer's farm.
(h) "Employed on a farm" does not include services performed in connection with commercial canning, freezing, grading or other processing of any agricultural or horticultural commodity not raised on the employer's farm.

(i) "Migrant Seasonal Employee" means an individual whose employment is not on an all-year basis and who is housed in a farm labor camp as defined in Section 212-c (3) of the Labor Law.

(j) "Meal" means the provision of adequate portions of a variety of wholesome, nutritious foods including at least one of the types of food from each of all four of the following groups: (i) fruits or vegetables; (ii) cereals, bread, pasta, or potatoes; (iii) eggs, meat, fish or poultry; and (iv) milk, tea or coffee; except that, for the breakfast meal, group (iii) may be omitted if two foods from group (ii) are provided.

(k) "Lodging" includes room, house, or apartment and means living accommodations which meet generally accepted standards for protection against fire, and all structural, sanitation, and similar standards in state and local laws, codes, regulations and ordinances applicable to the premises.

(l) "Work Agreement" means a Job Service recruitment or placement order; a farm labor contractor or migrant labor registration; an agricultural employment contract executed by the employer or its representative with the Commonwealth of Puerto Rico or with the representatives of a foreign government; an agreement voluntarily entered into by the employer and the worker; or any comparable agreement.

(m) "Working Time" means the hours that an employee is permitted to work or is required to be available for work at the assigned place of work and shall include time spent in going from one field to another, in waiting for baskets, pick-up or breakdown of machinery or equipment where the employer requires the employee to remain at the site of the breakdown during repairs. Time not worked because of weather conditions shall not be considered as hours worked. An employee who lives on the premises of the employer or in comparable facilities at the work site, shall not be considered to have worked or to have been available for work:

- (1) during normal sleeping hours solely because the employee is required to be on call during such hours; or
- (2) at any other time when the employee is free to leave the place of employment.

SUBPART 190-2

MINIMUM WAGE, PIECE RATE AND YOUTH RATE

Section

190-2.1 Basic Minimum Wage Rate

The basic minimum wage rate for each hour worked shall be \$3.35 until January 1, 1991; \$3.80 per hour on and after January 1, 1991; \$4.25 per hour on and after January 1, 1992.

190-2.2 Piece Rate

The piece rate must yield a wage for the payroll period at least equivalent to the basic minimum wage rate or, if the employer has been issued a youth rate certificate by the Commissioner, a wage for the payroll period at least equivalent to the youth rate.

190-2.3 Youth Rates

The following rates shall apply to youths under 18 years of age, provided the employer has been issued a youth rate certificate by the Commissioner:

- (a) Harvest workers - sixteen and seventeen year old youths working in or in connection with the harvesting of fruits and vegetables in their first harvest season for an employer may be paid \$2.85 per hour until January 1, 1991; \$3.25 per hour on and after January 1, 1991; and \$3.60 per hour on and after January 1, 1992. During their second harvest season with the same employer they may be paid \$3.00 per hour until January 1, 1991; \$3.40 per hour on and after January 1, 1991; and \$3.80 per hour on and after January 1, 1992. During their third season for the same employer they shall be paid the basic minimum wage rate.
- (b) Non-Harvest workers - sixteen and seventeen year old youths working in nonharvest work may be paid \$2.85 per hour during their first 300 hours of employment until January 1, 1991; \$3.25 per hour on and after January 1, 1991; and \$3.60 per hour on and after January 1, 1992 and the basic minimum wage rate thereafter when working for the same employer.
- (c) Youths under 16 years of age - youths under 16 years of age may be employed only if each such youth has been issued a farm work permit by the appropriate

authorities and may be paid \$2.50 per hour until January 1, 1991; \$2.85 per hour on and after January 1, 1991; and \$3.20 per hour on and after January 1, 1992.

SUBPART 190-3 ALLOWANCES

Section 190-3.1 Allowances

The following amounts may be considered as part of the basic minimum wage rate if the items shown below are provided to the employee:

(a) Meals - \$1.35 per meal until January 1, 1991; \$1.50 per meal on and after January 1, 1991; and \$1.70 per meal on and after January 1, 1992. No allowance for meals shall be considered as part of the minimum wage if a migrant seasonal employee earns less than \$201.00 in a two-week period until January 1, 1991; \$227.00 in a two-week period on and after January 1, 1991; \$254.00 in a two-week period on and after January 1, 1992 other than by reason of voluntary absence.

(b) Lodging and utilities

(1) Migrant seasonal employees: no allowance for lodging and utilities shall be considered as part of the minimum wage for a migrant seasonal employee.

(2) All other employees: \$15.00 per week until January 1, 1991; \$16.95 per week on and after January 1, 1991; \$18.95 per week on and after January 1, 1992 for single occupancy or \$10.00 per week until January 1, 1991; \$11.30 per week on and after January 1, 1991; \$12.65 per week on and after January 1, 1992 per employee for multiple occupancy. When a house or apartment and utilities are furnished by an employer to an employee, a fair and reasonable amount may be allowed for such facilities, which amount shall not exceed the lesser of either the reasonable value of comparable facilities in the locality or \$2.70 a day until January 1, 1991; \$3.00 a day on and after January 1, 1991; \$5.00 a day on and after January 1, 1992 for an individual employee and \$6.00 a day on and after January 1, 1991; \$8.00 a day on and after January 1, 1992 when the employee's family resides with the employee.

(c) Payments in kind acceptable to the employee may be considered as a part of the minimum wage, but shall be valued at not more than the farm market value at the time such payments were provided.

SUBPART 190-4 REHABILITATION AND VOCATIONAL EDUCATIONAL PROGRAMS

Section 190-4.1 Rehabilitation and vocational educational programs

(a) For an individual employed as part of a rehabilitation program approved by the Commissioner, the payment of compensation under such program shall be deemed to meet the requirements of this Order.

(b) For a trainee enrolled in an organized vocational education training program in agriculture under a recognized educational, non-profit or governmental agency or authority, including but not limited to programs such as the Farm Cadet, the Agricultural Student Work Program of the New York State College of Agriculture at Cornell University and high school agricultural vocational student-work programs, provided such program is approved by the Commissioner, the payment of compensation under such program shall be deemed to meet the requirements of this Order.

SUBPART 190-5 DEDUCTIONS AND EXPENSES

Section 190-5.1 Deductions and Expenses

(a) Wages shall not be subject to deductions, except for allowances authorized by this Order and deductions authorized or required by law, such as withholding and social security taxes. Prohibited deductions include, but are not limited to:

- (1) deductions for spoilage or breakage
- (2) deductions for cash shortages or losses
- (3) fines or penalties for tardiness, misconduct or quitting without notice.

(b) The minimum wage shall not be reduced by expenses incurred by an employee in carrying out duties assigned by an employer.

(c) An employee may give written authorization for deductions from gross pay pursuant to Section 193 of the Labor Law.

SUBPART 190-6 POSTING AND NOTIFICATION

Section 190-6.1 Posting and notification

(1) Every employer shall post in a conspicuous place on the farm, a notice, issued by the Commissioner, summarizing Article 19-A of the Labor Law and this Order, and shall post a copy of any generally applicable work agreement.

(2) In addition, every employer shall notify each employee, in writing, of the conditions of employment (work agreement) at the time of commitment to hire. Such conditions shall include but shall not be limited to:

- (a) the full name, address and telephone number of the employer;
- (b) the location and type of work;
- (c) housing arrangements, including cost, number of rooms, cooking facilities;
- (d) allowances, if any, for meals and lodging to be deducted from wages;
- (e) benefits to be provided by the employer;
- (f) wages to be paid and time of payment;
- (g) period of employment;
- (h) all other planned payroll deductions;
- (i) non-economic terms and conditions of employment;
- (j) overtime provisions.

SUBPART 190-7 DENIAL OR REVOCATION OF CERTIFICATES OR APPROVAL

Section 190-7.1 Denial or revocation of certificates or approval

If the Commissioner denies a certificate or approval authorized in this Order, the aggrieved person shall be granted a hearing provided a request therefor is made within 30 days of such denial. A certificate or approval may be suspended or revoked by the Commissioner after a hearing, for misrepresentation of facts, for violation of Article 19-A of the Labor Law or of any provision of this Order or for other good cause shown.

SUBPART 190-8 EMPLOYER RECORDS

Section 190-8.1 Statement to employee

For each payroll period every employer shall furnish to each employee a statement showing the following

- (a) full name and address of the employer
- (b) name of the employee
- (c) hours worked by the employee
- (d) when wages are based on piece rate, the size or weight of the piece rate unit and the number of units produced during the pay period
- (e) rates paid
- (f) gross wages
- (g) allowances and deductions
- (h) net wages

190-8.2 Employer records

(a) Every employer shall establish, maintain and preserve for not less than three years, the following payroll records which shall show for each employee:

- (1) name and address
- (2) Social Security number
- (3) total hours worked daily and weekly
- (4) when a piece rate method of payment is used, the number of units produced daily and weekly
- (5) gross wages
- (6) deductions from gross wages
- (7) allowances claimed as part of the minimum wage
- (8) any cash advanced
- (9) date of birth of individuals employed at the youth rate; and, for minors under 17 years of age, the name and address of the minor's parent or guardian; and, for minors under 16 years of age, the number of the farm work permit issued to such employee
- (10) the wage rate
- (11) copy of applicable employee work agreement

(b) Every employer shall make such records or sworn certified copies thereof available upon request of the Commissioner at the place of employment.

Appendix 2

Farmer/Gardener Application

Maine Organic Farmers and Gardeners Association
Farm Apprentice Placement Service
P.O. Box 2176, Augusta, ME 04338
207-622-3118

Are you a MOFGA member?

Number of apprentices sought:

During which time period?

Describe the physical setting of your farm and the nature of the community in which you live (i.e.. acreage, woods/fields, buildings, close to town/remote area, recreation available, etc.)

Describe your farm operation (i.e.. livestock, crops, bees, herbs, forestry work, greenhouse, orchards, building projects, haying, logging, maple sugaring, meat processing, products made, roadside stand, farmers markets, dairy, stock dogs, etc.)

Are all your crops organically grown? If not, to what degree are organic methods used on your farm?

Describe the work to be performed and the skills to be learned by an apprentice (i.e.. care of livestock, plowing, planting, cultivating, harvesting, selling at market, use of farm equipment, carpentry, food preservation, milking, woods-work, etc.)

What do you expect of an apprentice? (i.e. hours to be worked in a day, days to be worked in a week, heavy physical labor, time off, etc.)

Explain how you intend to provide instruction and training to an apprentice (i.e.. work along with the apprentice, demonstration, apprentice working alone, training “classes,” reading to be done, extent of supervision by yourself or others, etc.)

Are you a full time farmer(s)? If not, explain:

Can you pay a stipend or a wage in addition to providing room and board? State if the amount depends upon the experience of the apprentice. Hourly wage, weekly, monthly, or other.

Do you want an apprentice to visit your farm before a final arrangement is made?

Do you require a two week trial period?

Explain the room and board arrangements (i.e.. would the apprentice live with the family, live apart but eat with the family, are there young children, what household duties would the apprentice share, are you a vegetarian household, would you provide vegetarian meals, are there rules about smoking/drinking/drugs, are there any other important considerations?)

Tell briefly about yourself, your family, your background, your farming experience, philosophy, goals & interests.:

1. Former apprentice reference name
2. Personal or former apprentice reference
3. Personal reference name

Appendix 3

Apprentice Application

Maine Organic Farmers and Gardeners Association
Farm Apprentice Placement Service
P.O. Box 2176, Augusta, ME 04338
207-622-3118

How did you hear about the program?

What is the time period during which you will be available to apprentice?

Are you seeking in-depth organic agriculture training, or are you looking for an interesting summer job?

Describe the type of farm experience and skills in which you are most interested. Please mention at least three specific areas of interest.

Is your interest primarily in working on an organic farm, or are you seeking agricultural experience first and training in organic methods second? (Some participating farmers are not totally organic, and in some areas practicing a philosophy of organic farming can be difficult, as with an apple orchard or with livestock operations.)

What are your goals in becoming a farm apprentice? Afterwards?

What do you perceive will be your reaction to living and learning with new and unknown people in a rural area?

Please list the schools you have attended, degrees and/or major areas of study or training.

Provide a list of your work experience, both paid and volunteer.

Is the receipt of a modest stipend crucial to your ability to become an apprentice? Explain:

Will you be able to make a visit to the farm of someone who is interested in having you as an apprentice?

Please comment on the following and add any other considerations that are important to you:

Smoker, Non-Smoker, Diet (vegetarian? Other?) Will you eat meat raised at your host's farm? Transportation?

Medical: Are you taking any medication?

Any physical limitation?

Allergies?

Emotional/psychological problems?

Other Considerations

Special Interests

Strong ideological views (political, religious, feminist, etc.

Please list three interesting things about yourself: _

Please list three things you want people to know about living with you:

References:

Please list (up to) five farms you would like more information on by filling in the Reference Number that corresponds with the farm of your choice — see the Farm Synopsis Sheet for farm choices. (Refer to the Apprentice application Instruction Sheet for more information.)

Appendix 4

Apprentice Program Review

Northeast Organic Farming Association of Vermont
1998
NOFA-VT, Apprenticeship Program
P.O. Box 697, Richmond, VT 05477

Yes, I did receive apprentices through NOFA last year.
Apprentice(s) name(s) I was satisfied/dissatisfied with the apprentice. Reason:

I was satisfied/dissatisfied with the apprentice program.
Reason:

I was contacted by (number) of apprentices through the directory. No, I did not receive apprentices through NOFA last year. I worked with the following organization or network:

The NOFA-VT apprenticeship program could better serve me by:

Our apprentices were not able to attend the apprentice gatherings in 1998 due to (lack of transportation, too far from farm, did not know about gatherings, too busy, apprentice not interested in topic of gathering, weather, other)

The apprentice gatherings should be continued as part of the apprenticeship program.

If apprentice gatherings are continued, I would like to host an apprentice gathering during the summer of 1999. Please contact me.

I think that it would be better to consolidate apprentice gatherings with a meeting prior to a summer workshop.

I would like to help out with the planning of the spring training for apprentices at Farm & Wilderness in May of 1998.

The following are subjects that would be helpful for apprentices at the spring training:

Yes, I plan on attending the winter conference workshop designed for apprentice hosts. It would be helpful if the following topics were covered in the apprentice host workshop or handouts made available:

Appendix 5

Farm Apprentice Program Evaluation

Maine Organic Farmers and Gardeners Association
Farm Apprentice Placement Service
P.O. Box 2176, Augusta, ME 04338
207-622-3118

1. Overall, was the apprenticeship a good learning experience? Why or why not?_

2. Was there enough instruction? Were you satisfied with the quality/quantity of time that the farmer shared information with you?_

3. Was the farmer open to questions you might have had about methods used?_

4. Was it clear what the farmer expected of you? Explain.

5. Did your apprenticeship meet your expectations as described on the application?

6. Did you have regular meetings about work, relation-

ships, sharing information, etc.? Did the communication meet your needs?

7. Did you have any input on what tasks you did?

8. Were you held totally responsible for the farm for any period? Was this a positive experience?

9. Was the living situation (pleasant, private enough, comfortable)?

10. Were there any food difficulties? (Allergies, not enough, too much, eating philosophy differences)?

11. What type of apprentice outing most interests you? a. Farm visits b. Workshops addressing topics of interest c. Social gatherings d. Other:

12. What workshop topics would have interested you?

13. Did you feel that the application form gave you pertinent information about the farm?

14. If there were anything you could change about your apprenticeship, what would it be?

15. We have defined the program as an exchange of your labor for room, board, and a quality learning experience. Please comment.

16. Do you have ideas about ways we can improve the program? Please let us know.

17. Please give me your name and winter address if you would like to be informed of winter workshops or advance apprentice opportunities.

Appendix 6

Organizations with Listing Services for Internships

NEWOOF: North East Workers on Organic Farms c/o New England Small Farms Institute, PO Box 608, Belchertown, MA 01007. Ph. (413)323-4531. Publishes an annual list of about 60 farms that take interns, with a fairly detailed description of each, with bi-monthly updates sent to a large list of subscribers (would-be interns who pay \$8). Listing fee is \$15.

ATTRA: Appropriate Technology Transfer for Rural Areas, PO Box 3657, Fayetteville, AR 72702. Ph. (800)346-9140. Publishes "Internships, Apprenticeships, Sustainable Curricula", with descriptions of over 100 farms and other programs in North America. Federally funded organization that attempts to find answers to technical questions from anyone who calls.

USDA: Alternative Farming Systems Information Center, National Agricultural Library, Room 304, 10301 Baltimore Blvd., Beltsville, MD 20705-2351. Ph. (301)504-6559. Publishes "Educational and Training Opportunities in Sustainable Agriculture", listing farms, institutions, and organizations in North America. Internet: afsic@nal.usda.gov

HEALTHY HARVEST: A Global Directory of Sustainable Agriculture and Horticulture Organizations. 173 pages of listings, including farms seeking interns. To be listed or order a copy, write: agAccess, PO Box 2008, Davis, CA 95617. Ph. (916)756-7188.

NOFA-NY: Northeast Organic Farming Association of New York. The newsletter is used by some farmers to advertise for apprentices. For details, contact: P.O. Box 21, South Butler, New York 13154. Or visit our web site at <http://ny.nofa.org>.

Internships In Sustainable Farming: A Handbook For Farmers

by Doug Jones
edited by Sarah I. Johnston



**Northeast Organic Farming
Association of New York, Inc.**

P.O. Box 880, Cobleskill, New York 12043-0880

NOFA-NY's Mission:

The Northeast Organic Farming Association is consumers, gardeners, and farmers creating a sustainable regional food system. Members work together for a healthy environment and an economically viable agriculture that respects the soil, water, air, animals, and humans. Through demonstration and education, NOFA promotes land stewardship, organic food production, and local marketing. NOFA-NY brings consumers and farmers closer together to make high-quality food available to all people.

Membership Benefits:

Organic Farms, Folks & Foods, NOFA-NY's quarterly newsletter, with articles on organic food production, a calendar of events in New York State and the Northeast, and news about NOFA-NY programs

The Natural Farmer, a quarterly publication of the seven-state NOFA coalition

Discounts to the NOFA-NY Winter conference and the regional NOFA Summer conference in Massachusetts. Both feature workshops on farming, gardening, business, and lifestyle issues

Get to know other NOFA members in your area. Local chapters hold educational workshops, on-farm demonstrations and tours, work parties, and friendly potlucks.

The satisfaction of supporting organic agriculture in New York State

To order a single copy of Internships In Sustainable Farming: A Handbook For Farmers, send \$6 (\$3 for members) to the address below with your address clearly printed. For bulk quantities, call or write for order info to NOFA-NY, PO Box 880, Cobleskill, NY 12043 phone: 518-734-5495 fax: 518-734-4641



Your membership includes two quarterly publications: Organic Farms, Folks & Foods and The Natural Farmer, and discounts to NOFA conferences and publications. A true value!

Membership Application

(please print)

NAME _____

Farm, Business, Organization Name

ADDRESS _____

CITY _____ STATE _____ ZIP _____

COUNTY _____ PHONE _____

Please check your membership category:

- STUDENT or SENIOR (\$15.00)
- INDIVIDUAL (\$25.00)
- FAMILY/FARM (\$35.00)
- Non-Profit Organization (\$35.00)
- BUSINESS (\$100.00)
- PATRON (\$100.00)
- CORPORATE SPONSOR (\$500.00)

Mail form and check to NOFA-NY, P.O. Box 880
Cobleskill, NY 12043

Thank You!