

Comments on Labor Laws and Other Legislation Affecting Farmers

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Comments Relative to Items Covered in Extension Bulletin E-1597
"Labor Laws and Michigan Agriculture: 1982"

1. The Federal and State minimum wage for 1982 is \$3.35, the same as 1981.
2. The Time and Manner of Payment Law is relatively new. The important thing is to keep a good set of records and hang on to them for at least 3 years.
3. There have been no changes in the unemployment insurance laws that affect farmers.
4. The Workers' Disability Compensation Law was modified considerably by the passage of 13 amendments in December of 1981, plus an important court decision also in December of 1981. Important changes incorporated into those 13 amendments include the following.
 - a. Workers' Comp benefits will be reduced by benefits received from other sources.
 - b. An injury will only be considered a disability if it limits the employees wage earning capacity in the wage earner's general field of employment.
 - c. An employee will lose his benefits if he refuses reasonable employment.
 - d. The court decision reduces the minimum benefits provided to a claimant from the present rates to rates established back in 1965. In dollars this would reduce a minimum benefit to a worker from the rates in 1981 of about \$150/week back to approximately \$30/week. This court decision and these amendments taken as a whole should prevent workers' compensation insurance premiums from increasing as rapidly as they have in the past and may actually result in decreased premiums beyond the 1982 freeze.
5. MIOSHA at this point has no new standards, but a first aid standard and a noise standard are being considered.
6. The social security rates have increased slightly.
7. Relative to laws affecting youth, the important item is that after four years of discussion, the state has decided to accept the Federal Hazardous Occupation Law as being the law for the state.

The "Right to Farm Law"

1. Designed to protect farmers from nuisance suits which may result from noises, dust and odors which are a part of the normal farm operation.
2. The law states "A farmer or farm operation shall not be found to be a public or private nuisance if the farm or farm operation alleged to be a nuisance conforms to generally accepted agricultural and management practices according to policy as determined by the director of the Michigan Department of Agriculture." The director has been holding hearings around the state to determine what those "agricultural and management practices" should be.