

UC Davis Policy and Procedure Manual

Chapter 380, Personnel--General

Section 77, Seasonal Farm Labor

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Responsible Department: Accounting and Financial Services

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I. Purpose

This section outlines policy and procedures regarding the temporary employment for a few hours duration of seasonal farm laborers at agricultural field stations or other locations outside of Davis, the use of a petty cash fund for the payments, and the reporting of the payments. The procedures in this section may be used within the Davis area only when approved in advance by Employment/Outreach.

II. Policy

- A. The seasonal farm labor payment procedure provides a convenient method for payment of wages to individuals hired as seasonal farm laborers who are not required to be absent overnight from their permanent place of residence when access to a Purchasing Department farm labor contractor services agreement is not available or practical.
- B. The seasonal farm labor procedure may be used only for employment of persons who fulfill all the following conditions:
 1. They are employed in any of the following described agricultural occupations:
 - a. The preparation, care, and treatment of farm land, pipeline, or ditches, including leveling for agricultural purposes, plowing, discing, and fertilizing the soil.
 - b. The sowing and planting of any agricultural or horticultural commodity.
 - c. The care of any agricultural or horticultural commodity; as used in this section "care" includes, but is not limited to, cultivation, irrigation, weed control, thinning, heating, pruning, or tying, fumigating, spraying, and dusting.
 - d. The harvesting of any agricultural or horticultural commodity, including but not limited to picking, cutting, threshing, mowing, knocking off, field chopping, bunching, baling, balling, field packing, and placing in field containers or in the vehicle in which the commodity will be hauled, and transportation on the farm or to a place of first processing or distributions.
 - e. The assembly and storage of any agricultural or horticultural commodity, including but not limited to loading, road siding, banking, stacking, binding, and piling.
 - f. The raising, feeding, and management of livestock, fur-bearing animals, poultry, fish, mollusks, and insects, including but not limited to herding, housing, hatching, milking, shearing, handling eggs, and extracting honey.
 - g. The harvesting of fish, as defined by Section 45 of the Fish and Game Code, for commercial sale.
 - h. The conservation, improvement, or maintenance of such farm and its tools and equipment.
 2. They will earn less than \$1,500 from the University within the calendar year.
 3. They are 16 years of age or older and, if between the ages of 16 and 18, have presented a work permit to the employing officer.
 4. The person has not provided services to the hiring department in the preceding 12 months

under any other contract or personnel program.

- C. Wages for seasonal farm labor must be based on established local pay rates, which shall be at least one dollar per hour more than California minimum wage. The established pay rates may be obtained from the Compensation Services website, <http://www.hr.ucdavis.edu/salaryscales/index.html> title code 8544.
 - 1. Seasonal farm laborers will be compensated for hours worked that exceed 40 hours of actual work in a workweek at the rate of 1.5 times the regular rate of pay.
 - 2. Seasonal farm laborers who work 6 continuous hours or more shall be provided a meal period of at least 1/2 hour. Meal periods, which should be substantially duty-free, are neither time worked nor time on pay status.
 - 3. Seasonal farm laborers may be granted one 15-minute rest period for each work period of 3 continuous hours or more. Rest periods are considered time worked.
- D. Payments to seasonal farm laborers are made from a petty cash fund issued to the employing officer.
 - 1. The petty cash fund may be established in an amount equal to one month's anticipated disbursements. [Section 330-45](#) describes the procedures for establishment of petty cash funds.
 - 2. Petty cash custodians may establish a personal checking account in their name (separate from their own checking account for their personal funds), deposit their seasonal labor fund, and withdraw funds as needed to pay seasonal farm laborers. Such seasonal labor fund checking accounts are not official University bank accounts, and therefore the University's name may not be used as part of the account name (see [Section 330-43](#)).
- E. Payments to seasonal farm laborers must be recorded on a Casual Farm Labor Employment Record, available at http://afs.ucdavis.edu/our_services/tax-rep-comp/documents-nubn/forms-nubn/not-ap-nubn/CasualFarmLabor.pdf
- F. Each farm laborer and the employing officer must complete and sign the U.S. Immigration & Naturalization Service (INS) Form I-9, Employment Eligibility Verification, before the employee begins work. (See [Section 380-06](#); Form I-9 is available at <http://www.uscis.gov/sites/default/files/files/form/i-9.pdf>)
- G. Each farm laborer who is a U.S. citizen must sign the State Oath of Allegiance, which is printed on the reverse of the Seasonal Farm Labor Employment Record, before beginning work.
- H. Individuals hired as seasonal farm laborers by the University are covered by University liability and Workers' Compensation insurance. Farm labor contractors and their employees are not covered by University insurance and must provide proof of approved coverage before an agreement is issued.
- I. If a person who has been paid under this program is later hired as a staff employee in a limited appointment, the maximum duration of the limited appointment is reduced by hours worked under this program.
- J. Individuals who exceed the \$1,500 maximum (see II.B.2) will be converted to the applicable staff title code based on the assigned duties.

III. Roles and Responsibilities

- A. Employing officer
 - 1. Retains the petty cash for appropriate disbursement to seasonal farm laborers.
 - 2. Verifies the identity and employment eligibility of seasonal farm laborers on the I-9 and secures their signature on the State Oath of Allegiance.

Aliens who possess a visa that permits them to work are exempt from signing the oath.

3. Pays seasonal farm laborers after work is completed on the day and at the location where the work was completed, securing their signatures on the disbursement and receipt record of the Seasonal Farm Labor Employment Record.
 4. Submits the Seasonal Farm Labor Employment Record and associated I-9s to the department head at least once per month for reimbursement of the petty cash fund.
- B. Department head:
1. Requests a petty cash fund for the employing officer as described in Section 330-45.
 2. Reviews and approves the Seasonal Farm Labor Employment Record and forwards to Accounting and Financial Services with the associated I-9.
- C. Accounting and Financial Services:
1. Issues check to employing officer to reimburse petty cash fund for disbursements indicated on Seasonal Farm Labor Employment Record.
 - a. Reimbursement will be charged to the General Assistance (SUBG) of the account cited on Seasonal Farm Labor Employment Record.
 - b. Social Security (OASDI and Medicare) employee and employer contributions will be charged to Employee Benefits (SUB6).
 2. At least quarterly, pays Internal Revenue Service (IRS) both employer and employee contribution for Social Security tax on farm laborers' wages.
 3. At calendar year end, mails each farm laborer an IRS Form W-2, Wage and Tax Earning Statement, to address on his/her INS Form I-9; mails copy of Form W-2 to IRS and California State Franchise Tax Board.

IV. References and Related Policy

- A. UCD Policy & Procedure Manual:
1. [Section 330-43](#), Official University Bank Accounts.
 2. [Section 330-45](#), Petty Cash Funds.
 3. [Section 350-21](#), Departmental Purchase Delegations.
 4. [Section 380-06](#), Employment Eligibility Verification.
- B. Personnel Policies for Staff Members:
1. [UC Policy](#) and [UCD Procedure 20](#), Recruitment.
 2. [UC Policy](#) and [UCD Procedure 21](#), Appointment.