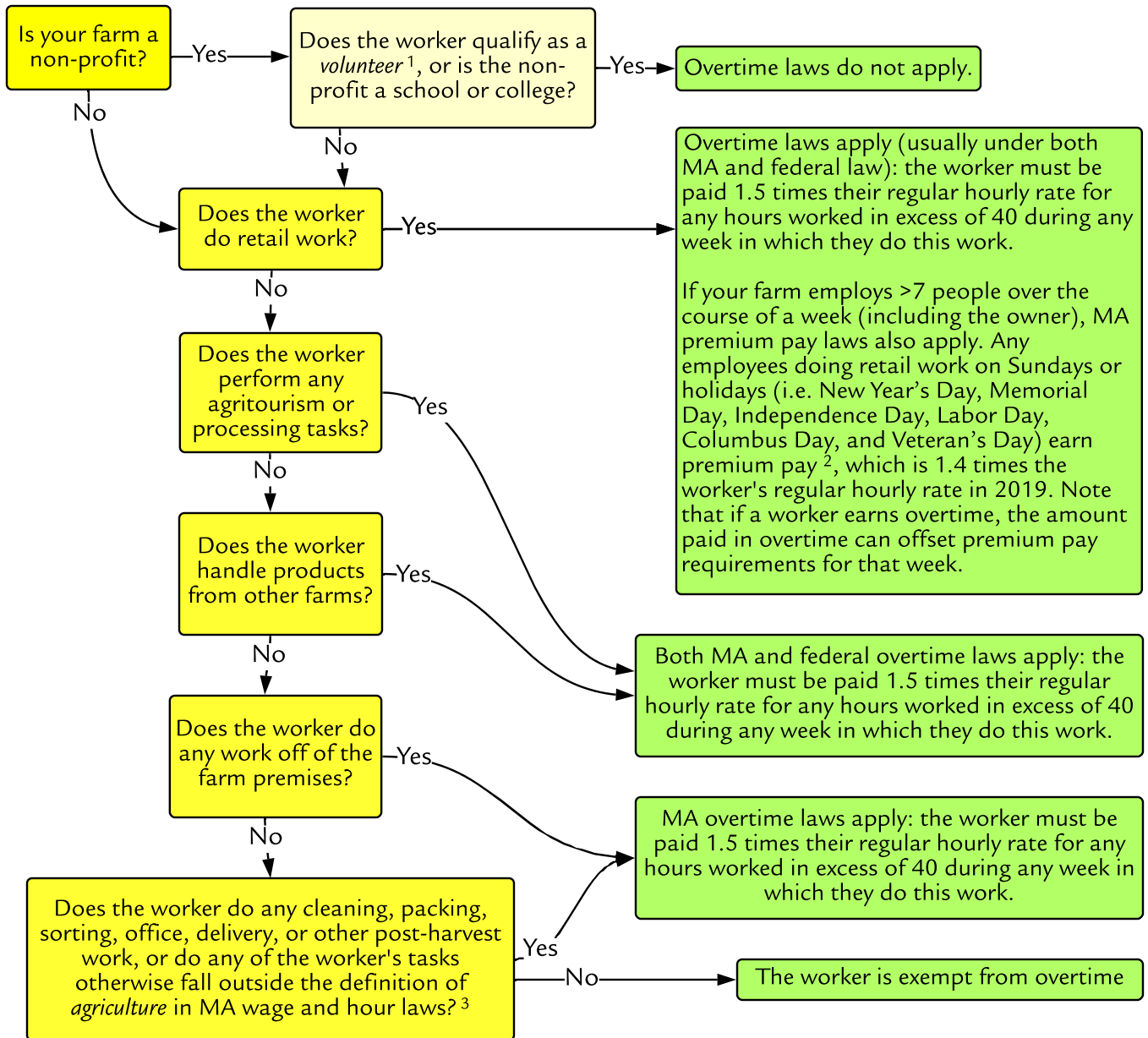


**Figure 2.** When does overtime/premium pay apply to farm workers?



<sup>1</sup> A *volunteer* is one who donates their services, usually part-time, to a non-profit organization for public service, religious, or humanitarian objectives, not as an employee and without contemplation of pay.

<sup>2</sup> Premium pay will be phased out completely by 2023 with the rate lowering to 1.3 times regular wages in 2020, 1.2 times in 2021, and 1.1 times in 2022. Note that there are additional restrictions on which businesses can operate on Sundays and holidays. For more information, see: [www.mass.gov/service-details/massachusetts-blue-laws](http://www.mass.gov/service-details/massachusetts-blue-laws)

<sup>3</sup> MA wage and hour laws define *agriculture* as "labor on a farm and the growing and harvesting of agricultural, floricultural, and horticultural commodities." For more information, see [www.buylocalfood.org/what-is-considered-farm-work](http://www.buylocalfood.org/what-is-considered-farm-work).

This flowchart is available on CISA's website to help farmers understand the wage and hour laws that apply to farmworkers at: [www.buylocalfood.org/wage-and-hour-laws](http://www.buylocalfood.org/wage-and-hour-laws). This material is based upon work supported by USDA/NIFA under Award Number 2016-70017-25423. This chart is designed to help farmers ensure that they are adhering to applicable laws, but it is not a legal document and is not exhaustive. The chart was last updated March 2019.