

## Recruited Migrant Agricultural Worker Employment Statement

Employers must provide a Recruited Migrant Agricultural Worker Employment Statement (“Employment Statement”) to workers who are at least 17 years old and will travel more than 100 miles to Minnesota from another state to work in agriculture based on an offer or the possibility of employment; employers must provide the Employment Statement at the time a worker is recruited. An employer may choose to create their own form instead of using this Employment Statement but their form must include all the information required under Minn. Stat. § 181.86. The Employment Statement must be provided to workers in English and Spanish, or English and a worker’s preferred language if not English or Spanish. The Employment Statement must be maintained by the employer for at least three years.

Employers are required to provide an Employee Wage Notice under Minn. Stat. § 181.032 in addition to the Employment Statement. For more information about employer responsibilities related to recruited migrant agricultural workers, see Minn. Stat. §§ 181.85-181.89.

### 1. Worker information

Worker name:	Worker permanent address:
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### 2. Employer and migrant labor recruiter (recruiter) information

Employer name:	Recruiter name:
Employer permanent address:	Recruiter permanent address:
Employer telephone number:	Recruiter telephone number:
Place of employment (list work site address – if more than one site, attach complete list):	

### 3. Term of employment

Required arrival date for worker:	Approximate end-of-work date:
Start-of-work date:	Minimum period of employment:
<p>Note: The 70 hours pay guarantee as outlined in section nine below must be met during the minimum period of employment. If the start-of-work date changes, the updated date must be noted above and initialed and dated by the employer.</p>	

### 4. Kind of work available (operations and crop)

<p>Check all that apply:</p> <p><input type="checkbox"/> Cleaning <input type="checkbox"/> Cultivating <input type="checkbox"/> Dairying <input type="checkbox"/> Field production <input type="checkbox"/> Growing <input type="checkbox"/> Harvesting <input type="checkbox"/> Loading/transporting</p> <p><input type="checkbox"/> Maintenance and construction incidental to agriculture <input type="checkbox"/> Preservation <input type="checkbox"/> Processing <input type="checkbox"/> Raising <input type="checkbox"/> Storing</p> <p><input type="checkbox"/> Canning or packaging <input type="checkbox"/> Other _____</p>
Type of crop(s) and/or animal(s) handled:

**5. Applicable wage rate** ( Check here if wage details are attached)

- Hourly wage rate: \$ \_\_\_\_\_ per hour
- Piece-rate wage (if necessary, attach schedule)  
\$ \_\_\_\_\_ per \_\_\_\_\_ or at least  
\$ \_\_\_\_\_ per hour
- Other \_\_\_\_\_

**6. Bonuses** ( Check here if bonus details are attached)

Bonus arrangement, if any:  Yes  No

If yes, specify under what conditions bonus will be given (or include in bonus details attachment):

**7. Pay period**

- Weekly  Biweekly

Paid on:

- Sun  Mon  Tue  Wed  Thu  Fri  Sat

**8. Approximate hours of employment (work hours)**

Per day: \_\_\_\_\_ Per week: \_\_\_\_\_ (e.g., 8-12 hours per day and 32-50 hours per week)

- Straight time  Overtime after \_\_\_\_\_ number of hours

Work days (check all that apply):

- Sun  Mon  Tue  Wed  
 Thu  Fri  Sat

**9. 70 hours pay guarantee**

**Minimum hours and pay:** The employer guarantees each recruited migrant worker will receive a **minimum of 70 hours pay for work in any two successive weeks**. If the pay for hours actually offered by the employer and worked is less than the minimum guarantee of 70 hours pay, the employer will pay the migrant worker the difference within three days after the scheduled payday for the pay period involved. Payment for the guaranteed hours will be at the hourly wage rate specified in this Employment Statement, or the federal, state, or local minimum wage, whichever is highest. Any pay in addition to the hourly wage rate specified in this Employment Statement shall be applied against the guarantee.

**Term of guarantee:** The 70 hours pay guarantee applies for the minimum period of employment stated in section three of this Employment Statement, beginning with the date on which employment is to begin as stated in section three of this Employment Statement. The date on which employment is to begin may be changed by the employer by giving notice to the migrant worker by telephone or in writing at the worker's last known physical address or email address at least 10 days prior to the previously stated beginning date. The migrant worker must contact the recruiter to obtain the latest information regarding the date upon which employment is to begin at least five days prior to the previously stated beginning date.

**Reduction of work guarantee:** This guarantee will be reduced, when there is no work available for a period of seven or more consecutive days during any two-week period subsequent to the commencement of work, by five hours pay for each such day, when the unavailability of work is caused by climatic conditions or an act of God, provided that the employer pays the migrant worker, on the normal payday, the sum of \$50 for each such day.

- I understand that if I am not available to work hours the employer offers me, the employer may reduce the minimum guarantee by an amount equal to the wages I would have earned had I been available to work the offered hours.

**10. Authorized charges/deductions** ( Check here if charge/deduction details are attached)

Are there any charges or deductions from wages other than those required by law?  Yes  No

Housing (details in section 11)

Meals

Transportation

Other (describe): \_\_\_\_\_

**11. Housing**

Is housing provided by the employer/recruiter?  Yes  No

If yes, the employer may require the worker to vacate the housing only once the employer pays the worker's final wages.

Family housing provided

Maximum number of persons allowed to occupy assigned family housing unit: \_\_\_\_\_

Will additional people be assigned to this housing?  Yes  No

If yes, how many people? \_\_\_\_\_

Non-family (single) housing provided

Maximum number of persons allowed to occupy assigned non-family housing unit: \_\_\_\_\_

Will additional people be assigned to this housing?  Yes  No

If yes, how many people? \_\_\_\_\_

Shower/restroom:

Single occupant

Multi occupant

Type of housing:

House/duplex

Mobile

Apartment (in an apartment building)

Hotel/motel

Other \_\_\_\_\_

Cooking facilities:

Shared

Individual kitchen/stove/refrigerator

Cost for housing: \$ \_\_\_\_\_ per \_\_\_\_\_

If the housing costs will be deducted from pay, explain the amount and frequency of the payroll deduction:

Is a security deposit required?  Yes  No

If yes, how much? \$ \_\_\_\_\_

**12. When workers' compensation insurance coverage is required by chapter 176**

Name of the employer's workers' compensation insurance carrier:

Insurance carrier's phone number:

Insurance policy number:

**For the employer/recruiter**

- At the time of recruitment, I provided this Employment Statement as required by Minn. Stat. § 181.86.
- I understand that this Employment Statement is an enforceable contract between the migrant worker and the employer.

This form was completed on \_\_\_\_\_ (date) at \_\_\_\_\_ (location) by \_\_\_\_\_  
(name) and provided to the worker on \_\_\_\_\_ (date) at \_\_\_\_\_ (location) by  
\_\_\_\_\_ (manner of delivery – email, mail, text, in-person, etc.).