

## Statute Applicable to Farms & Farm Labor Contractors Used to Hold Top of Business Chain Liable for Contracted Work

- California Labor Commissioner issued a \$250,000 citation against a California general contractor for his subcontractor's failure to correctly compensate their employees.
- Citation issued under statute that also applies to farms who use farm labor contractors.
- Need for valid contractual agreements inclusive of indemnification clause discussed below

A California business recently received a \$250,000 citation for the failure of their subcontractor to pay proper wages. California's Labor Commissioner issued the citation under section 2810.3 of the Labor Code –a statute that also applies to farms who use farm labor contractors.

Under this section of the labor code, farms could be liable if their farm labor contractor (1) fails to pay wages; (2) fails to secure valid workers' compensation coverage; or (3) engages in any violations of work safety rules and regulations. This statute applies even when the farm does not control the work performed and or does not know about the violations.

Ventura County Agricultural Association (VCAA) recently issued an update that provides additional details. To see VCAA's full update, visit: <http://link.calstrawberry.com/signib308>

To see additional details regarding the Labor Commissioner's citation, see: <https://www.dir.ca.gov/DIRNews/2017/2017-55.pdf>