



## Interpretive Notice & Formal Opinion (“INFO”) #12:

### Summary: Requirements of the Agricultural Labor Rights & Responsibilities Act (ALRRA)

#### (1) Wages & Breaks [Details in [INFO #12A](#) (wages) & [INFO #12B](#) (breaks)]

- **Minimum wage:** Pay must be at least **\$13.65/hour in 2023**; this minimum rises yearly for cost of living.
  - Piece rate or other pay must still total at least the minimum wage for the worker’s hours that week.
- **Time-and-a-half overtime:** For example, \$21.00 per hour for workers regularly paid \$14.00 per hour.
  - Overtime is after **60 hours** as of November 1, 2022 — then the number of hours drops in 2024-25.
  - By 2025, overtime is after **48 hours** (except **56 hours** for highly seasonal employers’ peak seasons).
- **Rest breaks:** Workers must be fully relieved of duty for **paid breaks of 10 minutes every 4 hours**, plus:
  - the **third paid rest break must be 30 minutes** in days over 12 hours; and
  - an **extra 1-hour break** in weeks over 60 hours, or **two extra 1-hour breaks** in weeks over 70 hours.
- **Meal breaks:** In **workdays of at least 5 hours**, workers must be given **30-minute meal breaks**.
  - If workers are fully relieved of duty, meal breaks can be unpaid. If not, they can eat on paid work time.

#### (2) Worksite Access to Key Service Providers (health/legal/education/etc.) [Details in [INFO #12B](#)]

- Workers can see key service providers **at the worksite when off-duty** — or **on-duty for health** needs.
- In **weeks over 40 hours**, workers can **extend an unpaid meal break to 60 minutes**.
- Extra **60-minute paid breaks** required in **long weeks**: one break in **60+ hr weeks**; two in **70+ hr weeks**
- **Housed workers** can have **visitors when off-duty**, and weekly **transportation** to see service providers.

#### (3) Health & Safety Protections: Heat; Housing; Weeding & Thinning [Details in [INFO #12C](#)]

- When the temperature is **80 degrees** or higher, workers have the right to water and shade:
  - **Water, 32 ounces an hour, 60 degrees or colder**, that workers can drink on shifts *and* breaks (or if workers travel most of the day, as much water as possible, or equipment to carry or purify water)
  - **Shade, near enough to worksites**, and with enough **space**, for use during breaks (or, if shade can’t be provided, other sun protection like individual cooling items)
- In these **increased risk conditions**, workers must have **10 minutes’ rest after each 2 hours** worked:
  - temperature **95 degrees or higher**      ■ **unhealthy air quality**      ■ workers’ **first 4 days** of work
  - work requiring **heavy clothing/gear**      ■ **days over 12 hours**
- **Short-handled hoes** aren’t allowed, and for other weeding or thinning:
  - employers must provide **gloves and knee pads** for any hand-weeding, -thinning, or hot-capping; and
  - **stooped, kneeling, or squatting** work is strongly disfavored unless there’s no other suitable method.
- **Public health emergencies (PHEs):** employers must provide PHE-related safety materials and training, and employer housing must meet minimum square footage requirements or comply with CDPHE orders.

#### (4) Enforcement: Notice of Rights; Retaliation; Complaints & Questions [Details in [INFO #12D](#)]

- Employers must notify **employees of ALRRA rights**, including with worksite postings and trainings, and **can’t retaliate** against anyone for trying to use or defend any ALRRA rights or protections.
- Workers can file **complaints of violations** (wages/breaks, retaliation, heat, housing, services, etc.), and **employers can ask questions** about compliance, at the **Division contact information** on top of this page.

#### (5) Union Rights & Responsibilities [Details in [INFO #15A](#)]

- If workers ask, the Division runs elections for them to **vote whether to form a union** to represent them.
- The Division investigates **unfair labor practice complaints** — for example, if an employer punishes union-related activity, or if a union strikes without advance notice in situations when notice is required.