



Southeastern Cotton Ginners Association, Inc.

Representing Cotton Ginners Throughout Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia

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STATEMENT ON WAGE AND HOUR INVESTIGATIONS

The Southeastern Cotton Ginners Association represents the ginning industry throughout Alabama, Florida, Georgia, North Carolina, South Carolina and Virginia. We would like to address the recent press release by the Department of Labor Wage and Hour Division regarding underpayment of wages to workers in our industry.

Migrant domestic workers and foreign guest workers feed and clothe this country. We rely on these workers to plant, tend and harvest our crops. Our members, as part of the harvest, have also come to rely on migrant agricultural workers to help process the cotton crop over the past several years. The pandemic has made a tough labor situation on the farm even worse causing some to move to the H-2A program to obtain the services of temporary foreign workers because domestic workers have not been available. Cotton gins rely on these employees and count on them coming back year after year. They would not intentionally do anything to jeopardize the relationship they have with these crews or to fail to comply with a complex set of legal requirements. It could be devastating to their operations.

Our staff have spoken with many of the gin operators that were investigated over the past few years. Hardly any two are the same. Most violations were inadvertent or because of a misunderstanding of all of the intricacies of the Migrant and Seasonal Worker Protection Act, the Fair Labor Standards Act, and the H-2A rules or sometimes bad advice from a third party. Ignorance is never an excuse for breaking the rules. Our organization has been working with the Wage and Hour Division to educate our members on the most common violations found in these investigations, but with the many complex rules employers must deal with every day, complicated by the additional layers of the FLSA, MSPA and the H-2A program, mistakes do and will happen. Our organization will continue educating the industry on these rules and working with the Wage and Hour Division so that gin operators know the requirements for their operations.

Respectfully,

Steve Sterling, President