



Check your email each week for helpful tips on achieving GAPC Certification.

## THIS WEEK: Form I-9 and Wage Statements

How to keep correct employment forms

### Form I-9

**What is a Form I-9?:** Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States. All U.S. employers must properly complete Form I-9 for each individual they hire for employment in the United States. This includes citizens and noncitizens.

**Who needs an I-9?:** All employers must complete and retain Form I-9, Employment Eligibility Verification, for every person they hire for employment after Nov. 6, 1986, in the U.S. as long as the person works for pay or other type of payment. Once the work commitment has terminated, employer should keep the I-9 for either three years after the date of hire or one year after the date the work commitment is terminated, whichever is longer. Form I-9 is not required for immediate family labor, defined as (1) A spouse; (2) Children, stepchildren, and foster children; (3) Parents, stepparents, and foster parents; and (4) Brothers and sisters of the employer. If the worker does not fall into one of the four categories listed here, then the worker is considered a hired worker.

**What will GAPC be looking for?** Auditors will review I-9's to ensure there is one for every listed hired worker on the farm. Both pages of the I-9 form and supporting documents must be presented to be considered complete.

[Sample forms and instructions can be found here.](#)

### Wage Statement

**What is a Wage Statement?** A wage statement is a document that employers are required to give their employees every pay period that explains how their paycheck was calculated. The wage statement must remain in the worker's possession for each pay period and include **ALL** critical items listed below.

A wage statement must include:

1. Worker's full name
2. Worker's address (seasonal or permanent)
3. Worker's social security number (last 4 digits is acceptable)
4. Employer's name
5. Employer's address
6. Employer's identification number (entire number)
7. Total pay period earnings
8. Number of hours worked
9. Basis on which wages are paid (piece rate if paid on a piecework basis)
10. Number piecework units earned if applicable
11. Specific sums withheld, and the purpose of each sum withheld
12. Net pay

Please note this standard is above U.S. law requirements. If subject to MSPA, H2A or FLSA, a more detailed statement may be required.

[Sample wage statement.](#)

Wage statements are not required of immediate family labor. Workers are exempt if they are involved in a vocational or apprenticeship program sanctioned by the Board of Education in the state. Documentation verifying the vocation or apprenticeship program will be required.

Compensation must include all time under the grower's direction and control once worker initiates any work activity including short breaks (15 minutes or less) and time used to conduct training. This does not include transportation from housing to field to start and from the field to housing when work is complete.

Employer must not withhold any amount of money from wages for anything else besides legal wage deductions such as taxes or social security.

**A wage statement is not...**

1. A check register
2. A check stub
3. A cashed check

Learn More in the  
GAPC Certification Compliance Guide

**Have more questions about labor recordkeeping?** Click on the picture below to view an interactive graphic with links to many of the items listed.

<b>1</b> Before Arrival	<b>2</b> Arrival	<b>3</b> Working on Farm
<ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Draft or Review</b> <ul style="list-style-type: none"> <li>• Anti-Discrimination policy</li> <li>• Farm Emergency plan</li> <li>• Disaster preparedness plan</li> <li>• List of Important Numbers</li> <li>• Employment Terms &amp; Conditions and additional assurances</li> <li>• Training Needs (i.e., new equipment, new processes, etc.)</li> </ul> </li> <li><input type="checkbox"/> <b>Put up required Postings</b> <ul style="list-style-type: none"> <li>• Migrant and Season Agricultural Worker Protection Act</li> <li>• Employee Rights Under the Fair Labor Standards Act</li> <li>• OSHA Job Safety and Health</li> <li>• Employee rights under the H-2A Program</li> <li>• Worker Rights and Responsibilities</li> <li>• Worker Concern Helpline</li> <li>• Terms and Conditions of Occupancy</li> </ul> </li> <li><input type="checkbox"/> <b>Inspect Housing &amp; other work facilities &amp; make needed repairs</b> <ul style="list-style-type: none"> <li>• Review housing rules &amp; expectations</li> <li>• Check barns for repairs and conduct safety inspections</li> </ul> </li> <li><input type="checkbox"/> <b>Prepare Field Sanitation</b></li> <li><input type="checkbox"/> <b>Purchase applicable Personal Protective Equipment (PPE)</b></li> <li><input type="checkbox"/> <b>Inspect vehicles used to transport workers</b></li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Complete with Worker(s)</b> <ul style="list-style-type: none"> <li>• Form I-9 (promptly return personal documents upon completion)</li> <li>• Required information &amp; parental consent for minors</li> <li>• Emergency contacts</li> <li>• Farm Roster</li> </ul> </li> <li><input type="checkbox"/> <b>Review with Workers &amp; Provide Copies</b> <ul style="list-style-type: none"> <li>• Terms and Conditions of Employment (English)/(Spanish)</li> <li>• Worker Concern Process and Documentation</li> <li>• Anti-Discrimination Policy</li> <li>• Farm Emergency Plan</li> </ul> </li> <li><input type="checkbox"/> <b>Obtain and Keep for all H-2A labor:</b> <ul style="list-style-type: none"> <li>• Copy of ETA 790(s) &amp; ETA 790A(s)</li> <li>• Copy of the ETA 9142</li> </ul> </li> <li><input type="checkbox"/> <b>Obtain and Keep for all FLCs or H-2ALCs:</b> <ul style="list-style-type: none"> <li>• Copy of FLC or H-2ALC License</li> <li>• Proof of FLC or Workers Compensation</li> <li>• If H-2ALC, copy of contract between grower and H-2ALC</li> <li>• If H-2ALC, proof of Surety Bond</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Train Workers</b> <ul style="list-style-type: none"> <li>• Review the location &amp; use of employer provided personal protective equipment (PPE)</li> <li>• Review COVID-19 protocols and prevention tips</li> <li>• Complete Worker Training on required Farm Safety and Crop Integrity Topics &amp; have workers sign documentation</li> </ul> </li> <li><input type="checkbox"/> <b>Transportation Orientation</b> <ul style="list-style-type: none"> <li>• Review any transportation rules or expectations.</li> <li>• Obtain and keep all necessary transportation documentation from anyone transporting workers:                             <ul style="list-style-type: none"> <li>• Doctor Certificate</li> <li>• Driver's license</li> <li>• Insurance</li> </ul> </li> </ul> </li> <li><input type="checkbox"/> <b>Housing Orientation</b> <ul style="list-style-type: none"> <li>• Review any housing rules or expectations.</li> <li>• Review the location &amp; use of cleaning supplies</li> </ul> </li> </ul>
		<b>4</b> Departure or Termination
		<ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Complete Requirements for H-2A labor:</b> <ul style="list-style-type: none"> <li>• Check that 1/3 guarantee was met</li> <li>• Provide payment for outbound transportation</li> </ul> </li> <li><input type="checkbox"/> <b>Maintain Records</b> <ul style="list-style-type: none"> <li>• Worker Termination Records</li> </ul> </li> </ul>

### Farmworker Training Opportunities

#### On-Farm Worker Training

GAPC offers on-farm training for individual farms and their workforce or for a group of farms and their collective workforce. Training is customized to the operation and is offered in both English and Spanish. Training topics are numerous and varied to offer a full and complete package for operations that may be looking for safety and compliance training to meet different requirements. [Learn More.](#)

#### Farm Safety and Compliance Events

GAPC is excited to announce Farm Safety and Compliance Training Events are back in 2022! The events are for all those involved in a farming operation including family members and farm workers. Training is provided in English and Spanish. Attendees rotate through six to nine interactive stations led by experts in the safety and compliance topics. Topics have included safety training on machinery, pesticide safety, heat illness, green tobacco sickness, basic first aid, and basic CPR. In addition, training on compliance topics such as labor laws, workers' rights, and harassment are included.

#### Dates and Locations:

- Tuesday, June 28 | Southern Piedmont Ag Research & Extension Center, Blackstone VA | 8:30a - 12:00. [Learn More.](#)
- Thursday, June 30 | United Tobacco Company, Wilson NC | 8:30a - 12:00p and 2:00p - 5:30p. [Learn More.](#)
- Information about Kentucky Farm Safety and Compliance Event Coming Soon!

Register





[www.gapconnections.com](http://www.gapconnections.com) | 865.622.4606 | [info@gapconnections.com](mailto:info@gapconnections.com)  
2450 E.J. Chapman Drive Knoxville, TN 37996

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