

# Missouri Farm Labor Guide

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The following authors contributed to this guide:

Alice Roach	Senior Research Associate, MU Division of Applied Social Sciences
Ryan Milhollin	Assistant Extension Professor, Agricultural Business and Policy, MU Extension
Joe Horner	Extension Specialist, Agricultural Business and Policy, MU Extension
Robert Russell	Director, Labor & Workforce Development, MU Extension

In a farm or other agribusiness, employees are important resources. The decision to hire additional labor begins by recognizing a work need. From that point, employers must make many decisions and create a fair, effective process to attract job candidates, hire employees, support the human resources function and ensure that employees are contributing to the business.

This guide intends to outline multiple factors that affect agricultural employers who establish and manage a workforce. It divides the employment process into six segments: recruitment; hiring; on-boarding, training and mentoring; operations; retention; and termination. By understanding these six steps, employers will establish a good approach to human resources management.

During recruitment and hiring, employers should follow certain practices to identify and hire suitable candidates. For individuals who get a job, on-boarding, training and mentoring protocol will ensure that new hires transition successfully into their jobs. Operational decisions about safety, employee compensation and other practices affect human resources, and record keeping is a key consideration for employers. After investing in employee development, employers benefit when they adopt practices that retain their high-performing staff. In some cases, however, business or worker performance may require that an employer terminate employment arrangements. In such instances, agricultural employers must adhere to several policies.

*Note, this guide is meant to share general information about developing an approach to human resources management. The material in this guide should not be used in place of legal, accounting or other professional opinions. Agricultural employers are encouraged to engage an attorney, accountant, consultant and other necessary professionals to ensure that their specific policies and human resources systems satisfy all necessary labor laws and business standards.*

Find this guide online at [extension.missouri.edu/M199](http://extension.missouri.edu/M199)



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# 1. Recruitment

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Identifying a work need on your operation begins the recruitment process. Start by brainstorming parameters for the job position. For example, does the business need full-time or part-time help? What time of day and day of the week — mornings, afternoons, evenings, weekdays, weekends and so forth — does the business need help? Is the work need seasonal or year-round? After considering questions like these, employers can start creating a job description.

## 1.1 Job description

For farms and agribusinesses, job descriptions are important for several reasons. When recruiting workers, a job description clearly lists a particular position's needs and expectations. It should help job-searchers determine whether they would qualify for a job or have interest in a job.

During the interview process, a job description can help an employer consistently track whether potential hires can fill a position's needs and meet its expectations. With a clear job description, an employee — and the company at large — may better understand his or her role in the business and the relationships that he or she should create with coworkers, vendors and others.

**A job description**  
communicates needs and expectations for a particular position.

After hiring a worker, employers may look for differences between the job description and the new hire's background to identify areas where the employee could benefit from training. On a routine basis, a job description may help employers to review worker performance. Comparing duties and responsibilities listed in a job description with actual performance can highlight areas where workers have excelled, should improve or require extra help.

Written job descriptions may serve as legal documents. They should not contain any discriminatory language. That includes references being made about religious affiliation, sex, race, age, nationality and physical or mental disabilities.

### 1.1.1 Job analysis

To write a job description, begin by undertaking a job analysis. For a particular job, the analysis should outline the ins and outs of the required work. Conducting a job analysis has three steps: defining a job's tasks and responsibilities, listing required qualifications and explaining the environment where the employee will work.

#### **3 steps of a job analysis**

1. Identify tasks, responsibilities and decision-making requirements.
2. Outline necessary qualifications.
3. Describe the work environment.

Tasks and responsibilities refer to specific duties and decisions for which the worker would be held accountable. Qualifications include skills, knowledge, experience, education and licenses needed for performing a job. Plus, for jobs that involve physical labor, a qualifications analysis should note the physical demands. Environmental factors include what an employee can expect for the job position's location and work conditions. Work environment also includes the type of interactions that an employee may have with coworkers, managers, customers and vendors. The environment also includes whether an employee would supervise others.

To analyze existing jobs, employers may interview current employees and collect views about their work. While analyzing a job, consider whether certain duties are being overlooked. In those cases, a business may need to hire additional labor or expand the scope of current positions to fill the needs.

Although a job analysis should be specific to a position at your organization, reviewing general information about similar jobs can help you check whether your job analysis aligns with industry expectations for a particular position. Sponsored by the U.S. Department of Labor, O\*NET OnLine has resources to help with conducting a job analysis at [onetonline.org](http://onetonline.org).

### 1.1.2 Writing a job description

Based on information collected during a job analysis, an employer can write a job description for a certain position. In most cases, written job descriptions have at least six parts:

1. *Title*. A job title should concisely summarize the position and indicate its level of seniority, which could be described with terms such as “manager” or “trainee.”
2. *Job summary*. As a short paragraph, a job summary should explain a position’s duties, responsibilities, expected qualifications and physical demands. Because the summary reflects information included throughout a job description, consider writing it after finishing the other sections. Employers may use the summary for promotional purposes.
3. *Job duties*. Typically, jobs involve a set of duties and tasks. In this section, list all required duties for a position. For each responsibility, estimate the percentage of total work time that it will take, and list duties in order of those taking the most time. Because job positions may evolve, employers may state that a position could involve “other duties as assigned.”
4. *Job qualifications*. Qualifications are skills, knowledge, experience, education, certifications and other personal characteristics that are essential for an employee to do a job.
5. *Work relationships*. Generally, employees will collaborate with coworkers. Note where an employee will fit in the organizational hierarchy by naming reporting relationships. In other words, who’s the employee’s supervisor, and who does the employee supervise?
6. *Work schedule and environment*. Schedule refers to typical hours; overtime needs; and the potential for work during evenings, weekends, holidays or other irregular times. Environment involves whether work is inside or outside and whether it is team-oriented.

#### 6 parts of written job descriptions

1. Title
2. Job summary
3. Job duties
4. Job qualifications
5. Work relationships
6. Work schedule and environment

In a job description, employers may choose whether they mention salary and benefits, which include time off, insurance coverage, retirement contributions, housing and training programs. Some employers prefer to not share that information. Instead, a description may state “salary commensurate with qualifications and experience” to give some flexibility. Regardless of whether a description mentions pay, employers should consider a range that the business would like to spend and that job seekers would accept.

For help with developing a job description, the Farm Journal Legacy Project provides a template that you can use to outline key elements of a job description. Download the template at [cdn.farmjournal.com/2019-09/businesscontinuity%20jobdescriptiontemplate1.pdf](http://cdn.farmjournal.com/2019-09/businesscontinuity%20jobdescriptiontemplate1.pdf).

CareerOneStop, a resource sponsored by the U.S. Department of Labor, provides an online job description writer that shares ideas for job descriptions tailored to specific occupations. Just choose a job category and state, and a sample job description will load. Next, customize the description to fit the specific position available at your operation. Access the tool at [careeronestop.org/BusinessCenter/Toolkit/GettingStarted.aspx](http://careeronestop.org/BusinessCenter/Toolkit/GettingStarted.aspx).

## 1.2 Finding job candidates and applicants

To find job candidates, assemble a plan for publicizing your operation’s open positions. Depending on your local labor market and your farm’s work needs, participating in the H-2A program may help your farm operation to recruit seasonal and temporary farm laborers.

### 1.2.1 Promoting positions

To promote a job position, you can consider advertising in local newspapers. Local radio stations may also publicize job postings. Placing job opening flyers at community bulletin boards may grab attention. Networking within the community or industry can help to spread the word about job openings. For example, connecting with representatives from nearby universities and colleges may help to pinpoint possible job candidates, and local FFA or 4-H leaders may direct employers to potential new hires.

Drawing on a strong network of contacts may be a particularly effective recruitment strategy in a tight labor market. If you’re hiring skilled labor, then a professional recruiter may help to identify potential talent. Current employees may also suggest possible job candidates. Employers may consider offering incentives to current employees who recommend a job candidate who is then hired and continues working for a specified period of time.

#### Where to publicize job openings?

- Social media
- Newspapers and radio
- Community bulletin boards
- Industry association newsletters
- University job search websites
- Job posting or career websites
- Word of mouth among current employees

Career websites are other tools to publicize farm or agribusiness jobs. Several sites specifically serve the agriculture industry and provide job posting services. Such websites include AgCareers.com, agriCAREERS and AgGrad. Other services that can help to match employers with job candidates include Ag 1 Source and AGRI-SEARCH. Employers may also consider posting job descriptions to more general career websites, including Indeed, Monster and CareerBuilder. A free service, Craigslist may serve as a tool to post job listings and recruit employees in a local area.

Other online tools to promote job listings include social media accounts maintained by the business or its employees. Posts to Facebook, Twitter, LinkedIn and Instagram may attract attention to open positions. Plus, social networks encourage sharing, so request that your followers spread the word.

Your farm or business may consider offering internship or apprenticeship programs — types of work-based learning — to attract workers. For internship programs, businesses in many cases must pay interns the minimum wage and compensate them for overtime. However, depending on the internship’s fit with seven conditions, then it may not constitute employment. If it doesn’t, then the business wouldn’t be mandated to pay minimum wage and overtime. The seven factors, established through case law, are known as the intern “test.” The U.S. Department of Labor outlines the seven conditions in a fact sheet available at [dol.gov/whd/regs/compliance/whdfs71.htm](http://dol.gov/whd/regs/compliance/whdfs71.htm).



An apprenticeship combines paid work and an educational experience. Also known as “earn-and-learn” programs, apprenticeships offer several benefits to businesses. They include building a pool of highly skilled, diverse workers; minimizing turnover; and encouraging high levels of productivity.

Often, large employers or trade associations facilitate apprenticeship programs. The U.S. Department of Labor operates a registration program for apprenticeships that satisfy a set of criteria. The process to register an apprenticeship has some complexity and can involve multiple steps. In some cases, an occupation may first need to gain approval as a recognized apprenticeable occupation before it could be considered for registration. From the U.S. Department of Labor, employers can access resources that will help with creating an apprenticeship program at [apprenticeship.gov/employers](http://apprenticeship.gov/employers). The Missouri Department of Higher Education and Workforce Development provides resources for employers, providers and partners who would like to offer registered apprenticeships. To access the resources, go to [dhewd.mo.gov/apprenticeship\\_missouri.php](http://dhewd.mo.gov/apprenticeship_missouri.php). You also contact the agency to receive assistance with registering an apprenticeship.

For all prospective employees, require them to work through your operation’s hiring process. Don’t feel pressured to make exceptions for friends and family.

### 1.2.2 Participating in the H-2A program

Temporary agricultural workers may enter the U.S. as foreign nationals through the H-2A program, which helps employers that lack enough domestic workers to bring foreign workers into the country for temporary or seasonal work.

The **H-2A visa** program can help you recruit seasonal and temporary farm workers.

Employers eligible to hire temporary agricultural workers must satisfy certain criteria and complete significant paperwork with government agencies. Typically, you must submit a job order to your state workforce agency at least 75 days prior to the work beginning. You can hire external agents or attorneys to help you streamline the H-2A visa process.

The U.S. Citizenship and Immigration Services agency provides more information about the program requirements and the H-2A petitioner process: [uscis.gov/working-united-states/temporary-workers/h-2a-temporary-agricultural-workers](http://uscis.gov/working-united-states/temporary-workers/h-2a-temporary-agricultural-workers). The Missouri Office of Workforce Development serves as the state’s workforce agency that works with H-2A visas: [jobs.mo.gov/employer/aes](http://jobs.mo.gov/employer/aes). Its staff can assist Missouri employers.

### 1.3 Job applications

Ask candidates interested in a job opening to complete an application. The application gives employers information that they need to decide whether an individual would do well in a job. In an application, avoid asking inappropriate, illegal or discriminatory questions. Consider packaging job applications with the job description. Then, job searchers may review the job requirements before they apply. [Go to the job application template in the appendix](#) to find a sample application you can adapt to your needs.



Based on an employee's on-paper presentation shared through an application or resume, employers can select strong candidates to move to the next phase of the selection process. To simplify the review process, divide applicants into groups. One option is to split the applicants into those who will advance to interview, those who you might interview and those who you won't interview. As you get to know job candidates, remember that personal characteristics such as attitude and work ethic are important to identify in the workers that you ultimately hire.

### Screen job applicants into 3 groups

1. Those you want to interview
2. Those you might interview
3. Those you won't interview

## 1.4 Resources list

The information in this section was adapted from resources including the following, which may provide additional insights into the employee recruitment process:

### Job descriptions

- [Assembly of Farm Job Descriptions](#), Iowa State University Extension and Outreach
- [Developing Effective Job Descriptions for Small Businesses and Farms](#), Purdue Extension
- [Job Description Generator for the Dairy Industry](#), Penn State Extension
- [Put Job Descriptions to Work on Your Farm](#), Iowa State University Extension and Outreach

### Other recruitment resources

- [A Quick-Start Toolkit, Building Registered Apprenticeship Programs](#), U.S. Department of Labor
- [Frequently Asked Questions about Apprenticeship](#), U.S. Department of Labor
- [Get the Right Start in Hiring Employees](#), Iowa State University Extension
- [Hiring the Right Fit: Interview Questions](#), AgCareers.com
- [Internship Programs Under The Fair Labor Standards Act](#), U.S. Department of Labor
- [Labor Readiness Assessment](#), The Farm Labor Dashboard
- [Recruiting and retaining good employees: Strategies that work](#), Progressive Dairyman
- [Unpacking the Farm Labor Puzzle](#), Women in Ag Learning Network
- [Where are all the employees?](#), Successful Farming

## 2. Hiring

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After recruiting job candidates, the hiring process proceeds to interviewing the top candidates; checking their backgrounds including criminal records, drug offense records and references; validating their skill sets; verifying their work eligibility; extending an offer; and filing the appropriate forms and paperwork. The following sections describe these items with more detail.

Go to the hiring checklist in the appendix. With the checklist, you can track a candidate's progress in the hiring process.

### 2.1 Interview

During an interview, employers should learn about the person being interviewed and share information about the position and business. Listening skills are important. If an interviewer talks too much, then the interviewee doesn't have as much time to speak, and you don't have an opportunity to learn as much about the interviewee. As a general rule, 20% of an interview should involve the interviewer speaking. The person being interviewed should speak during the other 80% of the time. This doesn't mean that you shouldn't ask follow-up questions or share information about the position or the business, but the key is good balance.

#### Interviewing rules of thumb

- Ask open-ended questions.
- Use the same questions for all interviewees.
- Listen.
- Take notes.
- Avoid unacceptable questions.

During an interview, ask open-ended questions, not those that could be answered with only a "yes" or "no." The open-ended questions help you to get to know a job candidate better. Use the same questions for people interviewing for the same position. Doing that will add consistency to the interview process and help you to easily compare answers from each candidate. Also, take good notes. Otherwise, remembering specific responses after the interview concludes may be difficult.

#### 2.1.1 Acceptable questions

To ensure that interviewers collect information that they need to evaluate a job candidate, they may group questions into like-minded categories. For example, interviewers may start by asking questions about a candidate's education or work experience. Specific questions may include the following:

- What education or job training have you had?
- What positions have you held during previous employment?
- Tell me about job tasks for which you've been responsible in the past.
- What types of tasks have you enjoyed the most? Why?
- What types of tasks have you enjoyed the least? Why?

Then, interviewers can transition into questions focused on a prospective employee's fit with the specific position. At this point, use the job description as a guide. For important tasks associated with a job position, interviewers may ask questions about a job candidate's experience and interest in similar work. If a job requires physical labor, then ask whether an employee is capable of handling the physical requirements.

- An important task in this job is \_\_\_\_\_. What related experience do you have?
- If a particular scenario (explain a possible scenario) happens, then how would you respond?
- Why are you interested in this position?
- How does this position fit with your long-term career goals?
- Workers in this position may need to lift as much as 50 pounds and stand for three-hour shifts. Are you able to do both?

In some cases, prospective employees may not have the exact experience needed to perform various job tasks. However, interviewers may ask questions to see whether a potential new hire has the ability and willingness to learn the needed skills.

- Think of a skill that you previously had to learn on the job. What was your approach to making sure that you learned it?
- If you need to learn a skill to do well in this job, then what steps would you take to do that?
- What efforts do you take to continue learning while on the job?

Performing specific tasks is an important part of holding a job, but working with people can be equally important. New hires may interact with coworkers, managers, suppliers, buyers and other people who support the business, so their ability to develop positive relationships with these people can impact their job performance — and the employer. Possible questions to ask about a job candidate’s willingness to work with others include the following:

- Name a situation where you have had a challenging relationship with a coworker or supervisor. What did you do in that situation?
- What types of people create an enjoyable work environment for you?
- If you’ve supervised other people in previous jobs, then describe how you managed those employees and what the experience was like for you.

### **2.1.2 Unacceptable questions**

Interviewing prospective employees can create risk if employers ask the wrong questions. Several types of questions should be off limits, including those in the following list.

- Avoid questions about age, race, ethnicity, religious preference, political affiliation, living arrangement, sexual orientation, disabilities or medical conditions. Because answers to these questions don’t explain someone’s ability to perform job tasks or duties, they are irrelevant.
- Avoid questions about an applicant’s family or marital status. Again, answers to these questions don’t affect the ability to perform job tasks or duties. If working days and hours or schedule flexibility are concerns, then present the requirements for the job, and ask whether the prospective employee could meet those needs. For example, you may ask, “Our operation occasionally needs help on evenings and weekends. Do you have the flexibility to work during evenings and weekends?”
- Do not ask questions about vehicle ownership unless it is a requirement of an employee’s job. Otherwise, what matters is that an employee can get to work. For job positions that require on-the-job vehicle use, you may ask whether a prospective employee is licensed to operate the type of vehicle required.

### 2.1.3 Other interview elements

Generally, interviews are considered a questions-and-answers time. However, an interview may also include a skills test. During a skills test, prospective employees would be asked to apply their skills and perform a task that would be required if they get the job. A skills test can show whether a potential new hire has the skills necessary for the job and whether that person could benefit from extra training. However, the results should only be used as one tool to screen applicants, and the test itself shouldn't create problems with respect to equal opportunity employment. A basic skills test could involve counting change or writing an email.

A **skills test** assesses whether an applicant has the skills needed to do the job.

A **personality inventory** evaluates whether an applicant would fit well in your organization's culture.

Personality inventories represent other tools for determining whether a prospective employee would fit well with your operation. They measure the extent to which people show motivation, conscientiousness, self-confidence and other key characteristics. Answers to the questions can suggest whether a prospective employee would be a team player. Personality inventories have several potential drawbacks. For example, controls should prevent respondents from selecting only socially desirable responses. The tests shouldn't be used as medical exams or invade respondents' privacy. If you'd like to use a personality inventory as part of your applicant screening process, then identify a testing program that's effective in gauging job performance.

### 2.1.4 Closing an interview

Before concluding an interview, give the job candidate an opportunity to ask questions. Not only does this practice address remaining questions, but it also creates an opportunity for an interviewer to learn about an individual's ability to develop questions.

Then, establish the next steps that the interviewee can expect during the hiring process. If you have a timeline in mind, then you can mention it. Share whether you're planning to schedule second-round interviews with the top candidates. Last, thank the interviewee for showing interest in the position and participating in the interview.

### 2.1.5 Post-interview evaluation

After conducting interviews with multiple candidates, rank the candidates based on their qualifications, attitudes, abilities to learn and other soft skills such as interaction with people. Ideally, a candidate will "check all the boxes." If not, however, then prioritize characteristics based on their importance. Candidates who possess the most important abilities might be your top contenders.

## 2.2 Background, drug and reference checks

Employers may use background checks, drug tests and reference checks to validate information provided by applicants and gather other information about their potential "fit" with the business.

## 2.2.1 Background checks

Background checks are important because the employees that your operation hires will directly interact with other employees and possibly your family. You want to respect the safety and security of your current team and ensure that new hires will be upstanding people.

Types of background checks include those that are informal and formal. Informal checks involve reviewing publicly available information about a job candidate. Start by doing an online search. Use a search engine such as Google or Bing. To narrow the search, include keywords including school names, state of residence, former employers and hometown. You can also review an applicant's social media activity on platforms such as Facebook, Twitter, LinkedIn and Instagram and validate addresses on sites such as [whitepages.com](http://whitepages.com) and [411.com](http://411.com).

### Types of background checks

- Reference checks
- Online or social media inventories
- Public database reviews
- Drug tests

Employers should also consider checking public databases to learn more about applicants. They can use public information to check whether applicants have a sex offender or court judgment history. The Missouri Highway Patrol maintains the statewide sex offender registry. It's accessible online at [mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html](http://mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html). Users can search the registry by name or location. The Missouri court system maintains the Case.net database, which shares case history from Missouri courts. Users can search by litigant name to find cases that mention specific individuals. The online system is available at [courts.mo.gov/casenet/base/welcome.do](http://courts.mo.gov/casenet/base/welcome.do).

For positions involving sensitive information or managerial responsibilities, a more extensive background check may be necessary. Several companies offer background check services. Consider comparing the options that are available and choosing a company that can provide the right types of information that will help you to make your hiring decision. Before engaging a third-party company to help with the background check, first get written consent from the applicant.

## 2.2.2 Drug testing

Alcohol and drug use may contribute to work-related injuries or fatalities. Not only does an employee under the influence create a hazard to himself or herself, but that employee also has the potential to harm coworkers and bystanders. Requiring a drug test can send the message that drug or alcohol misuse among employees won't be tolerated. This section offers some general thoughts about drug testing for prospective or current employees; however, operations may need to consult an attorney to develop policies that are specific for their businesses.

To conduct a drug test, an operation may elect to use an on-site testing kit that provides results nearly instantaneously. As another option, employers may choose to work with an external testing specialist. Tests may use a urine, hair or saliva sample. Test costs generally range from \$45 to \$75 each, and results are often returned within one day to three days.

Employers may require a pre-employment drug test at a point between having a job offer accepted and welcoming the new hire at work. The offer letter should mention that passing the drug test is a requirement to begin working and that failing to take or pass the test will terminate the offer.

Employers may also require post-employment drug tests in certain circumstances. If an accident or injury occurs, then a drug test may be used to determine whether drug misuse contributed to the situation. If a supervisor sees suspicious activity, then a drug test may help to know whether that activity is related to drug use.

If a current employee struggles with addiction, the Division of Behavioral Health, which is part of the Missouri Department of Mental Health, could provide assistance. Learn more about their programs and services at [dmh.mo.gov/alcohol-drug](http://dmh.mo.gov/alcohol-drug).

### **2.2.3 Reference checks**

With a reference check, employers can confirm information that applicants have provided and learn about the applicant from people who know him or her well. When questioning references, employers can ask about previous job positions or work that the applicant has done. Also, simply asking whether the reference would hire the applicant can suggest employability. Possible references include past employers, teachers and other professional contacts.

### **2.3 Eligibility verification**

Before hiring any employee, proof of the individual's authorization to work in the U.S. is required. U.S. citizens or authorized foreign citizens may work here legally. Using the I-9 Employment Eligibility Verification Form, employers must validate employee identity and work authorization status through birth certificate, passport or green card records. You can access the I-9 form at [uscis.gov/i-9](http://uscis.gov/i-9).

For assistance in checking an employee's work eligibility, the E-Verify system is available. For more information, go to [uscis.gov/e-verify](http://uscis.gov/e-verify).

### **2.4 Extending an offer**

Before extending an offer, you might consider hosting multiple interviews with a prospective new hire. Scheduling multiple interactions may expose candidates to different settings (e.g., phone interview, in-person interview) and allow them to meet different people in the business.

After making a hiring decision, employers can call the new hire to extend an offer. However, a written offer should follow the phone call. The letter would outline details including compensation, benefits, tasks, responsibilities and work schedule pertaining to the hire's new job.

### **2.5 Probationary period**

Some employers choose to hire employees on a probationary basis. During that time, the employer can determine whether the employee has the necessary skills, conducts himself or herself in an acceptable manner and fits well with the operation's culture. Plus, observing employees during a trial time can help employers identify training needs. A probationary period can also benefit new hires as they can learn whether they like the work and the team.



## 2.6 New hire paperwork filing

### 2.6.1 Employer identification number

Any employer that operates in Missouri and pays workers must have an Employer Identification Number (EIN) provided by the federal government. Employers, partnerships, limited liability companies and corporations may request an EIN from the IRS at [irs.gov/businesses/small-businesses-self-employed/how-to-apply-for-an-ein](https://irs.gov/businesses/small-businesses-self-employed/how-to-apply-for-an-ein).

Additionally, employers must register for a Missouri Employer Tax Identification Number. The number is used to report state tax withheld from worker pay. Access the Missouri Tax Registration Application at [dor.mo.gov/forms/2643.pdf](https://dor.mo.gov/forms/2643.pdf). For more information about tax withholding requirements, go to section 4.4.

### 2.6.2 Form W-4

New employees must complete a Form W-4, which is available at [irs.gov/pub/irs-pdf/fw4.pdf](https://irs.gov/pub/irs-pdf/fw4.pdf). Based on information shared in the form, employers will withhold federal tax. Employers aren't accountable for whether information provided on a Form W-4 is accurate.

### 2.6.3 Form MO W-4

When a Missouri employer hires a new employee, the employer must alert the Missouri Department of Revenue about the hire. That communication must occur within 20 calendar days of the earlier of the employee signing his or her W-4 form, the employee first working on the job or the employee carrying out the job's required duties. If an employer doesn't report the necessary paperwork to the state, then it may be fined.

Download the Form MO W-4 at [dor.mo.gov/forms](https://dor.mo.gov/forms). To submit Form MO W-4 documentation, employers may choose to mail or fax it, or they may use the E-file option, which is available at [dor.mo.gov/personal/electronic.php](https://dor.mo.gov/personal/electronic.php).

## 2.7 Independent contractors

In some cases, you may choose to hire an independent contractor instead of an employee. Unemployment insurance, workers' compensation and tax responsibilities would vary for those two arrangements. An arrangement that meets all of the following conditions would in most cases classify someone as an independent contractor instead of an employee.

An **independent contractor** is a worker not defined as employee under common law.

- The employer provides the person with only broad objectives and gives him or her the flexibility to meet those objectives.
- Independently, the person working supplies tools for the job and chooses a work schedule.
- Profit and loss risk management is the working person's responsibility.
- The person working markets similar services to businesses other than your own.
- The person working offers services other than those considered to be a business' "core function" on a relatively short-term or project basis.

For further assistance in categorizing someone as an employee or independent contractor, consider using this Worker Misclassification Assessment from the Missouri Department of Labor & Industrial Relations: [apps.labor.mo.gov/forms/misclassify](https://apps.labor.mo.gov/forms/misclassify). To identify whether a worker is an employee or independent contractor, the state references the IRS 20-factor test. To access an outline of the 20 factors from the Missouri Department of Labor & Industrial Relations, go to [labor.mo.gov/sites/labor/files/pubs\\_forms/M-INF-310-AI.pdf](https://labor.mo.gov/sites/labor/files/pubs_forms/M-INF-310-AI.pdf). An attorney could also offer guidance specific to your operation.

## 2.8 Resources list

The information in this section was adapted from resources such as the following, which may provide other insights about the employee hiring process:

### Interviewing

- [7 Interviewer Interview Questions for First-Timers](#), AgCareers.com
- [Interviewing Job Candidates? Avoid These 5 Deadly Sins](#), Robert Half
- [Sample Interview Questions](#), The University of Texas at San Antonio
- [The Job Interview, and What Questions Can I Ask?](#), Iowa State University Extension and Outreach

### Employee checks

- [Background Checks What Employers Need to Know](#), U.S. Equal Employment Opportunity Commission
- [Farm Drug Testing – Should you test?](#), AgHires
- [Farm Employee Management: Applicant Background Checks](#), Iowa State University Extension and Outreach
- [Pre-Employment Testing: A Helpful Way For Companies To Screen Applicants](#), Forbes
- [Workplace Drug Testing in Missouri](#), Nolo.com

### Other hiring resources

- [Create Your H-2A Visa Checklist](#), USDA
- [Doing Business in Missouri: Hiring Employees](#), Missouri SBDC
- [Evaluation and Selection of Job Candidates](#), Iowa State University Extension
- [Get the Right Start in Hiring Employees](#), Iowa State University Extension and Outreach
- [H-2A Visa Program](#), USDA
- [Off the Books? Worker Misclassification](#), Missouri Department of Labor & Industrial Relations
- [Testing and Assessment: An Employer's Guide to Good Practices](#), Employment and Training Administration, U.S. Department of Labor
- [Understanding Employee Probation Periods](#), AgCareers.com

## 3. Onboarding, training and mentoring

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### 3.1 Onboarding

Onboarding refers to a system that an employer uses to assimilate new hires into its business within the first few days or weeks of employment. It serves as a time for new employees to experience a job's social and performance expectations and check that they have the attitudes and qualifications to fit the job and business.

**Onboarding** refers to how an employer assimilates new hires into the business.

During onboarding, new employees should also have a chance to learn more about the business and understand how they have an opportunity to help the business succeed. Through onboarding, employers will want to ensure that new hires feel welcome and like they're part of the team.

During the onboarding process, employers should strive to create a good initial experience for new hires. When employees begin their jobs on a positive note, they're more likely to begin feeling a commitment to the business. If the job experience begins badly, then they may soon begin searching for another job and ultimately may not stay long.

Note that onboarding is essential for employees who are new. However, employees who transition into new positions within your business may also benefit from onboarding. Someone who transfers to a new position may need to learn more about the new job description, connect with a new mentor and ask questions about his or her new roles and responsibilities.

#### 3.1.1 Create an onboarding plan

Before a new hire's first day, create a list — or onboarding checklist — with important topics that you need to address. For help with the checklist, ask a recent hire to highlight what's important to include during onboarding. That person may have suggestions to improve the process. Although some onboarding items may stay the same regardless of the position, you may customize the checklist to ensure that each employee's specific onboarding needs are met.

#### 3.1.2 Tips for onboarding

To make a good first impression, consider these tips. Start by sharing about your business' vision, mission and goals. Highlight other details, including who owns and runs the business and what the business values. Follow that introduction with a tour, and allow the employee to meet his or her coworkers. While on the tour, point out basics, such as when the workday starts and ends, where you park, when and where you eat lunch and where are the bathrooms.

##### **Sample onboarding priorities**

- Share your business vision, mission and goals.
- Explain the position.
- Tour the business.
- Meet coworkers.
- Discuss expectations and policies.
- Review emergency contact and safety information.
- Leave time for questions.
- Send paperwork packet home.

At that point, explain the job's important tasks, guidelines, policies, dress code and appropriate cell phone usage. Employees should be directed to the employment manual for detailed policies. To give more specifics, show him or her how to record and submit timesheets; highlight items in the

employee handbook; review the job description; share important contact information, including that for emergency services personnel, supervisors and direct reports; and discuss safety practices. If a new hire needs access to technology resources such as a tablet computer, phone or email address, then reserve time for getting those devices and login information into the new hire's hands.

As the day progresses, leave plenty of time for questions. Also, ask a few questions of your own to learn whether the new hire has the resources needed to excel and whether he or she has suggestions to improve the first day for future hires.

Although covering some paperwork may be necessary on the first day, avoid spending too much time on paperwork. Instead, communicate with new hires about the documentation that they need to bring or return to work, and create a packet with important forms that they can take with them and read and return later.

## 3.2 Training

Training refers to making ongoing educational opportunities available to employees. For new employees, training is particularly important during the first few months. However, routine training sessions that extend post-hiring can ensure that your team members have the latest information to use in doing their jobs and helping the business meet its goals.

**Training** refers to making ongoing educational opportunities available to employees. Select from formal and spontaneous methods that meet your employees' needs and accommodate their learning styles.

Employers should write goals to guide their training efforts. When establishing training objectives for your employees, tie the objectives to a timeline that stipulates the dates by which employees should master those objectives. Creating a timeline communicates learning expectations for the employee and helps the employer track progress. Current employees can provide insights during the goal-setting phase of the process. After all, they have firsthand experience in knowing what they need to learn to do their jobs well.

### 3.2.1 Customize training to your operation

Training needs will vary by operation. Livestock farms may need to teach employees about livestock management, animal welfare, reproduction, feeding animals and worker and product safety. Operations that raise crops may need to train employees for using equipment; scouting fields for disease, weed and pest pressure; managing grain quality post-harvest; and collecting, understanding and using precision agriculture data. Regardless of operation type, written standard operating procedures can help to ensure that work is done correctly and that training is provided consistently.

### 3.2.2 Know your audience

When developing training programs, accommodate various learning styles. Some employees may learn best when they watch how to do something. For some, they may need to hear how to do a task or learn through reading and writing. Others benefit most when they learn through doing. To ensure that employees absorb and retain critical information, offering training through all four of those approaches is a good practice.

Recognize that training will take time. Sharing too much information at one time may lead to information overload and cause employees to retain relatively little. Additionally, employees without an agriculture background may require assistance in learning the basics before they can grasp more complex information, so be cognizant of an employee's understanding of the subject matter when you're designing training programs.

### 3.2.3 Select an approach to training

Some employers may choose to train employees in a seminar-style environment. Online courses may have potential depending on the training need. Although formal training programs have their place, more spontaneous training also has value. Such training can take the form of regular feedback shared with employees. Let them know what they're doing well and where they need to improve.

When training employees, strive to not only show them how to do something but also indicate why it's important to complete a task in a certain way. Follow training efforts with a question-and-answer session. This time would enable employees to ask follow-up questions or clarify information. Plus, employers can ask questions to ensure that employees retain information from training, or they can see whether the training caused employees to brainstorm ideas that could help the business succeed. For employees who feel motivated to learn, training may more likely be an enjoyable experience. To make the training experience most effective, see whether you can intersect lessons that need to be taught with topics that interest your workers. Vendors such as veterinarians, chemical suppliers, seed salesmen, nutritionists and machinery dealers may be willing to provide employee training for good customers. Vendors are also a good source of training materials.

## 3.3 Mentoring

Mentorship may help employees grow, learn and feel supported. Employees may form mentor-mentee relationships with colleagues who work for the same employer, or mentors and mentees who are paired may work for different organizations. The following sections describe how mentoring differs from coaching and how employers may develop mentorship programs.

### 3.3.1 Differentiating mentoring from coaching

Mentoring and coaching have noticeable differences. Coaching's purpose often centers on helping an employee perform his or her job better by engaging a coach who has expertise in a specific field. Mentoring, on the other hand, concerns itself with enriching a mentee's long-term development. As a result, coaching outcomes are often specific and measurable. If a coach produces the desired performance improvement in a specific area, then the coaching was a success. Outcomes connected to mentoring are less defined and more focused on overall development.

**Mentoring** focuses on facilitating long-term professional development. **Coaching** centers on helping an employee perform better at a certain task or job.

To accomplish specific objectives through coaching, coaches and coachees often collaborate to set the agenda for the relationship. That's different from mentoring where the mentee sets the agenda according to his or her development interests and needs. Coaches may ask questions of coachees in order to help them think through an issue and make a decision. With mentoring, a mentee typically asks the questions to draw out a mentor's knowledge. Compared with coaching relationships,

mentoring relationships also tend to last longer. Six months to one year may be the length of a typical coaching relationship, but mentoring may occur over a multiyear period.

### 3.3.2 Establishing a mentorship program

As mentioned previously, mentoring can take place among employees who work for the same business or organization. Before starting an employee mentoring program, first consider the goals that the program should achieve. For individuals, those goals may include improving time management, gaining a new certification or becoming a better communicator. From the business' perspective, supporting a mentoring program may sharpen skills and improve internal networking.

#### **3 steps to design a mentorship program**

1. Consider goals.
2. Develop mentoring framework.
3. Pair ideal mentor with mentee.

With a mentoring program's ultimate goals in mind, an employer can next develop a framework for the mentoring program. Businesses that prefer to formalize processes and programs may choose to request applications, establish the duration of the mentor-mentee relationship, require a certain amount of time spent on mentoring or a certain number of mentoring interactions and develop guidelines for mentor-mentee groups to follow. Other businesses may prefer to make the process less formal and let mentors and mentees choose an approach that works best for them.

After establishing a general structure for your mentoring program, look for opportunities to pair mentors and mentees. An ideal pairing may match employees based on similar interests or backgrounds, aptitudes, mentoring expectations, individual choice or other characteristics. After matching mentors and mentees, periodically check the status of the mentoring relationship. If a pairing doesn't work, then offer employees the option to change to a different pairing.

Facilitating a mentorship relationship is helpful for less experienced workers; however, employees with more experience can also benefit. Through mentoring, experienced employees can teach those who are less experienced and make themselves better managers. Employees with less experience — the mentees — can contribute new ideas that veteran employees can help to foster. Mentoring can fulfill personnel development needs that other onboarding or training efforts may overlook.

Employees may need some convincing that mentoring is a good use of their time. Help them understand the value by explaining the mentoring program's goals and benefits. By sharing a story about a beneficial mentor-mentee relationship, employees may better visualize the payoff.

### 3.4 Resources list

The information in this section was adapted from resources including the following, which may provide additional insights into onboarding, training and mentoring your operation's employees:

#### **Onboarding**

- [7 tips for onboarding new employees](#), The Business Journals
- [Bringing 'em Safely Onboard: Launching New Employees Successfully](#), Purdue University
- [Getting onboard with your employees](#), CountryGuide
- [How to Give New Employees a Successful Start](#), Farm Journal Media



## Training

- [6 Helpful Tips for Training Small Business Employees](#), Small Business Trends
- [Practical concepts for employee training and dairy performance](#), Progressive Dairyman
- [Reduce training frustrations with 4-step process](#), Farm Futures
- [Unpacking the Farm Labor Puzzle](#), Women in Ag Learning Network

## Mentoring

- [5 Things Great Mentors Do](#), Inc.
- [How to Start a Mentoring Program](#), Inc.
- [Know the Difference Between Coaching and Mentoring](#), Kent State University
- [Seven Ways To Be An Effective Mentor](#), Forbes
- [What do Know About Employee Mentorship Programs](#), Robert Half

## 4. Operations

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The following sections describe operational considerations for a farm or agricultural business. When evaluating your operational plan, step into your employees' shoes, and think about the work environment. Pose the following question to yourself: "Would I want to work here?" Then, make adjustments accordingly.

### 4.1 Safety

For most private-sector employers, the Occupational Safety and Health Act holds them to certain health and safety standards. Some exemptions exist, though, and one includes a farm employer's immediate family. To protect employees, the Occupational Safety and Health Administration (OSHA) mandates that workplaces protect employees from recognized hazards that may cause or are likely to cause worker death or serious harm. For more information about OSHA, go to [osha.gov](https://www.osha.gov). For small businesses, this handbook in particular may help to navigate OSHA requirements: [osha.gov/sites/default/files/publications/small-business.pdf](https://www.osha.gov/sites/default/files/publications/small-business.pdf).

The Safety and Health Achievement Recognition Program is a workplace safety initiative administered by the Missouri Department of Labor & Industrial Relations. It recognizes small businesses that create programs designed to protect worker safety and health. For more information about the program, go to [labor.mo.gov/sharp](https://labor.mo.gov/sharp).

### 4.2 Compensation

A key to attracting good employees is offering competitive compensation. The U.S. Bureau of Labor Statistics reports employment statistics for various occupations. The guide for farm workers, accessible at [bls.gov/ooh/farming-fishing-and-forestry/agricultural-workers.htm](https://www.bls.gov/ooh/farming-fishing-and-forestry/agricultural-workers.htm), can inform employers about setting competitive, fair wages for employees. If hiring other types of workers to support an agricultural business, then employers can review other guides available from the Bureau of Labor Statistics to set competitive wages for them: [bls.gov/oes/current/oes\\_stru.htm#45-0000](https://www.bls.gov/oes/current/oes_stru.htm#45-0000).

#### 4.2.1 Minimum wage

In 2018, Missouri voters approved Proposition B, which set minimum wage rates through Jan. 1, 2023. See Exhibit 4.2.1.1 for minimum wage rates by year in Missouri. Many Missouri businesses must pay workers at least this rate. However, some employers are exempt. Businesses not required to pay the minimum wage are those that operate in the retail or service sectors and earn less than \$500,000 in annual gross income.

*Exhibit 4.2.1.1 – Missouri Minimum Wage Rates by Year*

Effective date	Missouri Minimum Wage (per hour)
Jan. 1, 2022	\$11.15
Jan. 1, 2023	\$12.00

According to federal law, minimum wage requirements may also vary for agricultural employers. With respect to minimum wages paid, the Fair Labor Standards Act exempts agricultural employers who record 500 or fewer "man days" during a given calendar quarter within the past calendar year.

Agricultural work conducted by an employee for at least one hour in a day counts as a “man day.” The act provides a few other exemptions for agricultural employers. To read more about those exemptions, refer to this fact sheet from the U.S. Department of Labor: [dol.gov/whd/regs/compliance/whdfs12.htm](http://dol.gov/whd/regs/compliance/whdfs12.htm).

#### 4.2.2 Overtime

As a general rule, employees who work more than 40 hours per week must earn at least 1.5 times their hourly rate after exceeding the 40-hour time total. For agricultural employees who work on a farm, however, the Fair Labor Standards Act has exempted them from overtime pay requirements.

Generally, employees who do agricultural work on a farm are exempt from **overtime pay** requirements. To verify whether your farm must pay overtime wages to an employee, seek guidance or clarification from the U.S. Department of Labor.

“Agricultural employment” encompasses on-farm work that’s incidental to or performed in conjunction with a farming business. For more information about overtime and agricultural workers, reference this guide from the U.S. Department of Labor: [dol.gov/whd/regs/compliance/whdfs12.htm](http://dol.gov/whd/regs/compliance/whdfs12.htm).

Agricultural operations may employ some workers who require overtime pay. A publication from the Farmers’ Legal Action Group Inc. provides several examples of workers who would require overtime pay, according to federal labor laws. Access the publication at [flaginc.org/wp-content/uploads/2012/08/20120813-MILE-Guide-interactive-Jan14.pdf](http://flaginc.org/wp-content/uploads/2012/08/20120813-MILE-Guide-interactive-Jan14.pdf).

Overtime exemptions are also provided to agricultural employers that don’t accumulate more than 500 “man days” of agricultural labor in any calendar quarter of the preceding calendar year. One “man day” is any day where an employee spends at least an hour doing agricultural work. Other exemptions apply for immediate family members who are employees, employees who predominantly work on the range to produce livestock and some employees who receive payment on a piece-rate basis. For further details about exemptions, access the Department of Labor guide at [dol.gov/whd/regs/compliance/whdfs12.htm](http://dol.gov/whd/regs/compliance/whdfs12.htm).

Effective Jan. 1, 2020, eligible “white collar” employees who earn not less than \$684 per week (\$35,568 annually) and are paid on a salary basis are exempt from earning overtime wages. The rule considers “white collar” employment to include work done by executive, administrative, professional, outside sales and some computer employees. For further details about this overtime exemptions, access the Department of Labor guide at [dol.gov/agencies/whd/fact-sheets/17a-overtime](http://dol.gov/agencies/whd/fact-sheets/17a-overtime).

#### 4.2.3 Nonmonetary compensation

Compensation provided to employees may include some benefits that can’t easily be valued with a cash amount. These benefits may be called “nonmonetary compensation.” Such compensation includes access to farm equipment or tools; the opportunity for employees to continue their education; and a supply of meat, milk, produce or other farm products. Other possibilities include offering meals or providing farm apparel. Items like these may cost little but

##### Nonmonetary compensation examples

- Access to farm equipment or tools
- Meat, milk or produce
- Meals
- Farm apparel

create reasonable value for workers. Employees themselves, not the employer, determine the specific value, so get to know your employees and what they enjoy. Note that tax implications for nonmonetary compensation may vary by item. Such benefits may be a tax-free form of compensation.

If you plan to offer nonmonetary compensation, then choose items that employees would like. Offering housing on the farm may be critical to attracting immigrant labor but have less value to local part-time employees. Giving employees options may ensure that they receive something that they'll enjoy. Then, in a compensation package, do your best to share nonmonetary compensation information with employees, and estimate the value of those benefits.

#### 4.2.4 Incentive pay

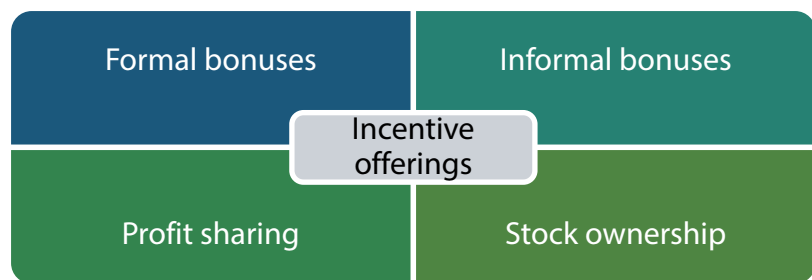
An incentive pay system rewards employees for their part in the business achieving certain production, marketing or financial goals. Based on performance, incentive pay encourages a productive work environment and strong workplace morale. It also may make employees proud of their work and attract workers who enjoy the opportunity to earn more as they perform well.

To develop an incentive pay program, first consider your business' objectives. If your goal is to improve product quality, then your incentive pay system may be based on the grade assigned to your harvested products. If your goal is to increase employee productivity, then your system may reward employees for handling or harvesting a certain quantity of product in a certain time period.

Although employers should match incentive pay to their goals, the standard set for incentive-based pay shouldn't boost one performance measure to the extent that it causes a decline in another important measure. For example, if your goal is to increase harvest yields, then an incentive pay standard may establish that it will only measure product harvested that meets a certain quality threshold. Also, focusing exclusively on individual high performance may cause coworkers to feel like they're working against one another.

An effective incentive pay system requires recordkeeping that tracks employee performance relative to the certain goal. Standards should be monitored periodically — how well does a standard address and drive your initial goal — so improvements could be made to them if necessary and you can update your workforce about overall performance. To be fair, do not reduce or eliminate a system's potential payout in the middle of a given year, but use the monitoring information that's collected to improve the system for later years.

Exhibit 4.2.4.1 – Incentive Pay Options



Businesses have multiple incentive pay options to consider.

- *Formal bonuses:* As bonuses that tend to be paid at defined times each year, formal bonuses are often cash-based incentives. They can serve as tools to acknowledge work anniversaries, seasonal work effort, project milestones, holidays and good safety or work performance.

They're limited in their effectiveness if they create morale issues and if employees start to expect them as basic compensation.

- *Informal bonuses:* These bonuses can show employees that their unique contributions are valued, and they tend to be paid irregularly with cash. Businesses may award informal bonuses if employees demonstrate specific instances of positive performance or leadership; share beneficial ideas with the team; and celebrate personal successes or occasions, such as marriage or community involvement.
- *Profit sharing:* With profit sharing, employees earn a portion of the operation's profits. Because the amount that they earn depends on the business operating profitably, employees should feel incentivized to improve the business' bottom line. They may also feel more personally invested in the operation's performance.
- *Employee Stock Ownership Plan (ESOP):* Another tool to create an ownership opportunity for employees, an ESOP uses a formula to assign shares, which along with cash may be maintained in an ESOP trust fund, to employees. Later, if employees have vested in the ESOP and they leave the operation, then they may exchange shares for cash.

Despite their advantages, incentive programs also have some limitations. They should always prioritize employee safety and health. In an attempt to increase their chances for receiving an incentive-based payment, employees shouldn't work to the extent that they create liability or labor law compliance issues for the operation. You don't want employees to lack confidence in the incentive system and its fairness. To avoid this, employers should be transparent in explaining how an incentive system works and how employees would qualify for incentive payments. An accountant, attorney, consultant or extension personnel may help you to create an effective incentive pay system.

#### **4.2.5 Payday requirements**

Payday requirements refer to the frequency that employers must provide payment to their employees. States determine their own payday requirements. Missouri statute dictates that corporations pay employees as often as semimonthly. Payment is due within 16 days of a pay period concluding. Employees in executive, administrative and professional roles and those who earn commission may receive monthly pay. At least on a monthly basis, an employer must communicate the pay period's total deductions in a statement for each employee.

### **4.3 Benefits**

Benefits that agricultural employers may provide to employees include health insurance, retirement plans and time off.

#### **4.3.1 Health insurance**

The Affordable Care Act created health care insurance provisions for employers to provide affordable coverage with a minimum value. Requirements for an employer in a particular calendar year vary according to the average number of people employed during the previous year. A full-time employee is considered to be one who works at least 30 hours per week; part-time employees are counted on a full-time equivalency basis. To estimate your business' number of employees, use the calculator at [healthcare.gov/shop-calculators-fte](http://healthcare.gov/shop-calculators-fte). An alternative calculator is available at [taxpayeradvocate.irs.gov/estimator/esrp/estimator.htm](http://taxpayeradvocate.irs.gov/estimator/esrp/estimator.htm). Note, within 90 days of an employee's first workday, employers that offer health insurance must provide the benefit to eligible employees.

For operations with fewer than 50 full-time employees or full-time equivalent staff on average in a year, the act’s employer-shared responsibility doesn’t apply in the following year. However, these businesses may offer self-insured health benefits or coverage through the Small Business Health Options Program Marketplace. For details about how small businesses are affected by the Affordable Care Act, go to [healthcare.gov/small-businesses/health-care-law-and-businesses/how-aca-affects-businesses](https://healthcare.gov/small-businesses/health-care-law-and-businesses/how-aca-affects-businesses). Some small businesses may also qualify for a small business health care tax credit. For more information, go to [irs.gov/pub/irs-pdf/p5200.pdf](https://irs.gov/pub/irs-pdf/p5200.pdf). Employers that average at least 50 full-time or full-time equivalent staff must satisfy certain parameters specific to employer shared responsibility and information reporting. More information is available at [irs.gov/affordable-care-act/employers/affordable-care-act-tax-provisions-for-large-employers](https://irs.gov/affordable-care-act/employers/affordable-care-act-tax-provisions-for-large-employers).

### 4.3.2 Retirement plan

If operations choose to offer a retirement plan to employees, then they have several options from which to choose. First, a Simplified Employee Pension (SEP) plan enables businesses to contribute a variable rate from year to year that’s consistent for each employee in a given year. With a SEP, the employer is the only contributor. Employees themselves don’t have the option to contribute. However, employees have their own traditional SEP-IRAs and are completely vested, meaning that all funds in an employee’s SEP-IRA belong to that employee. SEPs are known for having inexpensive overhead, and the setup and operational details are relatively easy to navigate. For more information about SEP plans, review this publication from the Internal Revenue Service: [irs.gov/retirement-plans/plan-sponsor/simplified-employee-pension-plan-sep](https://irs.gov/retirement-plans/plan-sponsor/simplified-employee-pension-plan-sep).

A Savings Incentive Match Plan for Employees (SIMPLE) is an option for small businesses, particularly those that don’t employ more than 100 people. With a SIMPLE IRA, employers have more specific rules governing their contributions to employee retirement accounts. In a year, employers either contribute 2% of an employee’s salary — maximum limits do apply — or the employer can offer to match as much as 3% of an employee’s contribution. Employees have the option to contribute funds to a SIMPLE IRA. Like with a SEP, SIMPLE IRA plans enable employees to fully vest, meaning that the employees own their SIMPLE IRA funds. The Internal Revenue Service outlines more details for SIMPLE IRA plans: [irs.gov/retirement-plans/plan-sponsor/simple-ira-plan](https://irs.gov/retirement-plans/plan-sponsor/simple-ira-plan).

For information about other retirement plan options, go to [irs.gov/retirement-plans/plan-sponsor/types-of-retirement-plans-1](https://irs.gov/retirement-plans/plan-sponsor/types-of-retirement-plans-1).

### 4.3.3 Time off

With some agriculture jobs, work must happen every day, regardless of it being a weekend or holiday or during nontraditional hours. For example, dairy cows require milking. A pest outbreak can occur in crops at any time. Because of demands such as these, providing time off to employees can make completing a workload more challenging. However, offering time off may help to attract workers.

If offering time off as a benefit for farm employees, then employers have several choices. For example, they may choose the type of time off to provide. Options include vacation days, sick days, holidays and personal days. Some employers, particularly those that have continuous operations, choose to use a paid time off (PTO) system. With PTO, employees receive a certain number

**Paid time off (PTO)** refers to offering employees a certain number of paid days away from work each year.



of paid days away from work each year. The employees can use the paid days at their discretion, and the employer and employee don't track how a day off was used — for example, whether it was a sick day, vacation day or holiday.

Employers must also determine how much time to offer. A sliding scale that provides more time off to more experienced workers is an option. Employers can also choose whether they pay employees during the time off and whether employees receive extra compensation if they don't use all or part of their paid time off. Alternatively, employers may consider allowing employees to accrue at least some days off year after year.

For employers who choose to offer time off as a benefit, they can create some guidelines to make providing the benefit more manageable. Some agricultural employers ask that employees avoid taking time off during busy seasons. Also, some require workers to coordinate their schedules and stagger their days off. That way, multiple employees don't take leave at once. Employers also have the option to require that employees submit time-off requests in advance and that a supervisor has the authority to approve or deny those requests. If employers require requests, then the process for submitting and reviewing those requests should be outlined clearly in an operation's employee handbook. Points to address include the process and timeline for managing time-off requests.

#### 4.3.4 Other benefit options

Benefit packages may also include items such as access to a work vehicle, on-site childcare, wellness programs, continuing education funds and donations to charitable organizations. From a health perspective, employers may choose to offer added insurance benefits, such as life, disability, dental or vision insurance. A creative, strong benefits package may enable your operation to compete for new workers with other local employers and retain employees who already work for you. Forms of nonmonetary compensation — see section 4.2.3 — may also serve as extra benefits for employees.

### 4.4 Taxes

#### 4.4.1 Federal

Employers must withhold several forms of federal taxes — federal income, social security and Medicare — and file those taxes throughout the year. For an overview of these taxes, go to [irs.gov/businesses/small-businesses-self-employed/understanding-employment-taxes](https://www.irs.gov/businesses/small-businesses-self-employed/understanding-employment-taxes). The federal income tax withholding depends on information that an employee includes in his or her Form W-4. For employees who don't complete the Form W-4, employers still have an obligation to withhold taxes. In that case, the withholding default should be that for a single person with no allowances. Access more information about federal income tax withholdings in the IRS Agricultural Employer's Tax Guide at [irs.gov/publications/p51](https://www.irs.gov/publications/p51). If an employer hires agricultural workers with H-2A status, then the rules for reporting compensation and withholding taxes are different.

#### **Basic tax-related responsibilities for employers**

- Collect payroll tax documentation from employees.
- Withhold payroll taxes, and pay employees.
- File required reports by deadlines.
- Send payroll taxes to local, state and federal entities.
- Keep good records.

Employers and employees share in social security and Medicare tax payments. Depending on the employee, additional Medicare tax may be required. The Internal Revenue Service describes the

specifics for computing the withholding. You can find more details at [irs.gov/businesses/small-businesses-self-employed/understanding-employment-taxes](https://irs.gov/businesses/small-businesses-self-employed/understanding-employment-taxes).

Federal Unemployment Tax (FUTA) is paid exclusively by employers. This tax is different from the general federal income tax, social security tax and Medicare tax. The federal unemployment tax rules are unique for operations that employ agricultural workers. Paying federal unemployment taxes is required when an employer paid at least \$20,000 in cash wages during a given calendar quarter in the current or preceding calendar year or an employer had at least 10 agricultural workers laboring on one day during at least 20 different calendar weeks in the current year or preceding calendar year. The Internal Revenue Service details FUTA requirements for farm operations in the IRS Agricultural Employer's Tax Guide at [irs.gov/publications/p51](https://irs.gov/publications/p51).

#### **4.4.2 State**

Employers withhold state tax based on information provided on an employee's MO W-4 form. If an employee doesn't provide a completed form, then withhold tax according to the tax that you would compute for a single employee who didn't claim exemptions.

Using a form MO 941, employers report tax withholdings. Then, by Jan. 31 of the following year, employers must file an Employer's Annual Reconciliation Report of Income Tax Withheld. To access more information about state taxes, use this guidebook from the Missouri Department of Revenue: [dor.mo.gov/forms/4282\\_2018.pdf](https://dor.mo.gov/forms/4282_2018.pdf).

Depending on their situation, employers may choose to mail or electronically file state withholding taxes. They should maintain records of wages withheld. Plus, other necessary information to keep on file includes employee names, addresses, Social Security numbers and employment periods.

In Missouri, an employer must pay for unemployment insurance if it meets certain qualifications. Those qualifications vary from the conditions that require an employer to withhold federal and state taxes, pay Social Security tax and comply with the Federal Unemployment Tax Act. The liability to pay also varies by employment type: governmental entities, nonprofit organizations, domestic worker employers, agricultural worker employers and general business employers. Entities mandated to provide unemployment insurance coverage — they're known as contributing employers — pay quarterly payroll tax.

When employing agricultural workers in Missouri, several conditions lead to unemployment insurance liability. First, the employer employs at least 10 workers in 20 different weeks during a given calendar year. Second, its paid cash wages are \$20,000 during a calendar quarter. Third, it meets Federal Unemployment Tax qualifications for agricultural employers and hires a Missouri agricultural worker. Fourth, it is considered a successor to a Missouri employer that's liable. For more information, go to [labor.mo.gov/DES/Employers/liability](https://labor.mo.gov/DES/Employers/liability).

#### **4.4.3 Local**

Some local municipalities also collect tax from individuals who work within their borders. These earnings taxes may be levied on residents and nonresidents. Check with your local municipality to determine whether your business is subject to withholding local tax.

## 4.5 Youth labor

Often, farm operations hire youth to assist. The Federal Labor Standards Act outlines rules for employing young people. Note that some jobs related to agriculture may involve too many hazards to be an option for young workers. The U.S. Department of Labor has resources available that offer more details: [webapps.dol.gov/elaws/whd/flsa/docs/hazag.asp](http://webapps.dol.gov/elaws/whd/flsa/docs/hazag.asp).

States may maintain their own laws specific to agricultural youth labor. In Missouri, youth must be 16 to work on farms during the school day, and 14-year-olds are the youngest people who agricultural employers can hire for working at times other than during the school day. To compare youth-related agricultural labor rules by state, go to [dol.gov/whd/state/agriemp2.htm#Missouri](http://dol.gov/whd/state/agriemp2.htm#Missouri).

For workers younger than 16, Missouri law limits agricultural employment to eight hours per day on non-school days, and these minors can work no more than six days per week and 40 hours per week. On school days, children younger than 16 may work no more than three hours per school day. Employers also need to schedule 14- and 15-year-old workers between certain times. From Labor Day to June 1, work time is limited to 7 a.m. to 7 p.m. From June 1 to Labor Day, acceptable work hours are 7 a.m. to 9 p.m. Missouri guidelines for acceptable work hours are available at [labor.mo.gov/youth-employment](http://labor.mo.gov/youth-employment).

Depending on the child, an employment or age certificate may be required. The U.S. Department of Labor shares more information:

[dol.gov/whd/state/agriemp2.htm](http://dol.gov/whd/state/agriemp2.htm). In Missouri, 14- and 15-year-olds require work certificates before their work start dates. Employers must supply certain information — that includes details about the job, hours to be worked per day and number of work days per week — for a young person seeking a work certificate. The Missouri Department of Labor & Industrial Relations shares more about work certificates at [labor.mo.gov/DLS/YouthEmployment/work\\_cert\\_permit](http://labor.mo.gov/DLS/YouthEmployment/work_cert_permit).

If hiring a 14- or 15-year-old, then the new hire must have a **work certificate** before he or she can begin work.

With respect to wages, Missouri requires young people to at least earn the minimum wage, except if the state exempts a certain employer from paying the minimum. Exempt employers are those that annually earn less than \$500,000 in gross income and operate retail or service businesses.

In situations where parents employ their minor children, labor laws for Missouri children vary. Note that these exemptions are observed only when the parent or a legal guardian both owns the business and directly controls the child during work. The Missouri laws don't permit exemptions when parents or legal guardians only supervise their children.

To determine whether your operation complies with child labor laws, the Missouri Department of Labor and Industrial Relations has an online quiz available for employers to take. Access it at [labor.mo.gov/DLS/YouthEmployment/for\\_employers](http://labor.mo.gov/DLS/YouthEmployment/for_employers).

## 4.6 Insurance

### 4.6.1 Workers' compensation

Workers' compensation insurance may provide medical coverage, partial lost wages and permanent disability benefits to employees who are injured at work. Coverage also protects employers from

civil lawsuits that could otherwise result from on-the-job employee injuries. Missouri employers may choose to purchase a workers' compensation policy or apply for self-insurance.

For Missouri employers, workers' compensation insurance responsibilities depend on the nature of the business. Farm labor is exempt from workers' compensation coverage. Other exempt groups include domestic servants employed in private homes, some real estate agents and people who sell directly. Construction companies with one or more workers are required to have workers' compensation coverage. Otherwise, employers who have at least five workers are required to maintain workers' compensation insurance coverage.

Although operations that employ farm workers aren't required to offer workers' compensation, securing a policy offers an opportunity to provide another benefit to employees. Plus, the coverage may help the farm operation to manage its legal risk. Missouri employers can access more information about workers' compensation coverage at [labor.mo.gov/DWC/Employers](http://labor.mo.gov/DWC/Employers).

#### **4.6.2 Liability**

To minimize potential liability issues, begin by taking reasonable steps to prevent hazards from becoming a problem. Discourage trespassing by hanging "no trespassing" signage and monitoring the people who enter a property. Liability insurance can help employers to further manage their risk. An agent can quote a policy that covers an operation's risks. For more information about liability, refer to these publications from Penn State Extension and University of Missouri Extension: [extension.psu.edu/business/ag-alternatives/farm-management/understanding-agricultural-liability](http://extension.psu.edu/business/ag-alternatives/farm-management/understanding-agricultural-liability) and [extension.missouri.edu/g455](http://extension.missouri.edu/g455).

#### **4.7 Other laws**

All employers must agree to not discriminate against employees, according to requirements from the U.S. Equal Opportunity Employment Commission. For example, employers must reasonably accommodate disabled workers or applicants. Regardless of a person's race, color, ethnicity, religious preference, creed, gender, sexual orientation, national origin, age, disability, marital status, veteran status, genetic information or any other characteristic, discrimination or harassment aren't allowed. An employer should ensure that all aspects of business operations — such as recruitment, hiring, compensation, advancement and termination — don't discriminate against employees or prospective employees based on these attributes. For more details about nondiscrimination laws, refer to this advisory resource from the U.S. Department of Labor: [webapps.dol.gov/elaws/odep.htm](http://webapps.dol.gov/elaws/odep.htm).

Agricultural employers may be required to uphold other labor-related laws. One of those is the Migrant and Seasonal Agricultural Worker Protection Act. It provides protections for migrant or seasonal employees who work in agriculture. Provisions include those specific to wages, housing, transportation, disclosure and record keeping. Among other things, the law also mandates registration of farm labor contractors.

Implemented by the U.S. Environmental Protection Agency, the Agricultural Worker Protection Standard (WPS) seeks to protect pesticide handlers and agricultural workers from harm linked to pesticide exposure. The WPS has three elements. The first — inform — includes training workers about pesticide safety; providing access to product labels, safety data and safety information; and sharing information to help workers avoid pesticide-treated areas. Second, employers should protect workers from pesticide exposure through practices such as minimizing their contact with treated

areas. Third, if employees are exposed to pesticides, then the employer should have mitigation practices in place. Those include supplying water, soap, towels and eyewash stations and providing transportation to medical care in emergency situations. For more information, go to [epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps](http://epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps).

The Family and Medical Leave Act (FMLA) applies to covered employers, which are those that have employed at least 50 people in 20 workweeks of the current calendar year or preceding calendar year. Included in this definition are joint employers and successors in interest who are tied to a covered employer. For eligible employees, FMLA provides 12 workweeks of unpaid, job-protected leave in a 12-month time for the birth, adoption or foster care placement of a child; care for a spouse, child or parent in serious health; personal health leave if a serious condition prohibits the employee from capably working; and other qualifying needs associated with a spouse, child or parent with active-duty military service. For an employee who works for a covered employer to be eligible, that employee must have accumulated at least 12 months of work time with the employer; recorded at least 1,250 hours of work time for the employer in the year before taking leave; and work from a location that employs at least 50 workers within 75 miles. You can find more information about FMLA, including other potential leave situations, at [dol.gov/whd/regs/compliance/whdfs28.pdf](http://dol.gov/whd/regs/compliance/whdfs28.pdf).

For more information about these and other agriculture-related labor laws, go to The National Agricultural Law Center's labor overview: [nationalaglawcenter.org/overview/labor](http://nationalaglawcenter.org/overview/labor).

## 4.8 Employee manual

An employee manual enables employers to share information about operation policies and practices in a written form. By outlining such information, employers clearly explain their expectations, which may protect themselves from legal or compliance issues later. The manual can include a statement that explains that the written policies in the manual trump any other communication — verbal or written — that may circulate about the business and its operations or policies. Meaning, the manual is the official source for operational policies, practices, standards and other details.

### Components of an employee manual

- Business history and background
- Expectations
- Compensation and benefits
- Employment relationship
- Acknowledgement

You have the option to write an employee manual that's as general or specific as you'd like. Strive for writing one that explains all of a business' policies and standards but shares that information in an easy-to-use format. A manual serves as a good tool for sharing information with employees. However, it shouldn't serve as the only communication channel between employer and employee. Interpersonal interactions, such as frequent meetings, training and interpersonal

communication, are other tools to consider when communicating with employees.

In an employee manual, consider organizing it with the following categories:

- *Business history and background:* Start by explaining history about the farm or business to inform employees about what the business has done. Share the business' values, vision and mission to show what the business aspires to be and what drives it.
- *Expectations:* Share information such as rules, policies and standards that employees should know to do their jobs well. The handbook should answer basic questions that would come to mind for employees. Topics to address include the dress code, schedule and attendance,

workplace safety, appropriate cell phone usage, training opportunities, social media practices, drug use standards, harassment policy, requirements related to appropriate use of employer resources, conflicts of interest, emergency protocol and ethics. In addition to naming standards and policies, an employee manual or handbook should also explain what would happen if employees fail to adhere to the business' standards and policies.

- *Compensation and benefits:* With this section, employers explain their pay and benefits practices. The handbook should list pay days. Additionally, it should describe all forms of benefits and nonmonetary compensation — for example, health coverage, insurance, time off, retirement plan and so forth — that employees are eligible to receive.
- *Employment relationship:* In this section, describe that the position provides at-will, not contractual, employment. An at-will arrangement enables either party — employee or employer — to withdraw from the employment relationship at any time.
- *Acknowledgment:* After employees review the handbook, ask that they provide a signed acknowledgment that they've read and understand the policies and procedures that are described. Place signed copies in employee files.

When developing an employee manual, gather ideas from manuals developed by other farms and agribusinesses, or customize a template, such as this one from Michigan State University Extension: [canr.msu.edu/uploads/234/68198/Agriculture\\_Employee\\_Handbook\\_Template\\_MSU\\_-\\_Final\\_Version\\_02032014.docx](http://canr.msu.edu/uploads/234/68198/Agriculture_Employee_Handbook_Template_MSU_-_Final_Version_02032014.docx).

Employers can also ask current employees to review drafts of their farms' employee manuals. Because current employees see the business in action, they may identify topics or subject matter that should be addressed or further explained.

## 4.9 Record keeping

Employers must observe several record keeping requirements for their hired workers. The Fair Labor Standards Act (FLSA) names records that employers must keep and the length of time needed to maintain those records. For each nonexempt employee, employers must store the following 14 items. For three years, employers must store records specific to payroll, collective bargaining agreements, sales and purchases. For two years, employers must maintain records that they use to compute wages. Such records include time cards, work schedules and wage rates. All records must be available if a Department of Labor representative requests them for review. A central records office or the employment location may store employment records.

- Full name and social security number
- Address
- Birthdate if not yet 19 years old
- Sex and occupation
- Workweek beginning time and day
- Daily hours worked
- Work hours per week
- How employees are paid — for example, by the week, by the hour or piecework
- Regular hourly rate
- Straight-time earnings per day or week
- Overtime pay per week



- Total wage additions or deductions
- Total wages by pay period
- Payment dates and associated pay periods

The Family and Medical Leave Act (FMLA) also requires record keeping for covered employers. For at least three years, covered employers are obligated to maintain a series of records specific to their FMLA-eligible employees. For a full list of the records that employees must maintain, go to [webapps.dol.gov/elaws/whd/fmla/8b6.aspx](http://webapps.dol.gov/elaws/whd/fmla/8b6.aspx).

For operations that employ more than 10 workers, they may need to adhere to record keeping provisions of the Occupational Safety and Health Administration (OSHA). The records must show the history of serious employee work-related injuries and illnesses. For at least five years, the employer must maintain these records on site. Additionally, the employer must submit an annual illness and injury summary between February and April. If an employee accident results in a fatality, then the employer must report the fatality within eight hours. If an employee has a work-related amputation, loss of eye or hospitalization, then the employer must report the incident within 24 hours. OSHA has more information about record keeping and reporting at [osha.gov/recordkeeping](http://osha.gov/recordkeeping).

*Exhibit 4.9.1 – Recordkeeping Requirements Guidance*

<b>Length of Time</b>	<b>Type of Record</b>	<b>Statute</b>
<b>5 years</b>	<ul style="list-style-type: none"> <li>• Record of serious work-related illnesses and injuries</li> </ul>	OSHA
<b>3 years</b>	<ul style="list-style-type: none"> <li>• Name, address, job description, hours worked</li> <li>• Payroll records, collective bargaining agreements, sales and purchases records</li> <li>• FMLA-eligible employee records such as dates of FMLA leave, employee notices of leave, records of any disputes</li> <li>• For H-2A workers, recruitment efforts, earnings, pay rate, time cards, worker address, wage deductions, time ‘offered’ but ‘refused’</li> <li>• I-9 forms (three years begins after hire date, or keep these records for one year after termination — whichever occurs later)</li> </ul>	Missouri law, FLSA, ADEA, INA, ICRA, FMLA
<b>2 years</b>	<ul style="list-style-type: none"> <li>• Records used to compute wages</li> <li>• Youth employment records (i.e., work certificate; child’s name, address and age; times and hours worked)</li> </ul>	FLSA, Missouri labor law
<b>1 year</b>	<ul style="list-style-type: none"> <li>• All personnel or employment records for involuntarily terminated employees</li> <li>• Any employee benefit plan, written seniority plan or merit plan after termination</li> </ul>	EEOC, ADEA

Other record keeping provisions for employers include those stipulated by the U.S. Equal Employment Opportunity Commission (EEOC) and the Age Discrimination in Employment Act (ADEA). To comply with EEOC laws, personnel and employment records for involuntarily terminated employees should be retained for a year after the termination date. For three years, the ADEA requires that employers store payroll records, and for time when the plan is active and one

year after termination, employers must have employee benefit plan and written seniority or merit system information — if applicable — on file. For more information, go to [eoc.gov/employers/recordkeeping.cfm](http://eoc.gov/employers/recordkeeping.cfm).

Employers subject to provisions of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) or the H-2A visa program have additional record keeping requirements. For more information on the related requirements, go to [dol.gov/whd/regs/compliance/whdfs49.pdf](http://dol.gov/whd/regs/compliance/whdfs49.pdf) for MSPA compliance information and [dol.gov/whd/regs/compliance/whdfs26.htm](http://dol.gov/whd/regs/compliance/whdfs26.htm) for H-2A visa compliance information.

Note, hiring employees through a farm labor contractor often results in a situation of joint employment and doesn't absolve either employer from record keeping compliance or compliance with the law. Failure to comply with the law on the part of either party makes the other party liable.

At the state level, Missouri requires employers to file the following information by employee for at least three years. The Missouri Division of Labor Standards may request to inspect these records. For more information, go to [labor.mo.gov/DLS/MinimumWage/penalties\\_etc](http://labor.mo.gov/DLS/MinimumWage/penalties_etc).

- Name
- Address
- Job description
- Pay rate
- Payment per pay period
- Hours worked each day and workweek

A best practice is storing all employment-related documentation in an employee file for each worker. In addition to including federal- or state-mandated information, the file should include records from the hiring process, such as the employee's application, advertisement for the job, job description, interview notes and post-interview comments; offer letter; and benefits registrations and changes.

Performance-based records are also important. Good records about employee performance history should clearly note poor performance or violations and include a time, date and explanation. In some cases and as allowed by law, employers may choose to store electronic records instead of paper ones as electronic storage can save space. If storing employee information electronically, then employers should adopt best practices to maintain employee privacy.

#### **4.10 Time management**

Given that labor is a significant cost incurred, understanding the time required for certain tasks is important. Plus, for hired workers, time sheets can be used to calculate their pay. Michigan State University Extension has a sample labor log available at [msue.anr.msu.edu/news/understand\\_your\\_farm\\_labor\\_costs\\_using\\_labor\\_logs](http://msue.anr.msu.edu/news/understand_your_farm_labor_costs_using_labor_logs).

Managers should consider monitoring their own time to find ways to improve productivity. When evaluating your time logs, find whether you're spending time on the highest priorities, whether critical activities are being missed and whether someone on the team could assist with particular activities. This assessment can help you better allocate your time to work that has the most value.

## 4.11 Resources list

The information in this section was adapted from resources such as the following, which may provide additional insights into managing the human resources-related operations of your business:

### Compensation

- [Beyond Basic Compensation](#), ATTRA–National Sustainable Agriculture Information Service
- [DOL Final Rule Changing Salary Threshold for Exempt White-Collar Employees to Take Effect Jan. 1, 2020](#), The National Law Review
- [Employee Cost Estimator](#), The Farm Labor Dashboard
- [Employees paid semimonthly](#), State of Missouri statutes
- [Human Resource Management: Employee Compensation Guide](#), Texas A&M AgriLife Extension
- [Incentive Plans for Farm Employees](#), Virginia Cooperative Extension
- [Overtime Pay](#), U.S. Department of Labor

### Benefits

- [ACA and Employers – Know If Coverage You Offer Meets Requirements](#), Internal Revenue Service
- [Affordable Care Act: What employers need to know](#), Internal Revenue Service
- [Are You Fighting Employees Over Paid Vacation?](#), Successful Farming
- [Group Health & Disability for Small Businesses](#), National Association of Insurance Commissioners
- [How the Affordable Care Act affects small businesses](#), U.S. Centers for Medicare and Medicaid Services

### Taxes

- [Agricultural Employer’s Tax Guide](#), Department of the Treasury, Internal Revenue Service
- [Businesses with Employees](#), Internal Revenue Service
- [Liability for Unemployment](#), Missouri Department of Labor & Industrial Relations
- [Unemployment Insurance Tax Topic](#), U.S. Department of Labor

### Youth labor

- [Child Labor Requirements in Agricultural Occupations Under the Fair Labor Standards Act](#), U.S. Department of Labor
- [Youth Employment](#), Missouri Department of Labor & Industrial Relations
- [Youth in Agriculture](#), Occupational Safety & Health Administration

### Insurance

- [Farm Liability Insurance](#), University of Missouri Extension
- [Do you need workers’ compensation for your small farm?](#), Cornell Small Farms Program

- [Farm Liability Insurance](#), Center for Dairy Profitability, University of Wisconsin
- [Farm Safety Handbook](#), University of Wisconsin Extension
- [Help for Employers](#), Occupational Safety and Health Administration
- [Understanding Agricultural Liability](#), Penn State Extension
- [Workers' Compensation FAQ](#), Missouri Department of Insurance

### Employee manuals

- [Employee Handbooks](#), Cornell Agricultural Workforce Development
- [Farm employee management: Do we need an employee handbook?](#), Iowa State University
- [How to Write a Great Employee Handbook](#), National Federation of Independent Business
- [Personnel Policy Generator](#), The Farm Labor Dashboard
- [Writing A Farm Employee Handbook](#), University of Vermont

### Other labor resources

- [Agricultural Employers Under the Fair Labor Standards Act](#), U.S. Department of Labor
- [Cultivating Compliance, An Agricultural Guide to Federal Labor Law](#), U.S. Department of Labor
- [Laws – employment laws assistance for workers and small businesses](#), U.S. Department of Labor
- [Fact Sheet #12: Agricultural Employers Under the Fair Labor Standards Act \(FLSA\)](#), Department of Labor
- [How to Handle An Employee with a Bad Attitude](#), Farm Journal Media
- [How to Master Time Management](#), Farm Journal Media
- [Labor – An Overview](#), The National Agricultural Law Center
- [Labor Laws](#), Office of the Chief Economist, USDA
- [Penalties and Records Retention](#), Missouri Department of Labor & Industrial Relations
- [Recordkeeping Requirements under the Fair Labor Standards Act](#), Department of Labor
- [Recordkeeping Self-Audit for H-2A Employers](#), University of Maryland Agriculture Law Education Initiative
- [Stay legally compliant](#), U.S. Small Business Administration

## 5. Retention

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Annually, the U.S. labor force experiences significant turnover. In 2021, 32.7% of U.S. workers quit their jobs, according to the U.S. Bureau of Labor Statistics. That's the highest annual quit rate recorded between 2017 and 2021.

Employers incur expenses when workers transition from their operations. The Center for American Progress categorizes the costs as direct and indirect. Direct costs include providing severance, paying staff to fill the short-term employment gap and identifying replacement candidates. On the other hand, indirect expenses include declining productivity as the worker prepares to transition from the company, losing company know-how and harming company morale.

Adopting an effective human resources system, prioritizing communication with employees and offering feedback and growth opportunities can contribute to better on-farm job retention rates.

### 5.1 Human resources system

The human resources system that an employer uses affects its ability to retain employees. As a place to start, hire good people. Those who are qualified may be more expensive investments, but their performance may exceed that of a less qualified worker. Other components of a human resources “system” include many of the topics covered in this guide: onboarding, training, mentoring, compensation, benefits, safe environment and so forth.

#### Sample best practices to support retention

- Offer incentives contingent on performance.
- Promote employees who have earned it.
- Offer training and continuing education.
- Provide spontaneous feedback.
- Support a positive work-life balance.
- Give recognition.

Employers who support a work-life balance and offer continuing education may more successfully retain employees. Engage employees to help understand and address their challenges. For example, childcare may be an issue for some employees. Understand your staff's childcare needs by talking with them, and then brainstorm approaches for you to help. Learning opportunities — like those provided by conferences, seminars and extension meetings — not only enhance the skill level of an employer's staff, but they also have the potential to motivate a farm's workers.

Recognition serves as another tool to show appreciation for employees and build their commitment to the business. Just saying “thank you” to an employee for doing good work can create a positive work environment. Offering a gift can further stress the business' appreciation. Recognizing worker accomplishments in front of the whole team may make the acknowledgment more special for employees. Plus, peers may feel motivated to work hard and earn recognition for themselves.

### 5.2 Communication

By communicating well, employers show that they value their employees — information is powerful — and they ensure that employee expectations are clear. When employees feel valued, they may be more likely to stay with an employer and not switch jobs. When they know what's expected of them, they may focus on strengthening their performance in certain areas where they could improve.

Possible communication strategies include scheduling regular staff meetings; distributing a complete, easy-to-understand employee manual; outlining job expectations and employee goals; and requesting feedback from employees.

### 5.3 Feedback

Agricultural employers should establish a feedback loop within their businesses. In other words, the employer should create opportunities to provide constructive feedback to employees, and employees should have the opportunity to share feedback with the business. Write feedback to keep a record. Performance reviews and worker satisfaction surveys facilitate opportunities for sharing feedback.

If you anticipate a need to share negative feedback with an employee who might react with hostility, then consider asking a third party to participate in the meeting. That third party can make the environment seem calmer and eventually may be called to dispute harassment or discrimination claims made by the disgruntled employee.

#### 5.3.1 Performance reviews

With a performance review, an employer assesses how well an employee has done his or her work. Also, it enables the two — employer and employee — to collaborate and help the employee develop a plan focused on growing professionally and moving the business closer to achieving its goals. A performance review adds some formality to the feedback process, and it summarizes overall worker performance instead of addressing just a particular project, event or situation.

**Performance reviews** should be based on objective and subjective measures. Conduct reviews on an set schedule — for example, monthly, quarterly or annually.

Ideally, performance reviews will involve planning and good communication by the employer. Often, an employee's direct manager will lead the review because the manager has had a good chance to monitor the employee's work. Employees should know when to expect performance reviews — for example, every quarter, six months or year — and they should understand how they'll be evaluated during reviews. Employers can choose how often to evaluate their employees.

During the review, encourage an employee to share his or her thoughts about personal performance. The following list provides some sample questions to guide the review. Then, the employer should have time to share performance-related comments. Because a job description highlights specific requirements, reviewing it can provide a framework for assessing whether all job duties are being addressed. The performance review also creates a good time to update employees about upcoming changes in compensation, personnel or job descriptions. The employer should keep written records of the review and its contents, and the documentation can be added to the employee's file.

- What do you view as your top work-related strengths and weaknesses?
- What resources would help you to improve your job performance?
- How do you plan to continually develop professionally?
- How well is your work team functioning?
- Between now and your next performance review, what goals do you plan to achieve?
- What do you see as opportunities for the business?

Performance reviews can blend subjective assessments and objective metrics. Objective metrics are quantifiable. Farms may quantify performance through measures such as bushels harvested per hour, skills learned per year, continuing education programs completed, hours worked, safety incidents recorded and attendance. A subjective view of worker performance accounts for factors such as attitude, flexibility and work ethic.

During a performance review, the employer should identify opportunities to recognize workers for doing well on the job. Also, give employees the opportunity ask questions, clarify information provided by the reviewer and create an environment for discussion.

To take a comprehensive approach to reviewing employees, 360 evaluations are an option. With a 360 evaluation, employers request input from multiple people who have contact with an employee. The evaluation might collect information from coworkers, managers, people who report to the employee, customers, suppliers and the employee himself or herself. As a result, the 360 evaluation provides a complete view of the employee's performance.

### **5.3.2 Informal reviews**

In addition to scheduling periodic formal employee performance reviews, supervisors can routinely monitor performance and provide on-the-spot recognition to employees who have done well on the job. Informal reviews can also provide improvement tips when issues with an employee arise.

### **5.3.3 Worker satisfaction surveys**

Worker satisfaction surveys ask questions of current employees. Incorporating ideas shared by employees and continually improving the business environment may help with retaining employees. Survey questions can address topics including those in the following list.

- How well does the business support innovative and creative thinking?
- How well does the business provide the necessary resources for employees to succeed?
- How well does the business communicate with employees?
- How well does the business support personal growth and development for employees?
- How well does the business encourage a healthy work-life balance?
- How well does the business fairly compensate employees based on their performance?
- How well does the business provide a safe work environment?
- How well does the business make good use of its employees' skills and experiences?
- How well do managers and supervisors work to establish good relationships with workers?
- How well do managers and others in leadership positions listen to employees?
- How well does the employee understand his or her responsibilities?
- How well does the employee understand opportunities to help the business succeed?
- How well does the employee feel personally satisfied with his or her job?

## **5.4 Resources list**

The information in this section was adapted from resources including the following, which may provide additional insights into retaining employees:



## Employee retention

- [6 tips for keeping good farm help](#), Farm and Dairy
- [9 Ways to Improve Employee Retention](#), Ag Professional
- [Beyond Basic Compensation](#), ATTRA - A National Sustainable Agriculture Assistance Program
- [How to Keep Employees When Cash Is Short: The High Cost of Employee Turnover](#), Ohio State University Extension
- [Job Openings and Labor Turnover Survey News Release](#), Bureau of Labor Statistics
- [Meeting Employee Needs](#), Penn State Extension
- [Skin in the game](#), Michigan State University Extension
- [There Are Significant Business Costs to Replacing Employees](#), Center for American Progress
- [Top 10 Employee Retention Mistakes](#), CropLife

## Performance reviews

- [5 Ways To Prepare Your Employees For 360-Degree Feedback](#), Fast Company
- [Help farm workers meet goals with performance evaluations](#), Progressive Dairy
- [How to build an effective farm employee review system](#), Delta Farm Press
- [How to Handle An Employee with a Bad Attitude](#), Farm Journal Media

## Worker satisfaction surveys

- [Employee Satisfaction Survey Questions: 3 Sample Templates You Can Use Today](#), Qualtrics
- [Employee Satisfaction Surveys](#), SurveyMonkey
- [Get the Truth of Employee Satisfaction in 15 Questions or Less](#), SurveyGizmo

## 6. Termination

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### 6.1 Employment-at-will

Because Missouri is an employment-at-will state, employees or employers may terminate an employment arrangement whenever they choose. This assumes that a contract isn't involved, that discrimination didn't motivate the termination and that merit laws or the limited public policy exception don't apply.

The limited public policy exception states that an at-will worker's employment may not be terminated if one of these four conditions apply. First, the discharge must not stem from an employee not being willing to violate the law. Second, termination must not result from an employee reporting a law breach. Third, dismissal must not result from an employee choosing a course of action that public policy would strongly support. Fourth, termination must not stem from an employee pursuing a legal right, such as a workers' compensation claim being filed.

Missouri employees or employers generally may **terminate** an employment arrangement whenever they choose, except when a contract is involved, discrimination occurs or limited public policy exceptions apply.

### 6.2 Final wages

Upon terminating an employment relationship, an employee should receive final wages when he or she is discharged. When an employee doesn't receive final pay at dismissal, he or she may request final wages in a written letter sent via certified mail return receipt requested. At that point, the employer must respond and pay the owed wages within seven days. If the employer doesn't provide final wages within that time, then it would need to pay additional wages incurred between the termination date and payment date. Such additional wages may accrue for as long as 60 days.

Terminated employees have the option to pursue a private legal case if they are owed wages. Small claims court is appropriate when wages don't total as much as \$5,000. When owed wages are greater than \$5,000, the employee may proceed with a case filed in circuit court.

Note that Missouri doesn't require employers to compensate discharged employees for earned vacation time. An employee may consider court action in an attempt to collect on that time.

### 6.3 Reporting

If terminating an employee, then special reporting conditions apply when the individual has wage withholding issued by the Missouri Department of Social Services' Family Support Division, Child Support Enforcement. In that case, within 10 days of dismissing the employee, the employer must provide notification to the agency. Notification details to include are the obligor's most recent address known and contact information for his or her new employer. The online notification system is available at [missouriemployer.dss.mo.gov/TerminationInfo.aspx](http://missouriemployer.dss.mo.gov/TerminationInfo.aspx).

### 6.4 Insurance benefits

Depending on the discharge situation, employers may need to inform employees about options to continue their health insurance coverage. The Consolidated Omnibus Budget Reconciliation Act

(COBRA) makes continued health coverage an option for certain employees and their families. Employers can learn more about COBRA in this guide from the U.S. Department of Labor: [dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/publications/an-employers-guide-to-group-health-continuation-coverage-under-cobra.pdf](https://www.dol.gov/sites/default/files/ebsa/about-ebsa/our-activities/resource-center/publications/an-employers-guide-to-group-health-continuation-coverage-under-cobra.pdf).

## 6.5 Exit interviews

Exit interviews are typically conducted between when an employee gives his or her notice and when the employee officially leaves the operation. At that point, employees may view that the risk of sharing information — even negative comments — is lower because their honesty will not compromise their employment. Scheduling an exit interview with an employee who voluntarily leaves the company can provide insights into why the employee chose to leave. Employers can use that information to make changes and possibly prevent other employees from resigning. In some scenarios, the exit interview may create an opportunity to encourage an employee to stay.

Often, employers arrange the interview between the employee who's leaving and someone who didn't directly supervise that employee. The interviewer may be a manager responsible for human resources or another department. An independent interviewer who's not employed by the business could also lead the conversation; an employment service representative is an example. By choosing an interviewer who doesn't know the employee as well, the goal is to collect candid feedback.

Before an exit interview, an interviewer should create a list of questions to guide the process. Questions may address topics such as positive and negative experiences with the job, company and coworkers; the reason that the employee chose to leave; and ideas for improving the employee experience and retention. Other questions may include those focused on whether the employee understood his or her responsibilities and the company's vision, whether the operation's training was helpful in developing the employee's skills, whether the operation and managers provided constructive feedback, whether the employee had the opportunity to share ideas, whether the employee was adequately compensated and whether the employee felt safe on the job.

In addition to highlighting organizational issues, an exit interview can also help the employer collect information about the status of projects on which the employee has been working. The employer can then share that information with the employee's replacement.

## 6.6 Resources list

The information in this section was adapted from resources such as the following, which may provide additional insights into terminating worker employment arrangements:

### Employment termination

- [Discharged Employees and Final Wages](#), Missouri Department of Labor & Industrial Relations
- [Discipline and Termination](#), University of California
- [Termination](#), U.S. Department of Labor
- [Workplace Standards](#), Missouri Division of Labor Standards

## Exit interviews

- [Exit interviews - tips for employees and employers, sample questions and answers](#), AgCareers.com
- [Exit Interviews Provide Candid Feedback](#), AgCareers.com
- [Interviewing employees on the way out](#), Michigan State University

## 7. Appendix

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Application for employment at \_\_\_\_\_

Date: \_\_\_\_\_

Position: \_\_\_\_\_

### PERSONAL BACKGROUND

Applicant Name: \_\_\_\_\_  
(last, first, middle initial)

Present Address: \_\_\_\_\_  
(number, street, city, state, zip)

Phone: \_\_\_\_\_ Email address: \_\_\_\_\_

Are you legally eligible to work in the U.S.? \_\_\_\_\_

Work availability: With the nature of our business, we sometimes may require help on evenings, weekends or short notice. On occasion, would you be able to help on short notice or outside of traditional work hours?

Yes No If necessary, then please explain: \_\_\_\_\_

Can you reliably get to and from work? \_\_\_\_\_

How soon are you available to start? \_\_\_\_\_

### EDUCATION HISTORY

School Name/Location	Years Attended	Did you graduate?	Degree
School Name/Location	Years Attended	Did you graduate?	Degree
School Name/Location	Years Attended	Did you graduate?	Degree

### EMPLOYMENT HISTORY

Employer Name	Address	Start/End Date
Job Title	Job Description	Supervisor Name and Phone

Employer Name	Address	Start/End Date
Job Title	Job Description	Supervisor Name and Phone

Employer Name	Address	Start/End Date
Job Title	Job Description	Supervisor Name and Phone

**REFERENCES**

Name	Phone/Email	Relationship to You
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Name	Phone/Email	Relationship to You
------	-------------	---------------------

Name	Phone/Email	Relationship to You
------	-------------	---------------------

**EMERGENCY CONTACT**

Name	Phone (home, email, work)	Relationship to You
Address		

I certify that all information provided in this application is as accurate and complete as possible. I understand that submitting this application doesn't guarantee employment or otherwise obligate \_\_\_\_\_ (employer) in any way. I understand that providing false information could result in employment termination. I authorize \_\_\_\_\_ (employer) to further investigate my personal and work history as it pertains to evaluating my qualifications for this position.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Hiring checklist for agricultural employment

Name: \_\_\_\_\_

Position: \_\_\_\_\_

<b>Date</b>	<b>Activity</b>
_____	• Received job application
_____	• Reviewed job application
_____	• Scheduled initial job interview
_____	• Completed initial job interview
_____	• Received initial interview follow-up from applicant
_____	• Scheduled second-round job interview
_____	• Completed second-round job interview
_____	• Received second-round interview follow-up from applicant
_____	• Received consent to conduct background check
_____	• Passed background check
_____	• Checked applicant references
_____	• Scheduled drug test
_____	• Passed drug test
_____	• Presented offer via phone
_____	• Sent offer letter
_____	• Provided proof of work authorization or eligibility
_____	• Received offer acceptance
_____	• Sent necessary pre-employment forms (e.g., health insurance enrollment, retirement plan enrollment)
_____	• Set new hire start date
_____	• Established probationary employment period
_____	• Received new hire's Form W-4 and Form MO W-4
_____	• Received returned pre-employment forms
_____	<b>Other Activities</b>
_____	•
_____	•
_____	•



## Contacts

If you have further questions about managing farm and agricultural employees, then the contacts listed below can help to answer specific questions.

### **U.S. Department of Labor, Wage and Hour Division**

Toll-free help line  
866-487-9243

St. Louis District Office (serves eastern half of Missouri)  
314-539-2706

Kansas City District Office (serves western half of Missouri)  
913-551-5721

*Contact for questions related to minimum wage, overtime, child labor and employee compensation.*

### **U.S. Department of Labor, Occupational Safety and Health Administration**

800-321-6742

Kansas City Area Office (serves western half of Missouri)  
816-483-9531

St. Louis Area Office  
314-425-4249  
800-392-7743 (toll-free for Missouri residents)

*Representatives can take emergency reports, record complaints, note unsafe working conditions or safety and health violations and answer questions specific to health and safety issues.*

### **Missouri Department of Labor & Industrial Relations**

Employment Security  
573-751-3215

Workers' Compensation  
800-775-2667

Labor Standards  
573-751-3403

Human Rights Commission  
877-781-4236

*Contact for questions related to employing workers in Missouri.*

**U.S. Citizenship and Immigration Services**

Form I-9 Contact Center

888-464-4218

*Call for assistance with questions about hiring foreign workers.*

**Missouri Department of Revenue**

Business Tax Registration

573-751-5860

Employer Withholding Tax

573-751-8750 *for general inquiries*

573-751-7200 *for balance due questions*

*Contact for questions about computing taxable wages, withholding employee tax and filing withholdings.*

**U.S. Internal Revenue Service**

Business and Specialty Tax Line and EIN Assignment

800-829-4933

Employee Plans Customer Account Services

877-829-5500

*Contact for questions about withholding employee tax and filing withholdings.*

**Small Business Health Options Program (SHOP)**

800-706-7893

Find a local contact at [localhelp.healthcare.gov](http://localhelp.healthcare.gov).

*Contact for questions about insurance coverage.*

## Podcast and video resources

### Introduction to human resources

[Being a Great Manager](#) (Cornell Cooperative Extension)

[Farm Labor Resources](#) (Department of Agricultural Economics, Oklahoma State University)

[Mind Your Farm Business – Human Resources](#) (RealAgriculture)

[Unpacking the Farm Labor Puzzle](#) (Women in Ag Learning Network)

### Recruitment

[Creating a Farm Culture that Attracts and Retains Employees](#) (Cornell Cooperative Extension)

[HR Basics: Job Analysis](#) (Gregg Learning)

[HR Basics: Recruitment](#) (Gregg Learning)

[Writing Great Job Descriptions](#) (Cornell Cooperative Extension)

### Hiring

[Best Practices for Hiring Farm Employees](#) (University of Wisconsin Extension)

[Four Tips for Successfully Interviewing Prospective Employees by OPEN Forum](#)  
(American Express Business)

[Getting off to a Great Start — Hiring and Orienting New Staff](#) (Cornell Cooperative Extension)

[Hiring and Managing Seasonal Employees](#) (HR360Inc)

[HR Basics: Background Checks](#) (Gregg Learning)

[HR Basics: Form I9](#) (Gregg Learning)

### Onboarding, training and mentoring

[HR Basics: Onboarding](#) (Gregg Learning)

[HR Basics: Training and Development](#) (Gregg Learning)

[On-Boarding in Five Steps](#) (AgCareers)

[What is a Mentor?](#) (LinkedIn Learning)

## **Operations**

[Cultivating Compliance – An Agricultural Guide to Federal Labor Law](#) (U.S. Department of Labor)

[Do's and Don'ts of Employee Recordkeeping](#) (HR360Inc)

[HR Basics: Compensation](#) (Gregg Learning)

[HR Basics: Discrimination](#) (Gregg Learning)

[HR Basics: Employee Benefits](#) (Gregg Learning)

[HR Basics: Employee Relations](#) (Gregg Learning)

[HR Basics: Employee Safety and Health](#) (Gregg Learning)

[HR Basics: Workers Compensation](#) (Gregg Learning)

[Labor Law & Your Farm/Ranch Business](#) (Women in Ag Learning Network)

[Managing Your Risk as an Ag Employer](#) (Cornell Cooperative Extension)

[Writing Effective Employee Handbooks](#) (Cornell Cooperative Extension)

## **Retention**

[Employee Retention Strategies](#) (AgCareers)

[Employee Turnover](#) (Dairy Coach)

[Giving Feedback on Skills and Performance](#) (Cornell Cooperative Extension)

[Having the Performance Evaluation Discussion](#) (AgCareers)

[Measuring Employee Satisfaction](#) (AgCareers)

[Preparing for a Performance Evaluation Meeting](#) (AgCareers)

[Stop Saying “Good Job!”](#) (Dairy Coach)

## **Termination**

[Firing a Problem Employee](#) (HR360Inc)

[Preparing for the Termination Meeting](#) (HR360Inc)

[Successful Off-Boarding](#) (HR360Inc)

[The Exit Interview](#) (HR360Inc)

[The Termination Meeting](#) (HR360Inc)

[When an Employee Gives Two Weeks' Notice](#) (HR360Inc)

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