



Registered Farm Apprenticeships are in Demand, but Difficult to Implement

A. Bryan Endres and Rachel Armstrong*

Department of Agricultural and Consumer Economics.
University of Illinois

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The age of the average American farmer has risen to 57 years old. Moreover, the percentage of farmers over 75 increased by 30%, while the percentage of farmers under 25 dropped by 20%. Vast quantities of young people simply are not entering farming these days, and that's a problem many communities have an interest in solving.

The National Young Farmers' Coalition ("NYFC") is researching the problem and investigating solutions to bring more young people into agriculture. They recently released a [report](#) on the challenges faced by young and beginning farmers nationwide. Many of today's beginning farmers come from non-farming backgrounds and need training. In particular, 74% of young and beginning farmers ranked apprenticeships as among the most valuable programs for helping them begin their own farm. Unfortunately, formal apprenticeships in agriculture are difficult to find and casual apprenticeships may not always comply with federal law.

Federal and state governments have long supported apprenticeships as an ideal way to develop careers where book learning takes a back seat to experience. To create an efficient pipeline from training to career, state and federal departments of labor provide resources to create and promote apprenticeships. For example, the Kansas Department of Commerce received federal scholarship money for apprentices entering the value-added agriculture sector through community and technical colleges. Educational institutions that host apprentices can charge tuition and participants are exempt from minimum wage requirements. Private employers who create registered apprenticeships may offer subminimum wages as well, if they qualify.

Unfortunately, agricultural apprenticeships have lagged behind other industries. Part of the reason for this may be the complexity of the federal requirements that come along with a registered apprenticeship. First, the apprenticeship program must be in writing and must specify the apprentice's sponsor. The plan must include metrics: Is it a skills-based apprenticeship where the individual graduates upon learning the necessary tasks? Or, time-based where the individual graduates after a certain number of hours in the field? If the latter is used, the apprentice must work at least 2000 hours in the position, which is about one year of work. The farm's apprentice program must include a written description of processes to be learned and an approximation of the time spent on each module. Moreover, the apprenticeship needs to

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provide “organized, related instruction” at about 144 hours per year, or a little more than 3 weeks.

Not just any farm or organization can set up an apprenticeship program. The law requires that the farmer be experienced in the industry and attend adult education training of some sort. Further, many farmers may consider an apprenticeship program for the flexibility of paying subminimum wages (in those states where minimum wage applies to agricultural labor). But, just having an apprentice doesn’t exempt the employer from paying minimum wage. Only a “special certificate” issued by the U.S. Department of Labor (“DOL”) will exempt a farm from minimum wage requirements.

To obtain a certificate from the DOL, the farmer must show that subminimum wages are essential to “avoid curtailment of employment opportunities.” In the agricultural labor context, if farmers cannot afford the added costs of training inexperienced workers, there is not the opportunity for potential apprentices to gain needed experience. Thus an apprenticeship program with subminimum wages would be essential to provide needed employment opportunities. The farmer also needs to show that there is currently an inadequate supply of experienced workers. This factor is best demonstrated by showing that other apprentices are offered full-time employment at regular wages upon conclusion of their apprenticeship.

Because of the requirement to provide classroom-style learning and demonstrate a need for subminimum wages, setting up an apprenticeship program may be easier for educational institutions than for individual farmers. For example, the University of California at Santa Cruz runs an apprenticeship program in diversified vegetable production for beginning farmers. Despite charging significant tuition, they receive triple the number of applicants as positions available, which demonstrates that demand for training is high.

Apprenticeship programs are an important way to address the aging farmer population and support young people pursuing agricultural careers, especially in the value-added and specialty crop sectors. Farmers interested in working with a young and energetic crew may find value in starting their own apprenticeship program. In that case, the educational requirements may be met by adapting existing curricula or by partnering with other programs to host joint classroom instruction. If a farmer qualifies for a special certificate, apprenticeships can be cost effective labor solution as well. Where partnerships with educational institutions are more efficient, farmers can ensure the training is relevant by acting as worksite hosts or providing input on curriculum. From a risk management perspective, however, it is important to follow the DOL guidelines outlined above, especially if considering compensating apprentices at subminimum wages.

*Executive Director, Farm Commons