

Missouri Farm Labor Guide — July 2017

The following authors contributed to this guide book:

Alice Roach	Agribusiness and Agrimarketing Consultant
Joe Horner	Agricultural Economist, Commercial Ag Program, MU Extension
Ryan Milhollin	Agricultural Economist, Commercial Ag Program, 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. 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 related to 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.

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I. Recruitment

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.

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 multiple steps: defining a job's tasks and responsibilities, listing required personnel qualifications and explaining the environment where the employee will work.

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.

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.

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.

1.2 Finding Job Candidates and Applicants

To find job candidates and fill open positions, consider advertising in local newspapers. Local radio stations may also offer opportunities to 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. Creating internship opportunities may help to attract young workers. In some cases, local FFA or 4-H leaders may direct employers to potential new hires. Current employees may also suggest possible job candidates.

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 Ag1 Source and AGRI-SEARCH. Employers may also consider posting job descriptions to more general career websites, including Indeed, Monster and CareerBuilder.

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.

1.3 Job Applications

Ask candidates who are 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 certain job. In an application, avoid asking inappropriate, illegal or discriminatory questions. Consider packaging job applications with the job description. Then, job-searchers have another opportunity to review the job details and requirements before they apply. The job application in the appendix is a sample that 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.

1.4 Resources List

The information in this section was adapted from the following resources, 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 descriptions: a basic tool on the dairy](#), University of Minnesota
- [Job Description Example](#), Purdue University
- [Put Job Descriptions to Work on Your Farm](#), Iowa State University Extension and Outreach

Other Recruitment Resources

- [Get the Right Start in Hiring Employees](#), Iowa State University Extension
- [Hiring the Right Fit: Interview Questions](#), AgCareers.com
- [Recruiting and Selecting Employees for Your Farming Operation](#), eXtension
- [Where are all the employees?](#), Successful Farming

II. Hiring

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

The hiring checklist in the appendix is a pull-out resource that employers can use to track a job candidate's progress throughout 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 person being interviewed 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 percent of an interview should involve the interviewer speaking. The person being interviewed should speak during the other 80 percent 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.

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 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 75 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. Instead, 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.

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, former employers and hometown. You can also review an applicant's social media activity on sites such as Facebook, Twitter, LinkedIn and Instagram and validate addresses on sites such as www.switchboard.com, www.whitepages.com and www.411.com.

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

<http://www.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 <https://www.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.

To minimize drug testing expenses, employers often require a pre-employment drug test at some point between having a job offer accepted and the new hire officially starting work. The offer letter itself 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.

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 <https://www.uscis.gov/sites/default/files/files/form/i-9.pdf>.

For assistance in checking an employee's work eligibility, the E-Verify system is available. For more information, go to <https://www.uscis.gov/e-verify>.

In some cases, temporary agricultural workers may enter the U.S. as foreign nationals through the H-2A program. Employers eligible to hire temporary agricultural workers must satisfy certain criteria. For more information about the requirements and the H-2A petitioner process, visit this site from the U.S. Citizenship and Immigration Services agency: <https://www.uscis.gov/working-united-states/temporary-workers/h-2a-temporary-agricultural-workers>.

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 and 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 learn about training that the individual may need. 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

For any employer that operates in Missouri and pays workers, that employer needs 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 <https://www.irs.gov/businesses/small-businesses-self-employed/how-to-apply-for-an-ein>.

Additionally, employers must also 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 <http://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 <https://www.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.

Access the Form MO W-4 at <http://dor.mo.gov/forms/MO-W-4.pdf>. To submit the Form MO W-4 documentation, employers may choose from mailing or faxing it, or they may use the E-file option, which is available at <http://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.

- 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: <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. An attorney could also offer guidance specific to your operation.

2.8 Resources List

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

Interviewing

- [7 Interview Interviewer 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

- [Farm Drug Testing – Should you test?](#), AgHires
- [Farm Employee Management: Applicant Background Checks](#), Iowa State University Extension and Outreach
- [Pre-Employment Background Checks](#), Small Business Administration
- [Pre-Employment Testing: A Helpful Way For Companies To Screen Applicants](#), Forbes
- [Workplace Drug Testing in Missouri](#), Nolo.com

Other Hiring Resources

- [Doing Business in Missouri: Hiring Employees](#), Missouri Business Development Program
- [Evaluation and Selection of Job Candidates](#), Iowa State University Extension
- [Farm Employment Law: Know the basics and make them work for your farm](#), Farm Commons
- [Get the Right Start in Hiring Employees](#), Iowa State University Extension and Outreach
- [Off the Books? Worker Misclassification](#), Missouri Department of Labor & Industrial Relations
- [Understanding Employee Probation Periods](#), AgCareers.com

III. Onboarding, Training and Mentoring

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. During the onboarding process, new employees should also have the opportunity to learn more about the business itself 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 have the opportunity to 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. First, share about your business' vision, mission and goals, and provide an overview of 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 does the work day start and end, where do you park, when and where do you eat lunch and where are the bathrooms.

At that point, explain the job's important tasks, guidelines, policies and dress code. 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 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 has the latest information to use in doing their jobs and helping the business meet its goals. Employers should write goals to guide their training efforts. Current employees can provide insights during this phase of the process. After all, they have first-hand 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 type of operation. Livestock operations 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 work such as operating equipment; scouting crop 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 have the opportunity to 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 at first. During training, also be aware that people from different generations may learn differently. Additionally, recognize that employees without an agriculture background may require assistance in learning the basics before they can grasp more complex information.

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

Mentoring typically involves connecting colleagues who can help one another learn and develop a plan to reach certain individual and business goals. Before starting an employee mentoring program, first consider the goals that you'd like the program to 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 generate stronger leaders, sharper skill sets and improved internal networking.

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 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 mentor-mentee pairing may match employees based on similar interests or backgrounds, aptitude levels, mentoring experience expectations, individual choice or other characteristics. After matching mentors and mentees, periodically check the status of the mentoring relationship. If a pairing doesn't ultimately 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 describing how they can benefit. 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 the following resources, which may provide additional insights into onboarding, training and mentoring your operation's employees:

Onboarding

- [7 tips for onboarding new employees](#), The Business Journals
- [Ag employees first day on the job vs. employee retention](#), Dairy Herd Management
- [Bringing 'em Safely Onboard: Launching New Employees Successfully](#), Purdue University

- [Getting onboard with your employees](#), CountryGuide
- [Onboard Checklist](#), Iowa State Extension and Outreach
- [Questions a Good Onboarding Program Should Answer](#), Ag1Source
- [Tips To Improve Onboarding](#), AgWeb

Training

- [6 Helpful Tips for Training Small Business Employees](#), Small Business Trends
- [How to train people with non-farm backgrounds](#), Dairy Herd Management
- [Practical concepts for employee training and dairy performance](#), Progressive Dairyman
- [Reduce training frustrations with 4-step process](#), Farm Futures

Mentoring

- [5 Things Great Mentors Do](#), Inc.
- [How to Start a Mentoring Program](#), Inc.
- [Mentorship Programs: An Indispensable Tool for Team Building](#), Robert Half
- [Seven Ways To Be An Effective Mentor](#), Forbes

IV. Operations

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. The U.S. Department of Labor publishes more information about OSHA at <https://www.osha.gov/>. For small businesses, this handbook in particular may help to navigate OSHA requirements:

<https://www.osha.gov/Publications/smallbusiness/small-business.html>.

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 <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 <http://www.bls.gov/oes/current/oes452099.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: http://www.bls.gov/oes/current/oes_stru.htm#45-0000.

4.2.1 Minimum Wage

For 2017, the Missouri minimum wage is \$7.70 per hour. 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 that earn less than \$500,000 in annual gross income. To access current Missouri wage information, go to <https://labor.mo.gov/DLS/MinimumWage>.

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: <https://www.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 workers, however, the Fair Labor Standards Act has exempted them from overtime pay requirements. "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:

<https://www.dol.gov/whd/regs/compliance/whdfs12.htm>.

Agricultural operations may employ some workers who are not exempt from the no-overtime rule. On-farm work that's not directly connected to farming may require overtime pay, and off-farm work activities related to agricultural products may not count toward the exemption. Employees considered to have executive, administrative or professional responsibilities may be eligible for overtime pay. That said, agricultural employees such as office staff and others who don't perform "production" work specific to a product raised on the given farm may be eligible for overtime.

In 2004, the U.S. ruled that such eligible "white collar" employees that made less than \$455 on a weekly basis could earn overtime wages. The U.S. Department of Labor had planned to implement a new standard in December 2016. It planned to specify that salaried white collar workers, defined as those who perform executive, administrative or professional work, must earn at least \$913 per week. Otherwise, they would be eligible for overtime pay.

4.2.3 Non-Monetary Compensation

Compensation provided to employees may include some benefits that can't easily be valued with a cash amount. These benefits may be called "non-monetary compensation." Such compensation includes the freedom to use farm equipment or tools; the opportunity for employees to continue their education; and access to meat, milk, produce or other farm products. Other possibilities include offering meals or providing farm apparel. Items like these may cost little but 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 non-monetary compensation may vary by item. Often, such benefits are a tax-free form of compensation.

If you plan to offer non-monetary compensation, then choose items that employees would like. Giving employees the option to choose from several gifts may ensure that they receive something that they'll definitely enjoy. Then, in a compensation package, do your best to share non-monetary 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 personal 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.

Businesses have multiple incentive pay systems 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 Employee Stock Ownership Plan 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. Systems 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.

4.3 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. The requirements vary by number of people employed. For operations with fewer than 50 full-time employees or full-time equivalent staff, the act's employer-shared responsibility doesn't apply. However, these

businesses may offer self-insured health benefits or coverage through the Small Business Health Options Program Marketplace. Some small businesses may also qualify for a small business health care tax credit. For more information, go to <https://www.irs.gov/pub/irs-pdf/p5200.pdf>.

For larger employers, the act requires that those with at least 50 full-time employees must offer a group health care coverage option for their full-time employees. 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. Also, full-time employees must have an insurance access option for dependants — their children younger than 26 years old. If they don't offer a coverage option as the act mandates, then employers will be forced to pay a penalty.

The coverage offered by employers with at least 50 full-time or full-time equivalent staff must satisfy certain parameters. For example, out-of-pocket expenses paid by the employee must not exceed 40 percent of covered benefits. Such expenses include copays and deductibles. Additionally, the coverage must be considered affordable. For more information, go to

<https://www.extension.umn.edu/agriculture/business/taxation/farm-legal-series/affordable-care-act-what-you-need-to-know/docs/affordable-care-act-what-you-need-to-know.pdf>.

Within 90 days of an employee's first working day, employers that offer health insurance coverage must provide the benefit to eligible employees. To ensure that employers comply with the Affordable Care Act, employers must submit documentation about their health care coverage. The specific reporting requirements vary by business. For more information, go to <https://www.irs.gov/affordable-care-act/questions-and-answers-on-information-reporting-by-health-coverage-providers-section-6055>.

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 amount that's consistent for each employee each 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 belongs to that employee. SEPs are known for having inexpensive overhead, and the set-up and operational details are relatively easy to navigate. For more information about SEP plans, review this publication from the Internal Revenue Service: <https://www.irs.gov/retirement-plans/plan-sponsor/simplified-employee-pension-plan-sep>.

A Savings Incentive Match Plan for Employees (SIMPLE) often is the selected retirement planning tool 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 given year, employers either contribute 2 percent of an employee's salary — maximum limits do apply — or the employer can offer to match as much as 3 percent 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: <https://www.irs.gov/retirement-plans/choosing-a-retirement-plan-simple-ira-plan>.

For more information about other retirement plan options, go to <https://www.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, holiday or during non-traditional hours. For example, dairy cows require milking. A pest outbreak can occur in crops at any time. Because of demands like these, providing time off to employees can make completing a workload more challenging, but offering time off may also 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. Employers must 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.

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 non-monetary 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. 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 at <https://www.irs.gov/pub/irs-pdf/p15.pdf>.

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 <https://www.irs.gov/businesses/small-businesses-self-employed/understanding-employment-taxes>.

If an employer hires agricultural workers with H-2A status, then the rules for reporting compensation and withholding taxes are different. The Internal Revenue Service shares more at https://www.irs.gov/publications/p51/ar02.html#en_US_2017_publink1000195524.

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 the FUTA specifics for farm operations at https://www.irs.gov/publications/p225/ch13.html#en_US_2016_publink1000218839.

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 get more information about state taxes, use this guidebook from the Missouri Department of Revenue: <http://dor.mo.gov/pdf/4282.pdf>.

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 unless 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 provide unemployment insurance coverage 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. 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 to offer unemployment coverage. For more information, go to <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 times, operations will 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: <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.

For workers younger than 16, Missouri law limits agricultural employment to eight hours per day and 40 hours per week, and these minors can work no more than six days per week. An exception exists for school days; children younger than 16 may work no more than three hours per school day. Employers may also need to schedule youth workers between certain times. Missouri guidelines for acceptable work hours are available at <https://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: <https://www.dol.gov/whd/state/agriemp2.htm>. In Missouri, 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 https://labor.mo.gov/DLS/YouthEmployment/work_cert_permit.

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.

4.6 Insurance

4.6.1 Workers' Compensation

Workers' compensation insurance provides 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 employee injuries experienced on the job. To offer workers' compensation coverage, Missouri employers may choose to purchase a policy or receive a state certificate for self-insurance.

For Missouri employers, workers' compensation insurance responsibilities depend on the nature of the employer's business. Farm laborers are one group exempt from workers' compensation coverage. Other exempt groups include domestic servants, some real estate agents and people who sell directly and owner-operators of commercial motor-carriers. Otherwise, employers who have at least five workers are required to maintain workers' compensation 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.

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: <http://extension.psu.edu/business/ag-alternatives/farm-management/understanding-agricultural-liability> and <http://extension.missouri.edu/p/G451>.

4.7 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.

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 itself 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 an employee manual by explaining history about the farm or business. This background helps to inform employees about what the business has done. Share the business' values, vision and mission to show employees what the business aspires to be and what drives its work.
- *Expectations:* The expectations section would share information such as rules, policies and standards that employees should know to do well in their jobs. The handbook should answer basic questions that would come to mind for employees. Topics to address include the dress code, workday schedule and attendance, workplace safety, training opportunities, social media practices, drug use standards, harassment policy, appropriate use of employer resources, conflicts of interest policy, what to do in an emergency 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' certain standards and policies.
- *Compensation and Benefits:* With this section, employers explain their commitment through pay and benefits to employees who satisfy the business' expectations. The handbook should list pay days. Additionally, it should describe all forms of benefits and non-monetary compensation — 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 have the opportunity to review the handbook, ask that they provide a signed acknowledgment that they've read and understand the policies and procedures that are described. That signed form should be placed in the employee's file.

To collect further ideas for an employee manual of your own, gather ideas from manuals developed by other farms and agribusinesses. Employers can also ask a current employee to review a draft. Because current employees see the business in action, they may have the ability to identify pieces that should be addressed or further explained.

4.8 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. Regardless of an employee's race, ethnicity, religious preference, creed, gender, sexual orientation, national origin, age, disability, marital status, veteran status or any 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: <https://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 requiring that employers share the following information when recruiting farm workers: wages, work hours, workers' compensation coverage availability, working conditions and housing options. Among other things, the law also mandates that employees receive earning statements in writing.

The Federal Insecticide, Fungicide and Rodenticide Act is another example of a law with policies specific to agriculture. Among other provisions, the act has required that employment arrangements minimize the interaction that workers have with pesticides. The rules include using pesticides according to label guidelines and limiting workers from entering pesticide-treated areas.

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

4.9 Resources List

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

Compensation

- [4 Traits of an Effective Farm Employee Incentive Plan](#), AgWeb
- [Beyond Basic Compensation](#), ATTRA–National Sustainable Agriculture Information Service
- [Compensation - It's More Than a Paycheck](#), University of Minnesota
- [Do You Understand the New Overtime Rules?](#), AgWeb
- [Final Rule: Overtime, Questions and Answers](#), 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
- [The Affordable Care Act—What You Need to Know](#), University of Minnesota Extension

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
- [State Child Labor Laws Applicable to Agricultural Employment](#), U.S. Department of Labor
- [Youth in Agriculture](#), Occupational Safety & Health Administration
- [Youth Employment](#), Missouri Department of Labor & Industrial Relations

Insurance

- [Do you need workers' compensation for your small farm?](#), Cornell Small Farms Program
- [Farm Liability Insurance](#), Center for Dairy Profitability, University of Wisconsin
- [Farm Liability Insurance: Do you Have Enough Coverage?](#), AgWeb
- [Farm Safety Handbook](#), University of Wisconsin Extension
- [Help for Employers](#), Occupational Safety and Health Administration
- [Liability of Farm Employers](#), University of Missouri Extension
- [Understanding Agricultural Liability](#), Penn State Extension
- [Workers' Compensation FAQ](#), Missouri Department of Insurance

Employee Manuals

- [Farm employee management: Do we need an employee handbook?](#), Iowa State University
- [How to Write a Great Employee Handbook](#), National Federation of Independent Business
- [Employee Handbooks](#), Small Business Administration
- [Sample Farm Employee Handbook](#), Farm Commons
- [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
- [elaws – employment laws assistance for workers and small businesses](#), U.S. Department of Labor
- [Employment & Labor Law](#), U.S. Small Business Administration
- [Fact Sheet #12: Agricultural Employers Under the Fair Labor Standards Act \(FLSA\)](#), Department of Labor
- [Farm Employment Law: Know the basics and make them work for your farm](#), Farm Commons
- [Labor – An Overview](#), The National Agricultural Law Center
- [Laws](#), Office of the Chief Economist, USDA
- [Making Employment Law Work For Your Farm](#), Farm Commons

V. Retention

Annually, the U.S. labor force experiences significant turnover. In 2015, 23.6 percent of all U.S. workers voluntarily opted to quit. Between 2011 and 2015, the quit rate increased each year, and it ranged from 17.9 percent to the 23.6 percent. On farms, turnover can be quite high. Some estimates show that 25 percent turnover isn't unlikely.

Employers incur expenses when workers transition from their operations. The Center for American Progress categorizes 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.

In 2012, the Center for American Progress analyzed 30 case studies from 11 research papers to estimate the cost that employers incur when employees leave. It concluded that replacing a lost employee requires roughly 20 percent of that employee's salary. The costs tend to grow for positions that involve more education and training. By adopting efforts to retain employees, employers limit their costs associated with employee turnover.

AgCareers.com conducted a survey to find the most common tools that agribusinesses have used to keep their employees engaged. Bonuses, training and development and promotions were the most frequently named strategies.

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.

Employers who support a work-life balance and offer continuing education opportunities may more successfully retain employees. You could engage employees to help understand and address your workforce's challenges. For example, child care may be an issue for some employees. Understand your staff's child care 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 encourage workers to be more motivated.

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 have the opportunity to focus on improving their performance in those areas.

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. Performance reviews and worker satisfaction surveys facilitate opportunities for sharing feedback.

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 address just a particular project, event or situation.

Ideally, performance reviews will involve some 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 those reviews.

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 with people other than his or her supervisor, who may not directly oversee all aspects of the employee's job.

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 among employees?
- How well does the business provide the necessary resources for the employee 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 the following resources, 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
- [Evaluating Performance and Providing Feedback to Employees](#), eXtension
- [Help farm workers meet goals with performance evaluations](#), Progressive Dairy
- [How to build an effective farm employee review system](#), Delta Farm Press
- [Strengthen Your Family Farm Through Performance Evaluations](#), United Soybean Board

Worker Satisfaction Surveys

- [Employee Satisfaction Survey Questions: 3 Sample Templates You Can Use Today](#), Qualtrics
- [How to create an employee satisfaction survey](#), SurveyMonkey
- [How to Effectively Design and Use an Employee Satisfaction Survey](#), SurveyGizmo

VI. Termination

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 filing a claim, such as one for workers' compensation, that is a legal right.

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 \$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 employee's most recent address known and contact information for his or her new employer. The online notification system is available at <https://www.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: <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 them being honest 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 organizational changes and possibly prevent other employees from resigning. In some scenarios, the exit interview may create an opportunity to encourage the employee to stay rather than leave.

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 the following resources, 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
- [Terminating Employees](#), U.S. Small Business Administration
- [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

VII. Appendix

Application for Employment at _____

Date: _____

Position: _____

PERSONAL BACKGROUND

Applicant Name: _____
(last, first, middle initial)

Present Address: _____
(number, street, city, state, zip)

Phone: _____ Email address: _____

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: _____

How soon are you available to start? _____

Do you have a valid driver's license? _____

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

Have you been convicted of a misdemeanor or felony crime in the past 10 years? If so, then please explain.

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
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Name	Phone/Email	Relationship to You
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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: _____

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