



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Employment Standards Program
PO Box 44510 | Olympia, Washington 98504-4510 Phone: (360)902-5759 Fax: (360)902-5350

February 1, 2018

Robert Hawk
Sarbanand Farms, LLC
4625 Rock Road
Sumas, WA 98295

Re: Agricultural Labor Violations - Infraction Ticket #14502

Dear Mr. Hawk:

This is to inform you of the agricultural labor violations found during our investigation of Sarbanand Farms, LLC initiated on August 9, 2017. This investigation was initiated as a result of public allegations we received related to Farm Labor Contracting activities, meal and rest periods, and minimum wage requirements. As you know, we conducted a thorough investigation, consisting of on-site visits, interviews, and an audit of your company records. During the course of our investigation, we found significant violations of the meal and rest period regulation, WAC 296-131-020. Our review of your records and employee statements show that you committed meal and rest period violations involving hundreds of workers on multiple occasions.

The meal and rest period violations affected a total of 583 employees. RCW 7.80.120 authorizes L&I to assess a civil infraction with a maximum penalty amount of \$250 for each violation of the rule. In addition, L&I may include a penalty for each worker affected by each violation, which for the date of July 27, 2017 would result in the total amount of \$145,750.00. However, L&I recognizes that Sarbanand Farms, LLC has willingly cooperated with the investigation, openly shared information, and immediately made corrections to avoid future violations of this nature. L&I has elected to reduce the penalty to \$73,000 based on \$250 per worker at a reduced number of 292 violations. In addition to this penalty, the district court is required to assess an additional 105% of the original penalty for public safety and education.

A follow-up compliance review will be conducted in 2018 to verify that corrections made by Sarbanand Farms, LLC are in place. If violations of this nature occur again the Department will assess penalties for all instances it identifies during the course of the investigation.

The infraction will be served to you directly by the Whatcom County District Court. You must respond to the court within **fifteen (15) days** from the date issued, either to request a hearing or pay the fine listed on the infraction. A mailed response must be postmarked no later than midnight on the day the response is due.





Sarbanand Farms, LLC
Notice of Agricultural Labor Violations – Ticket #14502

The procedures for infractions issued under the Agricultural Employment Standards are governed under RCW 7.80. Enclosed are copies of **Chapter 296-131 WAC Agricultural Employment Standards** and **RCW 7.80 Appeal Rights**.

If you have any questions regarding this matter, please contact me at 360-902-5759, or via email at sibd235@lni.wa.gov.

Sincerely,

Deibi Sibrian
Industrial Relations Agent

Enclosures as stated

