

CROP LIENS AND ORCHARD LIENS FOR AGRICULTURAL WORKERS

Crop Liens



Washington State law gives workers in agriculture the right to place a lien on the crop on which they worked to recover unpaid wages.

A crop lien must be filed with the Department of Licensing **WITHIN 40 DAYS OF THE LAST DAY OF WORK.**

If you send a correct notice of the crop lien to the buyer of the crop, or to the packing shed, then when the crop is sold the crop buyer or the packing shed must pay you your wages instead of paying that money to the seller of the crop. If you have a valid lien and give the correct notice, but you don't receive your wages when the crop is sold, you may bring suit against the packing shed or crop buyer to recover wages from the proceeds of the sale of the crop.

If you receive your wages after filing the lien, you are required to release the lien within 20 days of receiving your wages. If you do not release the lien, you may have to pay the costs incurred by the owner of the crop as a result of your failure to release the lien. If you file a lien that you do not have the right to file, you may have to pay a penalty.

Orchard Liens

Washington State law gives workers the right to record a lien on orchard lands to recover unpaid wages for work pruning, spraying, cultivating, or caring for an orchard.



The lien must be recorded with the county auditor's office **WITHIN 40 DAYS AFTER THE LAST DAY OF WORK** for each season during which such work is done.

If a worker who has recorded a valid orchard lien does not receive the wages due, that worker has the right to ask a court to sell the land in order to pay the worker the wages. The petition to the court must be made within 8 months after recording the orchard lien.

If you receive your wages after filing the lien, you are required to release the lien.

Consult with an Attorney

If you do not get paid for work in agriculture, you should contact an attorney as soon as possible. Even if your employer promises to pay you, it is important to consult with an attorney as soon as possible because a lien must be filed within 40 days. Preparing a crop or orchard lien is often the best way to recover unpaid wages.

For more information:

Northwest Justice Project

Wenatchee: 1-888-201-1021
Yakima: 1-888-201-1018
CLEAR: 1-888-201-1014

Columbia Legal Services

Wenatchee: 1-800-572-9615
Yakima: 1-800-631-1323
Kennewick: 1-888-201-9735