

Injustice in the Fields

Farm Worker Conditions Throughout the U.S.



Did you know?

- Most fruits and vegetables are handpicked - meaning we depend on farm workers for the food we eat everyday.
- There are approximately 2-3 million farm workers in the U.S.
- Many of the farm workers are young adults.
- Labor and living conditions are inhumane.



U.S. farm workers face...

- Undocumented immigration status
- Exclusion from worker protections enjoyed by other workers
- Sub-poverty wages
- Hazardous working conditions
- Substandard housing
- Children and women's issues
- Lack of access to education
- Modern day slavery



(Image source: irjci.blogspot.com)

Immigration

- Farm workers can be:
 - U.S. citizens
 - Legal permanent residents
 - Seasonal laborers on special guest worker visas
 - Undocumented workers
- Undocumented farm workers are the key to the U.S. food system.

At least 6 out of 10 farm workers in the U.S. are undocumented.



Immigration

- Historically, agricultural workers in the U.S. have been...
 - imported from other countries with vulnerable populations.
 - disenfranchised as a group of workers.
 - denied the right to vote.
- We can see this history of exploitative conditions in the events and policies that laid the groundwork for our broken agricultural system today.



Image Source:

<http://personal.anderson.ucla.edu/elioisa.borah/EarlyImages.htm>

Immigration

- Undocumented farm workers are marginalized and criminalized due to our current anti-immigrant political climate.
- At work, undocumented status makes workers especially vulnerable to abuse, as some employers and supervisors threaten to play the “deportation card”.



Immigration

Many of these undocumented farm workers would like to change their immigration status, but a pathway to citizenship is almost impossible with the current structure of the immigration system.



Immigration

We need comprehensive immigration reform with a path first to permanent resident status, and then to citizenship, for the million farm workers who are currently working in the fields, including their spouses and children.

This means changing the current system while preventing the further criminalization of immigrants.



Exclusion from worker protections

Much of the injustice farm workers face stems from their specific exclusion from laws that insured basic protections for workers in other sectors of society, such as:

- **The National Labor Relations Act** (1935): it forbids employers from firing a worker for joining, organizing, or supporting a labor union. It also establishes a structure for unions and employers to engage in collective bargaining.



Image source: vagabondjourney.com

Exclusion from worker protections

- **The Fair Labor Standards Act** (1938): guarantees a minimum wage for each hour worked and requires overtime pay to most employees. FLSA fully excluded farm workers until 1966.

Today it continues to exclude farm workers in significant ways: farm workers have no right to overtime pay, workers on small farms are not entitled to receive minimum wage, and children as young as twelve are legally allowed to work in the fields.



Exclusion from worker protections

- The major federal employment law for farm workers is the **Migrant and Seasonal Agricultural Worker Protection Act of 1983** (AWPA), which requires employers to disclose and comply with the terms of the jobs they offer. APWA also upholds some safety standards.

This law does NOT provide the right to collective bargaining or the right to form a union.



Exclusion from worker protections

- Only a few states (notably California) have enacted legislation protecting the organizing, collective bargaining, and unionization rights of agricultural workers.
- While exclusion of farm workers from legal protections has affected their ability to organize for better conditions, it certainly hasn't stopped them. Against all of these odds, farm workers are organizing.



Image source: <http://lupergv.wordpress.com/2010/06/25/immigrant-farmworkers-say-go-ahead-take-our-jobs/>

Why do farm workers want a union?

Union contracts can mean...

- fair wages and job security.
- enforcement of safety and decent sanitation standards.
- a grievance procedure that grants them the ability to complain when their rights are violated.

Collectively bargaining through unions neutralizes the power imbalance between workers and growers, thus empowering workers to speak out about the injustices affecting them.



Sub-poverty wages

- Farm workers have the lowest annual family incomes of any U.S. wage and salary workers.
- Annually, the average income of crop workers is between \$10,000 to \$12,499 for individuals and \$15,000 to \$17,499 for a family.
- Many workers have total family incomes below the poverty line.



Sub-poverty wages

- Most farm workers are paid based on how many buckets or bags they pick of whatever crop they harvest. This is known as the “piece rate.”
- When workers are being paid by how much they pick, this acts as a disincentive to take breaks for water or shade: taking breaks would cut into their productivity and thus cut into their pay.



Sub-poverty wages

- It is possible for a farm worker being paid piece rate to make less than the minimum wage. The law requires employers on large farms to pay minimum wage if a worker doesn't earn it based on the piece rate.

Unfortunately, oversight on this is lax.

- About 1/3 of the nation's farm workers work on small farms, and these farms are not subject to federal law regarding minimum wage.



Sub-poverty wages

- If a farm worker is hired through crew leaders or farm labor contractors, which approximately $\frac{1}{2}$ of all farm workers are, then their growers can avoid state and federal-level employment laws, including minimum wage.
- A common issue among farm workers is wage theft, in which a portion of a worker's wage is stolen by their employer or supervisor. Regrettably, oversight preventing this is also lax.



Image source: msnbc.msn.com

Sub-poverty wages

There are other factors besides low wages that contribute to farm worker poverty.

- Farm worker unemployment rates are very high, as agricultural work provides virtually no job security. Many workers are day laborers, and migrant farm workers must chase crops to make a living.
- Farm workers are constantly at the mercy of variable conditions like natural disasters and bad weather.



Sub-poverty wages

- Farm workers lack benefits guaranteed to other workers. For instance, farm workers do not receive overtime pay, nor do they get sick time or maternity leave.
- Rather than increasing over the years, farm worker wages have actually declined by more than 20% in the past twenty years after accounting for inflation.



Hazardous working conditions

- Agriculture is one of the top three most dangerous occupations in the U.S.
- In addition to physically demanding labor and utilization of dangerous machinery, heat and sun exposure make agricultural work especially dangerous.
- Among farm workers, heat stroke is the leading cause of work-related death.



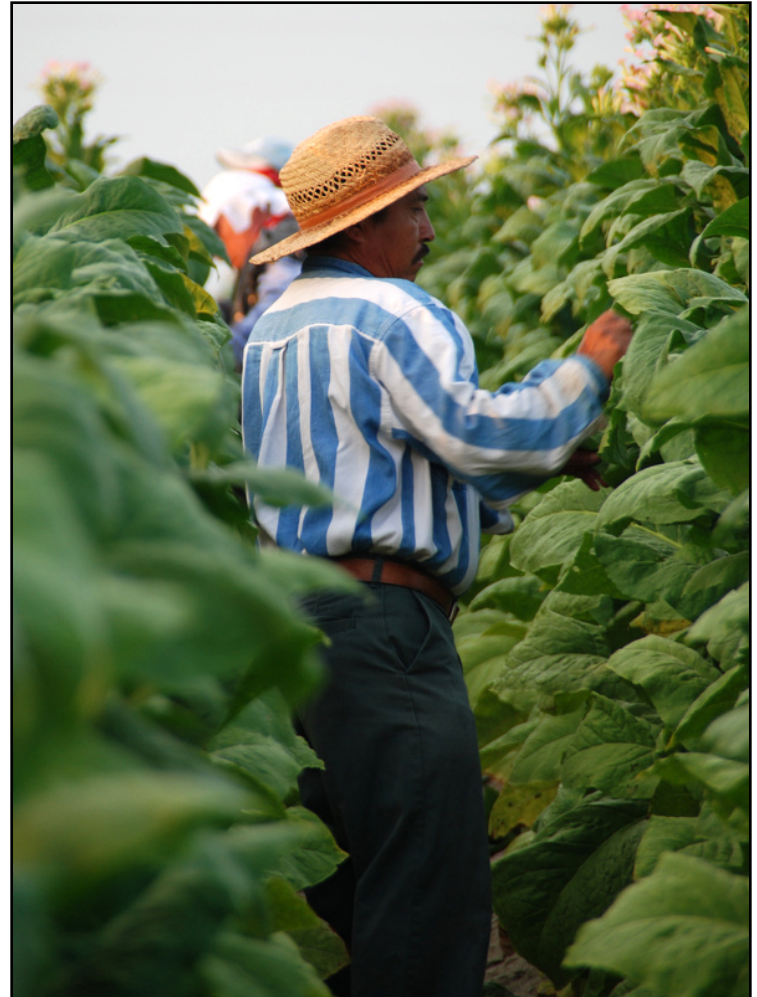
Hazardous working conditions

Sometimes even the crops that farm workers harvest can make them sick.

- For instance, tobacco harvesters face a unique type of illness called Green Tobacco Sickness (GTS).

GTS is caused by absorbing a high level of dissolved nicotine through the skin, which happens when workers touch wet tobacco leaves.

- Tobacco farm workers can absorb each day the amount of nicotine found in 36 cigarettes.



Pesticide exposure

- A rampant problem among the majority of farm workers is exposure to toxic chemicals from pesticides.
- Farm workers are directly exposed to pesticides if they get sprayed while they're picking crops or if they are made to re-enter the fields prematurely after the fields have been sprayed.
- Re-entry times after spraying are hardly enforced.



Image source: David H. Wells

<http://thewellspoint.com/2009/03/25/the-early-photo-essays/>

Pesticide exposure

Farm workers are exposed to pesticides indirectly,

- by handling pesticide containers.
- by having skin contact with pesticide residue.
- when the grower fails to provide water for workers to wash their hands and clothes.
- when breathing in “pesticide drift” (when the wind spreads airborne chemicals from the crops to neighboring communities).



Pesticide exposure

In this sense, farm workers have no escape from exposure. Pesticides can literally follow them home after work in the form of residue on their clothes or pesticide drift, contaminating the air in their neighborhoods.



Pesticide exposure

Pesticide exposure is linked to all kinds of medical and health issues, including but certainly not limited to:

- Reproductive problems
- Birth defects
- Alzheimer's
- Diabetes
- Cancer
- Autism
- Memory loss

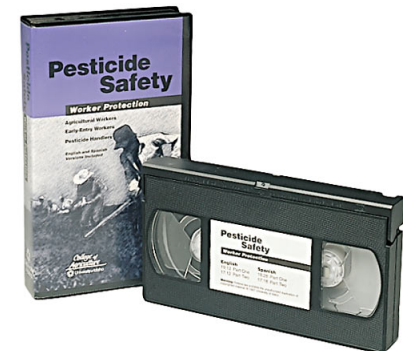


Pesticide trainings

Training regarding protection against pesticide exposure is only required every five years during the first week of employment.

- This law is inadequate because workers should be educated about the dangers of pesticides BEFORE they have a chance to be exposed, and because this training is not enough considering the severe health effects that can be caused by pesticide exposure.

- Enforcement of this law is almost impossible with an unstable workforce and many day laborers.
- Training is sometimes done in English, not in the workers' primary language.
- Training neglects to teach workers how to file a grievance.



Healthcare access

- Farm workers lack preventative healthcare and face disproportionately large hurdles when accessing healthcare when they need it.
- Transportation is the biggest barrier to accessing healthcare among farm workers.
- Eligibility is another issue, as documentation status can prevent workers from accessing healthcare.



Image source: Jessica Maciel –
<http://www.zimbio.com/pictures/QdcuUxXp6KQ/Migrant+Farm+Workers+Receive+Free+Health+Care/eKojVYfLDYI/Jessica+Maciel>

- Farm workers and migrant health professionals report a lack of awareness of available services, as well as confusion in navigating healthcare providers and public insurance programs.

Housing

Substandard housing conditions are a common issue faced by farm workers. Some of the problems they face are...

- crowded housing.
- unsanitary conditions.
- lack of basic utilities.
- isolation from important services like health clinics, grocery stores, and public transportation
- Very high rent rates.



Housing

There are different types of farm-worker housing that vary widely based on geographic location, immigration status, etc.

The most common types of farm worker housing are...

- Privately Rented Housing (85%)
- Grower-owned Housing (13%)
- Government Housing (2%)



Housing

Privately Rented Housing

- Farm workers pay a private owner for rent.

In the case of grower-owned and privately rented housing, the landowner can have a monopoly on available housing, which allows them to overcharge.



Housing

- Because it's so expensive, workers will pack into the available housing in order to afford rent.
- In other places, in order to turn a profit, landowners charge rent fees on a per person basis instead of a total for the building.

These per-person rates make life even more difficult for farm worker families, who have to pay separately for each child.



Housing

Grower-owned Housing

- By law, growers are required to provide housing for guest workers (non-immigrant seasonal workers on a special temporary visa called H-2A).

However, H-2A workers account for only about 3% of the nation's agricultural workforce.

For the majority of workers living in grower-owned housing, rent is deducted from the workers' paycheck.



Housing

Government Housing

- In order to qualify for affordable subsidized housing, farm workers must be documented.

While it's impossible to accurately measure, estimates show that at least 6 out of 10 U.S. farm workers are undocumented.



Image Source: Carlos Rodriguez
<http://centralvalleytv.net/2012/09/08/grants-to-improve-farm-worker-housing-announced/>

Housing

- For farm workers, it is a necessity to have access to washing machines and showers in order to minimize pesticide exposure.
- Lack of governmental oversight on housing standards and regulations enables growers and private renters to get away with providing substandard housing.



Sanitation in the fields

Farm workers often work in unsanitary conditions if the grower does not provide...

- clean and fresh drinking water.
- disposable cups (one per worker).
- water and a place to wash their hands.
- soap.
- disposable towels.
- a clean bathroom.



Children in the fields

- It is estimated that there are approximately 500,000 farm workers under the age of 18.
- Many of these children are undocumented.
- The majority of working children in the U.S. work in agriculture—approximately 70%.



Image source: <http://mediavoicesforchildren.org/?p=1853>

Children in the fields

- Children in agriculture are the least protected by the law compared to other sectors.
- Since 1938, federal labor laws have excluded children farm workers from labor protections provided to other working children.
- For instance, children over the age of 12 can legally work in agriculture with their parents' permission or with their parents on the same farm.



Image Source: <http://orchidsoflight.org/the-persistence-of-hope/>

Children in the fields

- In addition to inadequate labor laws, children working in agriculture face exposure to extreme weather conditions, dangerous equipment, and pesticides.
- Because their bodies are still growing and because they are developing mentally, children are even more vulnerable to the harsh conditions faced by all farm workers.



Image Source: <http://ww1.prweb.com/prfiles/2007/06/13/533094/CHILDunited.jpg>

Children in the fields

- In terms of equipment: using tools designed for the muscle power of an adult can have dangerous consequences.
- Often times children operate heavy equipment unsupervised and without prior adequate training.
- Children who work in the fields may also use dangerous tools like sharp knives to perform their duties.



Image Source: <http://www.fairimmigration.org/category/workers-rights/>

Children in the fields

- Exposure to toxic pesticides at an early age can affect farm worker children for the rest of their lives.
- Like general labor laws, laws surrounding pesticides are not adequate to protect youth from great harm.
- Pesticides are grouped into different categories based on their toxicity; laws based on toxicity ratings are made to protect the bodies of adults, not the developing bodies of children.



Image source: Farmworker Association of Florida

Children in the fields

- In addition to the physical strains of farm labor, it's important to also recognize the psychological and emotional strain that agricultural work can have on children.
- Some children migrate with their families, but others are increasingly migrating alone.



Image source: Unknown

Women's issues

- Women make up 22% of the agricultural workforce in the U.S.
- While they play a vital role in harvesting the food on our plates, farm worker women are arguably the most exploited workers in this country, and are even more vulnerable than male farm workers.



Image Source: www.floridafarmworkers.org

Women's issues

- Females in the fields are often given the least desired and the lowest-paying jobs. They are the first to be laid off, receive fewer opportunities to advance, and face a culture of discrimination and machismo in the workplace.
- Women endure all the issues male farm workers face, as well as some that are largely unique; such as, sexual harassment, pregnancy and gender discrimination, and being the primary caregivers of children.



Image Source: <http://www.thejakartaglobe.com/international/report-migrant-female-farmworkers-suffer-frequent-sex-abuse/518288>

Women's issues

- One of the most significant issues that women farm workers face is sexual harassment.
- In one survey of farm worker women in California, 90% of the women identified sexual harassment as a major problem.
- These incidents of sexual harassment are exacerbated by immigration status.



Image Source: <http://www.humanflowerproject.com/index.php/weblog/2005/12>

Women's issues

- Perhaps even more troubling is the violation of reproductive rights of farm worker women.
- Women in the fields are exposed to toxic pesticides. This exposure has been linked to infertility, miscarriages, and birth defects in babies.



Carlitos (Photo by Taylor Jones/Palm Beach Post)

Education

Farm workers and their families face a unique set of challenges to getting an education.

- Many farm workers have completed relatively few years of formal schooling. This is partially due to the lack of educational opportunities in their countries of origin.



Education

The main obstacles to accessing education are:

- Work:** Farm workers are paid sub-poverty wages and their priority may be survival rather than going to school.
- Transportation:** Educational institutions are usually located far away from farm worker communities, and transportation is limited (especially for those who are undocumented).
- Language barriers:** Literacy programs in farm workers' primary language may be difficult to come by.

Education

Children from farm worker families face their own educational obstacles:

- On average, children work in the fields thirty hours per week, and often work during the school year.
 - Under U.S. law, agricultural workers as young as 12 years old are permitted to work, while children in other sectors can work no more than three hours per day during the school year; in agriculture there are no limits to how many hours children can work.
- Being a part of a farm worker family can mean moving around often. This takes an emotional toll on children, which can impact their education.
- Children of farm worker families also struggle with the separation of their families and the lack of job security for both their parents and for themselves.

Education

- Undocumented students who want to go to college are forced to pay out of state or even international student tuition instead of in-state tuition.
- Beyond all of these challenges, laws that criminalize undocumented immigrants exacerbate the difficulty children face in obtaining an education.



Modern day slavery

Slavery: working against your will with little or no pay under the threat of violence or other punishment, exists today in America.

In 1865 the U.S. passed the 13th Amendment to the Constitution, formally abolishing slavery.

However, well over a century later, workers are held as slaves while experiencing threats, violence, coercion, and manipulation.



Image source: <http://www.dipity.com/Shaily/American-Line-of-Time/>

Modern day slavery

Landowners in the United States have always had a source of free or cheap labor to pick and care for their crops.

- During the early years of colonization, landowners in North America used indentured servants from Europe to tend the fields.
- Beginning in the early 17th Century, thousands of slaves from Africa were imported and forced to do farm labor.
- When the Emancipation Proclamation was passed to free the slaves, many laws and ordinances were subsequently applied to limit the rights of freed slaves.

Modern day slavery

- In Florida there have been several cases of modern day slavery in the fields among immigrants and citizens.
- The Coalition of Immokalee Workers, helped to uncover and to start the federal prosecution of many of these cases.
- Since 1997 more than 1000 slaves have gained freedom in Florida



Image source: <http://cjaye57.wordpress.com/2010/04/06/coalition-exposes-modern-day-slavery-in-the-u-s/>

Farm workers are organizing

Farm worker unions and organizations are addressing these issues by organizing for justice!

- Unions sign contracts with growers and corporations so that farm workers have rights like **collective bargaining** and **freedom of association**.
- Organizations are lobbying for better and more humane immigration and labor laws.



Coalition of Immokalee Workers

The Coalition of Immokalee Workers (CIW) has been engaged in their Fight for Fair Food Campaign for more than ten years.

Their Campaign for Fair Food focuses on bettering the lives of tomato pickers in Florida.

The CIW engages in nationwide campaigns targeting corporations in order to get them to sign an accord insuring better wages for tomato pickers as well as dignity and safety in the fields.



Coalition of Immokalee Workers

- The CIW has also helped shed light on the horrendous realities of modern day slavery in the fields.
- Their campaign has resulted in higher wages, grievance procedures and worker education in the fields.
- Mc. Donalds, Burger King, Chipotle, YUM! Brands, Whole Foods, Bon Appetit, and Subway are some of the corporations that are currently participating in the fair food campaign.



Farm Labor Organizing Committee

The Farm Labor Organizing Committee (FLOC) organizes farm workers in North Carolina and the Midwest.

FLOC was born in the 1960's and grew in strength as workers united to improve their lives.

In the late 1970's FLOC pioneered the organizing model of holding corporations accountable for the abuses and poor living/working conditions suffered by workers in the fields.



Farm Labor Organizing Committee

They have won historic victories against corporations such as Heinz, Mt. Olive Pickles, and Campbell Soup Company.

By using a variety of methods the union has signed contracts insuring health, safety, and just compensation for farm workers; union organizing, national boycotts, strikes, and consumer campaigns have all been utilized to achieve justice and dignity in the fields.

FLOC is currently organizing a national campaign against Reynolds American, one of the largest tobacco companies in the world.



United Farm Workers

The United Farm Workers (UFW) was founded by Delores Huerta and Cesar Chavez in 1962 and has won contracts from coast to coast in the United States.

The UFW played a major role in bringing the awareness of farm worker issues to a national audience. As people became aware of the mistreatment of farm workers they took part in marches and in nationwide boycotts like the California Grape boycott in 1967.



United Farm Workers

The UFW became a powerful force for change; earning the support of presidential candidate Bobby Kennedy and spreading the message of farm worker justice, they won the passage of the Agricultural Labor Relations Act, a landmark agreement recognizing the right of farm workers to organize in California.



UFW continues to win contracts nationwide and continues the fight for justice based on the principles of non-violence and solidarity.

Join Us!



You can support these and other farm worker organizations by joining the National Farm Worker Ministry (**NFWM**) and its Youth and Young Adult Network (**YAYA**)!

NFWM and YAYA organize their communities in support of farm workers; educating people and institutions about farm worker issues and mobilizing them to support farm worker campaigns for justice.

www.nfwm.org

www.nfwm-yaya.org