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Immigration and Farm Worker Policy in the U.S.

1600's

Indentured Servants from Europe arrive in Virginia as cheap labor to help care for the land. The first Black African slaves arrive in Virginia in 1619. Between 1620 and 1866 almost 600,000 slaves are brought to what is now the U.S.

1860-1870's

During Reconstruction, the U.S. government passes laws to prohibit slavery and involuntary servitude (the 13th Constitutional Amendment, with an included exception for the provision of punitive labor for criminals), give all men born in the U.S., including African Americans, citizenship rights (the 14th Constitutional Amendment), and the right to vote (the 15th Constitutional Amendment).

Farming becomes a large-scale industry. The U.S. begins importing Asian labor as African Americans move into other industries and the need for labor increases. By 1886, 7 out of every 8 farm workers are Chinese, Japanese and Filipino.

1890-mid 1900's

Segregation continues under the Jim Crow laws, which systematize inferior treatment and accommodations for African Americans. Former slaves and their descendants continue to work in the fields: debted to landowners or by sharecropping (working the fields in return for a share of the crop produced in the land).

1914-1921

During World War I, migration to the U.S. from Europe declines, increasing the demand for Mexican labor to fill the void. Growers lobby to create the first guest worker program, allowing more than 70,000 Mexican workers into the U.S. The program ends in 1921.

1930's

The Great Depression and the Dust Bowl (a period of drought that destroyed millions of acres of farmland) forces white farmers to sell their farms and become migrant workers who travel from farm to farm to pick fruit

and other crops at starvation wages. More than 500,000 Mexican Americans are deported or pressured to leave during the Mexican Repatriation, and the number of farm workers of Mexican descent decreases.

The U.S. government passes a series of labor laws to protect workers, but which exclude farm workers and domestic laborers. In 1935 the National Labor Relations Act (NLRB) provides the right to organize without retaliation, but excludes farm workers and domestic workers. The 1938 Fair Labor Standards Act (FLS) creates overtime rules and establishes the minimum wage which does not cover seasonal workers.

1942-1964

Due to labor shortages during WWII, the U.S. government started the Bracero Program, which imports temporary laborers from Mexico to work in the fields and on railroads.

1960-1970's

The African American agricultural workforce disperses into other industries in search of better opportunities, creating a shortage of labor in the fields. By the 1960s and '70s, the farm labor force is mostly comprised of Immigrants, primarily, though not exclusively, from Latin America. Filipino farm workers begin organizing around labor issues on the West Coast, as do Mexican American farm workers.

Cesar Chavez and Dolores Huerta join the organizing efforts of the Filipino farm workers, which culminate in the landmark Delano Grape Strike of 1965. The United Farm Workers (the modern farm worker movement) forms. Their worker-led movement draws national attention to farm workers' struggles, and lays the groundwork for other farm worker unions and organizations.

1980's

The Migrant and Seasonal Agricultural Worker Protection Act of 1983 passes, requiring employers to disclose occupational expectations and comply with proper documentation in the workplace (such as a pay stub). However, this act does not guarantee collective bargaining or freedom of association rights.

In 1986, the Immigration Reform and Control Act is passed, which intends for the increasingly Mexican farm labor population to be able to gain citizenship, thus raising farm worker wages., The situation in the fields changes little and with the late 1980s brings the rise of farm labor contractors (FLCs), who seek undocumented laborers. Many of the intended beneficiaries seek work in friendlier industries (*Migration Policy Institute*).

1994

In 1994, the North American Free Trade Agreement (NAFTA) is established. Between 1994 and 2001, a flood of cheap, subsidized U.S. corn causes the price of the crop to fall as much as 70% in Mexico. Unable to compete with subsidized imports, over two million small farmers in Mexico lose their livelihoods, and immigration from Mexico into the U.S. increases.

Post September 11, 2001

Following 9/11, the U.S./Mexico border is increasingly militarized.

In 2003, the Department of Justice's Immigration and Naturalization Service (INS) is dissolved and immigration is recharacterized as a national security issue. Immigration and Customs Enforcement (ICE) is established in

2003 under the Department of Homeland Security. Border crossings becomes more expensive and much more dangerous. Risks increase for migrant workers who travel with their families. Family separations are on the rise.

2006

2006 Secure Fence Act mandates the construction of more than 700 miles of double-reinforced fence to be built along the border with Mexico, through California, Arizona, New Mexico, and Texas. It authorizes increased lighting, vehicle barriers, border checkpoints, and requires the installation of advanced equipment including sensors, cameras, satellites, and unmanned aerial vehicles.

The Agricultural Job Opportunities Benefits & Security Act of 2006 is introduced in the U.S. Congress, providing agricultural employers with a stable, legal labor force and protecting farm workers from exploitative working conditions. It would create an “earned adjustment” program, allowing many undocumented farm workers and agricultural guest workers the ability to obtain temporary immigration status with the possibility of becoming permanent residents, and later citizens, of the U.S. It would revise the existing agricultural guest workers program known as the “H-2A temporary foreign agricultural worker program.” It did not pass.

Today

Today, most farm workers are immigrants from Latin America, with over 60% undocumented (*Southern Poverty Law Center*). The vast majority of our nation’s farm workers are from Mexico and Central America, although many African Americans and immigrants from other regions of the world (particularly Asia) continue to work in the fields.

The agricultural industry claims that there is a labor shortage, but farm worker advocates counter that if wages and conditions were acceptable, this shortage would not exist. The perceived shortage has resulted in the exponential growth of the H-2A seasonal worker program. In 2017, over 200,000 H-2A jobs were certified, and in 2018 this number is expected to be higher.