

Not At The Table

How Exclusion from Labor Protections Puts
Farm Worker Health at Risk



The History of Labor Laws & Farm Worker Exclusion

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MIGRANT FARMWORKERS -A HISTORY OF EXCLUSION & STRUGGLE-

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LIVED EXPERIENCES

THIRD GENERATION MIGRANT FARMWORKER WHO WORKED IN AGRICULTURE FROM THE AGE OF SEVEN UNTIL THE VERY DAY I LEFT FOR THE UNIVERSITY.

GABINO MARTINEZ - GRANDFATHER: BRACERO PROGRAM 1940's & 1950's

MOISES & MARGARITA MARTINEZ - PARENTS: 1960's - PRESENT

JOSE L. MARTINEZ & 7 BROTHERS - 1980's & 1990's

MY FAMILY HAS BEEN A PART OF THE MIGRANT FARMWORKER STREAM IN THE UNITED STATES FOR MORE THAN EIGHT DECADES.

MORE THAN 100 YEARS OF EXCLUSION & STRUGGLE

PRESENT DAY STRUGGLES

- COALITION OF IMMOKALEE WORKERS
- FARM LABOR ORGANIZING COMMITTEE
- UNITED FARM WORKERS
- ASSOCIATION OF FARMWORKER OPPORTUNITIES PROGRAM
- BASTA: PREVENT SEXUAL HARRASSMENT IN AGRICULTURE

PRESENT DAY EXCLUSIONS

IN MANY WAYS, FARMWORKERS CONTINUE TO FIGHT FOR MANY OF THE SAME THINGS THAT THEY WERE FIGHTING FOR MORE THAN 100 YEARS AGO.

1965-1970: DELANO GRAPE BOYCOTTS. ANOTHER MOMENT THAT BROUGHT NATIONAL ATTENTION TO PLIGHT OF MIGRANT FARMWORKERS.

1960: HARVEST OF SHAME – AIRED THANKSGIVING NIGHT AND BROUGHT NATIONAL ATTENTION TO PLIGHT OF FARMWORKERS. CATALYST FOR CREATION OF MANY PROGRAMS AND OFFICES.

1900 – 1975 EL CORTITO/EL BRAZO DEL DIABLO – SHORT HANDLE HOE USED WITH PEAK USAGE DURING THE BRACERO PROGRAM. OUTLAWED IN 1975.

1942-1964: BRACERO PROGRAM: NATIONAL AGRICULTURE GUEST WORKER PROGRAM.

1940'S DR. ERNESTO GALARZA: ONE OF THE ORIGINAL NATIONAL VOICES FOR FARMWORKERS. (ACTIVIST & AUTHOR)

1903: ONE OF THE FIRST DOCUMENTED FARMWORKER STRIKES IN OXNARD, CA. JAPANESE-MEXICAN LABOR ASSOCIATION.

1971 - FOLGUERAS V. HASSLE, 331 F. SUPP. 615 (W.D. MICH.) FOUND THAT FARMWORKERS HAD THE BASIC RIGHTS OF TENANTS WHETHER THEY PAID RENT OR NOT AND COULD BRING ANYONE THEY WANTED INTO LABOR CAMPS.

2021 – U.S. SUPREME COURT REVERSES THIS AND FINDS THAT MIGRANT LABOR CAMPS ARE PRIVATE PROPERTY OF THE RANCHERS AND NOW ILLEGAL FOR UNIONS TO SPEAK WITH FARMWORKERS IN LABOR CAMPS.

1938 – FAIR LABOR STANDARDS ACT (FARMWOKERS EXCLUDED: UNTIL 1966 ***) GUARANTEED MINIMUM WAGE TO ALL WORKERS, ESTABLISHED A 40 HOUR WORK WEEK/OVERTIME, AND REQUIRED ALL EMPLOYERS TO KEEP ACCURATE PAY RECORDS.

***SOME FARMWORKERS INCLUDED IN 1966.

1935 – NATIONAL LABOR RELATIONS ACT (FARMWOKERS EXCLUDED)
*REASON FOR EXCLUSION: A POLITICAL COMPROMISE BECAUSE DEMOCRATS IN THE SOUTH, WHICH REPRESENTED FARMERS, DID NOT WANT THE PROTECTIONS EXTENDED TO THEIR MOSTLY AFRICAN AMERICAN WORKERS.

1913: US DEPARTMENT OF LABOR BECOMES AN OFFICIAL CABINET POSITION.

MUCHAS GRACIAS

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