

2018

ANNUAL REPORT

Empowering Farmworkers to Transform Our Food System





FROM

the desk of the President



Farmworker Justice staff are helping farmworkers in the courts, administrative agencies, Congress, the media, corporate supply chains, and the fields. Farmworker Justice is a vital resource for empowering farmworkers to improve their wages and working conditions, immigration policy, occupational safety, health, corporate responsibility, and access to the justice system.

Working in the nation’s capital in these challenging times requires dedication, expertise and creativity. Demagogues spew anti-immigrant rhetoric and yet the large majority of the 2.4 million people laboring on our farms and ranches are immigrants. Immigrants, most of them undocumented, feed us. At the same time demagogues bash government regulation, agricultural businesses remain the beneficiaries of vast amounts of taxpayer-funded subsidies, research, and other assistance, while farmworkers are still excluded from many of the labor protections that apply to other occupations.

In this environment, Farmworker Justice spent much effort to block bad policies. But we also achieved major accomplishments in the policy arena and in communities.

We thank our supporters, Board of Directors, Advisory Council and partners for making this work possible. Without you, we could not help farmworkers and their organizations, nor make the progress that has been made. There is still so much to do.

Farmworker Justice’s impact very much results from our many collaborations – with farmworker

organizations and many other allies who agree to support the farmworker cause.

We encourage you to review this report and deepen your support to Farmworker Justice.

Bruce Goldstein

President
Farmworker Justice



Photo by Earl Dotter



IMMIGRATION

Policy, Guestworker Programs and Justice

Immigration policy remains at the core of our mission. It affects the living and working conditions of almost every farmworker family. At least 80% of farmworkers are immigrants. During 2018, Farmworker Justice defended immigrant farmworkers and pressed for meaningful immigration reform.

Organizations and individuals throughout the country requested and benefited from our policy analyses, advice, advocacy, media outreach, and coalition building. We published fact sheets on every important immigration bill affecting farmworkers. FJ staff spoke at many conferences and meetings, and generated media coverage. We helped farmworker organizations educate the public and policymakers.

The Trump Administration and its allies in Congress viciously attacked immigrants. Trump implemented hateful, counterproductive, and illegal policies to deport immigrants and reduce immigration.

Many farmworkers and their children have been living in fear of arrest, deportation and breakup of their families. Many avoid the risk of going to public places, including their children's schools and community health clinics. Farm owners expressed concern about immigration penalties and losing their productive workforce.

Our broken immigration system needs reform, but the right kind of reform. Farmworkers deserve immigration policies that treat them with respect.

Toward this goal, we actively promoted positive legislation: the Agricultural Worker Program Act. It would allow undocumented farmworkers and their family members to earn legal immigration status and a path to citizenship. That campaign continues.

FJ and partners worked hard to prevent passage of anti-immigrant, anti-worker legislation, including Rep. Goodlatte's Agricultural Guestworker Act. It would have slashed wages, labor protections, and government oversight of the H-2A agricultural guestworker program.

We and allies galvanized successful opposition to legislative "riders" on appropriations bills that would have expanded the H-2A program to year-round jobs and weakened labor protections. Agribusiness must not be permitted to control the agenda on farmworkers.



Photo by Earl Dotter



THE H-2A AGRICULTURAL GUESTWORKER PROGRAM

Unfortunately, the H-2A guestworker program increasingly is the model for the status of farmworkers. In 2018, the U.S. Department of Labor approved 242,000 H-2A jobs at the request of employers claiming labor shortages. The program has been growing 15% to 20% yearly. The H-2A program is inherently abusive, depriving participants of democratic and economic freedoms.

FJ monitored and submitted formal comments on proposed policy changes related to the H-2A program. Trump established an interagency task force on the H-2A program that we monitored using the Freedom of Information Act and a meeting with officials. As 2018 ended, The Administration was preparing proposed changes to the H-2A program regulations that would require our attention in 2019.

We have been helping farmworker advocates in Washington State, where an H-2A labor contractor has sought to manipulate prevailing wage surveys to lower the wages required of H-2A employers in the state by as much as \$4 to \$6 an hour.

As a leading member of the International Labor Recruitment Working Group, we brought attention to the abuses suffered by workers under various guestworker programs.

Workers often arrive in the U.S. indebted, owing money for illegal recruitment fees and transportation expenses, and can be exploited.

FJ monitored and submitted formal comments on proposed policy changes related to the H-2A program.

IMMIGRANTS, THE 2020 CENSUS AND THE “PUBLIC CHARGE” POLICY

Farmworker Justice joined with others to submit formal comments on Trump Administration policy proposals. Farmworkers need to be counted, not marginalized, and encouraged to speak up, not threatened. We therefore argued against including an intimidating question about immigration status in the 2020 Census questionnaire.

FJ was the section leader on farmworkers in the Protecting Immigrant Families coalition regarding Trump’s proposed “public charge” policy. The policy would deny immigration applications simply because of the applicant’s low wage rates, as well as based on use of nutrition programs and other public benefits. Few farmworkers could ever qualify for immigration under this rule. We have been preparing for litigation if needed.



WAGES, Working Conditions and Labor Rights

Farmworker Justice supported campaigns throughout the country, including via legal advice, media support, social media posts, and testimony. Our Board of Directors includes representatives of three farmworker unions as well as the AFL-CIO, helping us remain close to farmworker organizing.

We worked extensively on the Fairness for Farm Workers Act, which was introduced in Congress by Sen. Kamala Harris and Rep. Raúl M. Grijalva of Arizona. It would grant overtime pay to farmworkers and eliminate the special exemptions from the minimum wage that apply to agricultural employers. These efforts continue.

We were a leading member of a coalition that opposed the misnamed “Save Local Business Act,” which the House passed but the Senate did not vote on. It aimed to deny joint employer liability for violations of the minimum wage, overtime, and the National Labor Relations Act. The bill would have been especially harmful to farmworkers hired through labor contractors because farm owners could avoid responsibility.

FJ helped groups around the country that are seeking to pass state laws to grant farmworkers equal labor rights, including the campaign in New York for overtime pay and collective bargaining rights.

LITIGATION AGAINST GUESTWORKER WAGE THEFT

Two consolidated class actions for wage theft and other violations were resolved in 2018. Farmworker Justice and the Chicago firm Hughes Socol Piers Resnick & Dym represented more

than 200 Mexican citizens who were hired by Wisconsin-based GLK Foods, (the world’s largest sauerkraut producer), under the H-2B temporary foreign non-agricultural worker program between 2006 and 2011. The federal judge ruled in favor of the workers. After the defendants appealed, the cases were mediated and settled. The workers won more than \$900,000, which was being distributed to the workers, all of

whom are in Mexico. The defendants also paid substantial sums in attorneys fees and court costs. Such cases reveal the inherent abuses under guestworker programs, and also send the message to employers that abuses can be costly.

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Photo by Earl Dotter



OCCUPATIONAL

Safety and Health

Farm work is dangerous. The agriculture, forestry, and fishing category had the highest rate of occupational fatalities of any sector. Non-fatal injury rates also are high. The dangers include pesticide exposure, heat stress, heavy vehicles, falls from ladders, musculoskeletal injuries, asphyxiation in manure lagoons and grain storage, and gender-based violence.

Farmworker Justice carries out training and technical assistance to prevent deaths, illnesses and injuries; advocates for policies to improve workplace safety; files lawsuits to address unlawful government policies; educates the public about solutions; and supports worker organizations.

HEAT STRESS

Farmworker Justice paid particular attention to reducing heat stress-related deaths and illnesses, which are increasingly of concern due to increased temperatures related to climate change.

With the United Farm Workers and Public Citizen, FJ submitted a petition demanding that the federal Occupational Safety and Health Administration

issue a safety standard on heat stress. FJ and allies have brought public attention to the issue.

On June 21, 2018, Miguel Angel Guzman Chavez, age 24, died from heat stroke while harvesting tomatoes on a Georgia farm. He was a Mexican citizen who was brought on an H-2A visa by a labor contractor. Farmworker Justice was part of a team that investigated his death. We helped initiate government investigations that resulted in a fine and debarment of the labor contractor for his abusive and dangerous conditions. Apparently, the government took no action against the farm operator.

GRAIN WORKERS SAFETY

There have been many deaths and injuries in silos and large grain bins, which pose hazards that are too often an afterthought. Farmworker Justice and its partners prepared a series of short videos and training materials, in English and Spanish, on basic safety for workers who handle grain on farms and in storage facilities. They are available on our website, and are titled “No es en Vano Prepararse para el Grano: Seguridad Laboral para los Trabajadores del Grano.”

PESTICIDE SAFETY: IMPORTANT WINS IN COURT

Farmworker Justice co-counseled federal lawsuits on behalf of farmworker groups that reversed the Trump Administration’s effort to stop implementation of two important pesticide safety regulations that we won during the latter part of the Obama Administration.



Photo by Earl Dotter

In *PCUN v. Pruitt*, the Court ordered the EPA to implement the Certified Pesticide Applicator rule, which enhanced safety protections for people who handle and spray pesticides, and prohibited minors under age 18 from being assigned those jobs. In *Rural and Migrant Ministry v. EPA*, the court ordered the EPA improved Worker Protection Standard on pesticides (WPS) to take effect, enhancing training of farmworkers, strengthening safeguards against exposure, and prohibiting minors from being used to apply pesticides. The Administration planned new rulemaking to weaken these standards but a legislative compromise in 2019 thwarted these plans.

Farmworker Justice is a plaintiff in a long-running series of cases that seek to require the EPA to ban agricultural use of the pesticide chlorpyrifos. It is already banned for household uses primarily because it has been linked to neurodevelopmental damage in children. Responding to our demand for action, the U.S. Court of Appeals for the Ninth Circuit in *LULAC v. Wheeler*, ordered the EPA to

issue a final decision during 2019. In the meantime, FJ has helped advocates press state governments for bans.

SEXUAL HARASSMENT PREVENTION

FJ has long assisted farmworker women's groups in many ways, including by helping them devise and advocate for policy changes. FJ helped Alianza Nacional de Campesinas (National Alliance of Farmworker Women) develop their policy options on immigration, labor, and pesticide safety

In 2018, FJ and Lideres Campesinas de California, a statewide farmworker women's group, began working on training videos in three languages to help women stop and remedy sexual

harassment and violence in the workplace. The videos and accompanying training materials will be available in 2019.

Farmworker Justice is a plaintiff in a long-running series of cases that seek to require the EPA to ban agricultural use of the pesticide chlorpyrifos.

Photo by Earl Dotter





HEALTH

and Access to Health Care

To improve health and access to health care, Farmworker Justice has a long history of promoting policies and providing training and technical assistance to farmworker organizations and health providers.

Our policy recommendations on health are included in our recent publication, authored by Senior Health Policy Analyst Alexis Guild and Staff Attorney Iris Figueroa, “The Neighbors Who Feed Us: Farmworkers and Government Policy—Challenges and Solutions,” Harvard Law and Policy Review, Vol. 13-1 (Summer 2018), available online.

Farmworker Justice in collaboration with other groups, analyzed numerous proposals for changes in federal health policy, drafted comments to shape the final outcome, and helped farmworker organizations submit their own comments. Many organizations relied on FJ for its expertise regarding the Affordable Care Act, Medicaid, and other health policies and programs.

COMMUNITY MOBILIZATION: THE UNIDOS PROJECT

FJ completed a three-year project focused on prevention, detection and treatment of skin cancer, “The Unidos Initiative: Mobilizing to Eliminate Barriers to Health and Healthcare in Farmworker Communities.” Our partners were Vista Community Clinic (VCC) in north San Diego County, California and Campesinos Sin Fronteras (CSF) in Yuma, Arizona.

The project’s challenges included limited access to medical specialists such as dermatologists and oncologists.

From 2017 through 2018, VCC and CSF reached 106,220 people with skin cancer promotion/awareness education. During this time, 201 community members participated in skin cancer screenings with 46 referrals for biopsies and/or treatment.

TELEMEDICINE INITIATIVE

FJ and the Harvard Law School Center for Health Law and Policy Innovation (CHILPI) published a report, “The Promise of Telehealth: Increasing Access to Quality Healthcare in Rural America.” Rep. Raul Ruiz, MD, of California, sponsored a Congressional briefing for release of the report. Speakers included FJ, CHILPI and our community partners, Vista Community Clinic and Campesinos Sin Fronteras.

MEETING HEALTH NEEDS THROUGH COMMUNITY HEALTH CENTERS

Farmworker Justice and its partners in the Farmworker Health Network provide technical assistance and policy analysis for migrant health centers across the country. Our work helps overcome obstacles that health centers face in reaching farmworker families and barriers that farmworkers face in utilizing health centers.

Our many activities included publication and dissemination of fact sheets and brochures in English, Spanish, and Haitian Creole on health care access for farmworkers. These and other publications are available on our website’s Resource Center.



CORPORATE

Social Responsibility

Corporations that sell food are feeling consumer pressure about conditions of farmworkers in the food supply chain. Farmworker Justice and partners have seized on this opportunity with innovative approaches to enhance farmworkers' power.

FJ is a founding Board member of the Equitable Food Initiative (EFI), which has expanded its certification system to more farms and workers. Workers and managers on each farm are trained to raise and address issues constructively through a Leadership Team. Independent auditors not only confirm compliance with the extensive standards on labor, occupational safety, pesticide management and food safety, but that the Leadership Teams are operating effectively.

FJ is a founding Board member of the Equitable Food Initiative (EFI), which has expanded its certification system to more farms and workers.

FJ and the United Farm Workers have been exploring with several companies the potential for a corporate responsibility initiative in the dairy sector, which has undergone a consolidation into larger farms that increasingly have hired immigrant workers.



Photo by Earl Dotter



Photo by Earl Dotter



Photo by Earl Dotter



CONVENINGS

and Collaborations

Farmworker Justice is proud of its collaborations and coalition-building to enhance farmworkers' power and support other social justice campaigns. FJ staff spoke at numerous conferences, briefings and meetings, including:

-  Migrant Stream Health Forums
-  United Women's Organization in Visalia, California
-  National Farmworker Health Conference
-  American Occupational Health Conference of American College of Occupational and Environmental Medicine
-  Breakthrough Institute Conference on Ecomodernism
-  MAFO, a Partnership of Farmworker and Rural Organizations
-  National Farmworker Alliance
-  California Protecting Immigrant Families Campaign
-  Health Insurance Access Coalition (California)
-  Central Valley Immigrant Integration Collaborative

In 2018, FJ once again coordinated the bi-annual National Farmworker Law Conference, attended by 180 attorneys, paralegals, and outreach workers who serve farmworkers.



Photo by Earl Dotter



MEDIA

Coverage and Social Media

Farmworker Justice educates the public and policymakers through the use of traditional and social media. We inform journalists to shape articles and opinion pieces. FJ is active on Facebook and Twitter, with over 7,000 followers on each. FJ's tweets reached over 450,000 readers. Our Facebook posts reached over 440,000 readers.

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FJ staff were quoted or mentioned in over 500 news articles in 2018. A few examples of such articles follow. August 24, *Mother Jones* magazine,

“Farmworkers Are Dying from Extreme Heat.” A November syndicated article by *The Washington Post* “During California wildfires, farmworkers say they felt pressure to keep working or lose their jobs.”

The New York Times published a letter to editor by FJ's Bruce Goldstein in March, “The Plight of Farmworkers.” *The Washington Post* published a letter to editor by him in April,

“Dairy farm safety needs to improve.”

Photo by Earl Dotter





FROM THE PRESIDENT...

As the year 2018 ended, many of the achievements that farmworkers have won — and hopes for additional progress — were at great risk. Farmworker Justice must help farmworkers fight back. With your continued support, Farmworker Justice will defend farmworkers and continue creative efforts to achieve progress in the in federal agencies, in Congress, and, where it really counts, in the fields.

Bruce Goldstein

BRUCE GOLDSTEIN

Photo by Earl Dotter

FARMWORKER

- REACHING THE PUBLIC AND BUILDING MOMENTUM
- EDUCATING FARMWORKERS AND ADVOCATES
- KEEPING UP THE PRESSURE TO PROTECT FARMWORKERS FROM PESTICIDES
- RESPONSIBLY GROWN, FARMWORKER ASSURED
- ORGANIZING COALITIONS TO CREATE CHANGE
- WORKING TO IMPROVE WORKING CONDITIONS & HEALTH CARE ACCESS
- MOBILIZING FOR BETTER HEALTH
- ROOTED IN COMMUNITY
- ADVOCATING FOR PROTECTIONS
- FIGHTING FOR IMMIGRATION REFORM

JUSTICE

FINANCIAL STATEMENTS

STATEMENTS OF FINANCIAL POSITION AS OF DECEMBER 31, 2018

ASSETS

CURRENT ASSETS

	2018 Total
Cash and cash equivalents	\$ 620,335
Grants and contracts receivable	167,303
Pledges receivable	33,082
Other receivables	1,079
Prepaid expenses	17,984
Total current assets	839,783

FIXED ASSETS

Furniture and equipment	92,066
Less: Accumulated depreciation and amortization	(92,066)
Net fixed assets	-

OTHER ASSETS

Deposits	2,310
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TOTAL ASSETS **\$ 842,093**

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES

Total current liabilities **114,386**

NET ASSETS

Total net assets **727,707**

TOTAL LIABILITIES AND NET ASSETS **\$ 842,093**

STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS FOR THE YEARS ENDED DECEMBER 31, 2017

REVENUE

	2018 Total
Federal grant revenue	\$ 464,126
Grants and contributions	551,288
Litigation services	202,947
Contracts	-
Interest income	1,290
Other revenue	210
Net assets released from donor restrictions	-

Total revenue **\$ 1,219,861**

EXPENSES

Program Services:	1,089,320
Core Operations and Administrative	179,245
Fundraising	142,049

Total expenses **1,410,614**

Change in net assets **(190,753)**

Net assets at beginning of year **918,460**

NET ASSETS AT END OF YEAR **\$ 727,707**

Awardees

Los Angeles
March 2018

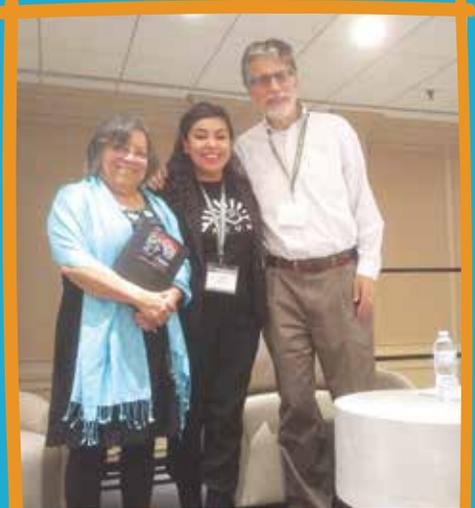


Olga Talamante, retired Executive Director of the Latina/Chicana Foundation in California and former chair of the board of the National Center for Lesbian Rights.



Suguet Lopez, Executive Director of Lideres Campesinas de California and Secretary of the Board of Directors of Alianza Nacional de Campesinas

2018 National Farmworker
Law Conference



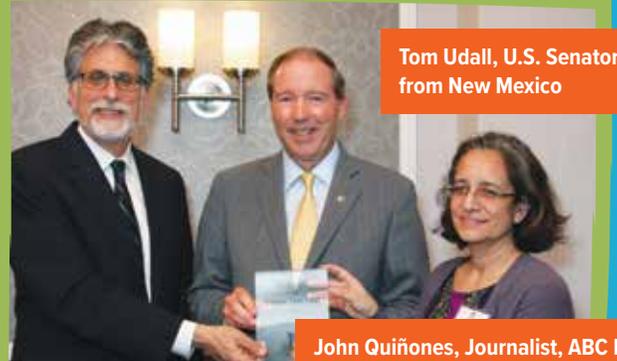
Bruce Goldstein with Reyna Lopez of PCUN and Rosalinda Guillen of Community to Community

Fall Wine & Jazz Reception



Lupe Martinez, CEO of UMOs, Secretary-Treasurer of Farmworker Justice, & Chair of the National Farmworker Alliance

Washington, D.C.
June 2018



Tom Udall, U.S. Senator from New Mexico

John Quiñones, Journalist, ABC News and Anchor of "What Would You Do?," author of "Heroes Among Us: Ordinary People, Extraordinary Choices."



Maricela Morales, Executive Director of Central Coast Alliance for a United Sustainable Economy (CAUSE).



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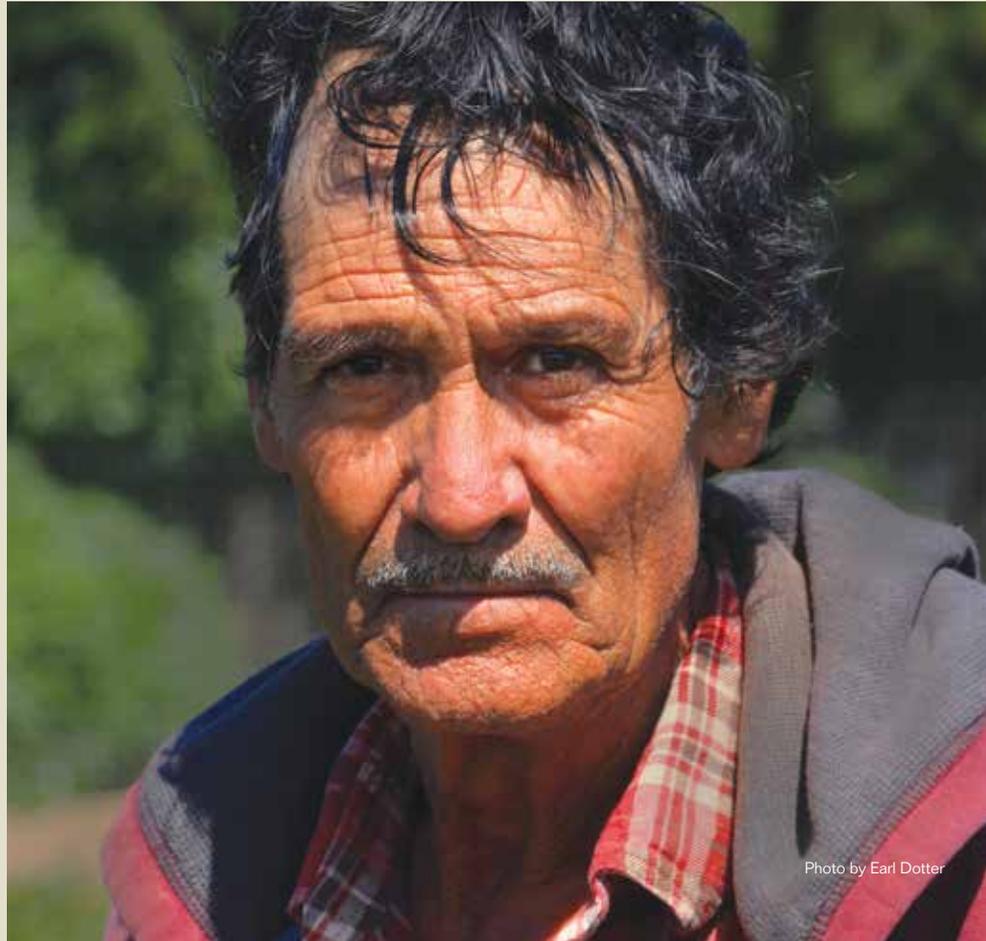


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