



# Who Works the Fields?

## The Stories of Americans Who Feed Us



*A Report by Farmworker Justice*





*When working in the fields, my day starts at 4 in the morning except for Sundays which is used to go to church, wash clothes, and stock food. By 6:15 am we need to be outside to board the bus that will take us to the field that we will be working that day. As we get close to the camp we begin to put on our caps, bandanas on our faces and head, gloves, glasses and depending on the weather rain boots and ponchos because even if it's raining and as long as there is no lightning we are working.*

*By 7 am we are already in the surcos (the small rows made by the tractor's tires) picking, cleaning with a hoe, bagging, or whatever needs to be done that day. At 9 am we get a fifteen minute break that is timed to the second. We usually use those breaks as restroom breaks since the portable toilets are placed at the ends of fields that can be miles long. Usually we are back on the bus and on the way back home by 7 or 8 pm. When we get home the first thing you want to do is shower but if you are not one of the first you might as well wait till much later because the hot water will be gone. We wash our shoes, clean the dishes we used that day, and then go to sleep.*

*All of my brothers and me are U.S. citizens. My dad is a legal permanent resident born in Guanajuato, Mexico and my mom is from Jalisco, Mexico. We go up north to Iowa, Indiana, or Minnesota to work because the area where we live is very scarce on work or pays very little, especially for people like my parents that have a very limited education. Working in the fields is very hard but it has taught a lot of lessons on life. Sometimes I want to complain so bad especially when it is raining and we are out there in the mud or when the rain has ceased and the sun comes out evaporating the rain making it so hard to breath that you think you are going to faint. Then I remember those people that work with us but do not have documents because they have to do all this too but they are made to work longer hours and get paid less than us.*

*After waiting 16 years, my mother got her resident card at the end of February of this year and is now a legal permanent resident of this country. Sadly this is not the story for many of our other family members and friends. Because my mom is now a legal resident, this year will be the first year that my mother is able to travel up north to work in the fields and help bring in some much needed income to our household. Within a week of receiving her resident card, my mother was in Austin, Texas next to me marching with La Union del Pueblo Entero (LUPE) for just immigration reform. Then in April she was in Washington D.C. advocating again with LUPE for immigration reform. My father and brothers are very supportive of my mother because as farm workers we have seen and experienced the injustices committed every day. As a family we are committed to fight for what is just and understand how important immigration reform is and will be to so many families but also to the economy of the U.S.*

Claudia  
Mission, Texas

# Introduction

This report allows some of the nation's farmworkers to tell their stories. They do so at a time when Congress is considering changes in immigration policy. The immigration status of farmworkers has been a major factor in determining the wages and working conditions of the U.S. citizens, immigrants, and "guest workers" who perform agricultural work. The American people should consider the stories of the Americans who work on our farms and ranches.

Farmworkers labor in one of the most dangerous and low-paid occupations in the nation and are excluded from many of the federal and state laws and regulations that provide basic labor protections. Our nation's farmworkers, due to their occupation, are treated differently than almost every other worker in America.<sup>1</sup> Exclusions from labor protections weaken farmworkers' bargaining power with their employers and cause high turnover in agriculture. Not surprisingly, the majority of farmworkers are immigrants.

There are some people who claim that there are no Americans who want to do farm work. That claim is not only false and counterproductive; it also does a disservice to the hundreds of thousands of U.S. workers who labor in agriculture to bring food to our tables. Although the majority of farmworkers are undocumented immigrants, there are hundreds of thousands of legally authorized U.S. workers (U.S. citizens and lawful permanent residents) in the agricultural labor force.<sup>2</sup> Moreover, the claim that there are no U.S. workers willing and able to perform agricultural work is a self-fulfilling prophecy. If we continue to mistreat farmworkers under law and in the fields, U.S. workers will leave agriculture and the only people who will accept agricultural employment will be economically desperate citizens of poor countries.

While there is no doubt that farm labor is hard work that takes skill, stamina, and dedication, U.S. workers, as this report illustrates, are able and willing to be farmworkers. Many people make a career out of agricultural work. This report is intended to allow these often invisible farmworkers to give readers an idea of their daily lives – their unyielding determination to provide for their families in the face of extraordinary challenges.

This report's focus on the vital contributions of U.S. workers to America's food supply, however, does not mean that immigration reform is unnecessary. To the contrary, the fact that the majority of farmworkers lacks authorized immigration status harms all farmworkers by making the undocumented workers fearful of deportation and the documented workers fearful of being fired and replaced by a more exploitable worker. Immigration reform that allows undocumented farmworkers – the majority of the workforce – to earn immigration status and citizenship will strengthen all farmworkers' bargaining power and increase their access to the justice system.

We hope that as you read these stories of some of America's farmworkers, you will feel compelled to take actions recommended at the end of this report to help farmworkers win a greater measure of justice.

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1 Please read Farmworker Justice's report, "Weeding Out Abuses," which chronicles a broken farm labor system that encourages lawlessness and the exploitation of farmworkers, at <http://farmworkerjustice.org/sites/default/files/documents/7.2.a.7%20weeding-out-abuses.pdf>.

2 Estimates of the number of farmworkers vary depending on the methodology, ranging from 1.8 million to 2.4 million. We assume 2.0 million farmworkers. Official government statistics indicate a rate closer to 50%, amounting to roughly 1 million documented farmworkers. See Kandel, at App. 2, p. 56. Martin, P., "Hired Farmworkers," Choices Magazine, 2d Qtr. 2012, <http://www.choicesmagazine.org/choices-magazine/theme-articles/immigration-and-agriculture/hired-farm-workers>. Even if only 30% of farmworkers are citizens or authorized immigrants, then there are 600,000 U.S. farmworkers.

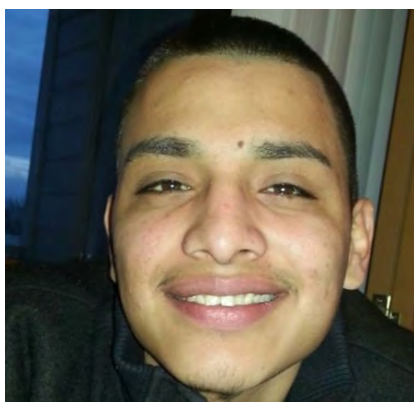
# Hard-Working American Farmworkers Value Their Jobs

## Ismael (Washington)

Ismael is a U.S. citizen from Royal City, WA. Ismael's entire family is comprised of farmworkers, including his mother, father, sisters, and brother. Ismael began working in the fields at the age of 13, when he first assisted his father in picking cherries. Today, Ismael is a full-time farmworker in Washington, where he picks cherries and thins apple trees.

As one of the fastest workers in his crew, Ismael is undoubtedly a hard worker. Typically, Ismael works 9 hours a day during which time he is able to thin approximately 250 apple trees. In order to maximize his salary and since he is paid on a piece-rate basis, meaning his wages are based on the quantity of produce he picks, Ismael does not often take breaks during his work. Ismael, who is only 20 years old, worries that he will not be able to sustain the pace of his work in the future due to the heavy toll it places on his body.

With his father's guidance and longstanding network of local agricultural employers, Ismael is hopeful that he will continue to successfully secure employment as a farmworker as he has done for the last five seasons. As someone who is fluent in English and a U.S. citizen, Ismael knows that he has other options. He chooses to work in agriculture because he enjoys farm work.



## Wendy (Wisconsin)

Wendy\* is a graduate of the University of Wisconsin-Madison, where she became increasingly interested in ways that farming can sustain communities. Shortly after graduating college, Wendy spent her first year in agriculture in Arizona as a farmworker volunteer in exchange for food and board. Through her work experiences in Arizona, she was able to secure her current employment on a small farm near Madison, Wisconsin.

Employed alongside five other farmworkers, Wendy seeds, transplants, and harvests various fruits and vegetables, including tomatoes, zucchini, carrots, beets, potatoes, and lettuce. Initially shocked about the pace of farm work, Wendy remarked that she feels a sense of urgency when working. She said that since the farmers take into account labor costs, they want their employees to work as much as possible.

Now accustomed to the strong emphasis placed on efficiency and speed in farm work, the family farm cooperative lifestyle became incredibly important for Wendy. One of Wendy's best experiences working on the farm is the daily meal she and her co-workers share with the farmer and his daughter. Wendy said that farm work really does feel like a community – she feels that they are all working together. Wendy hopes to continue her connection with the cooperative farming community.

\*She asked to remain anonymous.





## **Leodegario (Texas)**

Leodegario first started working in U.S. agriculture at the age of 15. Now 46, Leodegario has over 31 years of experience as a farmworker. For the majority of their lives, Leodegario and his wife have worked on onion, coriander, and spinach crops throughout the Southwest, including in Texas, New Mexico, and Colorado.

When harvesting onions, Leodegario is paid on a piece-rate basis. At his fastest, Leodegario can earn up to \$9.00 an hour. Despite the difficulties of farm work, Leodegario and his wife plan to work in the fields as long as they can. Leodegario explained that because he does not have an education and enjoys working in agriculture, he will be in the fields until he cannot work.

## **Antonieta (Arizona)**

Antonieta is a 38-year old with over 20 years of experience working in the fields. Antonieta, like her father, uncles, siblings and husband, is a lifelong farmworker living in San Luis. Ever since the age of 18, Antonieta has harvested lettuce crops in Arizona and California.

From 7:30 am to 6:00 pm, Antonieta bags, ties, and boxes lettuce in the fields. Paid on a piece-rate basis, Antonieta can earn up to \$11 an hour when working her fastest. The constant repetition of the work is very difficult. She said that after years of this repetitive movement, her arms are constantly in pain. When the pain in her arms became so unbearable, she visited a doctor, who said that he may recommend surgery if the pain continues. The doctor believes the injury is due to the fast pace and repetitive nature of Antonieta's work. Antonieta said that she is always in pain and her arms feel like they are dislocated. Some nights she cannot sleep because of the pain.

Despite this excruciating pain, Antonieta continues to work in the lettuce fields because her family could not survive with just her husband's paycheck. She said that as long as her family needs her, she will continue to work in the fields.

# The Working and Living Conditions of America's Farmworkers

## Larry (Florida)

Larry\*, a veteran of the U.S. army, was born into a farmworker family in Sylvester, Georgia. In 1952, his family moved to Florida where he spent the majority of his life working as a migrant farmworker. Now 60 and retired from farm work, Larry looks back fondly at the living and working conditions when he worked under a labor union contract. Larry said that he really enjoyed working in the fields. Back in the day, Larry explained that farm work was a good paying job – better than working at a restaurant.

Before serving in the army for six years, Larry picked oranges under a union contract with the United Farm Workers (UFW). When he was represented by the UFW, workers were paid for all the oranges they picked and were not deceived into working in poor yielding orchards like they were before. As a result, Larry's wages increased by approximately 10 cents to 20 cents per box of oranges. In addition, Larry and the other workers received health insurance, sick leave, and vacation time.

By the time Larry returned from his military duty in the late 1970s, Florida farmworkers were not covered by union contract. Without the union, Larry saw his wages decrease 20 cents per box of oranges picked. Unfortunately for Larry and other Florida farmworkers, wages never recovered. Larry said that he received better wages while working under the union than he did when he retired from farm work in 2005. He explained that three decades later, farmworker living and working conditions have actually gotten worse.

\*He asked to remain anonymous.

## José (Puerto Rico)

José is a 33-year old U.S. citizen, Puerto Rican farmworker. At the age of 17, José first traveled to the United States to work in agriculture. Since then, José has continuously returned as a farmworker to labor in various Southeast and Mid-Atlantic states. With the help of the Department of Labor in Puerto Rico, José has been able to secure farm work employment opportunities in Florida, Georgia, Virginia, and New Jersey.

For farmworkers like José, who invest a significant amount of money in travel costs, poor working conditions at job sites are unfortunately common. José said that water is not easily accessible when workers are in the fields, and he cannot recall ever seeing a bathroom while working. He said that there should have been at least bathrooms visible from the fields but he never saw any.

José explained that farm work is manageable when employers provide laborers with appropriate working conditions. José remarked that he has been a farmworker for many years and the work is easy. He believes that it's the employers and the harsh conditions they create that make the work very difficult. That's why José thinks there are not many people doing farm work anymore.

Undeterred by the poor living and working conditions of his employment, José values his many years of agricultural work. He said that he has had the fortune to work as a farmworker for many years and loves this type of work. José plans to continue doing farm work for many years.





## Patricia (Texas)

Patricia\*, 42, lives with her husband and three children in Rio Grande City, TX. Patricia and her entire family are U.S. citizens originally from Illinois. As migrant farmworkers, the Rodriguez family travel to Illinois, Missouri, Louisiana, and Michigan to work in corn, cherry, apple, and pear crops. Even with over 15 years of farm work experience, Patricia must travel to the Midwest to look for work. When asked about local farm work in Texas, Patricia replied that she wants to work but there isn't any farm work available where she lives.

In the summer of 2011, the Rodriguez family was contracted to work in Michigan for four months. After traveling by car for three days, the Rodriguez family arrived in Michigan where their employer gave them dilapidated housing near the fields. According to Patricia, the housing had stains throughout the carpet, filthy mattresses, blood stained couch cushions, and toilet water that had leaked on the floor.

Patricia and her family spent a considerable amount of time trying to fix the housing. Since the Rodriguez family had no money or any place else to go, they stayed in the housing provided by their employer for a week. By the time the Rodriguez family left the housing, there was no farm work available in other labor crews. Stranded in Illinois with no work and not enough money for their return trip home, the Rodriguez family struggled to obtain basic necessities for nearly a month.

With the help of a local church and a generous police officer who provided the Rodriguez family with shelter and temporary employment, Patricia and her family were able to save enough money to return home. Despite this experience, Patricia is certain she will continue to work as a farmworker and travel to the Midwest as she and her husband have done for many years.

\*She asked to remain anonymous.





## Marie (Florida)

Marie\*, 43, arrived to the United States from Haiti with her family in 2007. A Florida resident, Marie is a mother of four sons ages 18, 10, and two-year old twins. For two seasons, Marie worked for a farm labor contractor picking beans in Southwest Florida.

During the 2009-2010 bean season, Marie worked between three to nine hours a day while earning a piece rate of \$3.00 per bucket of beans picked. Unfortunately that season, poor crop yields only allowed Marie to pick five to six buckets of beans per day. As a result, Marie brought home to her family only \$15 to \$18 for a day's work.

Marie was employed by a farm labor contractor, who are notorious for wage theft and labor violations, sometimes even rising to the level of debt peonage and slavery. When asked how she was treated by the farm labor contractor, she responded, "The contractor was sometimes evil. There were times we worked all the way into the night and it was so dark you couldn't tell the beans apart – which were good and which were not. He gets so upset that he lifts buckets trying to hit us." Marie and her co-workers were not able to address her contractor's abusive behavior. "Whenever we would bring up complaints they would just say it is a lie," explained Marie.

\*She asked to remain anonymous.



## Delia (Florida)

Delia, 42, is a mother of five from Volusia County, FL. Having worked in the fields most of her life, Delia is no stranger to the occupational health and safety concerns that face farmworkers.

Delia left school by the age of 13 to work in the North Carolina tobacco fields with her family. Picking tobacco made Delia ill to the point where she constantly felt nauseous and experienced headaches and skin irritations. Delia said that as a little girl, she didn't know that the chemicals from the plant can enter her body when picking tobacco leaves.

For the last ten years, Delia has been employed as a fernery worker for various growers and farm labor contractors in Florida. Since ferneries are typically outside, a large cover is placed over the fernery to prevent plants from receiving direct sunlight. Fernery workers must labor in this enclosed environment where the lack of ventilation exposes them to high concentrations of pesticides. Delia suffers from horrible migraines, blisters, and allergies. During hot and humid Florida summers, conditions are exacerbated. Delia says that it gets so hot in the fernery she feels like she will faint.

Delia believes that better protections from occupational safety and health hazards are necessary. Of particular concern for Delia is the exposure of young children to pesticides. She has seen children as young as 8 and 10 years old work in ferneries. Because parents do not have the resources to place their children in childcare, Delia explained that many parents have little choice but to bring their children to work. Delia said that before she knew about the risks of pesticides, she also brought her children to the fernery. Now that she knows about the health risks, she does not bring her children.



## Cristobal (Florida)

Cristobal, 58, has harvested various crops including tomato, watermelon, and oranges. Having worked in Florida, South Carolina, Georgia, and Michigan over the last three decades, today Cristobal continues to labor as a farmworker and applies his wisdom and experience at the Farmworker Association of Florida (FWAF), where he is involved in farmworker leadership development activities. Through the FWAF, Cristobal developed the skills necessary to advocate for improved working and living conditions for workers. Cristobal is particularly interested in improving the treatment of elderly workers who he says are treated like animals and work in slave-like conditions.

For the last 8 years, Cristobal has worked in the orange orchards in Florida. While picking oranges from trees, Cristobal has come across bees and frogs and has even been bitten by snakes. On one occasion, Cristobal fell from a ladder while carrying an 80-pound bag of oranges. Since then Cristobal has had excruciating chronic back pain. He has no health insurance or sick leave. Despite his pain, Cristobal continues to pick oranges. When asked whether he was provided occupational safety training, Cristobal responded that he and his co-workers were only shown a video of farmworkers in California lettuce fields, far different from the safety concerns of farmworkers picking oranges on ladders.

On a typical work day, Cristobal gets paid between \$38.40 and \$48.00 for 12 hours of work. Because they are not paid the legally required minimum wage, Cristobal said he and his coworkers lose roughly \$44.00 a day, approximately half of their day's earnings.

Cristobal's story also highlights the discrimination that US workers can face when employers hire guestworkers. In his experience, the H-2A agricultural guestworkers were assigned to pick in the choice orchards with trees that bore more fruit. This discrimination in assignment enabled H-2A guestworkers to pick more fruit and as a result, earn more money than U.S. workers in the same positions.

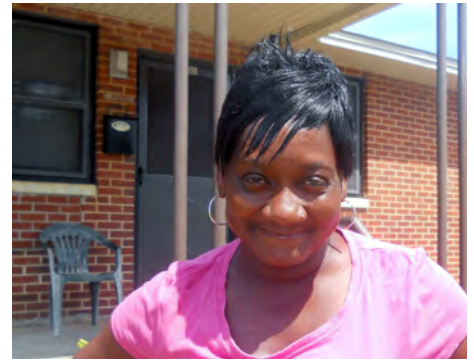
# Full and Equal Rights for Guestworkers Will Benefit U.S. Farmworkers

The H-2A agricultural worker program allows employers to hire foreign guestworkers on temporary work visas to fill seasonal agricultural jobs. In order to participate, employers must demonstrate that there is a shortage of U.S. workers. Although employers are required to hire any qualified American worker who applies, there is a history of discrimination against U.S. farmworkers. Many U.S. workers have been turned away, discouraged, or fired from jobs by H-2A employers who view guestworkers as more willing to accept onerous productivity demands for low pay and less likely to challenge unfair or illegal conduct. In fact, violations of the rights of U.S. workers and guestworkers by H-2A program employers are rampant and systemic. These stories highlight those abuses.

## Mary Jo and Kathern (Georgia)

Mary Jo and Kathern are longtime residents of Colquitt County, Georgia. For many years, Kathern drove produce from the fields to the warehouse. More recently, she has worked in the fields as well. Mary Jo learned to pick vegetables at the age of 14 and she recently became a crew leader in the area. “I love to work,” said Mary Jo.

In September 2010, both Mary Jo and Kathern were out of work. At the unemployment office, they saw an H-2A work order for zucchini picking, advertising \$9.11 per hour for 40 hours a week of work. They both signed up.



However when Mary Jo, Kathern, and their coworkers arrived at the farm at 7 am, they found that to get the advertised wage, workers must meet a production standard of nine buckets an hour. Once in the fields, Kathern and Mary Jo had a hard time making the standard, because the tractor was parked far away. After filling each bucket, they spent valuable time walking to and from the tractor to unload. Meanwhile, the tractor serving the H-2A workers was right alongside them. “They was trying to get us to quit,” said Kathern, “[but] I said, ‘we need to prove to ‘em that we at least want to work.’”

Before getting to the end of the row, at about 10:30 am, Mary Jo, Kathern, and their co-workers were told to turn in their chips - their work for the day was done. “They sent all the blacks home,” said Mary Jo, while the H-2A workers continued to work. This routine lasted three days, after which all the workers who did not meet the production standard, including Mary Jo and Kathern, were fired. After paying for transportation, Mary Jo came home with less than \$30 for three days of work.

“I’ve never been fired,” said Mary Jo. “This is the first time it’s ever happened to me.” Kathern explained, “The farmers can take advantage of the [H-2A workers] where they can’t take advantage of the Americans...because we know the laws when [they] don’t...I think it was more or less, they didn’t want the Americans out there.”





## Gilberto, Francisco, Gabriel, and Ramon (Arizona)

These four men live in the border region of San Luis, Arizona/Sonora. With more than 50 years of farm work between them, they are hardly the inexperienced Americans that some growers claim are the only alternative to H-2A workers.<sup>3</sup>

In June 2009, all four obtained jobs harvesting melons for a farm labor contractor. Every day a bus would pick them up at 1:00 am for the two and a half hour trip. Once there, they'd have to wait as long as two hours to enter the fields. Though the work ended around 3:00 pm, often the bus did not arrive for another two hours. The men said they were not paid for the time spent on the bus, nor for the time spent waiting to enter the fields.

One afternoon, a few weeks into the season, the bus did not arrive to take them home. They heard rumors that their bus had been diverted to pick up H-2A workers. Their crew was forced to walk miles in the hot desert to find the nearest phone. Finally, at around midnight, the labor contractor arrived to drive them home.

Sure enough, when reporting to work the next day, the crew was told that they had been replaced by H-2A workers. "They told us there was no work for San Luis people," said Gabriel. But why choose H-2A workers over experienced domestic residents? Gabriel explained that while the domestic workers would finish working in the early afternoon, the employer could make the H-2A workers work longer hours, through the hottest and most dangerous part of the day.

Not only had they been abandoned in the fields, but they were now jobless. Francisco explained his frustration: "I felt really bad because at that time there was not a lot of work available. I needed work...the contractor should be punished for what he did to us so it will not happen to other workers."



<sup>3</sup> For more information on the H-2A agricultural guestworker program, please see Farmworker Justice's report, "No Way to Treat a Guest," which is based on interviews with current and former H-2A workers and documents the human toll of a system meant to provide a legal and dependable workforce for American farmers, at <http://farmworkerjustice.org/sites/default/files/documents/7.2.a.6%20No%20Way%20To%20Treat%20A%20Guest%20H-2A%20Report.pdf>.

# America's Farmworkers Will Benefit from Comprehensive Immigration Reform

## Rogelio (California)

Rogelio, 64, is a husband and a father of two daughters. Throughout his 48 years of farm work experience, Rogelio, a U.S. citizen of 25 years, has worked in various California agricultural crops. For nearly 40 years, Rogelio has worked at Monterey Mushrooms. Before joining Monterey Mushrooms, Rogelio spent eight years working on strawberry, apple, cauliflower, grape, and celery crops in Watsonville, Oxnard, and Coachella, California.

A member of the United Farm Workers for over 32 years, Rogelio explained the importance of union representation for farmworkers. Since 1980, the United Farm Workers has represented farmworkers at Monterey Mushrooms. In an industry where farmworkers can wait ten years before they see an increase in wages, the union contract provides farmworkers with an annual raise. Before farmworkers had union representation, Rogelio recalled being paid a piece rate of about 40 cents per box of mushrooms. Today, a box of mushrooms is paid at a piece rate of \$2.67. Rogelio exclaimed, "It's a huge difference!" In addition to better wages, the United Farm Workers and Monterey Mushrooms agreement provides farmworkers a pension plan, medical benefits, and vacation time, as well as paid leave to attend funerals and jury duty.

These salary and employment benefits were no easy accomplishment for farmworkers. Rogelio recalled, "In the beginning it was difficult to secure these benefits. In those times, Cesar Chavez was alive and helped us negotiate our very first contract." He added, "We held a 96-day strike, organized marches, and held boycotts and picket lines. It was a very difficult process." Twenty-three years later, Rogelio continues to work to improve the working and living conditions of farmworkers as the union's representative at Monterey Mushrooms. Recently, Rogelio's commitment to the farmworker community was recognized by the White House when he was named a Champion of Change for exemplifying Cesar Chavez's core values.

In discussing the importance of immigration reform for today's farmworkers, Rogelio reflected on those he knew who legalized under the Immigration Reform and Control Act (IRCA) of 1986. He shared that the farmworkers he knew did not leave agriculture when they legalized. He explained, "If I wanted to apply to work at a factory, I would be required to have

a high school education and some English proficiency, which I don't have. I would then stay in what I was doing – agriculture." If immigration reform passes in 2013, Rogelio is confident many legalized farmworkers would remain in agriculture.

Rogelio believes that legalized farmworkers will not only stay in agriculture, but will also improve the living and working conditions of all farmworkers. He explained, "If I worked in the strawberry fields, where there is no union, the majority of farmworkers would be undocumented. The employer would realize most workers do not have papers and would give hard work for little pay because the employer knows undocumented farmworkers have no choice but to continue working. Even as a documented worker, I too would be abused in that situation."

Rogelio further explained why farmworkers deserve and need immigration reform. "Undocumented farmworkers are people who have been in the United States for ten, fifteen years. They are here with children, many of whom are in school or are now professionals. They are people who have built a life in this country and are fundamentally integrated into our culture. Of these people, the majority of them have contributed in important ways to the betterment of our nation." He concluded, "All they need is to be here legally."





## Lilia (Florida)

Lilia has worked in U.S. agriculture for more than 26 years, harvesting major crops in Florida and Tennessee. For the last five years, Lilia has been working in nurseries in Florida, where she picks the ferns commonly used in flower bouquets.

Lilia is disturbed by how common it is for employers to treat undocumented workers poorly. Lilia said that employers verbally intimidate undocumented workers and do not respect them. She thinks it is horrible how employers treat undocumented workers. Lilia remembers an undocumented co-worker who was run over by a tractor and spent three months in the hospital. The memory has stayed with her because the worker had no papers and he was not able to receive compensation for his injuries. Once released from the hospital, Lilia said that her co-worker was returned to Mexico where he died shortly after.

Lilia also said that abuse of undocumented farmworkers is not isolated to Mexican workers. In Hastings, FL, Lilia witnessed undocumented Korean farmworkers physically abused by their employer. Lilia strongly believes that immigration reform is vital for the farmworker community because immigration reform would provide workers an opportunity to protect their rights.



## Heriberta (Arizona)

Heriberta, a 47-year-old single mother of three, has been working in lettuce and strawberry crops in Arizona and California for more than 20 years. She works for farm labor contractors. Heriberta has seen firsthand how employers take advantage of vulnerable workers. Every day, Heriberta and her co-workers, half of whom are undocumented, arrive at the bus station at 2:00 am. The bus then transports the workers to a job site where they are not permitted to clock in till 6:00 am, even though they arrive at the crops a few hours early and the law requires that they be paid for their waiting time.

Heriberta feels like she and the other farmworkers replaced slaves. Heriberta said that in order to improve the living and working conditions of all farmworkers, undocumented workers must be given a pathway towards legal immigration status. While Heriberta and approximately half of her co-workers have work authorization, the undocumented workers are subject to horrible treatment. They live in constant fear of being fired and keep quiet even when consistently given the worst and most difficult work.

Once her co-workers are documented, Heriberta strongly believes that all workers will be able to defend themselves from abuse. Heriberta said that it would be great if the undocumented workers were given papers because more documented farmworkers are needed in the fields.







# Recommendations for Action to Help America's Farmworkers

Americans can help America's farmworkers.


**Support comprehensive immigration reform** that allows undocumented farmworkers and their families to earn legal immigration status and citizenship.

**Oppose legislative proposals for harsh guestworker programs** that would allow employers to displace U.S. workers and depress their wages and working conditions and would subject foreign citizens to poor wages and working conditions.

**Tell members of Congress and state legislators to reform labor laws to grant farmworkers the same rights as other workers**, including the right to join a union free from retaliation, workers' compensation for job-related injuries, overtime pay, protection under occupational safety standards, equal protections for children working in agriculture, and equal access to unemployment compensation.

**Tell Congress and the Administration that there are rampant violations of the few labor protections that apply to farmworkers** and that more resources need to be put into enforcement of the laws, which will not only help farmworkers but also law-abiding employers.





**Tell the Environmental Protection Agency and the Occupational Safety and Health Administration to end their discrimination against farmworkers in safety standards** in the workplace and to extend to farmworkers the protections that cover other workers.

**Tell Congress and the Administration to conduct more research into the impact of toxic pesticides on farmworkers,** their children and their communities.

**Support efforts of farm labor unions** to organize workers and obtain collective bargaining agreements with fair job terms.

**Support programs, such as the Equitable Food Initiative,** to create collaborations in the food industry which provide consumers with the opportunity to purchase foods produced by farmworkers under fair labor standards.



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