



# Farmworker Justice

# Annual Report

2019



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## INTRODUCTION

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*Farmworker Justice  
has been working  
for 38 years to  
empower the  
nation's  
farmworkers*

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Farmworker Justice has completed its 38th year of empowering the nation's farmworkers and their families, organizations and communities to improve their living and working conditions. This annual report highlights major activities of Farmworker Justice during the calendar year 2019.

Farmworker Justice continues to use diverse levers of power and synergistic collaborations to enable farmworkers to achieve major impact.

We all know, however, that there is much more to accomplish as farmworkers continue to face substantial barriers on many fronts in their quest for fairness and justice.

In January 2020, I completed 32 years of employment at Farmworker Justice, and May marks my 40th year as an attorney. When I joined Farmworker Justice as a staff attorney in January 1988, I knew the job was consistent with my values and career as a labor and civil rights attorney, but I did not know that I would remain with this cause and this wonderful organization for over three decades.

I thank the Board of Directors, our staff and our supporters for the privilege of serving as the leader of Farmworker Justice and for the opportunity to serve the nation's farmworkers.

Bruce Goldstein

President



## LABOR RIGHTS AND IMMIGRATION POLICY

### *POLICY MONITORING, ANALYSIS AND EDUCATION*

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*Hundreds of organizations, policymakers, journalists and individuals rely on our reporting and analysis*

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Farmworker Justice monitored and disseminated information on labor, occupational safety and immigration policy developments in Congress, the Administration and in the states regarding farmworkers. In our role as “eyes and ears” in the nation’s capital and an analyst of developments across the nation, hundreds of organizations, policymakers, journalists and individuals rely on our information.

FJ staff monitor many sources of information, including specialized publications that cover agriculture, labor and immigration; Congressional and Administration briefings; government reports; media coverage; trade association websites; academic research; and farmworker organizations’ publications.

Our reporting and analysis were disseminated through several mechanisms, including our periodic *Update* sent through our Listservs and posted on our website.

Farmworker-serving organizations, supporters, media, and others receive these messages. Farmworker Justice administers a private Listserv for all the farmworker legal services programs around the country to share information about developments on policy, litigation, and educational outreach to farmworkers in the field.

Our staff presented information at numerous conferences around the country and in meetings and conference calls with our networks and coalitions. Some of the conferences and convenings include the National Farmworker Health Conference of the National Association of Community Health Centers, MAFO, the American College of Occupational and Environmental Medicine, and the



PHOTO: BRUCE GOLDSTEIN

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*FJ has provided  
authoritative  
information about  
the Farm  
Workforce  
Modernization Act  
of 2019 and other  
legislation*

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National Farmworker Ministry. Coalitions in which we presented information include numerous groups in California, the National Hispanic Leadership Agenda, the International Labor Recruitment Working Group, and the Immigration Task Force of the Leadership Conference on Civil and Human Rights. We also coordinated a monthly conference call for legal professionals regarding the H-2A agricultural guestworker program.

Our numerous social media postings also provided links to our publications and to relevant news articles, reports and other sources regarding our priority issues. Many organizations in the farmworker, labor, health, immigration rights and Latino communities circulated our postings and publications to their networks and members.

FJ provided authoritative information about the recent compromise on farmworker immigration policy that was passed by the House Judiciary Committee, the Farm Workforce Modernization Act of 2019, HR5038, which was the product of a bipartisan compromise and negotiations among farmworker and employer representatives.

Additional [Fact Sheets](#) available on our website covered bills we supported, including the:

- *Agricultural Worker Program Act of 2019*, immigration bill by Sen. Feinstein (D-CA) and Rep. Lofgren (D-CA) that would create the “blue card program” for undocumented farmworkers and family members.
- *Fairness for Farmworkers Act of 2019* by Rep. Grijalva (D-AZ), removing discrimination against farmworkers in the Fair Labor Standards Act overtime pay and minimum wage.
- *Asunción Valdivia Heat Illness and Fatality Prevention Act* by Rep. Chu (D-CA), to reduce heat-related illnesses at work.

Our fact sheets also covered legislation we *opposed*, including the:

- *Helping Labor Personnel on Farms Act* (Rep. Collins, R-GA, concerning the H-2A program)
- *Paperwork Reduction for Farmers and H-2A Modernization Act* (Sen. Paul, R-KY and Rep. Kelly, R-MS)

- *Agricultural Guest Worker Reform Initiative*, Rep. Crawford (R-AR)
- *Better Agricultural Resources Now (BARN) Act* (Rep. Allen, R-GA)
- *Dairy and Sheep H-2A Visa Enhancement Act* (Reps. Brindisi, D-NY, and Joyce, R-PA)
- and a bipartisan, pending appropriations bill “rider” (substantive policy change) that would extend the H-2A program to year-round jobs.

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*FJ has created a comprehensive compendium of state labor and employment laws*

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FJ staff created a comprehensive, accurate, up-to-date **compendium of state labor and employment laws** applicable to farmworkers across the U.S. Issues covered are overtime, minimum wage, workers compensation, collective bargaining rights and pesticide protections in each of the states. The compendium reveals the discrimination against farmworkers in many labor laws. The information was used for a user-friendly interactive map for launch in mid-2020.

There were **major developments regarding the H-2A temporary foreign agricultural worker program**, including its rapid expansion in size and geographic scope, discussed below. As described in the Health section of this report, the DHS proposed a major change in the “public charge” regulation related to applications for immigration status.

### *ADVOCACY FOR AND AGAINST LEGISLATION*

**I**mmigration policy is crucially important to every aspect of farmworkers’ lives. The struggle continues for fair immigration policies and a path to immigration status for undocumented farmworkers and their families. Farmworkers deserve the opportunity be immigrants and citizens; they should not be forced to work in undocumented status or as mere “guestworkers” on temporary, non-immigrant work permits.



This longstanding struggle has been made more difficult as politicians scapegoat immigrants and whip up anti-immigrant sentiment, instilling fear of arrest and deportation among farmworkers and their children.

Farmworker Justice collaborated with allies to support favorable legislation and oppose harmful bills, most of which are listed above. Our activities were based on our strategic

goals and were informed by our expertise and our collaboration with farmworker organizations. Our advocacy included letters to Members of Congress and Committees, visits to Capitol Hill, building coalitions, encouraging other organizations and individuals to communicate with Congress, and garnering media coverage for our positions.

- *A MAJOR BREAKTHROUGH ON FARMWORKER IMMIGRATION LEGISLATION*

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*FJ supported the  
Agricultural  
Worker Program  
Act of 2019*

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We strongly supported the introduction of the *Agricultural Worker Program Act of 2019*, by Sen. Feinstein (D-CA) and Rep. Lofgren (D-CA) which contains a “blue card” program for undocumented farmworkers and their family members to obtain immigration status and citizenship. FJ engaged in substantial activities to oppose very harmful, anti-worker, anti-immigrant legislation that is listed above in the section on monitoring. The stalemate between these approaches helped set the foundation for a negotiation to achieve potential compromise to serve employers’ and farmworkers’ interests.

**The major development on farmworker immigration and labor policy in 2019 was the negotiation and passage in the House of Representatives of the *Farm Workforce Modernization Act, HR5038*.** The bipartisan group of cosponsors was led by Rep. Zoe Lofgren (D-CA), Chair of the Immigration Subcommittee, and Rep. Dan Newhouse (R-WA), a farmer and former director of his state’s



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*FJ was a key participant in the negotiations over the Farm Workforce Modernization Act*

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agriculture department. On December 11, the House voted 265-160 in favor of the bill.

FJ was a key participant in the intense negotiations over the bill and provided extensive support to the United Farm Workers (UFW) and other farmworker groups to develop a compromise with employer trade associations and a bipartisan group of House Members. Our knowledge of the immigration policy and the H-2A guestworker program were critically important in the development of this lengthy, complex legislation.

Because immigration policy has been such a controversial issue in Congress – particularly regarding a proposal to grant legal immigration status to undocumented farmworkers and their family members -- gaining 34 Republicans in support of this legislation was a significant development. Despite the need to make painful concessions that we would prefer not to accept, Farmworker Justice and the UFW strongly support the bill because it would help hundreds of thousands of farmworkers and family members improve their lives.

The Farm Workforce Modernization Act, which is summarized in our materials on our website, would allow undocumented farmworkers and their family members to earn legal immigration status and citizenship, revise the H-2A agricultural guestworker program, and require

agricultural employers to eventually use the e-Verify system. House members and stakeholders in the compromise will work with Senators to seek passage of the bill.



- *FEDERAL LABOR AND OCCUPATIONAL SAFETY LEGISLATION*

FJ has been deeply involved in major bills to address inequality in labor laws and occupational safety protections. The *Fairness for Farmworkers Act of 2019* (Rep. Grijalva, D-AZ) would remove discrimination against farmworkers in the Fair Labor Standards Act's



(FLSA) overtime pay and numerous detailed provisions that exclude some farmworkers from the minimum wage. (A separate bill, the *CARE Act* would remove the discriminatory provisions in the FLSA's child labor rules.)

We collaborated on the development and Capitol Hill press conference on the *Asuncion Valdivia Heat Illness and Fatality Prevention Act*, (Rep. Chu, D-CA), with Members of Congress, the UFW and Public Citizen. We also have been pressing a petition to OSHA seeking a heat stress safety standard that would adopt California's protections of shade, rest and water during times of high temperatures.

- *STATE LEGISLATION ON LABOR AND EMPLOYMENT OF FARMWORKERS*

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*We supported New York State advocates in their successful efforts to advance farmworkers' rights through new legislation*

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Farmworker Justice provided support on several state-level initiatives. FJ has for many years assisted New York State advocates, including the Rural and Migrant Ministry and the Worker Justice Center of New York, in the quest for equal labor rights for farmworkers. In May, FJ's Bruce Goldstein testified before the New York State Senate in support of the *Farmworkers Fair Labor Practices Act*. The Governor later signed a version of the bill granting NY farmworkers the right to join a union free from retaliation, a structure

for collective bargaining, a day of rest each week, and overtime pay after 60 hours in a week.

FJ provided background support to farmworkers in New Jersey as they sought, unsuccessfully, to be treated equally with other workers in a bill that will increase the minimum wage. While other workers will reach \$15 per hour by 2024, farmworkers will only reach \$12.50 per hour by that time with no guarantee of a later raise.

In a pending lawsuit in Washington State's Supreme Court, Farmworker Justice submitted an amicus curiae brief in support of the claim that the state overtime law's exclusion of farmworkers violates the state constitution. *Jose Martinez-Cuevas v. Deruyter Brothers Dairy, Inc.*

#### *ADMINISTRATIVE ADVOCACY ON LABOR AND IMMIGRATION*

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*FJ submitted comments to the public record on pending regulations and collaborated with other groups on multiple rulemaking processes*

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Federal laws often authorize federal agencies to issue regulations to develop specific policies needed to carry out the requirements of laws. Under the Administrative Procedure Act, the agencies generally are required to give the public the opportunity to comment on a proposed regulation. The agency must then consider those comments and provide a reasoned explanation, consistent with the law and facts, to justify its final regulation. The comments become part of the "administrative record." A lawsuit may be filed to challenge a regulation as a violation of the law or as "arbitrary or capricious."

Farmworker Justice collaborated with farmworker organizations and allies on several rulemaking processes by submitting comments and arranging for others to submit comments to create an administrative record to support our position and lay the foundation for a lawsuit if needed.

- *JOINT EMPLOYER LIABILITY FOR CONTINGENT-LABOR ABUSES*

The Department of Labor has proposed a major change in its approach to determining whether two or more businesses are "joint

employers” and therefore jointly responsible to comply with a worker’s rights under the Fair Labor Standards Act, which regulates the minimum wage, overtime and child labor rules.



Farmworker Justice has long advocated and litigated to ensure that the broad definition of employment relationships in the FLSA results in a finding of joint employer status when a farm operator uses a farm labor contractor. Farm labor contracting is extensive and it

is frequently the mechanism by which wage theft occurs and by which a farm operator disclaims any responsibility for the violation. In June, Farmworker Justice, on behalf of itself, the United Farm Workers and Pinos y Campesinos Unidos del Noroeste (PCUN), submitted a detailed comment opposing the proposed regulatory change due to its harmful impact on farmworkers. DOL’s harmful final regulation was issued in January 2020.

- *H-2A WAGE RATES*

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*FJ fought against efforts to lower wages for farmworkers in the H-2A guestworker program*

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Farmworker Justice for many years has fought for a fair system of wage rates under the H-2A agricultural guestworker program. The law is written to prohibit the Department of Labor from allowing employers to “adversely affect” U.S. farmworkers by bringing in foreign citizens on temporary work permits at below-market wage rates.

The National Council of Agricultural Employers, which is principally a trade association for users of the H-2A guestworker program, filed a lawsuit against the Department of Labor seeking an injunction to stop the DOL from issuing the H-2A adverse effect wage rates (AEWRs) for 2019. The AEWRs, issued by DOL for each state, increased by an average of 6% in one year to a national average of \$13.25 per hour. The NCAE argued that the methodology DOL has

used for several decades is unlawful and that the increase in the 2019 wage rates in most states would be extremely damaging to farm operators. The employers said the case was worth \$125 million in that one year alone.

Farmworker Justice, aided by the pro bono assistance of Covington & Burling, intervened in the federal lawsuit, *National Council of Agricultural Employers v. Acosta*, on behalf of the United Farm Workers and collaborated with attorneys for a group of individual farmworkers. The judge denied the motion for a preliminary injunction and dismissed the case on the grounds that the statute of limitations of six years had expired since the last time the wage methodology had been issued as a regulation. The NCAE initially appealed but has dropped the appeal.

The 2019 wage rates went into effect. For 2020, the H-2A AEWRs will again increase by 6% to an average of \$13.99 per hour. The program is expanding rapidly, with over 270,000 H-2A jobs approved in 2019.

- *PROPOSED REGULATION CHANGING THE H-2A GUESTWORKER PROGRAM*

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*FJ coordinated an in-depth legal analysis and comments opposing proposed changes to the H-2A guestworker program*

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The Department of Labor issued a proposed regulation that would make massive changes to the H-2A program. The proposal was issued under Secretary Alex Acosta, but the final rule will be decided by Secretary Eugene Scalia, who is viewed as far more partisan, pro-employer, and anti-worker. It is possible that the final rule will be even worse than the proposal. We expect it to be issued by August 2020.

FJ in consultation with allies prepared a comparison chart and fact sheet summarizing extensive, detailed changes in the proposed H-2A rule. FJ coordinated an in-depth legal analysis and comment for the administrative record that was submitted on September 24. These detailed sign-on comments were over 160 pages long with extensive exhibits. Over 40 organizations signed on. We also developed a shorter version of model comments for supporting organizations to submit, as many did.



FJ also worked with the offices of Senators Murray and Feinstein, and Rep. Scott, Chair of the House Education and Labor Committee, and Rep. Lofgren, Chair of the House Immigration Subcommittee, for their submission of comments.

We have been preparing for the need to file a lawsuit on the final rule.

## CORPORATE SOCIAL RESPONSIBILITY

### *EQUITABLE FOOD INITIATIVE*

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*The Equitable Food Initiative, which FJ co-founded, advances farmworkers' rights through the food supply chain*

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Farmworker Justice is a co-founder and active Board member of the Equitable Food Initiative (EFI), an innovative project under which produce is labeled based on a worker empowerment model; strong standards on labor, pesticides and food safety; and independent audits. More than 20,000 farmworkers in the US, Canada and Mexico are working on EFI-certified farms and more are on the way.

On each farm, a Leadership Team of workers and managers undergoes training on raising and addressing issues in constructive ways, with the goal of improving the food supply chain so that all parties share in the progress.

Three corporations that buy produce are active in the project, including Costco Wholesale, Whole Foods Markets, and Bon Appetit Management Corporation/FoodBuy. Walmart and Kroger have begun a transition into the EFI.

FJ President Bruce Goldstein serves on the EFI Board and its Executive Committee, Chairs the Finance Committee, and is on the Standards Committee. The collaboration with participating farming companies and corporations that purchase produce has been an extraordinary education about the business of agriculture that is very valuable to helping farmworkers achieve their goals. One of the important aspects of the EFI system is that immigration status is irrelevant; all workers benefit from the worker-empowerment

training and the standards. Visit [www.equitablefood.org](http://www.equitablefood.org) for more information.

- *DAIRY WORKER INITIATIVE*

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*FJ is developing a corporate responsibility initiative for the dairy sector with United Farm Workers*

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FJ and the United Farm Workers have been developing a corporate responsibility project in the dairy sector through discussions with several major corporations and dairy operators, including Costco Wholesale, Starbucks, and Producers Dairy, among others. Dairies have consolidated into larger farms that hire



immigrant workers. Job fatality and injury rates are very high on dairy farms. Violations of workers' few rights, including wage theft and sexual harassment, are rampant. Because overtime pay generally is not required, many dairy farms insist on extraordinary working hours, often 6 days a week for 12 hours a day. Our efforts have led to the dairy farmers' main trade association to issue safety manuals and recommendations but there is no system for worker involvement or empowerment and no obligation or accountability. We are hopeful that through a pilot project we will initiate a corporate responsibility initiative that will reach tens of thousands of farmworkers on dairy farms.

## OCCUPATIONAL SAFETY/PESTICIDES ADVOCACY & LITIGATION

**F**armworker Justice has worked on various fronts to oppose the Trump Administration's ongoing effort to stop the implementation of important pesticide safety regulations that we won during the latter part of the Obama Administration. FJ and

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*We successfully  
sued the EPA to  
compel the Agency  
to implement new  
farmworker safety  
provisions*

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partners won a lawsuit against the EPA in 2018 for refusing to implement the new provisions of the Worker Protection Standard and the Certified Applicator Rule.

The Trump Administration had planned new rulemaking to weaken these standards but a legislative compromise in 2019, in which FJ played a leading role, thwarted these plans. Because chemical manufacturers had a strong interest in reauthorization



of the *Pesticide Registration Improvements Act*, FJ was able to negotiate for denying the EPA the discretion to weaken or remove certain farmworker protections. The bill safeguarded key protections, such as a minimum age of 18 to apply pesticides and the right to a designated representative to access pesticide information.

FJ plays a key role in the coalition to maintain protections against pesticide spray drift onto adjacent fields, school yards and homes. We drafted comments on changes to the regulation on *application exclusion zones (AEZ)*, the one area of the WPS where the Administration is still trying to roll back protections. The final regulation may require a court challenge.

Farmworker Justice has been 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. In July 2019, EPA decided not to ban the pesticide. An appeal of that decision has been filed. FJ has also been supporting state efforts to ban chlorpyrifos in NY, CA, MD, OR and CT.

FJ is a member of the EPA *Pesticide Program Dialogue Committee*, a federal advisory committee on pesticides, where we have been vocal in our opposition to the Administration's efforts to roll back protections. FJ helps farmworker groups participate in the committee. We are also in the planning committee for the 2020 PACT

(annual national pesticide training meeting), to ensure there is more diversity of stakeholders, including farmworkers and public health professionals.

## SEXUAL VIOLENCE AND HARASSMENT PREVENTION

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*FJ and Líderes Campesinas collaborated on the film “Breaking the Silence” to address the problem of sexual violence against farmworker women*

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FJ produced the film, "Breaking the Silence," focusing on sexual violence in the fields, in collaboration with Líderes Campesinas de California (LC), a statewide farmworker women's organization. LC and FJ co-developed the script, based on real-life experiences from farmworker women. This was an exciting and meaningful collaboration with the actors who were farmworkers from communities in California. It was filmed in a strawberry field and portrays a sexual assault, as well as a later meeting of women who are helping farmworkers with information about remedying and preventing sexual violence.

The film was directed by Bel Hernandez, President/CEO of Latin Heat Media, who volunteered her time. Bel's husband Enrique Castillo, a character actor and former farmworker, volunteered to operate one of two cameras. The 8-minute video was filmed in both Spanish and Mixteco, and also is available in Spanish with English subtitles.

The film was piloted with great success in and around Ventura, CA. The film's production was funded primarily by a government grant from the federal OSHA. We are now seeking separate funding to carry out capacity-building and training using the film.

## HEALTH POLICY ADVOCACY

### *CONFRONTING THE TRUMP ADMINISTRATION'S "PUBLIC CHARGE" IMMIGRATION REGULATION*

In 2019, FJ was actively involved in the efforts to stop the Trump Administration's public charge rule and educate farmworker communities about the rule's potential impact. This immigration regulation, if allowed to take effect, would deny immigration status to many people with low incomes, regardless of their use of public benefits, and to most people who have used certain public benefits that until now were not a basis for a finding of public charge. The regulation would be devastating to many farmworkers and their family members who aspire to obtain permanent resident immigration status.

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*We have joined with other human rights organizations to lead the fight against the Trump Administration's public charge rule*

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In August, FJ published a fact sheet ([updated February 2020](#)) for farmworker advocates about the final public charge rule. As part of the Immigrant Access to Public Benefits Workgroup, based in California, FJ developed a training-of-trainers module on farmworkers and public charge. The module is part of a day-long training for community providers to provide information to communities about public charge. The module PowerPoint, along with a webinar recording, is available on the [CA Primary Care Association's Immigration Resources website](#). FJ has provided a presentation on public charge and farmworkers at a number of conferences and to community groups in California and Michigan.



FJ also is a plaintiff in a lawsuit against the Trump Administration, *La Clinica de La Raza, et. al vs. Trump*, to stop the implementation of the public charge rule. The lawsuit was filed in the Northern District of California. On October 11, the Judge issued a



partial injunction stopping the regulation from taking effect in certain geographic areas. The same day, nationwide injunctions were issued by federal judges in the Southern District of New York and the Eastern District of Washington. The judge in California ruled that FJ and the other advocacy organizations that serve immigrants were not proper plaintiffs for certain claims but we were pursuing other claims at the same time several states' attorneys general and other organizations continued their litigation. A nationwide injunction issued by a different federal court remains in effect as of this report.

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*FJ opposed funding cuts to the navigator program that conducts outreach and provides enrollment assistance to those seeking to obtain health insurance under the ACA*

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#### *ADVOCACY ON ADMINISTRATION POLICY ON PROPOSED REGULATIONS REGARDING HEALTH AND ACCESS TO HEALTH CARE*

**F**J submitted comments and helped other organizations submit comments on a number of proposed regulations related to health. These included the following:


- *ACA Outreach for Health Care Access* (Feb. 16) – The Centers for Medicare and Medicaid Services (CMS) Benefit and Payment Parameter notice is issued annually by CMS and outlines Affordable Care Act (ACA) Federal Marketplace Standards for the next plan year. Seeking to preserve outreach to farmworker communities about health care access, FJ's comments opposed the changes for 2020 in the navigator program that reduced navigator training requirements and eliminated post-enrollment assistance requirements. The final notice, published in April, did not incorporate FJ's recommendations and the proposed changes to the navigator program were finalized for the 2020 benefit year, which began January 1, 2020.
- *Non-Discrimination Requirements in the ACA* (Aug. 12, 2019/June 20, 2020) – FJ submitted comments in response to the Department of Health and Human Services (HHS) Office for Civil Rights' proposed regulation that eliminated agency civil rights protections in health programs. Section 1557 of the ACA

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*We are fighting  
against the  
Department of  
Health's efforts to  
eliminate civil  
rights protections  
in health programs*

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prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. We opposed the repeal of language access provisions and protections based on sexual orientation and gender identity. The final regulation repealed the protections.

- *DOL National Agricultural Workers Survey* (Sept. 22) – FJ submitted comments supporting the continuation of the NAWS, which has provided valuable economic and demographic data regarding farmworkers. Four organizations co-signed the comments. On Nov. 21, DOL published a notice regarding the methodology of the NAWS, which it is continuing to conduct.
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- A photograph showing a farmworker in a field. The worker is wearing a light-colored long-sleeved shirt, green pants, and a white cap. They are bent over, working with a tool in the soil. In the background, there are other workers and a small wooden structure in a field with some trees in the distance.
- *Department of State Public Charge Rule* (Nov. 8) – Department of State (DOS) issued an interim final rule on public charge to amend the Foreign Affairs Manual to align with the DHS' final public charge rule. FJ submitted comments opposing changes to the Foreign Affairs Manual, discussing the potential impact of public charge on H-2A workers, who undergo public charge determinations at U.S. Consulates. The policy is affected by the outcome of the litigation against the public charge rule discussed above.

## HEALTH PROMOTION INITIATIVES

Farmworker Justice empowers farmworkers by building capacity in their communities to mobilize to improve health and access to health care.

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*FJ created Juntos Nos Movemos, a program to combat obesity among farmworkers' children through physical activity*

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### *CHILDHOOD OBESITY IN FARMWORKER FAMILIES*

Farmworker Justice staff created and piloted a *childhood obesity training* called *Juntos Nos Movemos*. *Juntos Nos Movemos* addresses childhood obesity through a training designed for parents to promote movement and increase the frequency and variety of physical activity with their children. Farmworker Justice collaborated with the National Migrant and Seasonal Head Start Collaboration Office to develop and facilitate the curriculum, materials and training. In June, we piloted the training with Fresno Migrant and Seasonal Head Start and United Health Center. We also continued our work with the National Migrant and Seasonal Head Start Collaboration



Office to strengthen collaborations between Migrant Head Start sites and health centers in Immokalee, FL; Michigan, and New York as well as broader coalitions of service providers in Georgia and Arizona.

Additional activities, briefly noted, were:

- Published a [diabetes educational brochure](#) for farmworkers in English, Spanish and Haitian Creole (*Life of the Party: Making Healthy Choices with Diabetes*).

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*FJ partners with other organizations to provide training and technical assistance to migrant health centers*

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- Published an edition of our [Health Policy Bulletin](#), which focused on Green Tobacco Sickness, a serious problem for tobacco harvesters.
- Continued our partnerships with the Farmworker Health Network organizations, and other national organizations, such as the National LGBT Health Education Center and the National Center for Medical-Legal Partnership to provide training and technical assistance to migrant health centers. In June, we co-facilitated a medical-legal partnership with the National Center for Medical-Legal Partnership and California Rural Legal Assistance in Salinas, CA. There were approximately 70 participants representing health centers, legal services providers, local government agencies and officials, and funders.
- Presented on health topics such as diabetes, health policy, occupational and environmental health, opioids, among others, at the Western Forum for Migrant and Community Health (Feb.), National Migrant and Seasonal Head Start Association Conference (Feb.), National Conference on Agricultural Worker Health (May), Midwest Stream Forum for Agricultural Worker Health (Sept.), and the East Coast Migrant Stream Forum (Oct.)

### *MOBILIZING TO DETECT AND TREAT SKIN CANCER*

**F**J completed a three-year project called *Unidos Eliminado Barreras para la Prevención de Cáncer de la Piel* (United Eliminating Barriers to Skin Cancer Prevention), in partnership with Campesinos Sin Fronteras (CSF) in Yuma, Arizona, and Vista Community Clinic (VCC) in north San Diego County, California. *Unidos* was a community mobilization demonstration project that promoted community integration and reduction of skin cancer among farmworkers and their families. Community mobilization is a culturally competent, community-based, and community-driven strategy that brings multiple stakeholders together to build momentum around a priority

issue in specific farmworker communities. A broad spectrum of community partners collaboratively strategize, problem-solve and identify resources to bring critical information and resources to address the issue. In the case of the *Unidos* project, skin cancer prevention, screening, detection and follow up care was the initial focus of the mobilization efforts.

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. The project concluded with an additional two reports developed by FJ: *The Unidos Initiative: Mobilizing to Eliminate Barriers to Health and Healthcare in Farmworker Communities* and *The Unidos Project: A Telehealth Situational Analysis and Needs Assessment*. FJ staff shared the highlights of this important project at the annual convening in April of the Bristol-Myers Squibb Foundation Specialty Care for Vulnerable Populations initiative, the primary funder.

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*We collaborated with CHLPI at Harvard Law School and Rep. Raul Ruiz, MD (CA) to promote the expansion of telehealth services in farmworker communities*

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### TELEMEDICINE

The *Unidos* project led to FJ's collaboration with Harvard Law School's Center for Health Law and Policy Initiative (CHLPI) and Congressman Raul Ruiz, MD (CA). Rep. Ruiz hosted a Congressional briefing on the importance of community health workers (CHW's) and the need for telehealth in farmworker communities to increase access for specialized health services in a culturally appropriate manner. FJ spoke at the briefing and earlier co-wrote the 2018 report, *The Promise of Telehealth: Strategies to Increase Access to Quality Healthcare in Rural America*.





## ORGANIZATIONAL DEVELOPMENT AND OUTREACH

**F**armworker Justice has a committed, engaged Board of Directors, all of whom are volunteers in service to our mission.

Farmworker Justice expanded its outreach to current and potential funders and other supporters and widened awareness about its valuable work. Although its income contracted, FJ diversified its funding sources and has been building the foundation for greater awareness, new funding sources and future growth.



The Board of Directors earlier had prioritized establishing a greater presence in California, which is important because one-third of all farmworkers work in that state and there are extensive resources there. We now have two full-time staff in California and during the past year

have developed many new relationships that are improving our fundraising and will continue to do so over time.

### *SPECIAL EVENTS AND OUTREACH*

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*Successful Awards  
Receptions  
honored  
farmworkers'  
rights leaders and  
raised funds to  
support our work*

---

**W**e held Awards Receptions in Los Angeles in April and in Washington, D.C. in June. The Los Angeles event brought several celebrities from Hollywood who helped us honor the iconic Dolores Huerta by reading passages from her life. They included Justina Machado (Netflix – the new *One Day at a Time*); Esai Morales (*La Bamba* & *Ozark*); Dyana Ortelli (*Coco* & *La Bamba*) and Edward James Olmos. We honored the young immigration-reform activist Sophie Cruz, as well as a corporate leader and philanthropist, Jim Garrison and longtime union activist, Paul Schrade.

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*We increased our social media presence and achieved greater visibility with the help of celebrities who called on their followers to support FJ*

---

## *SOCIAL MEDIA AND CELEBRITY SUPPORT*

FJ continued to increase its following on social media, enabling us to share important developments regarding farmworkers and our work with thousands of followers.

At Thanksgiving, Eva Longoria Baston, Nicholas Gonzalez (“The Good Doctor” on ABC), and Edward James Olmos all posted our FJ graphic on social media and asked their followers to donate to Farmworker Justice. These postings raised awareness about FJ that we have never had.



## *CORPORATE SUPPORT AND COLLABORATIONS*

FJ has been expanding its relationships with corporations. Critical Role, which produces an online TV show for Dungeons and Dragons gamers, made a generous donation to FJ and circulated information on social media in October, enabling us to reach many new people.

Clif Bar & Co. made a major donation and its co-CEOs published an op-ed on immigration issues in the *San Francisco Chronicle* which mentioned FJ and then lobbied Congress in support of progressive immigration reform. They hosted a presentation for us at their headquarters in California in October.

Pacific Federal, which administers union health care plans, and is led by our honoree, Jim Garrison, is a supporter.

## *PRO BONO SERVICES TO FARMWORKER JUSTICE*

FJ has garnered substantial volunteer services. In addition to those mentioned above, these include:

- Revolution Interactive – Graphics & Website Services based in Los Angeles, led by Aaron Eng. They have done extensive work at no cost for our special events and social media. We also have hired them for particular projects, including our interactive map on state labor laws.
- The Herrera Agency - Event Publicity Services. Brenda Herrera publicized our L.A. events and even helped with the setup of the event space
- Robledo Winery – Donation of wine
- Ceja Winery – Donation of wine
- Covington & Burling – D.C.-based law firm serving as co-counsel on behalf of the UFW in recent H-2A program litigation
- Earl Dotter: Photojournalist has donated use of numerous photos of farmworkers

## CONCLUSION

There is much more to say about the amazing work of this organization and its future assistance to the nation's farmworkers, but we hope this report provides a good understanding of our impactful activities during 2019.

Bruce Goldstein  
President

## FINANCIAL STATEMENTS

### STATEMENTS OF FINANCIAL POSITION AS OF DECEMBER 31, 2019

#### ASSETS

##### CURRENT ASSETS

Cash and cash equivalents	389,753
Grants and contracts receivable	67,196
Pledges receivable	41,726
Other receivable	-
Prepaid expenses	12,972
<b>Total current assets</b>	<b>511,647</b>

##### OTHER ASSETS

Deposits	2,310
<b>Total Assets</b>	<b>\$ 513,957</b>

#### LIABILITIES AND NET ASSETS

##### CURRENT LIABILITIES

<b>Total current liabilities</b>	<b>78,845</b>
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##### NET ASSETS

<b>Total net assets</b>	<b>435,112</b>
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<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>\$ 513,957</b>
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### STATEMENTS OF ACTIVITIES AND CHANGES IN NET ASSETS FOR THE YEAR ENDED DECEMBER 31, 2019

#### REVENUE

Federal grant revenue	559,328
Grants and contributions	528,752
Litigation services	17,900
Contracts	1,500
Interest income	1,051
Other revenue	1,650
Net assets released from donor restrictions	-
<b>Total revenue</b>	<b>\$ 1,110,181</b>

#### EXPENSES

Program Services	981,472
Core Operations and Administrative	163,702
Fundraising	257,602
<b>Total Expenses</b>	<b>\$ 1,402,776</b>
<b>Change in net assets</b>	<b>(292,595)</b>
<b>Net assets at beginning of year</b>	<b>727,707</b>
<b>NET ASSETS AT END OF YEAR</b>	<b>\$ 435,112</b>

# THANK YOU TO OUR DONORS

## Foundations

Oxfam America  
Bigglesworth Family Foundation  
Rosenberg Foundation  
Southern Poverty Law Center  
The California Endowment

## Government Grants and Contracts

The Health Resources and Services Administration (HRSA)  
Occupational Safety and Health Administration (OSHA)

## Trailblazers, Innovators and Leaders of Justice

California Community Foundation  
Clif Bar Company  
David Damian Figueroa  
Davis, Joel  
Evangelina Hernandez and Roberto A. Celada  
International Union - UAW  
Marty & Dorothy Silverman Fdn.  
Pathstone Corporation  
RSF Social Finance  
Univision Communications

## Social Justice Advocates

Bruce Goldstein & Robin Talbert  
Kaiser South Bay HCPA  
Lynn Mayer  
UMOS

## Harvesters and Cultivators of Justice

Academia Cultural, Inc.  
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The Children's Partnership  
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Weingart Fdn.  
Winky Fdn.  
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Steven Crosby  
Teamsters Local Union #639  
United Mine Workers of America  
Weeun Wang

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Deborah Baldwin and Irwin Arieff  
Jodie Morgan  
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1126 16th Street NW, Suite LL-101  
Washington, DC 20036  
202.293.5420  
[connect@farmworkerjustice.org](mailto:connect@farmworkerjustice.org)

[www.farmworkerjustice.org](http://www.farmworkerjustice.org)

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