



Facts about Farmworkers

Basics

It is estimated that there are over 3 million migrant and seasonal farmworkers in the United States.¹ These farmworkers travel throughout the U.S. serving as the backbone for a multi-billion dollar agricultural industry.² Within the population, 42% have been identified as migrating, while 58% are seasonal agricultural workers. The bulleted list below provides farmworker demographic information from the 2007-2009 National Agricultural Workers Survey (NAWS) results.³

- The majority (72%) of all farmworkers were foreign born.
 - 68 percent of all farmworkers were born in Mexico
 - 45 percent were from the traditional sending states of west central Mexico, including Guanajuato, Jalisco and Michoacán
 - 20 percent of farmworkers were from the non-traditional sending states of southern Mexico, including Guerrero, Oaxaca, Chiapas, Puebla, Morelos and Veracruz
 - 3 percent of farmworkers were born in Central American countries
 - 1 percent of farmworkers was born elsewhere
- Seventy-eight percent (78%) of crop workers were male and 22% were female.
- The following was noted for English speaking ability:
 - 35 percent said they could not speak English “at all”
 - 30 percent said they could speak English “well”
 - 27 percent said they could speak English “a little”
 - 8 percent said they could speak English “somewhat”
- Farmworkers in the United States have an average age of 36.
 - 76 percent are over 25 years old
 - 13 percent are between 18 and 21
 - 9 percent are between 22 and 24
 - 3 percent are between 14 and 17
- The average level of completed education was 8th grade.
 - 40 percent had completed grades 1 to 6
 - 17 percent completed grades 7 to 9
 - 28 percent had completed grades 10 to 12
 - 9 percent attained some form of higher education

Economic Contribution

Migrant farm labor supports the 28 billion dollar fruit and vegetable industry in the U.S.⁴ In 2006, the U.S. Department of Agriculture found that of the 3 million people working in the agricultural industry, 1 million of them were hired farmworkers.⁵ Some studies have noted an increase in the farmworker population over the last decade, and the presence of farmworkers has been shown to increase the overall economic output of the regions in which they work.⁶ Eliminating the presence of farmworkers or switching to less labor-intensive crops has been shown to negatively impact productive agricultural regions and significantly reduced the number of jobs available to permanent local residents.⁷

Legal Status

The 2007-2009 NAWS survey results indicate that 48% of farmworkers do not have legal authorization to work in the United States and only 33% are U.S. citizens.⁸ This same survey also found that 26% have only been in the United States from 0 to 4 years.⁹ Because of their residency and/or mobile status, many farmworkers report experiencing prejudice and hostility in the communities in which they live and work.

When discussing legal status, it is important to remember the historic role of the immigrant agricultural worker in the United States. From 1942 to 1964, the Bracero Program allowed for over 4 million guest workers to come in from rural, poor areas in Mexico because of agricultural worker shortage in the United States.¹⁰ In 1964, the program was terminated and replaced by the H2 Temporary Guest Worker program with H2A being agricultural workers and H2B being those guest workers who do non-agricultural work.¹¹ In 2010, the U.S. Department of State granted 55,921 H2A visas.¹²

Wages and Benefits

Migrant and seasonal farmworkers represent some of the most economically disadvantaged people in the U.S.¹³ According to the 2007-2009 NAWS survey results, 23% of farmworker families had total family income levels below the national poverty guidelines.¹⁴

The same NAWS survey found that 83% of farmworkers said they were paid by the hour, 11% were paid by the piece, and 6% were salaried or had other payment methods.¹⁵ Using piece rate as a basis for payment is common in agricultural work when the crop being picked is easily weighed and measured.¹⁶ One reason employers prefer this form of payment is that workers are motivated to work faster during such a short window of seasonal crop harvesting.¹⁷

In addition to low wages, farmworkers rarely have access to worker's compensation, occupational rehabilitation, or disability compensation benefits. Because worker's compensation benefits are state-dependent, agricultural workers are often further challenged by the qualifications and requirements of each individual state. *Farmworker Justice* has compiled a [chart](#) of state-specific worker's compensation coverage limitations for agricultural workers. Within the United States and U.S. territories, 36 states are required to provide worker's compensation benefits while 17 states offer it as an option.¹⁸

Although many farmworkers fit eligibility profiles for programs such as Medicaid and the Food Stamp Program, very few are able to secure these benefits because of different state eligibility requirements. Also, there are administrative barriers to medical coverage for mobile populations and some organizations have recently focused their interest in overcoming these.^{19, 20, 21} Likewise, Social Security proves to be a difficult program to attain: only 2% of 2005 NAWS respondents claim to receive Social Security payments.²²

Recent research has demonstrated that portable health service programs such as Medicaid and WIC, currently administered at the state level, would benefit migrant families.^{23, 24} Some solutions that reports have suggested to solve the portability issue involve a multistate Medicaid card and an interstate provider network.

Housing

Although there are good examples of improving farmworker housing conditions, such as the Farmworker Housing Program in Washington,²⁵ for the most part farmworker housing is often substandard or non-existent.²⁶ A study conducted in 2008 in North Carolina found that about 89% of the migrant labor camps had more than one violation against the Migrant Housing Act of North Carolina.²⁷ This same study reported that up to 78% of residents felt they lived in a crowded living space.²⁸ Another study conducted in 2007 in the Coachella Valley of California concluded that 2% of those surveyed reported having living situations not meant for human habitation (such as the outdoors, cars, trucks, or vans parked in streets or parking lots, or inhabited converted garages). This number increased to 30% amongst respondents who were migratory farmworkers in the same area.²⁹

Over the course of the last decade, governmental agencies and nonprofit groups have become more interested in the improvement of farmworker housing conditions. The U.S. Department of Agriculture's Rural Housing Service, the U.S. Department of Labor, and the U.S. Department of Housing and Urban Development all provide housing services to farmworkers and can be contacted with farmworker housing questions.³⁰ Some of these programs include the *Farm Labor Housing Loans and Grants Program*, the *National Farmworker Jobs Housing Assistance Program* and the *Family Self-Sufficiency Program*.

Health

A study conducted in New York in 2007 found that poverty, frequent mobility, low literacy, language and cultural barriers impede farmworkers' access to social services and cost effective primary health care.³¹ The small percentage of farmworkers who do take advantage of health services are faced with further issues: limited means of transportation, prejudice because of their status as migrants, the lack of time-efficient healthcare delivery methods and the medical referral system.³²

For over 40 years, health centers have provided primary care services to migrant and seasonal farmworkers via the federal Health Center Program.³³ *Health centers are community-based and patient-directed organizations that serve populations with limited access to health care. These include low income populations, the uninsured, those with limited English proficiency, migrant and seasonal farmworkers, individuals and families experiencing homelessness, and those living in public housing.*³⁴ Health centers that are designated as migrant health centers are either public or private non-profit health care organizations that fulfill federal qualifications and receive federal funds to provide health services to farmworker patients.³⁵

In 2011 the Health and Resources Services Administration of the U.S. Department of Health and Human Services reported that the health center program provided health services to 803,933 farmworkers through 156 designated Migrant Health Centers (or grantees). According to HRSA's Health Center Data, the following are the most-utilized services and most common diagnosis by Migrant Health Centers in 2011.³⁶

Diagnosis/ Exam	Number of Visits for Diagnosis/ Service
Oral exam, dental	195,922
Diabetes	177,639
Health Supervision of Infant or Children (0-11)	168,766
Immunizations, child	166,767
Hypertension	140,255
Restorative Services, dental	116,024
Seasonal Flu Vaccine	105,310
Contraceptive Management	102,492
Fluoride Treatment, dental	90,604
Pap Test	79,059

Legislative Protection

According to the U.S. Bureau of Labor Statistics, agriculture is frequently ranked as one of the most dangerous industries in the nation.³⁷ Commonly-reported injuries involve exposure to the elements, symptoms associated with pesticide exposure in both parents and children, farm equipment injuries and heat stress. One of the biggest dichotomies with the farmworker population is that despite providing the hard work behind the foods that sustain us, they are a group that receives very few benefits and protections, especially in the face of labor laws. The following are some basic legislative protections that apply to the farmworker population:

The Fair Labor Standards Act: First enacted in 1938, the FLSA has undergone many amendments; it establishes a minimum wage, overtime pay, record-keeping and child labor standards.³⁸ We know today that overtime pay is rarely honored in agriculture and that child worker ages are set very low in the agricultural industry.³⁹

Migrant and Seasonal Agricultural Worker Protection Act: Enacted in 1983, the MSPA offers employment-related protections for farmworkers: *Every non-exempt farm labor contractor, agricultural employer, and agricultural association must:*

- *Disclose the terms and conditions of employment to each migrant worker in writing at the time of recruitment and to each seasonal worker when employment is offered, in writing if requested;*
- *Post information about worker protections at the worksite;*
- *Pay each worker the wages owed when due and provide each with an itemized statement of earnings and deductions;*
- *Ensure that housing, if provided, complies with substantive federal and state safety and health standards;*
- *Ensure that each vehicle, if transportation is provided, meets applicable federal and state safety standards and insurance requirements and that each driver be properly licensed;*
- *Comply with the terms of any working arrangement made with the workers; and*
- *Make and keep payroll records for each employee for three years.*⁴⁰

Occupational Safety and Health Act: Enacted in 1970, the Field Sanitation Standards specifies that agricultural employers with 11 or more employees who conduct hand labor operations in a field must provide: drinking water at a suitable drinking temperature, toilet and hand-washing facilities within a reasonable, accessible distance and the employee must be notified by the employer of the location of such facilities.⁴¹

Immigration and Nationality Act: The H2A portion of the Immigration and Nationality Act offers protections for H2A workers concerning: a pay rate, written notification of the work contract with beginning and end dates, the *three-fourths guarantee* (employee must guarantee employment for at least 75% of the contract period), housing will be provided at no cost to the employee, employer will also be responsible for transportation to and from work and transportation to and from their country of origin.⁴²

Title VII of The Civil Rights Act of 1964: Enacted in 1964, the basis of this act initially involved the prohibition of employment discrimination based on race, sex, color, national origin and religion. Since 1964, the act has undergone many amendments, but Title VII is significant for farmworker women. One study conducted recently in California stated that sexual harassment, sexually suggestive dialogue and inappropriate touching are commonly experienced by farmworker women.⁴³ The same study found that 24% of the women even reported sexual coercion. Supervisors would also often suggest a form of payments (either money or goods) as a means to negotiate for potential sexual favors.⁴⁴ Title VII protects employees of both sexes because of the Equal Employment Opportunity Commission's guidelines for sexual harassment. *Quid pro quo* (offering a professional benefit in exchange for sexual acts), *hostile environment* (sexual comments, suggestive physical contact or showing sexual material) and retaliation (punishment from the employer for reporting or formalizing a complaint on sexual harassment) are all protections that both male and female employees have regardless of the industry.⁴⁵

- ¹ Larson, Alice and Plascencia, Luis; Office of Minority Health. *Migrant Enumeration Study*, 1993.
- ² U.S. Department of Agriculture, Economic Research Service. *Farm Income and Costs*, 2010.
- ³ Carroll, Daniel, Georges, Annie and Saltz, Russell. *Changing Characteristics of U.S. Farm Workers: 21 Years of Findings from the National Agricultural Workers Survey* (presentation, Immigration Reform and Agriculture Conference: Implications for Farmers, Farm Workers and Communities, Washington D.C., May 12, 2011).
- ⁴ Hawkins, Daniel. *Monograph Series: Introduction*. National Center for Farmworker Health, Inc., 2001.
- ⁵ Kandel, William. *Profile of Hired Farmworkers, A 2008 Update*. Economic Research Report No. 60, U.S. Department of Agriculture, 2008.
- ⁶ Slesinger, Doris P. *Economic Impact of Migrant Workers on Wisconsin's Economy*. University of Wisconsin, 2003.
- ⁷ Ibid.
- ⁸ Carroll, Daniel, Georges, Annie and Saltz, Russell. *Changing Characteristics of U.S. Farm Workers: 21 Years of Findings from the National Agricultural Workers Survey* (presentation, Immigration Reform and Agriculture Conference: Implications for Farmers, Farm Workers and Communities, Washington D.C., May 12, 2011).
- ⁹ Ibid.
- ¹⁰ Farmworker Justice. *The Bracero Program (1942-1964)*, 2010. Available online: <http://www.fwjjustice.org/guestworker-programs/braceros>
- ¹¹ Ibid
- ¹² The U.S. Department of State, Bureau of Consular Affairs. *Visa Statistics*. 2012. Available online: http://travel.state.gov/visa/statistics/graphs/graphs_4399.html
- ¹³ Kandel, William. *Profile of Hired Farmworkers, A 2008 Update*. Economic Research Report No. 60, U.S. Department of Agriculture, 2008.
- ¹⁴ Carroll, Daniel, Georges, Annie and Saltz, Russell. *Changing Characteristics of U.S. Farm Workers: 21 Years of Findings from the National Agricultural Workers Survey* (presentation, Immigration Reform and Agriculture Conference: Implications for Farmers, Farm Workers and Communities, Washington D.C., May 12, 2011).
- ¹⁵ Ibid.
- ¹⁶ Roka, Fritz M. *Compensating Farmworkers through Piece Rates: Implications of Harvest Costs and Worker Earnings*. The University of Florida, Institute of Food and Agricultural Sciences, 2009.
- ¹⁷ Ibid.
- ¹⁸ Farmworker Justice. *State Worker's Compensation Coverage for Agricultural Workers*. 2009.
- ¹⁹ Huang, Vivian Y. *Medicaid Portability for Migrant Workers*. California Primary Care Association, 2002.
- ²⁰ The Kaiser Commission on Medicaid and the Uninsured. *Medicaid and Children: Overcoming Barriers to Enrollment*. The Henry J. Kaiser Family Foundation, 2000.
- ²¹ Arendale, Elizabeth. *Monograph Series: Medicaid and the State Children's Insurance Program*. National Center for Farmworker Health, 2001.
- ²² United States Department of Labor. *National Agricultural Workers Survey*. March 2005.
- ²³ Rosenbaum, J.D. *Medicaid Portability In The Context Of Oral Health Care For Head Start-Enrolled Children In Migrant Farmworker Families*. Maternal and Child Health Bureau, 2008.
- ²⁴ Huang, Vivian Y. *Medicaid Portability for Migrant Workers*. California Primary Care Association, 2002.
- ²⁵ Wilkerson, Juli. *Farmworker Housing in Washington State: Safe, Decent and Affordable*. The State of Washington, 2005.
- ²⁶ Vallejos, Q.M., et al. *Migrant Farmworkers' Housing Conditions across an Agricultural Season in North Carolina*. American Journal of Industrial Medicine, 2010.
- ²⁷ Ibid.
- ²⁸ Ibid.
- ²⁹ Colletti, Joe, et. al. *The County of Riverside: Coachella Valley Farm Worker Survey Final Report*. Institute for Urban Research and Development, 2007.
- ³⁰ Holden, Christopher. *Monograph Series: Housing*. National Center For Farmworker Health, 2001.
- ³¹ New York State Department of Health. *Migrant and Seasonal Farmworkers: Health Care Access and HIV/AIDS in this Population*, 2007.
- ³² California Institute for Rural Studies. *Pathways to Farmworker Health Care Case Study No. 1: The East Coachella Valley*, 2002.
- ³³ Health and Resources Services Administration, Primary Care: The Health Center Program. *What is a Health Center?* 2012. Available online: <http://bphc.hrsa.gov/about/index.html>
- ³⁴ Ibid
- ³⁵ Ibid
- ³⁶ The Health and Resources Services Administration. Primary Care: The Health Center Program. *Uniform Data System Report, 2009: Migrant Health, Selected Diagnosis and Services Rendered*, 2009. Available online: http://bphc.hrsa.gov/healthcenterdatastatistics/nationaldata/2009/SpecialPopulations/MigrantHealth/2009_migrant_diagnosesservices.html
- ³⁷ U.S. Bureau of Labor Statistics. *Census of Fatal Occupational Injuries*. U.S. Department of Labor, 2008.
- ³⁸ United States Department of Labor, Wage and Hour Division. *Fair Labor Standards Act*. Available online: <http://www.dol.gov/whd/flsa/>
- ³⁹ Migrant Legal Action Program. *Employment Issues*. 2011. www.mlapp.org.
- ⁴⁰ United States Department of Labor. *The Migrant and Seasonal Agricultural Worker Protection Act*. Available online: <http://www.dol.gov/compliance/laws/comp-msawpa.htm>
- ⁴¹ United States Department of Labor. *Occupational Safety and Health Act of 1970*. Available online: http://www.osha.gov/pls/oshaweb/owasrch.search_form?p_doc_type=oshact

⁴² United States Department of Homeland Security. *Immigration and Nationality Act*. <http://www.uscis.gov>

⁴³ Waugh, Irma Morales. *Examining the Sexual Harassment Experiences of Mexican Immigrant Farmworking Women*. *Violence Against Women*, Vol. 16, No. 3, 2010.

⁴⁴ *Ibid.*

⁴⁵ U.S. Equal Employment Opportunity Commission. *Civil Rights Act of 1964*. <http://www.eeoc.gov/laws/>