

**A WORKFORCE ACTION PLAN FOR FARM LABOR IN
CALIFORNIA:
TOWARD A MORE SUSTAINABLE FOOD SYSTEM**

**REPORT TO THE
ROOTS OF CHANGE FUND**

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THE CALIFORNIA ENDOWMENT**

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EXECUTIVE SUMMARY

Envisioning a more sustainable food system is often associated with images of a world in which family farmers using environmentally friendly farming practices are able to support themselves and contribute to vibrant rural communities, while providing all residents with access to fresh, healthy and culturally appropriate food.

Nonetheless, an essential, yet often overlooked component of a more sustainable food system is the ability to provide food system workers – the individuals that produce, harvest, process, deliver, prepare and sell our food – with safe and dignified working conditions, a decent standard of living and the right to live and work legally in this country.

Despite the fact that agricultural workers perform what is arguably the most important job in the US – producing the food that feeds us – they have historically suffered from low wages, harsh and dangerous working conditions, lack of access to health care, substandard housing and a lack of legal status in the US. These conditions are clearly not compatible with the goals of a more sustainable food system.

In order to develop a vision and strategic plan for improved farm labor conditions in California, Roots of Change and The California Endowment funded a collaborative effort to obtain direct feedback from agricultural workers and growers to develop a vision for more sustainable farm labor conditions in California and to identify short- and long-term strategies for achieving that vision.

Five grassroots organizations with diverse and longstanding ties to the agricultural community – California Rural Legal Assistance Foundation, California Institute for Rural Studies, Community Alliance with Family Farmers, the Farmworker Institute for Education and Leadership Development and Ag Innovations Network – convened a series of convenings including growers and agricultural workers in five of California’s principal agricultural regions: Monterey, Yolo, Merced, Tulare and Ventura counties.

The following report presents a synthesis of the vision and strategies for promoting a more sustainable farm labor system in California, as put forth by the convening participants.

The common vision emerging from these convenings is one of a California food system in which farmworkers are recognized as skilled professionals who are treated with respect and are fairly compensated for their vital role in supporting California’s \$32 billion agricultural economy and feeding consumers throughout California, the United States and the world. The vision is one in which farmworkers and accompanying family members are able to live and work in the United States legally and where they receive a living wage, year-round employment, access to health care and other benefits, safe working conditions and access to safe and affordable housing. Agricultural workers would be valued for their opinions and contributions and would be recognized as a valuable resource to farm operations. There would be opportunities for professional development and a career ladder for advancement and upward mobility within agriculture. Agriculture would be a career that agricultural workers’ children might aspire to.

Priority elements of this vision and strategies for achieving that include the following:

- 1. Living Wage.** A living wage was the most common priority issue raised by farmworkers in the convenings. That vision can be achieved via a combination of production and market-based strategies. Production-based strategies include more year-round employment through labor-sharing mechanisms, crop diversification, promotion of more labor intensive sustainable agricultural methods and cross-training for work in non-agricultural sectors. Market-based strategies include the promotion of fair trade labels and supplier codes of conduct providing price premiums and/or preferences for growers offering fair wages and good farm labor conditions, encouraging consumers to support farms that are unionized and policies addressing issues such as globalization and concentration that keep farmers from receiving a fair price for their product. Providing farmworkers with legal status in the US will also allow for more direct hire by growers and a reduction in low wages and other forms of abuse typically associated with farm labor contractors.
- 2. Legal status.** The ability for farmworkers to live and work in the United States legally is a fundamental aspect of a more sustainable farm labor system in the US. At a minimum, legalization would include the ability to cross borders freely, a US driver's license, unemployment insurance and future access to entitlements such as Social Security and Medi-Cal. Opportunities for long-term residence and citizenship should be included in immigration reform proposals. In the long-term, efforts to promote legal status among farmworkers should include a North (or Pan) American Union modeled along the lines of the European Union, in which all residents of North Americas would have the right to work and travel freely.
- 3. Access to health care.** Improved access to health care is an essential aspect of improved farmworker conditions. That can be achieved via a number of strategies, including tax credits for growers offering health insurance, seeking lower health insurance by pooling resources, promoting increased binational US-Mexico coverage and expanding the pool of culturally competent health care providers serving farmworkers in the US. In the long-term, universal health care should be adopted and be available to all residents, regardless of documentation status.
- 4. Worker health and safety.** Safe working conditions are a vital component of a more sustainable food system. Occupational safety and health (OSH) for farmworkers can be improved through a number of mechanisms, including increased enforcement of existing laws and regulations, improved OSH training for farmworkers, reduced use of piece rate payment mechanisms to encourage slower work, increased funding for research to improve ergonomic conditions in agriculture, canopies for heat protection, reduced use of pesticides and the elimination of class I and II pesticides.
- 5. Healthy Agricultural Communities.** Given that many farmworkers are long-term permanent residents of California, the need to promote healthy agricultural communities is strong. Strategies for doing so include increased investments in farmworker housing, the promotion of community safety, the establishment of community centers providing social services and recreational activities and promoting increased civic engagement and community organizing activities among farmworkers.

6. Reduced immigration via economic development in Mexico and Central America. Most farmworkers come to the United States out of economic necessity. Their preference is not to leave their homes, families and countries of origin. Increased economic development and the creation of meaningful employment opportunities in Mexico and Central America will stem the tide of migration and stop tearing families and communities apart. Reduced migration will also eliminate gluts in the farm labor market and will no doubt result in improved conditions as agriculture seeks to attract and retain workers. In the long-term, the elimination of NAFTA and CAFTA will contribute to healthier economies, particularly in rural and agrarian regions of Mexico and Central America, which have suffered greatly from unequal competition with US agriculture.

INTRODUCTION

Envisioning a more sustainable food system is often associated with images of a world in which family farmers using environmentally friendly farming practices are able to support themselves and contribute to vibrant rural communities, while providing all residents with access to fresh, healthy and culturally appropriate food.

Nonetheless, an essential, yet often overlooked component of a more sustainable food system is the ability to provide food system workers, i.e. the individuals that produce, harvest, process, deliver, prepare and sell our food, with safe and dignified working conditions, a decent standard of living and the right to live and work legally in this country.

Despite the fact that agricultural workers perform what is arguably the most important job in the US – producing the food that feeds us – they have historically suffered from low wages, harsh and dangerous working conditions, lack of access to health care, substandard housing and lack of legal status in the US. These conditions are clearly not compatible with the goals of a more sustainable food system.

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Five grassroots organizations with diverse and longstanding ties to the agricultural community – California Rural Legal Assistance Foundation, California Institute for Rural Studies, Community Alliance with Family Farmers, the Farmworker Institute for Education and Leadership Development and Ag Innovations Network – convened a series of convenings including growers and agricultural workers in five of California’s principal agricultural regions: Monterey, Yolo, Merced, Tulare and Ventura counties.

Each convening aimed to have ten employers and ten farmworkers. Three of the convenings included a pre-convening for agricultural workers to familiarize them with the concept of a sustainable food system and to increase their comfort discussing their vision for improved farm labor conditions in a joint setting with agricultural employers.¹ The pre-convenings were conducted in Spanish while the joint convenings included simultaneous English-Spanish interpretation, with the use of headsets to avoid interrupting the flow of conversation. An initial draft of this report was translated into Spanish and sent to all participants for feedback. The visions and strategies from the convenings were supplemented with research on past and current efforts to improve farm labor conditions, as well as interviews with individuals familiar with efforts to improve conditions for agricultural workers in California.

¹ Pre-convenings were not conducted with farmworkers in Merced and Ventura counties. A pre-convening was not conducted in Merced County because of logistical challenges, while it was not conducted in Ventura County because participating farmworkers had been active in the Ag Futures Alliance and had experience engaging in joint discussions with agricultural employers.

OVERARCHING VISION

The following sections present a synthesis of the vision and strategies for promoting a more sustainable farm labor system in California as put forth by the convening participants. Dozens of specific recommendations arose during the course of these convenings. Nonetheless, a common underlying thread is the need to change the existing mindset regarding agricultural work from that of a *job* to that of a *career*. In the same way that agriculture is considered a career for countless farmers, agronomists, pest control advisors, extension agents and others, it is essential that this perception hold true for agricultural workers as well, given their knowledge, skills and expertise in the art and science of bringing food and fiber forth from the earth. Revising our perceptions of agricultural workers from that of mere laborers to the skilled professionals that they are is an essential first step in creating opportunities for advancement and professional development, promoting more sustainable conditions for agricultural workers and promoting agriculture as a more attractive field of employment.

The vision for 2030 is therefore one of agriculture as a career that offers a living wage through higher wages and/or year-round employment, safe working conditions, access to health care, paid time off and other benefits, opportunities for professional development and relationships with employers that are based on mutual respect and a shared vision of agricultural workers as skilled professionals with much to contribute to farm operations and California's agricultural economy.

In addition to workplace conditions, another common thread emerging from these convenings is the vision of healthy and vibrant agricultural communities, safe and affordable housing, legal permission to live and work in the United States and farmworkers as active and engaged members of their communities.

SPECIFIC VISIONS AND STRATEGIES

The following sections present the specific elements of a more sustainable farm labor system and strategies for achieving that, as outlined by the convening participants. The sections are presented in general order of importance and priority. Each section provides background information regarding current conditions, a synthesis of the overall vision and short- and long-term strategies for achieving that vision. References to relevant "promising practices" are provided, in order to provide examples of concrete efforts working to improve conditions among agricultural workers.

LIVING WAGE

A living wage was the most commonly prioritized issue raised by farmworkers in the convenings. An estimated 43% of individual farmworkers and 30% of farmworker families in California earn less than \$10,000 per year, while nearly one-fifth (18%) of unaccompanied farmworkers and one-fourth (24%) of families live below the poverty line (Aguirre International 2005). Low wages are further eroded by deductions for social security and other entitlements undocumented workers will never be able to access.

Low farmworker incomes are a function of numerous factors:

- Low hourly wages or piece rate equivalents, which are associated with a surplus pool of labor from Mexico and Central America driving agricultural wages down.
- A lack of legal documentation status in the US, which impedes farmworker organizing and is associated with high rates of employment via farm labor contractors, who are associated with lower wages and fewer benefits than growers who hire farmworkers directly.
- High rates of underemployment, which are associated with the seasonal nature of agriculture.
- Globalization and consolidation of the US food system, which has resulted in increased competition, reduced prices for growers and subsequently reduced ability of growers to offer a living wage.

On a more hopeful note, growing consumer demand for food produced on farms with good labor conditions is growing, which will likely result in improved wages and benefits for farmworkers. A number of initiatives promoting improved farm labor conditions currently exist, including organizations such as the Local Fair Trade movement (<http://www.localfairtrade.org>) and the Domestic Fair Trade Working Group (www.rafiusa.org/programs/DFT.principles.12.05.pdf) promoting a domestic fair trade model in the US, certification agencies such as Food Alliance (www.foodalliance.org) whose certification criteria include farm labor conditions, institutions such as Kaiser Permanente, whose food policy promotes working collaboratively with food suppliers “to promote the health and safety of farm workers,” and public entities such as the City and County of San Francisco, whose “Sweatfree Contracting Ordinance” prohibits the purchase of food produced under “sweatshop labor” conditions. Nonetheless, this is still work to be done. Research on food-related concerns among consumers on California’s Central Coast found that farm labor conditions ranked fifth in terms of importance, below that of humane treatment of animals (Howard 2005).

Farmworker recommendations regarding a living wage ranged from approximately \$12 to \$20 per hour. The minimum cited is well above both the existing minimum wage and the increase to \$8 an hour in 2008. Most discussion of a living wage focused on providing farmworkers with a living hourly wage. Nonetheless, given high rates of under-employment among farmworkers – only 20% of whom report year round work (Aguirre International 2005) – there was also significant discussion regarding the need to increase farmworker income via more year round employment.

Strategies for increasing agricultural worker incomes fell into two principal categories: production level strategies to increase year round employment and market-based strategies for promoting higher wages. Strategies within these two broad strategies are presented separately below.

Production Level Strategies

Short-term Strategies

1. Labor-sharing strategies, promoting increased coordination among growers in order to provide constant employment based on ebbs and flows in the demand for labor on individual farms. According to this scenario, when the demand for labor in one crop ends coordination

among growers would assure farmworkers of work on neighboring farms with different crops requiring labor.

Promising practice: The Frog's Leap vineyard in Napa County has a labor-sharing arrangement with a neighboring olive grove which provides employment in December and January when there is little work in the vineyard.

Lessons learned from the Bracero program: Labor sharing works best when there is a scarcity of farm labor and growers have greater incentives to coordinate and pay for the increased costs associated with coordination. Labor sharing also works best when it involves travel on a local scale, so that workers can return home on a daily basis.

2. Creation of a database with worker skills and experience, to help growers identify workers with specific skills.
3. Promotion of labor sharing via entities such as worker-based cooperatives, Labor Planning Zones or Regional Labor Districts (operating similarly to irrigation districts) to coordinate and maximize the number of days of work available. These would ideally have both farmworkers and employers on board.
4. Promotion of cross-training to provide farmworkers with skills allowing them to work in different crops during the year.

Promising practice: The Farmworker Institute for Leadership Development (FIELD) provides cross-training for farmworkers in a Junior College setting, providing them with the opportunity for year round work, in roses during the winter and grapes during the summer.

5. Promotion of education and cross-training allowing farmworkers to work in agricultural and non-agricultural jobs during the year.
6. Increased training in basic skills such as literacy, math and English, to increase farmworker ability to obtain better jobs in agriculture or non-agricultural employment.

Promising practice: La Cooperativa Campesina is an association of six community based agencies that provide farmworkers with employment skills through ESL, GED, adult and family literacy, basic education, vocational education and employer based training.

7. Expand eligibility for federally funded job training programs to undocumented workers.
8. Promote agricultural processing and value added industries to promote more year-round employment.
9. Promote increased demand for farm labor through diversified production and winter cropping schemes.
10. Promote more labor intensive organic and sustainable agriculture as means of increasing agricultural employment. According to Britain's Soil Association (2006), organic farming provides 32% more jobs per farm than equivalent non-organic farms.
11. Promote increased direct hire by growers, with no or limited use of farm labor contractors (FLCs).
12. When FLCs are used, promote contracting with reputable, licensed farm labor contractors who pay a living wage and do not engage in abuses commonly reported among non-licensed FLCs.

Promising practice: The Napa County Winegrape Growers Association has encouraged growers to hire farmworkers through reputable FLCs, and to familiarize themselves with the labor practices of FLCs they contract with.

13. Negotiate living wages for farmworkers contracted through FLCs.
14. Promote efforts to professionalize FLCs and increase enforcement to reduce the number of non-licensed FLCs.

15. Promote increased income through farmworker ownership strategies, such as Employee Stock Ownership Plans (ESOP).
Promising practice: Swanton Berry Farms has instituted an Employee Stock Ownership Plan, through which workers have a direct stake in the farm.
16. Promote employee profit-sharing schemes on farms.
17. Promote opportunities for farmworkers to engage in independent agricultural production.
Promising practice: Sweet Home Ranch in Tulare County currently offers workers access to one acre of farmland for personal production of cash or subsistence crops.
18. Eliminate the agricultural exemption from overtime pay requirements² so farmworkers receive overtime pay after eight, not ten hours of work.

Long-term Strategies

1. Minimum wage is indexed to the cost of living.
2. Ensure that undocumented workers receive entitlements that are currently deducted from their paychecks.

Market-Based Strategies to Increase Farmworker Income

Growers in the United States received an average of 20 cents of every retail dollar spent on food in 2004, down from 41 cents in 1950 (USDA ERS 2006). Cesar Chávez himself noted the similarities between the struggles of small farmers and farmworkers. Strategies to increase farmworker wages must therefore be implemented in conjunction with efforts to increase farmer incomes.

Short-term Strategies

1. Promote a fair trade model with price premiums and preferential purchase from growers with good farm labor conditions.
2. Promote “supplier codes of conduct” demanding improved farmworker conditions including a living wage and direct hire by growers.
3. Conduct consumer education re: the importance of buying from unionized farms and growers with good labor conditions.
4. Promote the successful Coalition of Immokalee Workers (CIW) and Farm Labor Organizing Committee (FLOC) strategies of getting end buyers – not growers – to pay more for agricultural products, with the increase going directly to farmworkers.³
5. Replicate the European model of pressuring supermarkets to purchase products from farms with good labor conditions.
6. Promote tax breaks and other incentives for growers offering benefits and other positive workplace conditions.
7. Conduct a broad scale educational campaign to increase consumer awareness about the “real cost of cheap food” and the importance of supporting farmers and farmworkers. Promote a marketing campaign that says: “Farmers and Farmworkers Feed America”

² As recommended by Villarejo and Schenker (2005).

³ The Coalition of Immokalee Workers successful campaign resulted in Yum! Brands (owner of Taco Bell) paying an additional one cent per pound of tomatoes, which goes directly to farmworkers.

8. Promote “sweatshop free” ordinances that promote public procurement of food from farms with fair labor conditions.
9. Promote campaigns to increase the amount of sustainably produced food purchased by institutional buyers such as hospitals, universities, schools, corporations, processors and food service operators.

Long-term Strategies

1. Promote the inclusion of social standards in the USDA National Organic Standards, along the lines of current International Federation of Organic Agriculture Movements (IFOAM) standards.
2. Promote “triple-bottom” line accounting practices among growers, incorporating economic, environmental and social costs and benefits of agriculture.
3. Promote Country of Origin Labeling (COOL) and other measures to level the playing field and protect US growers from competition associated with globalization.

LEGAL WORKFORCE

The ability to live and work in the United States legally is at the core of a more sustainable farm labor system. An estimated 57% of all farmworkers in California are undocumented (Aguirre International 2005) and the actual number is likely higher. Lack of legal documentation is associated with a plethora of problems for farmworkers, including:

- Reluctance to advocate for improved workplace conditions due to fears of deportation.
- Increased use of farm labor contractors – who are often associated with lower wages, benefits and exploitation – among growers reluctant to hire “illegal” workers directly.
- Lack of access to health and social services available to legal residents; fears of accessing health and social services for which undocumented residents are eligible.
- Fear of civic engagement in democratic processes.
- Fear of opening bank accounts, often resulting in thefts among farmworkers carrying large amounts of cash.
- Loss of millions of dollars in social security benefits and other entitlements deducted from farmworkers’ paychecks, which they will never see.
- Inability to obtain a valid US drivers license, makes it difficult for farmworkers to obtain work that requires driving (a disadvantage to farmers and farmworkers) and putting farmworkers at the mercy of unscrupulous “raiteros” charging exorbitant rates for rides to work, shopping and other services.
- Behavioral health problems – and often accompanying alcoholism/substance abuse, which are associated with:
 - fears of raids and deportation.
 - isolation due to lack of accompanying family members in the US and ability to visit loved ones in farmworkers’ countries of origin.
 - physical and mental trauma or death associated with the dangers of crossing the border illegally.

- Increasingly high cost of paying “coyotes” to transport farmworkers and family members across the border.⁴
- Increased costs and difficulties associated with crossing the border have also resulted in more farmworkers remaining in the US during the winter, when employment is scarce. In addition to loneliness and isolation, that has led to increased poverty, hunger, isolation and depression, in turn often associated with increased alcoholism, substance abuse and domestic violence.

Strategies for promoting a legal workforce include a diverse range of approaches, from recruiting and maintaining a domestic workforce to mechanisms for obtaining legal documentation status. All approaches have the common element that working in agriculture should not be an “illegal” activity.

Short-term Strategies

1. Simplified H-2A Agricultural Worker visa process, allowing more agricultural workers to enter the US legally.
2. Earned legalization, allowing undocumented farmworkers the right to permanently remain in the US by continuing to work in agriculture.
3. Amnesty for undocumented residents and family members (similar to the 1986 Immigration Reform Control Act - IRCA).
4. Drivers’ licenses for all residents, regardless of documentation status.

Long-term Strategies

1. A North American Union model, similar to the European Union, in which residents of the US, Canada, Mexico, Central America and the Caribbean would have the right to live and work in all member countries.
2. Promoting a shift toward a settled, domestic agricultural labor force in California. This would be a product of many other strategies, including direct hire, higher wages and benefits, longer periods of work through diversification of farms, mechanization, less export orientation, etc.
3. The establishment of a long-term multi-year North American Work Visa, which would be renewable indefinitely and provide workers with coverage under all labor laws as well as access to all entitlements and benefits accruing to legal workers.

ACCESS TO HEALTH CARE

Many agricultural workers suffer from poor health, despite the fact that they constitute a largely young and physically active population. The California Agricultural Workers Health Study (Villarejo et al 2000) found particularly high rates of serum cholesterol, high blood pressure, obesity, anemia and dental problems among agricultural workers. In comparison to other Californians, farmworkers also have elevated risk of leukemia, stomach, cervical and uterine cancers (Mills and Kwong 2001). Poor health is a function of low access to health care and an inability to obtain timely and adequate treatment for health-related conditions. Nearly 70% of

⁴ Currently estimated at up to \$7,500 per person.

California farmworkers lack health insurance and one of every three male farmworkers has never been to a doctor or clinic in his life (Villarejo et al 2000).

Lack of access to health care is a complicated issue, requiring creative solutions. Many farmworkers choose not to enroll in workplace sponsored health insurance plans unless 100% of the premium is covered. At the same time, only 20% of the migrant and seasonal farmworker population seeks care at the 135 migrant health clinics in California. Reasons for not accessing care at these clinics are complex and are a function of traditional health-seeking behaviors, fears of high charges, perceived lack of respect for farmworkers at clinics and fears of incurring “public charge” status which may jeopardize future efforts to obtain citizenship. The lack of translators – especially for the growing indigenous population, many of whom do not speak Spanish – is an additional issue affecting access to culturally appropriate care. Lack of timely and appropriate access to health care services often results in delayed treatment for minor conditions, which may later turn into more serious, chronic conditions, with long-term impacts for farmworker health and high costs for health care systems.

Most participants identified a comprehensive approach, such as universal health care as the most sustainable means of increasing access to health care. Nonetheless, numerous recommendations for improving access to health care within the existing system were offered as well.

Short-term Strategies

1. Promotion of health insurance through the provision of tax credits to growers. One example is the (unsuccessful) United Farm Workers and California Medical Association proposal to repeal the sales tax exemption on tractors – estimated at approximately \$80 million per year – and using those funds to provide tax credits for agricultural employers offering health insurance to their workers and paying 75% of the premium.
2. Increased access to health insurance through the formation of groups of agricultural employers who can obtain lower health insurance and Workers’ Compensation rates based on larger numbers of participants.
Promising practice: The Ventura County Ag Futures Alliance Agricultural Health Cooperative has a four-pronged effort to promote improved access to health care for farmworkers, consisting of: (1) promoting the adoption of workplace wellness policies and procedures; (2) health education; (3) access to health insurance; and (4) on-site health services. They have been promoting increased access to health insurance by seeking group rates for the Western Growers Association “Clínicas Plan,” which provides basic health care coverage for \$44 per month. They have been seeking additional incentives for growers to provide insurance and are trying to get a Workers’ Compensation provider to offer a 5% discount for growers offering health insurance. The Fresno Healthy Communities Access Partners (HCAP) Farmworker Insurance Project is seeking a similar insurance product for farmworkers in Fresno County, which they hope to have operational by September 2007.
3. Promote increase participation of farmworkers and families in Medi-Cal, Healthy Families and similar programs through increased outreach, relaxed eligibility requirements and expanded coverage (i.e., expanding Healthy Families coverage to parents as well as children).

4. Increase access to health care by educating farmworkers and family members about the US health care system, including the importance of health insurance, where they can obtain health services, the costs of obtaining health care at different types of sites, types of insurance for which documented and undocumented individuals and their dependents may be eligible, health care options such as Medical Savings Accounts and programs that do and do not have “public charge” implications.
5. Promotion of binational health coverage through improved coordination with health care providers serving farmworkers in both the US and Mexico, including the Instituto Mexicano de Seguro Social (IMSS), Seguro Popular, Medi-Cal and Healthy Families.
6. Improved access to preventive health care through on-farm health education and primary care screenings.
Promising practice: A number of farms allow health care providers to conduct screenings with farmworkers through health fairs that are conducted on site at the farm. Many growers also allow other health and social service providers to provide on-site preventive health education and referrals for social services. Many agricultural employers pay for employee time participating in those types of outreach.
7. Promotion of increased cultural and linguistic competence of health care providers serving mestizo and indigenous farmworkers, through cultural competence trainings for existing health care providers, increased efforts to train Latino and indigenous residents in health care fields, a streamlined immigration process for Mexican and Central American health care providers, and increased funding for the training and hiring of certified medical interpreters in both Spanish and indigenous languages.
8. Promotion of improved “customer relations” skills among receptionists and other clinic front line staff, whom farmworkers often feel are condescending and a deterrent to seeking health-related services.
9. Improved health care delivery for farmworkers through improved access to health records.
Promising practice: MiVIA is an Internet-based Personal Health Record system for migrant workers. Farmworkers have a personal code that only they know. They enter their code when seeking health care, allowing them to control access to their health-related information while allowing providers anywhere to access their health records and provide care based on complete and up to date information.
10. Increased enforcement to ensure that Workers’ Compensation benefits are offered to workers with injuries stemming from farm work.
11. Establish State Workers’ Compensation presumption for workers with back injuries in order to recognize injuries caused by years of stoop labor, heavy lifting, etc.
12. Improved behavioral health for farmworkers through expanded and culturally competent behavioral health care and efforts such as free or subsidized phone cards, which allow farmworkers to be in more frequent communication with family members in their countries of origin.

Long-term Strategies

1. Universal health care.
2. Allow Medicare payments for farmworkers that have returned to Mexico.
3. Merge Workers’ Compensation Insurance and health insurance programs to reduce duplicative costs.

OCCUPATIONAL SAFETY AND HEALTH

Agriculture is the most dangerous occupation in the United States, with 32.5 fatalities per 100,000 workers in 2005 (US Bureau of Labor Statistics 2006).⁵ Occupational hazards include pesticide exposure, accidents and injuries associated with stoop labor, heavy lifting, farm vehicles, heavy machinery, repetitive stress, falls from ladders, poor field sanitation and heat illness or death, among others. The National Agricultural Worker Survey (Aguirre International 2005) reports that one of every four California farmworkers suffers from at least one musculoskeletal problem.

Despite the hazards inherent in agricultural labor, there are strategies for promoting improved health and safety. For example, a Central Valley grower shared that he prunes his orchards to no more than nine feet in order for his workers to carry lighter ladders, which makes production safer and more efficient because it is lighter and faster. Many sustainable growers employ integrated pest management techniques to reduce the pesticides and pesticide exposure. The convening participants offered numerous examples of ways to minimize the negative impacts of farm labor on the bodies and psyches of agricultural workers.

Short-term Strategies

1. Enhanced enforcement of regulations governing agricultural health and safety through increased numbers of field inspectors working with the California Occupational Safety and Health program (Cal/OSHA), County Agricultural Commissioners and the Department of Labor Standards Enforcement.⁶
2. Creation of an independent public oversight review board for Cal/OSHA.
3. Increased and consistent inspections and enforcement of laws governing the provision of tools, safety gear, forced early re-entry to a sprayed field/operation, workplace discrimination, breaks, clean bathrooms, adequate water, etc.
4. Occupational safety and health enforcement should be conducted by inspectors that do not provide advance notice, similar to restaurant inspectors.
5. Improved training for farmworkers regarding pesticides, ergonomics and other occupational health and safety issues.
6. Increased training for farmworkers in the US and Mexico/Central America regarding legal rights and how to seek recourse for labor law violations.
Promising practice: The Center for Migrant Rights in Zacatecas, Mexico teaches future immigrants about US labor laws and how to seek redress for grievances. The course is offered in Mexico, where people are less fearful about attending such courses.⁷
7. Promotion of hourly wages to reduce accidents and injuries associated with rushing to earn more under piece rate systems.
8. Promotion of more breaks and rest periods.
9. Lower the height of trees to reduce falls from ladders.

⁵ Figures include agriculture, forestry, fishing and hunting.

⁶ As recommended by Villarejo and Schenker (2005).

⁷ Fears of attending such trainings in the US increased after the 2005 arrest of 48 immigrants in North Carolina, who thought they were attending an OSHA safety training class, which was in fact an immigration sting.

Promising practice: Based on USDA research, Sweet Home Ranch, which grows stone fruit in Tulare County, has reduced the height of trees to reduce accidents associated with falls from ladders. In addition to reducing accidents and associated costs, that has increased worker productivity by reducing the amount of time spent carrying and climbing ladders.

10. Conduct periodic audits in which farm records are reviewed to examine pesticide use and determine if tolerable amounts were used.
11. Establish pesticide drift buffers based on “drift catchers” measuring the extent of pesticide drift.
12. Modify pesticide drift regulations, to require notification of workers on neighboring fields of pesticide applications (current regulations only require notification of workers on the farm being sprayed).

Promising practice: The “Spray Safe” program in Kern County is a voluntary program through which farmers notify the County Agricultural Commissioner’s office about upcoming pesticide applications. The Agricultural Commissioner’s office notifies neighboring farmers who can then make informed decisions to protect the health of their workers.

13. Promote incentives for growers adopting practices promoting improved occupational health and safety.

Promising practice: The Rural Coalition is currently working with Workers’ Compensation insurance carriers to offer reduced rates to growers participating in culturally appropriate health and safety trainings offered through Líderes Campesinas.

Promising practice: The Foster and Parker Insurance Company in Madera is seeking ways to offer Workers’ Compensation discounts (of 5-25%) for organic growers. Discounts are based on reduced claim rates among organic growers because of a lack of pesticide applications. They have also found reduced claims on diversified farms offering year-round employment, which they believe is due to a higher frequency of health and safety trainings among permanent employees.

Promising practice: The California Association of Winegrape Growers has reached an agreement to offer a discount on liability insurance for members with sustainable practices, based on reduced pesticide applications.

14. Promotion of reduced musculoskeletal injury through mechanisms including stretches and warm-ups, training on how to lift heavy items, instituting a 50 pound limit on what farmworkers are required to lift or carry by themselves, requiring teamwork for carrying items above 50 pounds and implementing height standards for crops that are close to the ground.

Promising practice: A number vineyards in Napa County have reduced the weight of picking tubs during the harvest to 50 pounds, based on University of California research demonstrating that “reducing the weight of the picking tub...to below 50 pounds resulted in a five-fold reduction in [winegrape harvest] workers’ postseason musculoskeletal symptom scores, without significant reductions in productivity” (Myers et al 2006).

15. Limit handweeding on organic farms to a maximum of two hours per day.
16. Increased funding for university-based agricultural ergonomic research.
17. Increased taxes on pesticides to encourage less use.
18. Eliminate the use of more toxic (Class I and II) pesticides.
19. More vigilance over and moderation in the use of sulfur on organic farms.
20. Canopies for heat protection.

21. Cushioned mats or protectors for people working on their knees.
22. Lunch and breaks in locations with shade and water.
23. Physical exams for workers twice a year.
24. Encourage managers and foremen to work alongside workers in order to better understand health and safety issues.
25. Promote training in CPR/first aid for all managers and foremen.
26. Institute and enforce fair grievance procedures re: injury complaints.
27. Provide educational programs for workers regarding the dangers and risks of alcohol and other substance abuse when working in agriculture.
28. Promote safety incentive programs to reduce accidents and injuries, such as bonuses for workers and crews with no accidents/injuries.⁸
29. Provide annual pesticide training for all farmworkers.

Long-term Strategies

1. Establishment of a private, market-based system to screen farm operations to ensure they comply with health and safety regulations.

RELATIONSHIPS BASED ON RESPECT

Of the many visions and strategies proposed during these convenings, the promotion of relationships between agricultural employers and farmworkers that are based on respect is one of the most immediate and low-cost changes that can occur. Research with farmworkers on farms with positive labor practices (Strochlic and Hamerschlag 2005) found that most agricultural workers value respectful treatment even more highly than wages. Respect can be manifested in a variety of ways, including courteous communication styles, informal conversations between growers and farmworkers and shared decision-making processes.

Short-term Strategies

1. Educate growers about the importance of direct communication with workers (including FLC crews).
2. Promote regular meetings between growers and workers to discuss production, personnel and other related matters.
3. Promote increased efforts to identify employee needs, including surveys, meetings and suggestion boxes.
4. Provide management training for growers and foremen on conflict resolution and respectful communication styles.

Promising practice: The University of California Agricultural Labor Management Program and the Farmworker Institute for Education and Leadership Development (FIELD) provide training for farmers, managers and farmworkers on topics including effective communication styles, effective leadership and conflict resolution. FIELD also facilitates team-building

⁸ Incentive plans such as this must be implemented with caution lest they result in under-reporting of accidents and injuries.

exercises to improve relations between farmers, farm managers, supervisors and field workers.

5. Promote increased opportunities for increased social interactions between growers and farmworkers, including informal chats and end of harvest celebrations.
6. Create more programs to teach growers Spanish and farmworkers English. Provide indigenous farmworkers with opportunities to learn both Spanish and English.
7. Promote cultural exchange opportunities for growers to visit Mexico and Central America, to become more familiar with farmworkers' places and origin and meet their families. Research conducted by Cornell University (Berry 2006) found that agricultural employers' top three obstacles were "language, cross-cultural understanding and immigration issues."

Promising practice: Universities including Cornell and the University of Wisconsin have organized trips for growers to visit their workers' home towns in Mexico and Central America. Those efforts have improved grower-worker relations by providing growers with a better understanding of their employees' lives.

Long-term Strategies

1. Direct hire relationships between workers and growers, with limited use of labor contractors and foremen.
2. Elimination of unlicensed FLCs.
3. Public events that build unity between growers and workers on mutually beneficial agendas such as immigration reform.

HEALTHY AGRICULTURAL COMMUNITIES

Although farmworkers come to the US to work, their lives here do not exist in a vacuum. They live in many California communities, rent or own homes, buy food and seek health, education, and other services for themselves and their family members. In addition to work-related issues, the convenings elicited a number of proposals for improving the general well-being and quality of life of farmworkers and their family members. Issues in that regard included better housing conditions, safe communities, improved diet and nutrition, improved quality of family relationships and more recreational opportunities for adults and children.

Access to safe, decent and affordable housing is a particularly challenging issue for farmworkers. Almost half (48%) of the dwellings occupied by farmworkers in California are overcrowded, while one fourth (25%) are extremely overcrowded (Villarejo et al 2000). Many farmworkers live in housing irregular structures such as garages and tool sheds "not intended for human habitation," 17% of which lack plumbing, food preparation facilities, or both" (Villarejo and Schenker 2006). Villarejo and Schenker (2006) note that there are numerous links between health and substandard housing, including: "gastro-intestinal illnesses associated with the lack of a refrigerator and significantly elevated levels of anxiety and depression associated with poor living conditions. Large numbers of unrelated immigrant workers residing together is a risk factor for the spread of infectious diseases...."

Substandard housing conditions are a function of numerous factors, including the high price of housing in California, limited vacancies in agricultural communities, farmworker fears of

advocating for improved housing conditions and insufficient housing to meet short-term demand during peak agricultural periods.

The convenings elicited a number of recommendations for improving farmworker well-being and quality of life. These are presented separately below in terms of housing and environment/recreation.

Healthy Communities: Housing

Short-term Strategies

1. Replicate successful elements of Napa County's efforts to improve farmworker housing in other regions, including a per acre grower self-assessment to fund farmworker housing and amending the General Plan to allow agricultural landowners to use parcels of 2 acres or more for the construction of farmworker housing.
2. Replicate successful elements of the Ventura County Ag Futures Alliance's efforts to improve farmworker housing, including the formation of a Farmworker Housing Task Force at the county level, the formation of Farmworker Housing Support Coalitions in each local jurisdiction and a local bond measure to construct farmworker housing.
Promising Practice: The Ventura County Ag Futures Alliance "House Farm Workers!" project has facilitated the development of 357 farm worker housing units throughout Ventura County (underway, being planned or are under consideration).
3. Encourage growers to provide free farmworker housing or to tie rental rates to the amount of work available, such that rents would be lower during slow agricultural periods when farmworker incomes are lower.
4. Support a new state low-income housing bond measure for agricultural worker housing for unaccompanied men and families.
5. With the passage of SB 1802, support the development of new on-farm group quarters of up to 36 beds without a conditional use permit.
6. Promote the development of more public labor camps and other short-term housing options for migrant workers during peak agricultural periods.
Promising practice: The California Human Development Corporation (CHDC) has developed a prototype model for portable farmworker housing, consisting of trailers sleeping six people that can be transported on flat-bed trucks. The trailers can be moved based on demand and require only hook-ups similar to those found in trailer and recreational vehicle parks.
7. Encourage growers to play an active role in helping farmworkers obtain adequate housing.
Promising practice: In addition to free or subsidized on-farm housing, many California growers actively work to ensure adequate housing for farmworkers through bonuses that can be used for down payments on houses or for housing renovations, loans for security deposits or emergency rental assistance and reserving rooms in labor camps for migrant workers.
8. Educate tenants regarding housing rights and help them organize to advocate for improved housing conditions.
Promising practice: The Salinas-based Center for Community Advocacy (CCA) trains community members living in housing complexes with large populations of farmworkers to organize tenants to advocate for improved housing conditions.

9. Increase nonprofit and public sector funds for emergency housing assistance, particularly during the winter when many farmworkers have little or no work but are unable to return to Mexico due to heightened border restrictions.

Long-term Strategies

1. Reform the Migrant and Seasonal Agricultural Worker Protection Act to reduce grower liability associated with on-farm housing.
2. Expand eligibility for Section 8 housing assistance to undocumented farmworkers, or implement a program similar to Section 8 for farmworkers.
3. Enforce existing state laws requiring county General Plans to include provisions for adequate farmworker housing.
4. Create a low-interest loan program to rehabilitate housing for farmworkers living in urban areas, to avoid creating more sprawl on prime farmland.

Healthy Communities: Environment and Recreation

Short-term Strategies

1. Support the creation of community centers in farmworker communities providing services including health education, exercise classes, youth activities, English classes and referrals to social services.
2. Promote community safety through improved outdoor lighting, traffic signals and the establishment of community safety committees.

PLANNING FOR THE FUTURE

Many farmworkers come to US planning to work, save money and return to their countries of origin in several years. Nonetheless, the reality is that once here, many farmworkers become established through marriage, purchasing homes and the birth of children and grandchildren. While these life cycle events makes it difficult to return home, many farmworkers live with “one foot in the US and one in Mexico,” making few or no long-term preparations, such as retirement or higher education for their children. It is important to help farmworkers better prepare for long-term residence in the US.

Short-term Strategies

1. Educate farmworkers about the likelihood that they will remain the US long-term.
2. Promote improved English skills.
3. Promote the establishment of banks accounts and credit.
4. Educate farmworkers about the importance of saving even small amounts and provide with assistance in making long-term investments.
5. Work with Community Credit Unions to conduct outreach with farmworker populations.
6. Encourage dual citizenship.

CIVIC ENGAGEMENT

Many of the farmworkers participating in the convenings – including long-term permanent residents – discussed not feeling a part of the communities in which they live. Participants offered a diverse range of reasons for that – some felt these are issues inherent to all immigrants while others cited racism, classism, xenophobia and a lack of documentation status. Conversely, others cited a lack of responsibility on the part of farmworkers, noting that many do not make sufficient efforts to successfully integrate themselves into the fabric of their communities. Resolving these issues will in part depend on providing farmworkers and their family members with legal status in the US, however, other strategies will also be necessary, as noted below.

Short-term Strategies

1. Support rural Latino leadership programs.
2. Promote representation of farmworkers on local and regional boards, such as city councils, school boards, etc.
3. Ensure the availability of interpreters (including volunteers, if necessary) at city council, school board and other public meetings.
4. Promote increased farmworker participation in local decision-making processes through outreach, forums and other forms of organizing and education.
Promising practice: The Salinas-based Citizenship Project helps farmworkers and other Latinos on the Central Coast become US citizens and promotes more active civic engagement in their communities.
5. Support programs to provide farmworkers with the skills to advocate for improved conditions in their communities.
Promising practice: The California Endowment's *Poder Popular* initiative organizes farmworkers to advocate for improved health conditions in their communities.
6. Promote programs to increase home ownership among farmworkers, which will make them more invested members of their communities.
7. Construct mixed housing developments including low-income and market rate housing, in order to better integrate farmworkers into their communities.
8. Map the power structure of agricultural communities to provide farmworkers with a better understanding of how decisions are made and how to best advocate for change.

Long-term Strategies

1. Conduct citizenship drives to create more voters and more political involvement in communities with large numbers of farmworkers.

EXPANDED OPPORTUNITIES IN MEXICO AND CENTRAL AMERICA

The vast majority of farmworkers come to the US as “economic refugees,” forced to leave their homes and communities due to a lack of economic opportunities and subsequent inability to support themselves and their families. The importance of migrating to the US can be seen in the amount of remittances sent to families in Mexico, which totaled a record \$16.6 billion in 2004 (Villareal 2005), nearly three times the \$5.8 billion sent in 1999 (Migration News 2002).

Debates around immigration have largely focused on whether or not to allow immigrants to work in the US and how to control the flow of immigration. Nonetheless, there has been little discussion regarding to address this problem at its root, i.e., the lack of economic opportunities that force immigrants to the US in the first place.

Just as the European Union has explicitly recognized economic development as an important means of reducing the flow of migration from the global south (while recognizing that “well managed migration is of benefit to both” regions) (Joint Declaration 2006), the US must give serious consideration to promoting real economic development in Mexico and Central America, in order to reduce the flow of migration and obviate the need for walls along our southern border. The need for economic development is particularly important in the rural areas of Mexico and Central American, which are major sending regions, witnessed by the fact that an estimated 42 percent of remittances in 2002 went to places in Mexico with less than 2,500 residents (Migration News 2002).

Short-term Strategies

1. Work with Hometown Associations of Mexican immigrants in the US to promote income-generating projects in Mexico.
2. Encourage Mexican citizens to register to vote in Mexican elections (which they can now do from the US) in order to elect representatives that will institute progressive economic changes.

Long-term Strategies

1. Encourage US policies promoting economic development and the creation of meaningful livelihoods for residents of Mexico and Central America.

CONCLUSIONS

Current farm labor conditions in California are clearly unsustainable and task of addressing this is large. This report presents a first step in defining a vision for more sustainable farm labor conditions, as expressed by both agricultural workers and growers – and for presenting a road map for getting there. The common vision emerging from these convenings is one of a California food system in which farmworkers are recognized as skilled professionals who are treated with respect and are fairly compensated for the vital role they play – not only in supporting California’s \$32 billion agricultural economy (CDFA 2007) – but in growing and harvesting the food that feeds consumers throughout California, the United States and the world.

The emerging vision is one in which farmworkers and accompanying family members can live and work in the United States openly and legally, where they receive a living wage and have access to year-round employment, health care and other benefits, safe working conditions and safe and affordable housing. In this vision, agricultural workers would be valued for their knowledge and expertise and would be recognized as a valuable resource to the farm operations

that employ them. There would have access to opportunities for professional development and a career ladder for advancement and upward mobility within agriculture.

The previous sections outline numerous recommendations for achieving this vision. The following are priority recommendations for doing so, based on feedback from the convenings as well as the team members' own experiences.

1. **Living Wage.** A living wage was the most common issue raised by farmworkers in the convenings. Recommendations for achieving that vision include a combination of production and market-based strategies. Production-based strategies include more year-round employment through labor-sharing mechanisms, crop diversification, promotion of more labor intensive sustainable agricultural methods and cross-training for work in agricultural and non-agricultural sectors. Market-based strategies include the promotion of fair trade and supplier codes of conduct providing price premiums and/or preferences for growers providing good farm labor conditions, encouraging consumers to support farms that are unionized or otherwise provide good conditions and policies addressing issues such as globalization and concentration that prevent farmers from receiving a fair price for their product. Providing farmworkers with legal status in the US will ultimately allow for more direct hire by growers and a reduction in low wages and other forms of abuse often associated with farm labor contractors.
2. **Legal status.** The ability for farmworkers to live and work in the United States legally is a fundamental aspect of a more sustainable farm labor system. At a minimum, legalization would include the ability to cross borders freely, a US driver's license, unemployment insurance and access to entitlements such as Social Security and Medi-Cal. Opportunities for long-term residence and citizenship would be included in immigration reform proposals. Long-term efforts to promote legal status among farmworkers could include a "North American Union" modeled on the European Union, in which all residents of the US, Canada, Mexico, Central America and the Caribbean would have the right to live and work in all member countries.
3. **Access to health care.** Improved access to health care is an essential component of improved farmworker conditions. Strategies for achieving that include tax credits for growers offering health insurance, lower health insurance rates through group plans, increased binational coverage and expanding the pool of culturally competent health care providers serving farmworkers. In the long-term, universal health should be made available to all residents, regardless of documentation status.
4. **Worker health and safety.** Safe working conditions are also an essential aspect of a more sustainable food system. Mechanisms to increase occupational safety and health (OSH) among farmworkers include increased enforcement of existing OSH laws and regulations, improved OSH training for farmworkers, reduced use of pesticides and the elimination of class I and II pesticides, canopies for heat protection, reduced use of piece rate to promote slower work and fewer injuries and increased funding for ergonomic research.

5. **Healthy Agricultural Communities.** Given that many farmworkers are long-term permanent residents of California, the need to promote healthy agricultural communities is strong. Strategies for doing so include increased investments in farmworker housing, the establishment of community centers providing social services, adult education and youth activities, promoting community safety, the promotion of increased civic engagement and community organizing activities to help farmworkers advocate for improved conditions.

6. **Economic development in Mexico and Central America.** Most farmworkers come to the United States as economic refugees and have expressed a strong preference to not be forced to leave their homes, families and communities. Increased economic development and the creation of meaningful employment opportunities in Mexico and Central America will stem the tide of migration and reduce the need to separate families and communities. Reduced migration will also eliminate an oversupply of farm labor, thereby resulting in improved conditions for agricultural workers. In the long-term, the elimination of NAFTA and CAFTA will contribute to healthier economies, particularly in the rural regions of Mexico and Central America, which are major sending regions.

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