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## CHAPTER 5

# LABOR RELATIONS IN CALIFORNIA AGRICULTURE

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### Introduction

Agriculture is the only industry in California in which the major issue at the dawn of the 21<sup>st</sup> century are the same as they were at the dawn of the 20<sup>th</sup> century, viz., what is the proper role of federal and state regulation of wages and working conditions in a labor market staffed largely by immigrant workers with few other U.S. job options? Farm labor was a public policy concern in 1900 because agriculture was the state's largest employer (Daniel 1981); farm labor is a public policy concern in 2000 because agriculture is the port of entry for many immigrants from Latin America. These newcomers, many with little education, receive wages, benefits, and career prospects that are universally acknowledged to be near the bottom of the California job ladder.

The general effect of 20<sup>th</sup> century farm labor policies was to first increase the farm labor supply, usually via immigration, and then, in response to lagging farm wages and benefits, to develop farm worker assistance programs to offset some of the poverty and lack of opportunity associated with low wages and poverty for migrant and seasonal farm workers and their children. In 1999, federal and state governments spent about \$1 billion on special educational, health, housing, and training services for farm workers and their children, equivalent to about one-sixth of the earnings of the target workers.

### Farm Labor History

California has had large and specialized farms dependent on migrant and seasonal workers since it became a state in 1849. The two most important dates in early California agricultural history were 1869, when the transcontinental railroad was completed, lowering transportation costs and encouraging crop production that required seasonal workers, and 1882, when the state's fledgling labor-intensive agriculture was challenged by the Chinese Exclusion Act. Farmers realized that paying seasonal workers only when they worked reduced labor costs and raised land values.

There was widespread resistance to a system of large and specialized farms dependent on migrant workers, and stopping Chinese immigration was expected to force the break up of large farms, since it was thought that Americans and European immigrants would be unwilling to be seasonal farm workers. However, farmers turned to waves of other immigrants and migrants willing to accommodate to seasonality because they had few other U.S. job options. These groups consisted of Japanese in the 1890s and early 1900s, Mexicans in the 1920s, Dust Bowl migrants in the 1930s, and Mexicans since the 1940s.

Federal farm labor policy almost changed in the 1930s. Farm workers were excluded from both the National Labor Relations Act of 1935 and the Fair Labor Standards Act of 1938, but a series of books and reports in 1939-40 set the stage for applying federal labor laws to at least the largest U.S. farms. The

U.S. Senate's Education and Labor Committee subcommittee chaired by Robert LaFollette (R - WI) provided a detailed picture of how farmers and their banking and processing allies were able to prevent the unionization of farm workers, and John Steinbeck's novel, *The Grapes of Wrath*, added an emotional touch to the calls of farm labor reformers.

Instead of farm labor reforms, World War II gave farmers the labor shortage argument they needed to win permission to recruit Mexican workers, laying the groundwork for contemporary Mexico-U.S. migration. Under a series of so-called Bracero (strong arm) programs that began as a wartime emergency in 1942, between one and two million Mexicans gained experience working on U.S. farms.

As with many guest worker programs, the number of Braceros got larger, and the program lasted longer than expected. Admissions peaked in the mid-1950s, when almost 500,000 Braceros were admitted each year. Over the objections of farmers and the Mexican government, the Bracero program was ended unilaterally by the U.S. in 1964, amid predictions that U.S. fruit and vegetable prices would skyrocket and that the non-farm U.S. workers employed to transport and process the commodities harvested by Braceros would be left jobless as labor-intensive crop production shifted to Mexico.

Predictions about how agriculture would adjust to the end of Mexican Braceros proved to be false. Instead of shifting to Mexico, fruit and vegetable production rose with higher incomes and more health-conscious Americans, and mechanization reduced the need for hand workers in many commodities. The absence of newly arrived workers without other U.S. job options enable the fledgling United Farm Workers (UFW) union to win a 40 percent wage increase for some table grape pickers in 1966.

Farm wages rose rapidly between 1965 and 1980, as the extension of labor laws to agriculture, union activities, and relatively few newly arrived immigrants led to a construction-style labor market in parts of California agriculture, marked by high hourly and weekly earnings when seasonal work was available, and maximum unemployment insurance payments when it was not.<sup>1</sup> The UFW, seeing the hiring halls of the construction and maritime industries as models, wanted to be the major organizing device in the farm labor market, operating hiring halls at which workers would register to be deployed from farm to farm. Worker seniority and benefits would be tied to the union hiring hall, not to the farm on which a seasonal worker happened to be employed.

The UFW's high water mark came in 1973, when it claimed 180 contracts covering 40,000 farm jobs and 67,000 members. As farmers became convinced they would have to have a farm workers union, many expressed a preference for the Teamsters; farmers could switch their union representative without elections since there was no federal or state law regulating elections and bargaining in agriculture. This changed on August 28, 1975, when California's Agricultural Labor Relations Act went into effect. The UFW won most of the 450 elections held in the last four months of 1975, but when the UFW called a strike in 1979 in support of a demand for a 40 percent wage increase, growers learned that they could get commodities harvested by turning to farm labor contractors and custom harvesters, many of whom hired unauthorized workers. Other vegetable employers signed agreements that included the wage increases sought by the UFW, but then went out of business. After the Mexican peso was devalued in 1982, the number of unauthorized migrants in the farm work force increased rapidly, and the number of UFW contracts fell to less than 20.

The UFW hoped that the Immigration Reform and Control Act of 1986 would usher in a new era in farm labor. The UFW was active in helping unauthorized workers to become legal immigrants, assuming that assistance for legalization would translate into support for the UFW and a willingness to press for higher wages. Many unauthorized foreigners were legalized in 1987-88 - 550,000 in California - but illegal immigration continued at high levels, and California experienced a recession in the early 1990s, so that the farm labor market was often described as "flooded," and there were more cases of wage and benefit cuts than increases. (Martin and Taylor 1990; Commission on Agricultural Workers 1992). Instead of voicing the need for change via the UFW, most legalized farm workers exited the farm work force for non-farm jobs. They were replaced by newly arrived and often unauthorized workers, so that, in 1996-98, an estimated 52 percent of California crop workers were believed to be unauthorized.

**Table 1** U.S. and California Farm and Non-farm Hourly Earnings: 1962-98

Average Hourly Earnings (\$/hour)

<b>United States</b>	1962	1965	1968	1971	1974	1977	1980	1983	1986	1989	1992	1995	1998
All hired farm workers	1.01	1.14	1.44	1.73	2.25	2.87	3.66	4.11	4.70	5.36	6.08	6.54	7.47
Nonfarm Production Workers	2.39	2.46	2.85	3.45	4.24	5.25	6.66	8.02	8.76	9.66	10.57	11.43	12.78
US Ratio: Farm to nonfarm	0.42	0.46	0.51	0.50	0.53	0.55	0.55	0.51	0.54	0.55	0.58	0.57	0.58
Percentage Change: Farm		13%	26%	20%	30%	28%	28%	12%	14%	14%	13%	8%	14%
Percentage Change: Nonfarm		3%	16%	21%	23%	24%	27%	20%	9%	10%	9%	8%	12%

**California**

All hired farm workers	1.27	1.42	1.67	1.97	2.78	3.53	4.51	4.85	5.64	6.39	6.41	6.83	7.71
Nonfarm Manufacturing Workers	2.79	3.05	3.44	4.02	4.76	6.00	7.70	9.52	10.36	11.16	12.19	12.55	13.66
CA Ratio: Farm to nonfarm	0.46	0.47	0.49	0.49	0.58	0.59	0.59	0.51	0.54	0.57	0.53	0.54	0.56
Percentage Change: Farm		12%	18%	18%	41%	27%	28%	8%	16%	13%	0%	7%	13%
Percentage Change: Nonfarm		9%	13%	17%	18%	26%	28%	24%	9%	8%	9%	3%	9%

US Ratio: Farm to nonfarm	0.42	0.46	0.51	0.50	0.53	0.55	0.55	0.51	0.54	0.55	0.58	0.57	0.58
CA Ratio: Farm to nonfarm	0.46	0.47	0.49	0.49	0.58	0.59	0.59	0.51	0.54	0.57	0.53	0.54	0.56

CA to US Farm Earnings Ratio	1.26	1.25	1.16	1.14	1.24	1.23	1.23	1.18	1.20	1.19	1.05	1.04	1.03
CA to US Nonfarm Earnings	1.17	1.24	1.21	1.17	1.12	1.14	1.16	1.19	1.18	1.16	1.15	1.10	1.07

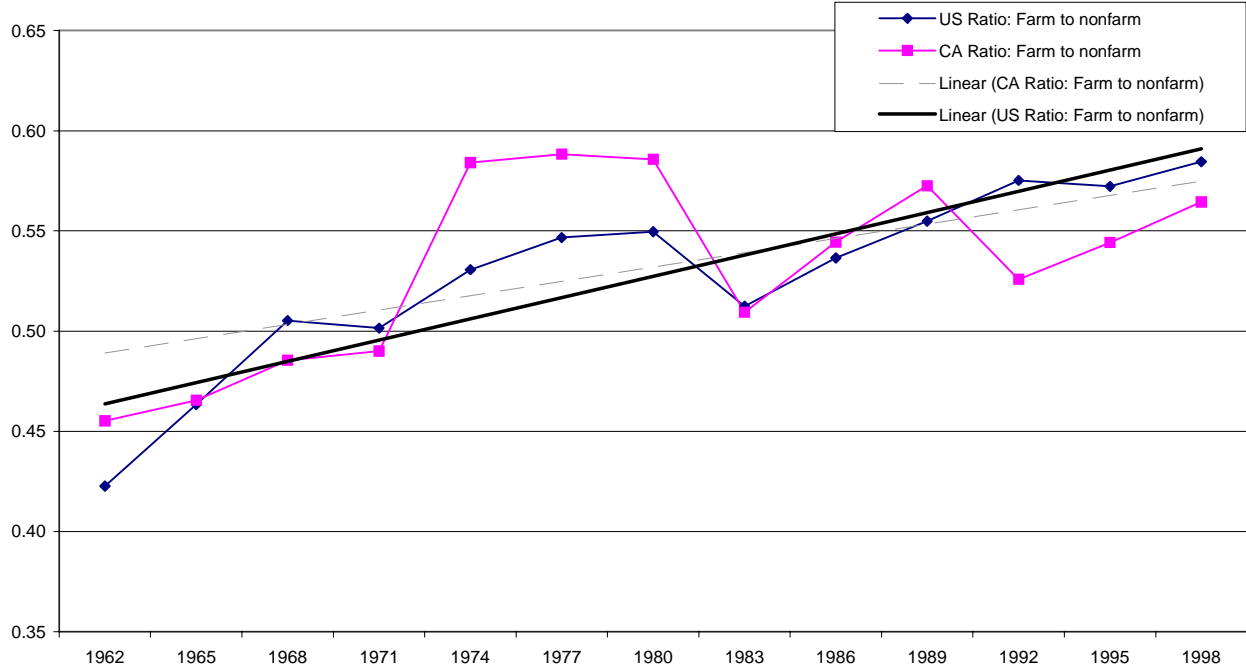
Sources: Nonfarm-- US Bureau of Labor Statistics, [www.bls.gov/webapps/legacy/cesbtab3.htm](http://www.bls.gov/webapps/legacy/cesbtab3.htm) and [www.bls.gov/top20.html](http://www.bls.gov/top20.html)

US farm earnings: 1962-1971 from USDA, NASS, 1991, p 94. Average wages for hired workers paid hourly wages only

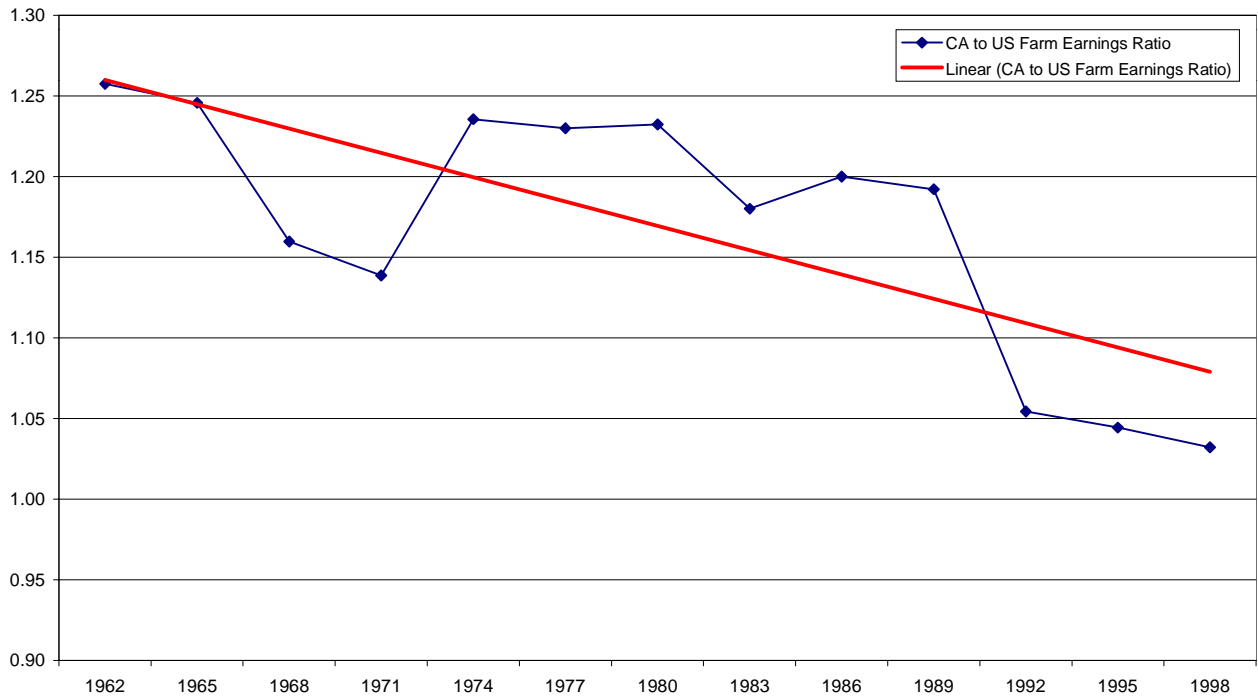
1974-1980 from USDA, NASS, p 100, Average hourly earnings for all hired workers

1980-1998, from USDA, NASS, Farm Labor (Quarterly) <http://usda.mannlib.cornell.edu/>

**Figure 1 Ratio of CA and US Farm to Nonfarm Hourly Earnings: 1962-98**



**Figure 2 Ratio of Average Hourly Earnings of all Hired CA and US Farm Workers: 1962-98**



## FVH Agriculture

Most U.S. and California farms are family operations, owned and operated by a farmer and family members. Many family farms produce crops and livestock, ensuring that there is some work to be done year-round. However, the farming subsector that accounted for half of California's \$27 billion in farm sales in 1998 is different. So-called FVH farms that produce labor-intensive fruit and nut crops, vegetables and melons, and horticultural specialties such as flowers and nursery products usually rely on hired workers to do over 90 percent of the farm's work.<sup>2</sup> California produces about 44 percent of the U.S.' FVH crops, and hires 40 percent of U.S. farm workers.

Most farm employers, even in California, are relatively small; their inclusion in regularly published data obscures the concentration of production and employment on the largest farms. In most commodities, the 10 largest of 500 to 2,000 growers account for 30 to 60 percent of total employment. However, the major source of detailed farm employment data, the Census of Agriculture, groups labor data in categories that mask this concentration. In 1997, the COA reported that 36,450 California farms hired 549,265 workers--in the COA, a worker hired on two farms was double counted, meaning that there were fewer than 549,265 individuals hired on farms responding to the COA. However, the COA does not report the number of workers who are brought to farms by farm labor contractors. The 9,500 farm employers who hired 10 or more workers accounted for 85 percent of the workers hired in California, i.e., 26 percent of farm employers accounted for 85 percent of workers hired. More detailed data would show that the largest 500 to 1,000 farm employers accounted for 50 to 60 percent of these hires.

**Table 2 California Farm Employers and Workers Hired: 1997**

	Farms	Workers	Farms	Workers
<b>1-4 Workers</b>	58%	8%	21,060	46,055
<b>5-9 Workers</b>	16%	7%	5,841	37,983
<b>10 or More</b>	26%	85%	9,549	465,227

*Source: Census of Agriculture, California 1997*

Many of the businesses that benefit from the work of farm workers do not appear as farm employers in employment data. For example, Dole Fresh Vegetables in Salinas is listed under wholesale trade, SIC 5148, Fresh Fruits and Vegetables as are D'Arrigo Brothers and Fresh Express, two other major Monterey County lettuce producers.<sup>3</sup> Many of Dole's U.S. subsidiaries do not hire farm workers directly. Instead, they contract with U.S. growers to produce, under Dole standards, fruits and vegetables that Dole buys, an arrangement that makes these contract growers the employers of the workers producing Dole commodities. Dole's Bud Antle subsidiary, based in Salinas, CA, employs 7,000 farm workers sometime during a typical year to fill about 3,000 jobs harvesting lettuce and other vegetables; these workers are represented by Teamsters Union Local 890.

## Farm Workers

Most U.S. and California workers are Hispanic immigrants, an impression left by visiting fields as well as examining data, and most farmers are older non-Hispanic white men. Farming is often described as a career and a way of life; farm work is a short-term job, not a career, usually lasting less than 15 years for seasonal workers.

Farm labor data are notoriously unreliable, and the two major sources of farm labor data paint very different pictures of farm worker characteristics. The Current Population Survey<sup>4</sup> reported that farm laborers were 29 percent Hispanic in 1993 (Ilg 1995). The U.S. Department of Labor, charged with determining whether there were likely to be farm labor shortages in the wake of IRCA, decided to develop a new survey of farm workers. The National Agricultural Worker Survey (NAWS) was designed to measure entrances to and exits from the farm work force each year. Unlike the CPS, which is based on random sampling of households and thus generates an estimated population and distribution of farm

workers as well as worker characteristics, the NAWS interviews farm workers who are employed in on crop farms in selected U.S. counties and generates a profile of these workers.

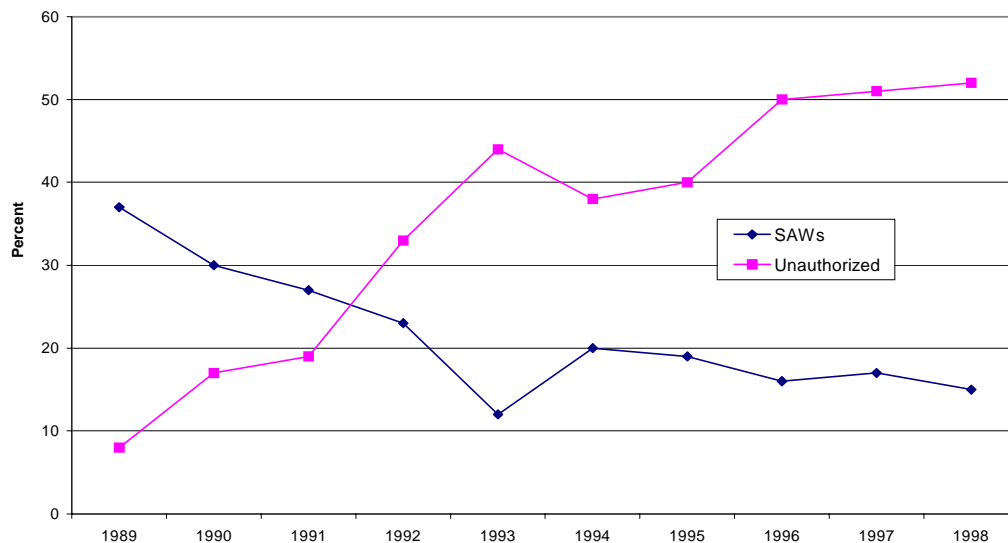
The major change in the NAWS data in the 1990s is the falling percentage of workers legalized in 1987-88 and the rising percentage of unauthorized farm workers. In 1989, 37 percent of U.S. crop workers were Special Agricultural Workers who had been legalized under IRCA; by 1998, their share had fallen to 15 percent. In 1989, about 8 percent of U.S. crop workers were unauthorized; that percentage rose to 52 in 1998. Crop workers in California are much like crop workers in the rest of the U.S.. In the mid-1990s, 95 percent were foreign-born, including 91 percent who were born in Mexico.<sup>5</sup> About 53 percent were in the U.S. less than five years, and 26 percent were in the U.S. less than two years. About 53 percent were in the U.S. less than five years; 26 percent less than two years. About 48 percent were of the farm workers interviewed were legal immigrants, and 42 percent were unauthorized, with the unauthorized share rising 3-4 percent a year.

About 82 percent of California crop workers were men; their median age was 30, and 63 percent were under 34. About 61 percent were married; most married farm workers have families, with an average three children each. About 60 percent of California farm workers in the mid-1990s had their families living with them while they are doing U.S. farm work, while 40 percent left their families outside the U.S. Two-thirds of the workers interviewed had less than eight years education. Their median years of schooling was six.

Crop workers in California do farm work for about half the year at hourly wages slightly above the minimum. Over the year, farm workers averaged 23 weeks of farm, three weeks of non-farm work and 26 weeks without U.S. farm work. About 91 percent were employed in fruits and vegetables, and most of their jobs did not involve harvesting and about 70 percent were pruning, irrigating and other non-harvest operations. Workers averaged 42 hours a week while they were doing farm work at \$5.69 an hour, for average weekly earnings of \$239 and annual farm earnings of \$5,500 while 55 percent earned less than \$7,500 in 1996.

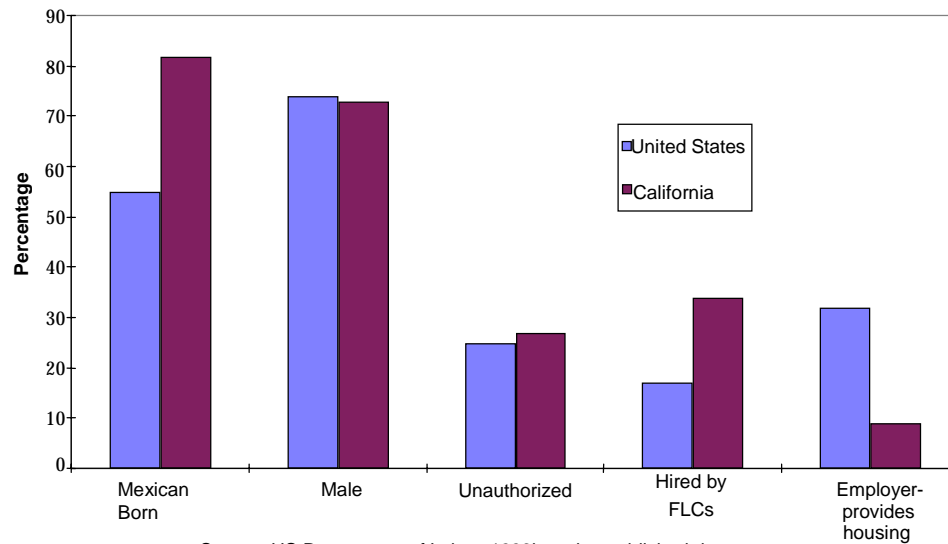
About 70 percent of crop workers were hired directly by growers or farm management companies in the mid-1990s; 30 percent were hired by FLCs. Workers employed by FLCs had lower hourly earnings and were twice as likely to be paid piece rate wages as workers hired directly.

Figure 3 Shares of Legalized and Unauthorized US Farm Workers: 1989-98



Source: National Agricultural Workers Survey (<http://www.dol.gov/dol/asp/>)

Figure 4 Characteristics of US and California Farm Workers: mid 1990s



Source: US Department of Labor, 1993b and unpublished data

In California, farm workers must be covered by unemployment insurance (UI) and workers compensation (WC) insurance. Both programs are experience-rated programs, which means that employers with fewer workers seeking UI benefits or medical treatment for workplace premiums pay lower taxes and premiums. Most farm employers pay WC premiums that are 10 to 20 percent of wages, and UI taxes average 5 percent of wages. In addition, employers and workers share equally the 15 percent Social Security tax, and workers pay for State Disability Insurance, which provides partial wage replacement to employees who are unable to work because of pregnancy or non-work related illness or injury.

Mandatory insurance premiums and taxes add 23 to 33 percent to the cost of employing a farm worker earning \$6 an hour. In the non-farm economy, workers get a variety of work-related benefits, including health insurance, vacation pay, and pension benefits, and that cost employers the equivalent of 15 to 25 percent of earnings. Relatively few seasonal farm workers receive such fringe benefits. For example, only 5 percent of crop workers reported that they received health insurance in the mid-1990s, 4 percent earned paid vacations, and 5 percent lived in employer-supplied housing. One reason is that a benefit such as health insurance is expensive for low-wage workers. Non-farm U.S. employers paid an average \$1 an hour for health insurance in 1998 (\$2 an hour for union workers).<sup>6</sup> Health insurance is relatively more expensive in agriculture because wages are lower. For example, the 1996-2000 contract between the UFW and Bruce Church Inc, a Salinas lettuce grower, guaranteed workers at least \$7 an hour, and BCI contributed \$1.10 an hour for health insurance, meaning that health insurance alone added 16 percent to labor costs.<sup>7</sup>

California manufacturing workers earned an average \$13.66 in 1998, or more than twice average farm worker earnings. On an annual basis, full-time equivalent workers in agriculture earned an average 40 percent as much as manufacturing workers, with full-time equivalent livestock workers averaging \$20,000, almost half the \$42,000 in manufacturing, and full-time equivalent agricultural service workers averaging \$15,000, about 37 percent as much as manufacturing workers.



## The 3R's of the Farm Labor Market

### Recruitment

Labor markets handle three essential tasks - recruitment, reward or motivation, and retention. The California farm labor market deals with these "3R" tasks in unique ways. For example, farm operators rarely recruit or speak directly with prospective employees. Instead, as one farmer said: "when we need 30 workers, we call up the farm labor contractor, and he brings a crew." Recruitment and supervision are usually done by bilingual foremen or FLCs in the language of the worker.

Farming has been consolidating so that fewer and larger farms account for an increasing percentage of farm sales. Economic efficiency would suggest that a similar consolidation should be occurring in farm employment, so that workers needed to fill short duration jobs report to central clearinghouses from which farmers recruit workers. There are several candidates to be clearinghouses for seasonal farm workers, including the public employment service (ES), union hiring halls, private labor exchanges and employer associations. Throughout the 20<sup>th</sup> century, employer associations and the ES played major job matching roles in seasonal agriculture, but their importance declined sharply in the 1970s and 1980s.

There are 800,000 to one million job matches a year in California agriculture, and most are made by (1) bilingual foremen employed directly by farmers and (2) farm labor contractors. Recruitment is usually done without employer ads or requests for workers to the ES; it is more common for foremen to tell current employees that additional workers are needed, and to recruit them via networks of current employees. In this manner, relatives and friends from the same village or area of Mexico often wind up working on the same U.S. farm.

Farm labor contractors (FLCs) are often blamed for the ills of the farm labor market. FLCs are intermediaries who, for a fee, organize workers into crews and arrange jobs for them; many FLCs also provide workers with other services, from financing their illegal border crossing to housing and meals. FLCs have a different relationship with farm employers than with farm workers. It is usually hard for a FLC to "cheat" a farm employer, since farm employers often survey themselves to arrange a standard piece rate as well as the FLC commission or overhead fee. For example, farmers may agree to pay \$10 a bin for picking oranges or peaches, plus a 32 percent overhead for the FLC to cover payroll taxes, toilets and drinking water, and recruitment and payroll expenses.

Farm workers hired by FLCs, on the other hand, are often newly arrived from Mexico, and do not know about prevailing piece rates, minimum wages, or required payroll taxes and deductions. As the U.S. Industrial Commission explained in the early 1900s, contractors dealing with immigrants from the same country can "drive the hardest kinds of bargain" with newly arrived immigrant workers because they know the circumstances from which farm workers come (Fisher 1952).<sup>8</sup> Many of the most abusive violations of labor laws continue to be found among FLCs hiring newly arrived immigrant workers.

Beginning in the 1960s, the federal and state governments attempted to regulate FLCs to prevent them from taking advantage of vulnerable workers, first by getting to identify themselves to the government by registering. Since then, a three-tiered registration system has developed: FLCs must be registered with the federal, state, and local governments (county agricultural commissioners), and state registration requires providing fingerprints, a bond, and passing a test demonstrating knowledge of labor, safety and pesticide regulations. The state maintains a list of about 1,200 registered FLCs, and encourages growers to utilize only registered FLCs by making growers jointly liable for labor law violations committed by unregistered FLCs.

Bills in the California Legislature that would have automatically made growers jointly liable for the labor law violations committed by FLCs on their farms failed in 1993 and 2000. Worker advocates argue that strict joint liability is needed to get growers to ensure that the FLCs who bring workers to their farms abide by labor laws. Farm employers counter that, just as homeowners who hire a contractor to work on their homes are not liable for labor law violations committed by the contractor while he has a crew working at their homes, so farmers should not be liable for violations committed by independent FLC businesses when they have crews on their farms.

## **Reward or Motivation**

Wages reward and motivate work. Many farmers use a so-called “warm body” test in hiring, hiring as many people as were willing to work, but keeping labor costs constant and predictable with a diverse work force by paying piece or task rate wages.<sup>9</sup> Piece rate wages have persisted longer in agriculture than in non-farm industries, in part because most farm employers were exempted from federal and state minimum wage laws after they were applicable to non-farm employers and workers.

After minimum wage laws were applied to agriculture, farmers were required to keep records of the hours each employee worked and how many units of work each employee accomplished. If the employee did not work fast enough at the grower-set piece rate to earn the minimum wage, the employer had to make up the difference. Most farm employers terminated workers who did not work fast enough to earn the minimum wage at the piece rate offered, establishing an “iron triangle” between minimum wages, piece rates, and minimum productivity standards. For example, if the minimum wage is \$5 an hour, and the employer is paying a piece rate of \$10 a bin, then workers must pick an average one-half bin an hour to earn the minimum wage; slower workers may lawfully be terminated.

Piece rate wages motivate workers to work fast, requiring an employer monitor of the quality of the work done. However, the detailed record-keeping requirements to ensure compliance with minimum wage laws encouraged more farmers in the 1990s to pay their workers hourly wages. Hourly wage systems increase the need for monitoring the pace of work. Crews of workers paid hourly wages often include a foreman or crew pusher who sets the pace for workers walking through a field hoeing weeds, or require harvest workers to follow a conveyor belt through the field and place lettuce, broccoli, or melons on it - the speed of the machine controls the pace of work.

## **Retention**

The third key labor market task is retention, identifying and keeping the best workers employed during the season and getting them to return next season. The job ladder in agriculture is short, resembling a pyramid with a wide base and short sides. Upward mobility within agriculture usually involves movement from seasonal harvester to longer-season equipment operator or irrigator or crew leader.

Most farmers are more interested in ensuring that enough seasonal workers will be available when they are needed rather than in ensuring that a particular worker identified by the farm employer's personnel system returns next year. This leads most farm employers to favor collective pressure on the federal government to provide agriculture with easy access to foreign workers. An analogy to water management illustrates the contrast between individual and collective recruitment and retention strategies. Crops can be irrigated by flooding fields with water (flood irrigation) or by running pipes along or under each row that drip water to each plant (drip irrigation). Flood irrigation usually requires collective action to maximize the amount of water available, but minimal investment on the farm to apply the water to crops. Drip irrigation, on the other hand, requires far less water, but more on-farm investments in pipes and infrastructure. Farmers who traditionally used flood irrigation turned to drip as water prices rose.

For the past 120 years, there have been fears of farm labor shortages. However, farm labor has never been a binding constraint that prevented the expansion of labor-intensive crop production. Indeed, the federal government has usually permitted the recruitment of legal foreign farm workers or tolerated the presence of unauthorized workers, encouraging the flood rather than the drip farm labor strategy.

The U.S. in 2000 may be nearing another farm labor crossroads. Unemployment rates nationally are at their lowest rates in several decades, and farm workers able to find non-farm jobs are exiting the farm work force, to be replaced by unauthorized workers. Farmers thus become vulnerable to the removal of these unauthorized workers, and they are pressing for another easy-access guest worker program. Farm worker advocates oppose another guest worker program; instead, they favor an amnesty for at least some currently illegal workers. However, if the experience of the 1987-88 farm worker legalization repeats itself, newly legalized farm workers will quickly move on to non-farm jobs. Unless illegal immigration is slowed, vacant jobs will once again be filled by newly arrived unauthorized workers.

## Unions and Bargaining

Unions have been active in California agriculture throughout the 20<sup>th</sup> century, but (1) most union organizing and bargaining efforts proved to be short-lived and (2) there is no continuity between the unions involved in the three major periods of union activity, viz., the Industrial Workers of the World before World War I, the Cannery and Agricultural Workers Industrial Union in the early 1930s, and the UFW after the mid-1960s. The longest-running union contract in California agriculture is that between Teamsters 890 and what is now Dole's Bud subsidiary in the Salinas area; the first Teamsters-Bud agreement was signed in 1961.

In 1975, California enacted the Agricultural Labor Relations Act, which granted farm workers the right to organize and bargain collectively with farm employers and established a state agency, the Agricultural Labor Relations Board (ALRB), to supervise elections to determine if workers wanted to be represented by unions and to adjudicate unfair labor practice complaints (Fogel 1985). The ALRB has supervised 1,600 elections on California farms and certified 10 unions to represent farm workers on about 800 farms since 1975 (ALRB). The union presence in agriculture is most pronounced in four areas: (1) southern California dairies, (2) large Central Valley nurseries, (3) fresh mushrooms in coastal areas and (4) coastal vegetables. In 2000, there are five major unions representing about 30,000 farm workers on 300 farms; two-thirds of these union contracts cover dairies in southern California.

The best known farm worker union is the United Farm Workers (UFW), which burst onto the national scene in 1965 in support of a strike called by largely Filipino grape pickers organized into the Agricultural Workers Organizing Committee, an AFL-CIO affiliate (Martin 1996; Majka and Majka 1982). The UFW won a 40 percent wage increase for some table grape harvesters in 1966, and Cesar Chavez was featured on the cover of *Time* in 1969. The UFW was able to win contracts covering most grape and lettuce workers in the early 1970s, before the ALRA was enacted, but the UFW found it very difficult to re-negotiate first contracts, both before and after the ALRA came into effect. In some cases, the UFW was certified to represent workers in the late 1970s, and had not yet negotiated first contracts in 2000.

The major farm worker union story in the 1990s has been the rebirth of the UFW after Cesar Chavez died April 23, 1993. At the time of this death, Chavez was praised as the "Latino Martin Luther King." Chavez has become the U.S. Latino with the most streets and schools named for him; in August 2000, California created a paid holiday for state employees in his honor. However, the UFW largely stopped organizing farm workers in the 1980s. Chavez's son-in-law, Arturo Rodriguez, became president of the UFW in 1994, and the UFW launched an aggressive organizing effort. Between 1994 and 2000, the UFW was certified to represent a peak 4,000 workers on 18 California farms, and negotiated five contracts. However, the UFW continues to be able to turn only about one-fourth of its election victories into contracts, and continues to be decertified as bargaining representative on one or two farms a year.

The UFW plays a major role in farm labor, Latino, and immigration issues. The major UFW organizing effort of the 1990s aimed at organizing 15,000 to 20,000 strawberry workers in the Salinas area. The UFW targeted Coastal Berry, the employer of 1500 workers, in what AFL-CIO President John Sweeney in 1997 called the most important union-organizing drive in the U.S. A competing farm worker group, the Coastal Berry Farm Worker Committee, won a July 1998 election to represent Coastal workers. This election was overturned in May 1999, and a new election was held in June 1999, with the Committee winning the right to represent about 900 Coastal workers in northern California and the UFW 600 in southern California. In November 2000, the UFW called off a boycott of California table grapes launched in 1984.

The UFW is a labor organization whose goal is to organize and represent farm workers in their dealings with farm employers. There are other labor organizations and a variety of self-help and advocacy groups that also seek to represent and assist farm workers, including the Teamsters and the United Food and Commercial Workers Union. As newly arrived farm workers come to include more indigenous peoples from southern Mexico and Central America, self-help groups have sometimes been certified to represent farm workers.

The UFW could also use its reputation as an advocate for newly arrived immigrants to represent non-farm workers or to become a broader social movement. The UFW in July 2000 petitioned for an NLRB election to represent non-farm citrus packing workers. The UFW has affiliates that operate radio stations and build and rehabilitate housing, and is reportedly considering opening service centers that would provide translation, financial and immigration services in Los Angeles and other cities to which ex-farm workers familiar with the UFW gravitate after they leave the farm work force.<sup>10</sup>

### **Conclusions**

Labor relations in agriculture were described at mid-century as “much ado about nothing” (Jamieson 1945). In 2000, most farm workers continue to be employed on farms that do not have contracts with farm worker unions.

The influence of farm worker unions should not be underestimated. The fact that farm worker unions might organize dissatisfied workers has encouraged some farm employers to maintain wages and benefits at higher-than-prevailing levels. The major impact of farm worker unions such as the UFW in the 21<sup>st</sup> century could come from their ability to influence public policies that affect farm worker wages and working conditions in a number of policy areas that range from immigration and health insurance policy to labor laws and their enforcement.

The goal of many farm labor reformers during the 20<sup>th</sup> century was to “upgrade” farm labor to make it resemble the non-farm labor market, with employers “taking responsibility” for farm workers by restructuring their operations to employ fewer workers for longer periods. Farm labor markets did not change significantly, but many non-farm labor markets adopted farm labor features, in the past 20 years, increasing their use of intermediaries to assemble and deploy contingent and other temporary workers. If intermediary-dominated labor markets that hire mainly immigrant farm workers spread in the nonfarm sector, farm and non-farm labor markets may evolve similarly in a manner never envisioned by 20th Century farm labor reformers.

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## Endnotes

<sup>1</sup> The average hourly earnings of hired farm workers in California rose a remarkable 41 percent between 1971 and 1974, as measured by the USDA. The earnings of California manufacturing workers rose 18 percent during this period.

<sup>2</sup> There is no official definition of labor intensive. In FVH agriculture, labor costs are typically 15 to 35 percent of farm revenues. Farmers receive 18 to 20 percent of the average retail price paid for fresh fruits and vegetables, and farm labor costs are about 6 percent of a \$1 head of lettuce or pound of tomatoes.

<sup>3</sup> Dole Fresh Vegetables is a division of Dole Food Company, the world's largest producer and marketer of fresh fruit, vegetables and flowers with 1999 global sales of \$5 billion and 60,000 employees.

<sup>4</sup> The CPS is a monthly survey of households that asks, inter alia, about the employment of each adult. During the 1970s and 1980s, a supplemental questionnaire was added to the December CPS, and 1,500 of the 60,000 households typically included someone who worked in agriculture for wages during the previous year. Since the CPS is a random sample of all U.S. housing units, each of the 1,500 farm worker households was considered representative of 1,667 who were not interviewed, i.e., the hired farm work force was estimated to be 2.5 million.

<sup>5</sup> These data are from interviews with 1,885 crop workers employed in nine California counties who were interviewed between 1995 and 1997.

<sup>6</sup> Employer-paid health insurance premiums were \$2,000 to \$4,000 a year in 1998, or \$167 to \$333 a month, adding 6 to 13 percent to a \$2,500 a month wage.

<sup>7</sup> Bruce Church paid 3 percent of each workers earnings as a pension contribution, and 1 percent for vacation pay.

<sup>8</sup> In July 2000, a Stockton-based FLC was accused of driving exactly this type of hard bargain with newly arrived Mexican workers: Bautista Farm Labor was charged with knowingly hiring unauthorized workers and maintaining two sets of books, deducting payroll taxes from all workers, but forwarding them to government authorities only for legally authorized workers.

<sup>9</sup> A piece rate wage of \$10 for picking a 1000 pound bin of apples or oranges means that the cost to the farmer is \$0.01 per pound for a worker averaging two as well as for a worker averaging four bins a day. However, in an eight-hour day, the slow worker earns \$2.50 an hour; the fast worker \$5 an hour.

<sup>10</sup> Dana Calvo, "UFW Toils in new field, cities," *Los Angeles Times*, May 26, 2000.