



# The California Farm Labor Force: Trends and Immigration Reform

Ed Kissam, Werner-Kohnstamm Family Fund  
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# Genesis of Labor-Intensive Agriculture: Through the Historical Lens of Arvin

- 100 years ago—No large-scale agricultural production—small bona fide family farms. In 1908, ten acres total. With East Side Canal water, by 1918, several family farmers
- 90 years ago—Di Giorgio Fruit Company pioneers “factories in the fields” 20,000 acres of plums and grapes, 6,000 in the Arvin area
- 90 years ago—E.E. Wray, Valley Fruit Growers, in Fowler Ensign, “...this valley is now dependent on alien labor. ...the Mexicans must be depended upon for 60% of our labor”.

# A Regional Magnet of Labor Demand

- 75 years ago—Burgeoning production (despite the depression)—many dust-bowl migrants but also some Mexicanos, Yemeni, Japanese, and Filipinos
- 70 years ago—WW II era— nine out of ten HH heads were US-born, still mostly dust-bowl migrants, about 8% Mexican, 2% other national origins
- 60–50 years ago—“Texas migrants” (mostly Mexicanos born in Tamaulipas and Nuevo Leon), were brought by troquero/as along the long-haul migrant circuit and began settling in Arvin
- 50 years ago to the present—Ongoing migration especially from Guanajuato: Yuriria, Rancho Xoconotle.

# IRCA: Watershed and Aftermath: 1989–2009

- 25 years ago—87% of California’s foreign-born farm labor force was legalized by IRCA.
- Now-- Agriculture continues to be the largest employer in Arvin. Four out of five (82%) HH heads work in agriculture—little change from 70 years ago.
- Arvin today—Immigration policy affects almost everyone. Everyone is an immigrant or relative of an immigrant. One-quarter (24%) of all HH’s are “mixed status”, and 11% of HH’s are entirely unauthorized immigrants.
- Arvin’s future—about two-thirds of town residents 18 or younger are U.S.-born, almost all are the children of immigrants

# The Pressing Need for Legalization

- Agribusiness relies more on foreign-born workers than in the past. In California 98% of the farm labor force was born abroad (much more than the rest of the U.S. where only 71% are foreign-born)
- The foreign-born farm labor force is aging. Over the past two decades, California farmworkers' average age has increased. One out of ten (9%) is 55+.
- More than two-thirds (70%) of California's foreign-born farmworkers are settled, living in the U.S., only one-quarter(26%) are international shuttle migrants.
- But two-thirds (68%) of the entire California farm labor force lack legal status

# California Farm Labor Force Participation

- The proportion of new entrants is way down over the past decade—from 25% to 15% and there are less shuttle migrants (a few are LPR's, but most are, new unauthorized workers)
- Although the farm labor force is aging, workers are more experienced— with an average of 12 years in farmwork.
- There is much less churning. Workers' time with their current farm employer is way up (from 3 years in 2000 to 6 years now).
- Four out of five workers (81%) plan to stay in farmwork for 4+ years even though one out of four (25%) think they could easily find a non-farm job.



# Important Considerations Regarding The California Farm Labor Force

- One-quarter (24%) of the labor force are women, more than in other regions of the U.S.
- More California farmworkers (29%) are employed by FLC's than in other parts of the U.S. (12% nationwide)
- California farmworkers are quite attached to farm labor market—only 10% (half the national figure) had non-farm jobs.
- Few speak English (58% none, 21% “a little”) and two-third have less than 8 years of schooling

## FLC vs. Directly-Hired Farmworkers

- FLC's employ more newcomers: 75% vs. 65% of their workers are unauthorized, 33% vs. 23% are shuttle migrants, FLC's have more workers in the 20–24 age range.
- FLC's employ more indigenous farmworkers— 25% vs. 19% from Pacific South region (Oaxaca, Guerrero, Chiapas)
- FLC's provide health insurance coverage to almost none of their workers (2% vs. 21%).
- No surprise—FLC's provide more peak season labor for harvest tasks. Historically, women have been a key component in meeting peak labor demand.



# Challenges and Opportunities in 2013

- Demographics point to 2 major issues: aging of the work force and women's labor market participation. Social trends point to another: recruiting farmworkers locally.
- There's been progress in more effectively managing the labor force than a decade back, less employers/worker, more days/worker—good trends!
- But it's time to be proactive, not complacent. Stabilizing the farm labor force now, before immigration reform, will lessen the “tipping point” shock
- FLC's can play a major role in retaining and managing the farm labor force. Labor supply is limited and will continue to be—whether or not CIR passes

# What if Immigration Reform Fails in 2013?

- Launching 3 parallel strategic initiatives can lessen immediate labor shortages and have long-run positive impacts.
- Initiative 1: Support eligible immigrant youth and young adults in applying for deferred action status (DACA)!
- Initiative 2: Work systematically to re-capture temporary exits, enhance productivity, lengthen worklife!
- Initiative 3: Help LPR workers apply for naturalization so they can file petitions to immigrate their spouses and children (outside the visa preference system)!

# Agribusiness' Long-Term Stake in Helping DACA Applicants

- The DACA-eligible farmworkers are a key-subgroup in the labor force: 16-30 years old, a bit more English-proficient than new workers, settled, oriented to U.S. life
- Workers whose employers help them secure DACA will reciprocate with loyalty. Typical farmworkers—with limited English and minimal education—will not find it easy to leave agriculture, even with work authorization
- DACA provides work authorization—but not legal status
- Information in DACA applications is not at all likely to be used by DHS for enforcement (although falsifying documents would be prosecutable).

# Helping DACA Applicants is Feasible and Can Make a Big Difference!

- NAWS data show 55,000 unauthorized young farmworkers are eligible for DACA nationally about 20,000 in California
- But 80% of the DACA-eligible current farmworkers need to enroll in a USCIS-qualifying adult education or vocational training to qualify. Agribusiness can help here.
- Workplace learning-- “ag upgrade” classes especially if sponsored by employers and offered by community colleges or adult schools-- can qualify DACA applicants.
- We estimate the cost of a 6 month program at about \$600 for 100 hours of instruction.
- Employers could also help applicants with loans for USCIS fees-- \$465. A few credit unions are beginning to do this, but not enough

# Decrease Temporary Exits: Women of Child-Bearing Age

- With one-quarter (24%) of the California farm labor force being women, their involvement is crucial, particularly in meeting peak labor demand.
- Most of them are of child-bearing age. Child-bearing and caring for pre-school children competes with farmwork.
- Hastening women's return to work after having a child and increasing subsequent level of labor force participation while raising children can have a big positive impact
- Women's labor force participation costs are higher than men's. Proactive initiatives might include subsidizing transportation to the fields and/or child care.

# Decrease Temporary and Permanent Exits: Minimize Sexual Harassment

- About one-third of farmworker women have worked at a place where there was sexual harassment and about one in ten was, herself, harassed
- Many continue in farmwork, nonetheless, but their labor force participation and flexibility decreases, in part because some victims are less willing to work apart from their husbands or in a mixed-gender workplace
- Some leave farmwork forever, accepting less stressful jobs even less-well paid ones
- Improvements are clearly feasible and affordable. The role FLC's and mayordomos can play—in orienting workers to US law and as supervisors—is crucial.



# Decrease Temporary Exits: Improved Safety and Health Decrease Time-off

- As the workforce ages, it makes sense to look at adaptations in managing work to prolong older workers' labor force participation.
- Estimates of work-related injuries range from 4.3/100 FTE (Wang et al 2011) to 10/100 FTE (Villarejo 1998). Improved workplace safety can lead to more hours of work from the same labor force and decrease WC costs
- Non-work illness also decrease available time. With only one in six farmworkers (16%) getting health insurance from their employers, covering more workers would help, as would expanding family coverage.
- FLC's can play an important role both in enhancing work safety and in informal preventive health promotion

# Helping LPR Farmworkers Naturalize

- There are about 380,000 Mexican LPR's in rural areas of California. Many (>100,000) are farmworkers. Two-thirds of the IRCA-era LPR's can now qualify quite easily for naturalization—due to the 55/20 waiver of English-language requirements.
- These newly-naturalized citizens can immediately petition for their spouses and minor children to be admitted outside of the visa queue—except for the problem of the 10 year-bar on admissibility for the vast majority who already live in the U.S.
- But petitioners can now (2013) file from the U.S. and seek a provisional approval for a hardship waiver to the 10-year bar on admissibility—before going to their consular interview.
- A key issue will be approval rate for waivers (with USCIS reporting about 50% approval of all waivers of inadmissibility in Cd. Juarez office in 2009 and immigration law experts suggesting perhaps as many as 70% of waivers granted for those who are well-represented)

# Potential Impact of the Backup Strategy if CIR Fails

- Pursuing the specific “wedges” I’ve recommended, should increase California agricultural labor supply by at least 5%—about 30,000 FTE worker-equivalents/yr. in the short run.
- The DACA-related effort would probably have the largest immediate positive impact and best return on investment, followed by support for naturalization.
- But strategic efforts to increase women’s labor force participation would yield the most lasting structural change and help provide flexibility to meet labor demand peaks
- If all CIR options fail, it will be in agribusiness’s interest to advocate strongly for a kinder, gentler administrative approach to hardship waivers to the 10-year bar, along with vigorous support for naturalization programs

# If Immigration Reform Moves Forward, the Details will be Important

- Provisions to allow a “fast track” pathway to citizenship for agricultural workers and the DACA-eligible will help—by affording workers faster access to health insurance exchanges. Senator Feinstein is playing a key role.
- Improved access to adult education programs, especially ESL, will benefit workers’ families even more than them—but it will help stabilize the labor force.
- Consider Arvin and scores of towns like it. The status quo where only a minority of local residents can participate in the democratic process has negative effects on community well-being.
- Agribusiness has a stake in healthy communities—whether or not it wishes to accept that responsibility

# Post-Legalization Loss of Farmworkers?

- Agribusiness lobbyists have misunderstood and exaggerated the post-IRCA “SAW exit rate”
- After an initial post-IRCA exodus of about one-third of the -legalized workers at a rate of about 6%/yr. (probably the most marginal ones), most remained.
- Subsequent exits of SAWs were at a rate of about 2%/yr. over the 2 decades after legalization—and a substantial proportion due to aging and disability rather than movement to a new job
- In the 2013 labor market, newly-legalized farmworkers’ limited-English and limited education will make it difficult for them to leave agriculture



# Future Labor Supply

- Farmwork is not as seasonal as industry lobbyists allege.
- FLC's have played a role and can still do more to efficiently move workers from one crop-task to another (a win-win proposition). This will have a positive impact on the post-legalization rate of exits, decreasing need for new entrants.
- As production unit size increases and technology advances, there will be increasing need for "ag upgrade" programs which both respond to emerging skills needs and offer workers the incentive of career mobility
- Ongoing admissions of Mexican workers will be needed but not the massive guestworker program the industry envisions.



# Provisions for Future Labor Flows

- There's no sound rationale for 1 year (or 10 month) visas. Many new migrants know little about typical crop-tasks and take some time to get up to speed.
- Affording new entrants 3-5 year provisional visas would give new workers a chance to become more productive, This decreases recruitment costs, bureaucracy, and increases flexibility in managing the labor force.
- Allowing newly-admitted workers' spouses and children to accompany them and providing work authorization (to those 16 and over) can also help meet labor demand
- Affording new foreign-born entrants who participate fully in the labor market an opportunity to adjust to LPR status and a pathway to citizenship will stabilize the farm labor force and enhance worker productivity

# Strategies To Meet Agribusiness Labor Needs

- Don't rely on advocacy for guestworker programs where the primary federal role is to chain workers to their agricultural employer.
- Focus instead on effective labor management== including a bigger, better role for FLC's.
- Advocate strongly for CIR but move forward with "Plan B" in case it fails to pass. The initiatives I recommend will help if CIR doesn't pass and just as much if it does:
- Increase labor supply by helping unauthorized young farmworkers get DACA status and older LPR's immigrate their family members
- Work to increase women's labor market participation, adapt workplace conditions to an aging workforce, and provide incentives in the form of upward career pathways and benefits to retain skilled workers

# Key Data Sources

- The NAWS data public data is available for download at: <http://www.doleta.gov/agworker/naws.cfm>
- Arvin data from Ed Kissam, New Pluralism Study: 2001–2006, funded by National Institute for Food and Agriculture/USDA
- Ed Kissam, “Making Good on the Promise: Helping Out-of-School Mexican Immigrants, Farmworkers, and other Rural Immigrants Qualify for Deferred Action” at <http://www.gcir.org/system/files/WKF%20%25231-Updated%2010-21.pdf>
- Data on non-naturalized LPR’s from GCIR March, 2012 presentation by Manuel Pastor, University of Southern California. Analyses of impacts in rural California and on farmworkers by Ed Kissam.
- For further information contact Ed Kissam at [edkissam@me.com](mailto:edkissam@me.com)