

SAF

STUDENT ACTION WITH FARMWORKERS

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Special 8-page issue
+ Removable Fact Sheets

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East Coast Migrant Head Start
Farm Labor Organizing Committee
Farmworker Unit, Legal Aid of NC*
National Farm Worker Ministry-NC
NC Community Health Center Assoc.
NC Farmworkers' Project
NC Farmworker Health Program*
NC Justice Center
Student Action with Farmworkers

**Advisory Members*



Focus on Reform

Raising our Collective Voice

by Melinda Wiggins, Executive Director of Student Action with Farmworkers

Access to just and favorable work conditions, fair wages, and a standard of living adequate for the health and well being of one's family are universally acknowledged standards of human rights that are regularly denied to farmworkers. Over half of all farmworkers are undocumented; many risk their lives crossing the U.S./Mexico border only to arrive indebted to human smugglers and future employers. The majority of farmworkers live in poverty, with undocumented workers consistently earning less than other workers.

Many are paid by the piece, and thus do not consistently earn minimum wage. During harvest, farmworkers work long hours without receiving overtime pay, holidays, sick days, workers' compensation, health insurance, vacation or retirement. Farmworkers also face many work-related health stressors, including exposure to highly toxic pesticides and inadequate housing. Farmworkers are consistently treated as different from other workers under the law. Where legal protections do exist, unique conditions and vulnerabilities of migrant life fuel under-enforcement.

The rapid growth of the Latino community in North Carolina has recently made this state a national flashpoint in the public debate over immigration. In response to this growing hostile environment, as well as to the lack of a proactive farmworker advocacy strategy in NC, SAF began talking with other farmworker support groups to develop the Farmworker Advocacy Network (FAN) in 2003.

FAN is the first and only cross-sector network in NC strategically addressing problems and issues affecting farmworkers, monitoring government agencies that enforce regulations affecting farmworkers, and bringing farmworkers' voices to the legislative process. During the past several years, FAN has successfully researched models of involving farmworkers in policy advocacy campaigns; monitored legislation impacting farmworkers; supported FLOC in their efforts to enforce their contract covering guestworkers; and supported litigation efforts with farmworkers.

Most significantly, FAN initiated a Migrant Housing Campaign that included working with legislators to introduce a bill to the state legislature, preventing the removal of migrant housing protections from existing laws, and pressuring the NC Department of Labor to adopt changes in their enforcement procedures. We also educated the public about migrant housing issues and garnered support from over 70 health, housing, legal, labor, and social justice organizations.

As we move forward in addressing the challenges that come with supporting a diverse farmworker population in a difficult political climate, we will advocate for stronger policies governing farmworkers and greater enforcement of laws covering farmworker housing, wage and hour, and pesticides (as presented in this newsletter). We will also continue to educate and involve students, religious groups, and community leaders to create a supportive environment for farmworkers to achieve greater social and economic justice.

SAF is a 501(c)(3) non-profit organization whose mission is to bring students and farmworkers together to learn about each other's lives, share resources and skills, improve conditions for farmworkers, and build diverse coalitions working for social change.

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ACTION ALERTS

To receive SAF's weekly Action Alerts about legislation affecting farmworkers, organizing campaigns, campus events, and job opportunities, send an email with the word "subscribe" to:

<farmworkers-request@duke.edu>

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Guide to Federal & NC Laws Affecting Farmworkers

Act/Law	Summary	Enforcement Agency
Civil Rights Act (1964) Title VI Rehabilitation Act (1973)	Prohibits discrimination on basis of race, color, national origin, and disability to participants in federally-assisted employment related programs	US Dept. of Labor Office of Civil Rights 200 Constitution Ave., NW Room N 4123 Washington, DC 20210 (202) 219-8927
Civil Rights Act (1964) Title VII Age Discrimination in Employment Act Americans with Disabilities Act (1990) Civil Rights Act (1991)	Prohibits discrimination of race, disability, color, religion, sex, age, national origin, and retaliation in all terms, conditions, privileges of employment and pay	Equal Employment Opportunity Commission 129 W. Trade St. Charlotte, NC 28202 (704) 344-6682801 1309 Annapolis Dr. Raleigh, NC 27608 (919) 856-4064
Fair Labor Standards Act (1938)* Migrant & Seasonal Farmworker Protection Act (1983)	Includes federal minimum wage and hour, child labor, overtime, farm-labor contractors, wage garnishment, safety and health for farmworkers, housing, and record keeping	US Wage and Hour Employment Standards Admin. US Dept. of Labor 4407 Bland Rd. Raleigh, NC 27609 (919) 790-2741
Immigration and Nationality Act (1952)	Covers US Passports, visas, and investigations	Immigration Service 6 Woodlawn Green, Suite 138 Charlotte, NC 28217 1-800-375-5283
Immigration Reform and Control Act (1986)	Prohibits national origin and citizenship status discrimination with respect to hiring, firing, and recruitment and referral for a fee	Office of Special Counsel For Immigration-Related Unfair Employment Practices US Dept. of Justice PO Box 65490 Washington, DC 20035-5490 1-800-255-7688
National Labor Relations Act (1935)*	Guarantees employees' rights to engage in or refrain from union activity (farmworkers exempt)	National Labor Relations Board 4035 University Pkwy. Suite 200 Winston-Salem, NC 27106-3325 (336) 631-5201
Occupational Safety and Health Act (1970)*	Health Standards and job safety for employment, including field sanitation and migrant farmworker housing, use of pesticides and farm chemicals	NC Dept. of Labor OSHA Div. Ag Safety and Health Section 413 N. Salisbury St. Raleigh, NC 27603 1-800-LABOR-NC
NC State Health Law	Health standards for food serving establishments, health and job safety, housing standards for migrant farmworker housing with 13+ occupants	NC Division of Health Services Dept. of Human Resources (Contact nearest County Health Dept.)
NC Wage Payment Law	Payment of wages for work not covered by US Wage and Hour	NC Dept. of Labor Wage & Hour 319 N. Salisbury St. Raleigh, NC 27601 (919) 807-2796
Legal Services Corporation Act (1974) NC Access to Justice Act	Provides legal services for low-income people, including farmworkers	Legal Aid of NC Farmworker Unit 224 S. Dawson St. Raleigh, NC 27611 1-800-777-5869
NC Workers Compensation Act*	Provides medical health benefits as a result of work-related injuries	NC Industrial Commission 430 N. Salisbury St. Raleigh, NC 27611 (919) 733-4820

*farmworkers are less protected under these laws

This is What Democracy Looks Like:

Taking Action for Immigration Reform *by Tony Macias*

Over the past several months, we have witnessed millions of people march throughout the US in support of human and civil rights for immigrants. This unprecedented movement arose from the grassroots, as immigrants everywhere broke the silence that they have borne because of fear.

SAF recognizes the connection between the movement for fair and just immigration reform and the struggle for farmworker rights- since the days of slavery, agriculture in the US has relied on the labor of displaced peoples. Currently, the vast majority of farmworkers are immigrants, many laboring in the same fields and under similar conditions that African slaves endured. Because our country has consistently exploited the labor of immigrants throughout its history, we have added our voice to the current movement for immigrant reform.

This February 14th, SAF joined Immaculate Conception Church, NC Justice Center, NC Latino Coalition, Accion Hispana, National Farm Worker Ministry, and El Pueblo to host the National Migrant March on its way from San Diego to Washington, D.C. The march, organized by Gente Unida & Border Angels, made a stop in Durham

to raise awareness about the harsh challenges migrants and immigrants face as they cross the U.S.-Mexico border in search of better opportunities.

On April 10, SAF staff participated in an L.A. march and helped organize an immigration reform rally that drew over 5,000 people to Siler City, NC.

On April 13, SAF joined in hosting the 20th annual Pilgrimage for Justice and Peace as it marched through Durham.

On May 1, SAF took part in a rally that drew out over 5,000 people to Lumberton, NC in support of immigrant and workers' rights.

We cannot fail to acknowledge the importance of collective action and protest in empowering those whose voices have been silenced. As the US House and Senate debate their widely divergent versions of immigration legislation, SAF will continue to support the efforts of those who, because of historical exclusion and exploitation, have little or no access to the political process.

Sí se puede!



Captions

1. Participants hold up an American Flag at the April 10 Rally in Siler City, NC. *photo by Lupe Huitron*
2. During the 2006 Migrant March Gail Phares of Witness for Peace and CITCA places one of 4,000 memorial crosses (to acknowledge those who have lost their lives crossing the US-Mexico Border since 1994) at Immaculate Conception Church in Durham, NC. *photo by Lori Khamala*
3. SAF Assistant Director Tony Macias holds the megaphone for Theresa El-Amin of Union Baptist Church during the 20th annual Pilgrimage for Justice and Peace. *photo by Lori Khamala*
4. Marchers hold up an immigrant rights banner as they walk through downtown Durham during the Pilgrimage for Justice and Peace. *photo by Tony Macias*

-Since the days of slavery, agriculture in the US has relied on the labor of displaced peoples

