

florida voter

FLORIDA FARMWORKERS



—Photo by Dallas Kinney

"No group of people I have worked with - in the South, in Appalachia, and in our northern ghettos - tries harder to work, indeed travels all over the country, working, working from sunrise to sunset, seven days a week, when the crops are there to be harvested. There is something ironic and special about that too: in exchange for the desire to work, for the terribly hard work of bending and stooping to harvest our food, these workers are kept apart like no others, denied rights and privileges no others are denied, denied even halfway decent wages, asked to live homeless and vagabond lives..."

Dr. Robert Coles, research psychiatrist from Harvard Univ., testifying before the U.S. Senate Subcommittee on Migratory Labor, July 28, 1969.

JUNE '74 — FARMWORKERS ISSUE

LEAGUE OF WOMEN VOTERS OF FLORIDA →

EQUALITY UNDER THE LAW?

National Labor Relations Act, 1935

Established the right of employees to organize and bargain collectively. **THE FARMWORKER WAS EXCLUDED.**

Also means that the National Labor Relations Board has no jurisdiction in labor disputes in agriculture.

U.S. Fair Labor Standards Act, 1938

Defined minimum wages, overtime pay, hours of work and the use of child labor in most industries. **THE FARMWORKER WAS EXCLUDED.**

Until 1966, agriculture was excluded completely; now agricultural labor on large farms is under the minimum wage provisions but the minimum rate is \$1.30 per hour as compared with the \$1.60 applicable to other workers (About 70% of the hired farm workers in Florida are covered.) The farmworker is excluded from the other provisions of the law.

Workmen's Compensation

Provided pay and medical help for injured workers and pensions to their dependents in cases where death occurs. By 1948 all the states had enacted this program. **THE FARMWORKER WAS EXCLUDED** until 1971. About 70% of the farmworkers in Florida now are covered. Were the same criteria used for agriculture as for other industries, 99% would be covered.

Unemployment Compensation

THE FARMWORKER WAS EXCLUDED. For the last two years, agricultural employers have been able to apply for a waiver of the exemption, which, if approved, allows them to participate in the program for the complete calendar year. According to the division of Migrant Labor, eight agricultural firms are participating.

Occupational Safety and Health, 1970

Covers agriculture but made effective by the enforcement of rules or stand-

ards promulgated by the U.S. Department of Labor. To date, only three standards applicable to agriculture have been promulgated. Farm employment is the third most dangerous occupation, after mining and construction. (U.S. Department of Labor)

CHILD LABOR LEGISLATION

State Child Labor Statutes

Florida Statutes Chapter 450, Part I, Child Labor

450.011 - provides exemption of minors employed in domestic or farm work from the following statutes:

450.021 - children under 12 years of age may not be engaged in gainful employment.

450.081, Section 1 - no minor under 16 is permitted to work more than 6 consecutive days, 40 hours a week, or 8 hours a day.

450.082, Sec. 2 - no minor under 18 is permitted to work more than 5 hours without a 30 minute lunch break.

450.091, Sec. 1 - where children and under 18 are employed suitable toilet facilities must be provided.

450.111 - children under 16 may not work while school is in session without a work certificate.

According to the U.S. Senate Subcommittee on Migratory Labor, one out of every 8 paid agricultural workers is a child between the ages of 10 and 13.

HEALTH SERVICES

Health Services for farm workers are provided through 10 projects of the State Division of Health: Broward, Collier, Glades-Hendry, Hillsborough, Lee, Palm Beach, St. Lucie, Sarasota, Seminole and St. Johns-Flagler-part of Putnam. The United States Public Health Service directly funds 3 projects: 1) The Frostproof Area Health Services Project (Coca Cola); 2) the Community Health of South Dade, Inc.; and 3) the Orange Farmworkers Health Association (not operating to date).

FACTS ABOUT FARMS IN FLORIDA

There are about 35,000 farms in the State. Approximately 4,000 have sales over \$40,000. Fewer than 100 (94) had sales over \$100,000 (1969 Census of Agriculture -- County Data, U.S. Dept. of Commerce, Bureau of the Census.)

Florida has 14 million acres of farmland and 34 million total acreage. About 880 thousand are in citrus groves with some 58.5 million trees. Among the large farms are Lykes Bros. with 350,000 acres and the Moonon Church's Desirette, 300,000 acres.*

The 1.7 billion on-farm sales in Florida (1972) included Citrus, \$580,000,000; Livestock & Poultry, \$464,000,000; Vegetables & Melons, \$341,000,000; Sugar, \$80,000,000; Forest Products, \$64,000,000.*

* Florida Dept. of Agriculture



FARM INCOME SITUATION

INCOME	NET PROFIT	
	FLORIDA	UNITED STATES
\$1.7 BILLION	1972	\$724 MILLION
\$1.9 BILLION	1973	\$618 MILLION
\$60.6 BILLION	1972	\$20.3 BILLION
\$63.4 BILLION	1973	\$26.1 BILLION

F18, #223, Feb 1974, Economic Research Service, U.S. Department of Agriculture

True or False?

- 800,000 farmworkers are under 16.
- The average family earns \$2021 a year; 9% receive welfare.
- The average farmworker can find work less than 5 months a year.
- He or she drops out of school after 6.2 years.
- The average family in Florida has about five members; the average dwelling has less than 2 rooms. 90% have no sink; more than 95% have no toilet, shower or bath.
- They have a life expectancy of 49 compared with 70 for other Americans.
- Infant mortality is more than twice as high; death from flu & pneumonia is three times as high; and death from tuberculosis and other infectious diseases four times as high for farmworkers.
- He or she is four times more likely to die in an accident on the job.
- Pesticides cause an estimated 75 thousand acute poisonings annually.
- Farmworkers are excluded from nearly every piece of state and federal protective legislation including minimum wage laws.

A good start to all of you who have all the information in this "True or False" column. Investigate, learn, let's

MODEL FARM LABOR BILL

In response to requests for a comprehensive bill that would provide farm workers with benefits and protections secured to virtually all other employees in the country, the Migrant Legal Action Program has made available a comprehensive model farm labor bill. The bill has sections dealing with farm labor recruitment, wages and hours, field sanitation, collective bargaining, employment agreements, labor camps and a civil right of action for an aggrieved worker. The bill also creates within a State an independent office of Migrant and Seasonal Farm Workers. Copies of the bill are available upon request to: Migrant Legal Action Program, Inc., 1910 K Street, Northwest, Washington, D.C. 20006.

EDUCATION

Migrant children have certain characteristics which differentiate them from the majority of the stable population of the public schools:

They are almost all dark-skinned, dark-haired, and dark-eyed, coming as they do from Negro, Mexican-American or Spanish origins. They wear inappropriate, inadequate, or ill-fitting clothing and shoes. They show evidence of neglect in nutrition, health habits and grooming. They use a different pattern of speech; for the many from Spanish speaking families, English is an imperfectly mastered second language.

Most youngsters, regardless of chronological age, are at the primary level in school subjects. They are unfamiliar with proper use of school tools such as pens and pencils, crayons, scissors, rulers, and also show a basic lack of experience with books, pictures and the written word. They do not fit easily into the usual classroom and have trouble learning from group instruction, but are attentive, cooperative, and responsive to individual instruction.

These children need a specialized school situation in order to make educational progress. It is obvious to them, as well as everyone else, that they do not fit into the traditional graded public school classroom.

If these children were eased into school by means of part-time transition classes which catered to their needs, some of the difficulties could be eliminated. They could be integrated effectively and sympathetically into that fundamental institution of democracy, the public school system. At present, the schools appear to be the one place which has contact with migrant workers and can offer them means for bettering their current deplorable living conditions and hope for progressing in the future.

A key word here, however, is "sympathetic". Pursuant and prerequisite to everything else, these children need intelligent, informed, sympathetic guidance. The success of any school program depends more upon the teacher who uses it than upon any other single or group of factors. "There is repeated evidence indicating that no real change occurs in the educational system until the teacher in the classroom understands, believes in, and implements the change." (Migrant Children in Florida, E. John Kleinert)

So, whatever else is done for the migrant children in our schools, securing experienced, if possible, but definitely enthusiastic, sensitive teachers for them is most important and should be given top priority. Some sort of orientation program for all teachers in schools with migrant enrollments ought to be required so that teachers will have some preparation for comprehending the unique background and experiences which these very special children bring with them to their new schools.

Several programs have been effected in Dade County through a special grant to Florida International University by the Florida Department of Education. The Social Educator Development Program provides social services and extensive educational assistance, through the twenty-three county schools districts, for migrant children and their families.

—Charlene Esserman, Metropolitan Dade County