

FARM WORKERS NEED MORE PAY, LESS WORK (8/10)

This being the 21st century, you probably assume that the 40-hour workweek is standard throughout the country, along with the practice of paying one and a half times the regular rate for hours worked beyond forty.

That, after all, is the law, laid down by the 72-year-old Fair Labor Standards Act. The law is widely ignored and doesn't even apply to some workers. That includes farm workers, who badly need the law's protection.

Farm workers have long been among the worst treated of all US workers, despite their vital job of putting food on our tables. But finally there's at least a chance to grant farm workers the same basic right to overtime pay that other workers enjoy.

Actually, that would be just a first step in improving the miserable pay and working conditions in agriculture. It would not necessarily increase the farm worker's take-home pay, since at least some growers would probably cut their employees' workweeks at 40 hours to avoid paying them overtime rates. Or growers might simply hire more workers in order to limit the individual worker's hours to forty.

Farm work is very hard and often dangerous, exposing workers to possible pesticide poisoning, heat strokes, severe back, leg and shoulder pain from constant bending and stooping and other hazards that make agriculture the country's most dangerous industry.

Whatever the pay, working more than 40 hours a week should not be worth the overtime pay that the extra work brings, although farm workers, employers, government authorities and media pundits think it is. If it's going to continue that way, farm workers should at least get overtime pay after 40 hours, like workers in other occupations.

There's another important factor here. Farm work is seasonal. Rain and other winter weather conditions cut into working time, so farm workers try to make up for lost time by putting in 60-hour workweeks and 10-hour workdays – sometimes more – in the summer, and growers are happy to have them do so.

Whatever the circumstances, most farm workers are indeed eager to work at least 10 hours a day, six days a week, with or without overtime pay. But that's

part of the exploitation they've been unable to escape. Hourly rates are so low, they must work as many hours as possible to make a halfway decent living.

So, the ideal is for the 40-hour workweek to be the standard with time-and-a-half for any additional hours – and the pay for 40 hours to be high enough to keep workers from feeling a need to work more hours, and to keep employers from wanting to have them put in extra time, because employers would have to pay the higher overtime rates for the extra work.

But what's happening in the real world, where workers and employers are attempting to make as much as possible in as little time as possible?

No matter what, it's certain that farm workers are not going to get all the rights and protections that other workers have. State by state and nationally, the corporate growers who control agriculture have too much economic and political clout for that to happen.

But there is legitimate hope that farm workers can get at least the right to overtime pay, the most basic of the reforms that are so badly needed. That hope rests with California's State Legislature, which passed a bill this summer which would have made California's 700,000 farm workers the first in the country to qualify for overtime pay.

Given California's standing as the nation's leading farm state, it's seems quite possible that at least some other states, most importantly Texas and Florida, might have followed California's lead. But California's Republican governor, former screen actor and barbell hoister Arnold Schwarzenegger, vetoed the bill.

Not surprisingly, the governor claimed that requiring overtime pay could put some growers out of business, which is highly unlikely, given the wealth of the corporations that control the state's farm economy.

Farm worker advocates within the labor movement and some of California's most powerful political groups promised to continue pressing hard for the vetoed bill or one like it.

Meanwhile, farm workers have to make a living as best they can. They need all the money they can earn, and so even the United Farm Workers union supports encouraging farm workers to work 10-hour days and 60-hour workweeks in order to make overtime pay.

But instead of trying to improve the farm workers' poor economic condition by having them work more hours at the current rates of pay, why not raise the pay rate and keep working hours at a decent level?

No one, especially not workers in such a hazardous and physically demanding occupation as agriculture, should have to work 10 hours a day or 60 hours a week to make a decent living. But even California is not ready to consider the seemingly revolutionary but actually reasonable idea of granting workers more pay for fewer working hours.

Yes, it seems highly impractical. But that's what it will take to guarantee farm workers the decent working and living conditions that they've been denied while we have fed ourselves with the fruits of their labors.