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Farmworker Justice Reviews 30 Years of the Agricultural Worker Protection Act and Calls for Continued, Stronger Enforcement

New Report Outlines History of AWPA, Farmworkers' Poor Conditions and Recommendations for Achieving the Law's Goals

Washington, DC – Thirty years after passage of the Migrant and Seasonal Agricultural Worker Protection Act (“AWPA” or “MSPA”), a new report issued today says the law has proven critically important to preventing wage theft and dangerous working and living conditions for many farmworkers across the country. However, the report by Farmworker Justice calls for enhanced labor protections in the law and regulations and for stronger enforcement by the Department of Labor.

“Unfinished Harvest: Agricultural Worker Protection Act at 30,” says the 1983 law, enacted in response to previous legislation’s failure to achieve equity and sufficient protection for migrant workers, has proven beneficial to farmworkers. The law requires agricultural employers to disclose and comply with job terms, regulates the use of farm labor contractors – who are notorious for labor abuses – and contains safety standards for some housing and transportation vehicles.

Congressman George Miller said: “This report by Farmworker Justice is timely and a must-read for policymakers. While AWPA has helped remedy and prevent wage theft, farm labor contracting abuses, unsafe transportation and unhealthy housing, there is much more to be done. Because our immigration system is broken, the majority of farmworkers lack authorized immigration status, and most are too afraid to step forward to challenge illegal employment practices. Unscrupulous employers need to be weeded out, and abused workers need greater access to the justice system and immigration. The working people who sow and harvest our food every season should be treated with dignity and respect.”

However, many farmworkers continue to experience wage theft, and dangerous housing and transportation. Many factors contribute to this reality, notably our broken immigration system and farmworkers’ limited access to attorneys, but many problems can be addressed in the short term through stronger enforcement of AWPA and in the longer term through improvements to the law. To address systemic abuses, the Department of Labor should emphasize holding farm operators jointly responsible with their farm labor contractors for violations of labor protections.

“The AWPA’s enactment was an important step forward,” said Bruce Goldstein, President of Farmworker Justice, “but the wages and working conditions for most of the workers who cultivate and harvest our fruits and vegetables are still inadequate. To reduce serious abuses that harm farmworkers and undermine the agricultural sector of our economy, there are improvements that should be made in AWPA’s enforcement, in the regulations issued to implement the law, and to the law itself.”

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Farmworker Justice is a nonprofit litigation, advocacy and education organization that seeks to empower migrant and seasonal farmworkers to improve wages, working conditions, immigration policy, health, occupational safety and access to justice.