



# FARMWORKER JUSTICE NEWS

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## VICTORY FOR FARMWORKERS: GROWER HELD LIABLE FOR LABOR CONTRACTOR'S ABUSES

**FARMWORKER JUSTICE AND FLORIDA LEGAL SERVICES  
SETTLE HUMAN TRAFFICKING CASE**



A potato growing and packing operation in northern Florida has settled a lawsuit brought against it for violations of human trafficking and employment laws. Grower Bulls-Hit used labor contractor, Ronald Uzzle, to recruit and supervise farmworkers. Uzzle recruited and transported drug-addicted men from homeless shelters in urban Jacksonville, Florida, to form work crews. Uzzle took advantage of the workers' drug dependencies by not paying the proper wages, subjecting them to decrepit housing and supplying them with drugs. Bulls-Hit benefited from the low-cost labor but did not treat the workers as its employees.

The lawsuit charged that both Uzzle and Bulls-Hit were liable for having cheated the workers out of their wages and violating federal human trafficking laws. Human trafficking laws prohibit the recruitment, transportation and exploitation of a person for labor through the use of force, fraud, or coercion.

### **The grower cannot use a contractor as a shield against responsibility for what happens to workers**

Bulls-Hit agreed to pay the workers who came forward the wages they should have received. In addition, Bulls-Hit agreed to only use reputable, licensed labor contractors and to pay workers directly rather than rely on the contractor to pass on wages. The owner will also allow legal aid workers to inspect the ranch and interview workers to assure proper working conditions. Litigation against Uzzle is continuing. The case, *Smith v. Bulls-Hit Ranch & Farm*, was filed in federal court in the Middle District of Florida.

Litigation is one of the powerful tools Farmworker Justice uses to address the harm inflicted upon farmworkers. Your support not only makes it possible to change the lives of workers involved in our cases but also to hold agricultural employers accountable for their actions.

### **FACT OR MYTH: A Farm Labor Shortage is Putting America's Food Supply at Risk**

Apple growers in Washington State claimed 2011 would be a year of unpicked, rotten fruit due to the lack of workers. Restrictions on illegal immigration and the supposedly cumbersome H-2A guestworker application process put the apple crop in peril. Financial writer John Carey of CNBC looked at statistics by the U.S. Department of Agriculture. He reported the value of Washington's apple crop rose 18 % and farm profits rose within the state from \$1.98 billion to \$3.14 billion-- a 58 % increase. (Source: [www.cnbc.com/id/48847903](http://www.cnbc.com/id/48847903))

### **Pay More, Get More Workers**

In any other industry, when employers confront labor shortages, they raise salaries and take pains to make their jobs more attractive to potential and current workers. If they can't compete, on that basis, something is wrong with their business model. Growers are notorious for complaining of worker shortages as part of a larger campaign to relax the minimal protections that exist for farmworkers. Too many farmers want to keep their expenses low and profits high by keeping wages unacceptably low and working conditions harsh. Instead, growers should recognize that workers are their most important asset and treat them as such.

Employers should improve agricultural wages and working conditions to attract and retain workers. Hundreds of thousands of U.S. citizens and lawful permanent resident immigrants perform farmworker and still more would be inclined to apply if the work involved was safe and compensated fairly.

### **SO WHY THE RESOUNDING CRY OF A FARM LABOR SHORTAGE?**

The allegation of a farm labor shortage is part of a coordinated push by growers to weaken government oversight and remove wage and other labor protections in the agricultural guestworker program. Guestworker programs are inherently flawed. They exploit foreign citizens and frequently displace domestic workers. They go against America's core beliefs and values by depriving foreign workers of economic freedom and political representation. Current guestworkers and undocumented farmworkers working in U.S. agriculture should be presented with a roadmap to citizenship. Employers should improve wages and working conditions to retain their workforce. Future labor needs should be addressed with the recognition that America is a nation of immigrants, not of guestworkers.

# THE STORY OF EULOGIO SOLANO

GREENFIELD, CA, 7/15/12



*Eulogio Solano is a Mixteco migrant from Oaxaca, and farm-worker for many years. After leading strikes and community protests, he went to work as an organizer for the United Farm Workers. Today he lives in Greenfield, California, where he told his story to David Bacon.*

I've been here in Greenfield since 1992, so that's twenty years. But I'm from a small town called San Jose de las Flores in the area of Mesones Hidalgo in the Putla district in Oaxaca. My parents didn't want to let me come to the United States, but since I was 19 years old, it was my decision. When I first came here I was afraid because people said we would get eaten up.

Well, there is some truth to that. They do eat us alive, but not in the way I first thought. They eat us alive in the sense that we leave our lives out in the fields. We come here to work in the fields at the age of 20 or 22 and by the time we're 45, we can no longer work in the fields. Fifty-year-old men cannot find work in the fields. They've already left their lives out there. It's a very difficult job, starting at four in the morning until sun down.

All the jobs I've done have been hard, but a lot depends on the foreman. I once worked for a foreman who herded his workers as if we were animals. I didn't like that. Another foreman was very disrespectful. When one worker asked for a drink of water, after we hadn't had anything to drink for two hours, he grabbed is private parts and told him that was the hose if he wanted water. But I've also worked for foremen who treated us well and knew we were just there to do our job. There are good and bad foremen.

Picking grapes is one of the worst. Many workers become ill when coming into contact with the sulfur on the vines. It makes your eyes and skin sting. My nose became swollen and I couldn't work. Plus you bring the chemical home with you and it harms your family. Foremen would lure us to work in their fields by telling us they would pay us 25 cents more an hour. But if we became ill, they weren't responsible. It's not like we had health insurance either.

The hardest jobs I've had were picking peas and strawberries. Picking peas is a hard job because you work on your knees all

day long. It's also a delicate crop, so you can't carry more than two or three pounds at a time. Your nails take the hardest hit when picking peas, and sometimes split in half. They give you a sort of metal finger so that you can cut the pods off of the vine, but you have to use your nail. It's the same thing when you pick strawberries. You can't really use your fingers. You have to use your nail because you can't squeeze the fruit. In strawberries you also work bent down all day, and soon your back starts to ache.

After doing that work for a number of years, you develop permanent back problems. You work bent over from sunset to sundown for about eight months out of the year. That's why you can't do that work anymore at the age of 40 or 45.

In the fields we work in extreme heat and for longer hours. If you put both your hands on something hot and cold, what burns faster? Obviously the hand over a hot surface. Well it's the same concept for those working under the sun. We're burned out a lot faster.

In addition, the wages are not enough to support a family. I don't understand why wages are so low. Eight dollars an hour is very little. The price of gas has come down some, but it was close to \$5 a gallon. The price of food has gone up. I remember back when I was earning \$6 or \$7 an hour and the price of gas was \$1.49 to \$1.99. It's much more difficult now because we don't earn much more than we used to, but the price of everything has skyrocketed.

When the housing market went up, our rent went up a lot. About ten years ago, you could rent a two-bedroom home for \$450 or \$500. Now that has shot up to \$1,000 a month. Our hourly wage was \$7.50 and it hasn't doubled just because the price of housing doubled. If our wages were to keep up with the high cost of everything, we should be earning \$14 to \$15 right now. That is the only way a family can survive, because \$8 an hour just isn't enough.

With the United Farmworkers I work with all workers, non-union and union. Workers have real bargaining power right now because there is such a need for them. All workers deserve to have benefits. Workers aren't a disposable product. They are the sole reason why everyone in this country has food on their table.



Working bent over strawberry plants all day is very painful. Pictured: Lupe Luna hands strawberries to her friend Maria Hernandez to help her fill her box. Photo: David Bacon



# WE WILL NOT SIT QUIETLY— WE WILL FIGHT FOR OUR RIGHTS

## NATIONAL ALLIANCE OF FARMWORKER WOMEN FORMED TO RAISE THE VOICES OF FARMWORKER COMMUNITIES

*Alianza de Campesinas* is the first national organization founded by farmworker women dedicated to promoting economic justice, equality, health and safety for all U.S. agricultural workers.

**“Far too often farmworkers are not perceived as having the power or ability to create change for ourselves, our families, and our communities. We are capable of winning social change. Alianza is committed to gaining the tools and resources to make the changes our communities require.”** – Floribella Redondo, secretary of Alianza

Alianza will identify and share community-based solutions that promote well-being and social justice for farmworker women, their families, and communities. Alianza’s advocacy network will provide critical grassroots knowledge about their communities to local and national policymakers.

**Through your support,** Farmworker Justice assists Alianza with planning, training and policy development as part of our commitment to **empowering farmworker women.**



Farmworkers pick blueberries in field in California’s San Joaquin Valley. Many members of the crew are indigenous migrants. Workers are paid \$8.00 for each 12 pound bucket they pick. Pictured: Victoria Santiago  
Photo: David Bacon

## IN THE COMMUNITY



Thermal, CA. Ramona Felix And Sonia Baturoni spent many years working as farmworkers. Both are leaders of *Lideres Campesinas*, an organization for women farmworkers, and talk about their next organizing project Photo: David Bacon

Our *Aliados* project provided free HIV testing to 80 people and HIV prevention materials to over 350 people at the National Council of La Raza’s Family Expo in July in Las Vegas.

Through the *Poder Sano* project, we provide assistance to health departments across the nation to start health promotion programs to prevent HIV/AIDS in rural areas.

We provide Community Health Centers in agricultural areas with vital information about policy changes impacting the health system and support to increase their outreach to farmworkers.

We continue to train farmworkers to be community health promoters on the dangers of pesticides in the workplace and how to avoid exposing family members to toxic residues on their clothing and person.

We have been working with local schools and universities to bring awareness to farmworker issues to the next generation of problem-solvers.

## MAKING YOUR DONATIONS ONLINE JUST GOT EASIER!

With our new system, you can now make a gift in honor of family members and friends and we will send them either an e-card or mailed card to let them know about your gift of justice in their name.

You can also sign up to make monthly donations, sponsor an FJ special event, or buy tickets to attend our award ceremony and network with other donors committed to justice for farmworkers.

If you are a federal employee, you can contribute through the Combined Federal Campaign. Our CFC number is 10778.



## WE HAVE A NEW WEBSITE!

Visit **[www.farmworkerjustice.org](http://www.farmworkerjustice.org)** and sign up to receive:

- Our blog updates
- Policy alerts & calls to action
- Curricula and training materials
- Newsletters and Reports
- Special Event information

# LOOK INSIDE TO GET THE LATEST NEWS FROM FARMWORKER JUSTICE

**Victory for Farmworkers:**  
**Farmworker Justice Settles Human Trafficking Case**

**Farmworker Women form national alliance to address  
farmworker community needs**

**Fact or Myth — Is there a labor shortage in agriculture?**



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