



FARMWORKER JUSTICE

Farmworkers and the LIFT the BAR Act

Farmworkers make essential contributions to the American economy,¹ yet most are ineligible for federal or state benefits because they are immigrants.² While undocumented immigrants are ineligible for almost all public benefits, the law also denies public benefits to many documented immigrants with lawful status. The LIFT the BAR Act would provide access to public programs for lawfully present immigrants by removing the five-year waiting period and other restrictions in access to federal public benefits. The bill would help the many farmworkers living in poverty who lack consistent access to necessary health care and nutritious food for both themselves and their families. The effects of these disparities were made clear over the past year as farmworkers, who continued to work as essential workers, suffered disproportionate rates of illness and death from the COVID-19 pandemic.³ The LIFT the BAR Act is an important first step in addressing the inequalities that immigrant farmworkers face.

Farmworkers in the United States experience unsafe living conditions and economic insecurity. Despite the essential role they play, farmworkers are some of the lowest paid workers in the United States. The average farmworker income is between \$17,500 and \$19,999 per year; one-third of farmworkers have family incomes below the federal poverty level.⁴

Even outside of the pandemic, agriculture consistently ranks as one of the most hazardous occupations in terms of job-related injuries and deaths.⁵ Agricultural work can result in injuries from falls and animals, and musculoskeletal injuries from repeated movements are common.⁶ Farmworkers regularly work with dangerous machinery⁷ and are frequently exposed to both extreme heat and hazardous chemicals.⁸ Pesticide exposure poses risks of immediate and long-term illnesses, including cancer and neurological disorders, to both farmworkers and their families.⁹ The inability to access reliable health care exacerbates these dangers.¹⁰ Most farmworkers lack health insurance and are unable to afford primary care,¹¹ resulting in high rates of chronic illnesses such as diabetes.¹²

The people who spend their days picking the fruits and vegetables that feed American consumers are struggling to find food for their own families. Farmworker families face food insecurity at alarming rates. For example, studies have shown that nearly 50% of farmworkers working in California's Central Valley—the country's most productive agricultural region—are food insecure.¹³ Despite these high rates of food insecurity only 18% of farmworkers reported a household member enrolled in SNAP.¹⁴

Immigrant farmworkers are an essential part of the American workforce. They ensure the security of our nation's food supply, and their health and safety have an impact on all Americans. By eliminating barriers to access to public programs and services for lawfully present immigrants, the LIFT the BAR Act would make important progress toward improving the lives of immigrant farmworkers and their families.

¹ Economic Research Service (ERS), U.S. Department of Agriculture, *Ag and Food Sectors and the Economy*, <https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/ag-and-food-sectors-and-the-economy/>; Lisa Christensen Gee et al., Inst. on Tax'n & Econ. Pol'y, *Undocumented Immigrants' State & Local Tax Contributions 2* (2017), <https://itep.sfo2.digitaloceanspaces.com/immigration2017.pdf> (“Undocumented immigrants contribute significantly to state and local taxes, collectively paying an estimated \$11.74 billion a year.”).

² U.S. Department of Labor, *Research Report No. 13, Findings from the National Agricultural Workers Survey (NAWS) 2015-2016: A Demographic and Employment Profile of United States Farmworkers 2* (2018), https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS_Research_Report_13.pdf

³ Yea-Hung Chen et al., *Excess Mortality Associated with the COVID-19 Pandemic Among Californians 18-65 Years of Age, by Occupational Sector and Occupation* (2021), <https://www.medrxiv.org/content/10.1101/2021.01.21.21250266v1.full.pdf> (finding that Latino food and agriculture workers experienced a 59% increase in excess mortality during the pandemic while white workers experienced a 16% increase).

⁴ NAWS Report, *supra* note 2, at 36.

⁵ U.S. Bureau of Labor Statistics, *Census of Fatal Work Injuries* (2019), <https://www.bls.gov/charts/census-of-fatal-occupational-injuries/number-and-rate-of-fatal-work-injuries-by-occupation.htm>.

⁶ Larry Chapman & James Meyers, *Ergonomics and Musculoskeletal Injuries in Agriculture: Recognizing and Preventing the Industry's Most Widespread Health and Safety Problem* (2001), <https://nasdonline.org/1830/d001771/ergonomics-and-musculoskeletal-injuries-in-agriculture-recognizing-and.html>.

⁷ Sarah Goldman et al., Johns Hopkins Ctr. for a Livable Future, *Essential and in Crisis: A Review of the Public Health Threats Facing Farmworkers in the US* 48 (2021), <https://clf.jhsph.edu/sites/default/files/2021-05/essential-and-in-crisis-a-review-of-the-public-health-threats-facing-farmworkers-in-the-us.pdf>.

⁸ *Id.* at 29–30.

⁹ *Id.* at 33–36.

¹⁰ *Id.* at 19, 49.

¹¹ NAWS Report, *supra* note 2, at 40.

¹² National Center for Farmworker Health, Inc., *Diabetes & U.S. Agricultural Workers* (2021), <http://www.ncfh.org/diabetes-fact-sheet.html>.

¹³ Gail Wadsworth et al., Cali Inst. for Rural Stud., *Assessing and Addressing Farm Worker Food Security* 5-8 (2016), <http://www.cirsinc.org/phocadownload/assessing%20and%20addressing%20farm%20worker%20food%20security.pdf>.

¹⁴ NAWS Report, *supra* note 2, at 39.