

Statement on COVID-19 and the Risks to Farmworkers

The undersigned organizations represent the interests of the estimated two to three million farmworkers who are employed throughout the United States. Farmworkers feed the world through their labor, bringing fruits, vegetables and other crops to homes across the nation. Their work is critical, yet they and their work have not been properly valued. Farmworkers earn poverty wages, work under substandard conditions and face a myriad of health and other issues due to their living and employment conditions.

Given this reality and the onset of the global COVID-19 pandemic, we are gravely concerned about the health and welfare of the farmworker community, their families and the security of our entire food supply. While political leaders are swiftly taking measures in order to contain the outbreak, slow the spread of the virus and save lives, decisions are being made that have an impact on the lives and livelihoods of workers, including farmworkers.

Among these, measures have been taken to close schools, businesses and international borders to address this health crisis. We are grateful for all of those who are addressing this issue at all levels of government, not to mention those who are on the frontlines battling it. It is our hope that as these plans are being devised, farmworkers are not forgotten or left behind. To this end, we seek to raise concerns around some of the risks to the farmworker community should sweeping policies be enacted or procedures adopted without care to the unique concerns of differing communities.

We feel that it is urgent to raise some of the pressing issues here.

Health

While farmworkers are susceptible to the COVID-19, as with the general population, there are unique health considerations to account for, including:

- Many farmworkers often lack access to handwashing facilities with soap and water at work, making it difficult for them to routinely wash their hands as is necessary to prevent contracting or spreading of the virus.
- Farmworkers often move and work in groups, and travel in vehicles with large numbers of workers, making the social distancing requirements difficult, if not impossible, to comply with.

Access to Medical Care

Farmworkers often lack access to preventative medical assistance, health insurance and medical treatment:

- If farmworkers become ill with the COVID-19, there is concern that there are insufficient funds to provide the necessary treatment.
- Farmworkers may not have the financial resources to seek medical attention or insurance to cover the costs of their care.
- Farmworkers may not live near or have access to transportation to get them to a medical facility.
- If they are able to seek medical attention, farmworker community members may confront language barriers that make it difficult for them to get the care they need.

Housing

Farmworker housing conditions pose another concern and risk factor for potential transmission and spread of the COVID-19 within the farmworker community, especially for workers who are living in farmworker labor camps, shared dwellings and for those who are homeless. The close proximity of individuals in overcrowded dwellings is of deep concern:

- Despite the fact that there are existing housing regulations that dictate the dwelling conditions for farmworkers, particularly migratory workers, farmworkers across the nation live in homes that are overcrowded, sometimes with multiple inhabitants sleeping and living in one room.
- Many farmworkers share bathing, restroom and cooking facilities among multiple, unrelated workers.
- Some farmworkers even lack potable water, bathing facilities and soap in camp housing.

These conditions could easily give way to the spread of the COVID-19 and could potentially result in transmission to dozens and, potentially, hundreds of workers at one camp or facility. While we are concerned about the health risks to farmworkers and their families, farmworkers also play an important role in food safety and seek the education, training and protections needed to assure the safety of our food supply.

Employment

Layoffs due to business disruptions, quarantines, illness, and stay-at-home or isolation orders from city, state or federal officials could have immense financial consequences for the farmworker community:

- Farmworkers, unlike other professionals, are not afforded the same safety nets that would permit them to miss a day, let alone multiple weeks, of work.
- Most farmworkers are not entitled to unemployment benefits, and therefore, unemployment insurance is an unrealistic option for workers whose employers may be forced to shut down on a short- or long-term basis.

- Where state or local governments issue orders to stay at home but contain exceptions for agricultural workers to produce our food, there should be special consideration of the risks that such decisions of the government pose to farmworkers and their family members.
- Workers who become sick or have to care for a sick relative do not have paid leave to allow them to care for themselves or their loved ones.
- Even where paid leave laws are in place, there is concern that these laws will not be enforced.
- Workers lack guarantees that will help ensure that they maintain their jobs if they are forced to take time off for illness or to care for sick family members.
- Some farmworker-serving programs receive funds to run employment centers for workers. Federal funding guidelines require them to stay open and in operation, which poses a risk to the workers applying for jobs, as well as those who work at the employment centers.
- Farmworkers who receive Temporary Assistance for Needy Families (TANF) financial benefits for their families are required to show that they are applying for jobs, which means that many of them regularly visit employment centers in person to apply. Large numbers of workers visit these centers daily, placing the job applicants, as well as the job center employees at potential risk.

For farmworkers, missing a day of work or an entire paycheck could mean the difference between being able to feed their families or go hungry, despite the fact that their work brings food to family tables across our nation.

Education and Childcare

Like families across the nation, farmworker parents are concerned about school and childcare closures:

- If schools and childcare centers are closed, there is a strong possibility there will be no childcare available to support working parents. Migrant and Seasonal Head Start (MSHS) centers, a federally-funded program established in 1969 across 38 states, are being asked to close their doors despite parents' continued need to work in the fields. Program closures leave nearly 20,000 families and 30,000 children without guaranteed access to educational early care, important nutritional needs, and healthcare needs.
- Few families have the financial means to pay for quality, alternative childcare, which may be limited in rural communities.
- Failure to have viable childcare options will require parents to miss work in order to care for their children, which will result in less income for the family.

- If one parent is forced to stay home from work, this will likely result in an unbalanced negative impact on farmworker women, who are likely to bear the brunt of these childcare responsibilities.
- Single parents may be at a loss for childcare options altogether, either resulting in forced time away from work or making the decision to choose alternative, unregulated child care arrangements that may be inferior and dangerous.
- A particular concern is that parents might feel compelled to take their children to work with them in the fields, which could result in exposure to the virus, pesticides and other treacherous conditions.

Immigration and Migration

The large majority of America's farmworkers are immigrants; they work hard to achieve the American Dream but are often living and working in difficult circumstances. More than half of farmworkers in our nation are undocumented, and many live in mixed-status families and communities. Our broken immigration system presents a threat to farmworkers' health and safety:

- Undocumented or farmworkers living in mixed-status families may be afraid to seek medical attention if they become ill for fear of immigration action against them and their families.
- There is a risk that undocumented farmworkers or workers who are working in the US on an H-2A guestworker visa may not qualify for stimulus aid, health or other kinds of insurance that may become available to aid those who are impacted by this illness.
- At present time, it is unclear as to whether guest worker visas may be revoked and workers returned to their countries of origin prior to the end of their contract, not to mention whether incoming workers will be permitted to fulfill contracts that they have been recruited for given the current situation.
- There are concerns that restrictions might be placed on ground travel, either through the potential for a state or national quarantine, which would make it impossible and, potentially even unlawful, for farmworkers to migrate to follow the agricultural stream for work.

Violence and Exploitation

Farmworkers already face high rates of violence and exploitation at work, including gender-based violence and labor exploitation:

- The existing circumstances related to the pandemic are ripe for both violence and exploitation against farmworkers due to the increased levels of stress, anxiety and feelings of helplessness, coupled with the overall vulnerability of this population.

- Domestic violence, sexual violence and human trafficking are all real threats against farmworkers during this time of instability.
- Labor recruiters or contractors might feel more empowered to cheat workers out of their wages or commit other violations against them because they know that workers are desperate to keep their jobs, particularly when so much financial instability exists.

While the list of concerns related to the COVID-19 and its potential impact on the farmworker community is lengthy, there are also solutions that exist to limit the impact that this virus could have on farmworkers, their families, consumers and other community members. Even though farmworkers have been denied many of the basic protections afforded to other workers and workforces in the past,¹ political leaders must take into account the ongoing and emerging needs of the farmworker community. These priorities must be considered as protocols, policies and programs are being developed to create an all-community plan to address, curb and end the COVID-19 pandemic.

Sincerely,

Justice for Migrant Women

Farmworker Justice

League of United Latin American Citizens (LULAC)

MAFO, A National Partnership of Farmworker & Rural Organizations

Migrant Legal Action Program

National Migrant & Seasonal Head Start Association

PCUN, Oregon's Farmworker Union

United Farm Workers Foundation

UMOS

Unidos US

Association of Farmworker Opportunity Programs

National Farmworker Ministry

National Center for Farmworker Health

¹ The exclusion of farmworkers from labor protections is a shameful, racist legacy of the Jim Crow era. Because of a compromise made by President Franklin D. Roosevelt in 1938 to get Southern segregationist legislators to support his New Deal, agricultural and domestic workers – who at the time were primarily black workers – were intentionally carved out of federal labor laws. Today, decades later, the only thing that has changed is the demography of our nation's farmworkers. They are now primarily Hispanic (83%), but, like the primarily black farmworkers of the 1930s, they are still marginalized people of color.