

FACTS ABOUT FARMWORKERS

Updated January 2022

The National Center for Farmworker Health estimates that there are approximately 2.9 million agricultural workers in the United States.¹ These workers travel and work throughout the U.S., serving as the backbone for the trillion-dollar agricultural industry.² Within the population, 15% identify as migratory, while 85% are settled agricultural workers. The bulleted list below provides agricultural worker demographic information from the 2019-2020 National Agricultural Workers Survey (NAWS) results.³ (Please note that some category percentages may sum to over 100% due to rounding).

DEMOGRAPHICS³

- The majority (70%) of agricultural workers were foreign born.
 - 63% of all agricultural workers were born in Mexico
 - 42% of Mexican-born workers were from the traditional sending states of west central Mexico, including Michoacán (20%), Guanajuato (11%), and Jalisco (9%)
 - 30% came from Northern Mexico
 - 28% came from Southern Mexico
 - 30% were born in the U.S. or Puerto Rico
 - 5% of agricultural workers were born in Central American countries
- Sixty-six percent of crop workers were male and 34% were female.
- The majority (78%) of agricultural workers self-identify as Hispanic.
 - 32% of U.S. born agricultural workers identify as Hispanic
- Sixty-six percent of respondents described their race as “Other”. Thirty-three percent identified as White and less than 1% identified as Black or African American.
- Ten percent of respondents identified as Indigenous, based on their race or speaking an Indigenous language.
- The majority (62%) of agricultural workers reported that they were most comfortable conversing in Spanish. The following was noted for English speaking ability among agricultural workers:
 - 29% said they could not speak English “at all”
 - 39% said they could speak “a little” or “somewhat” English
 - 32% said they could speak English “well”
- Agricultural workers in the United States have an average age of 41 years.
 - 37% are under the age of 35
 - 44% are between 35 and 44
 - 19% are between 55 and older
- The average level of completed education was 9th grade.
 - 4% had not completed any formal schooling
 - 35% had completed grades K to 6
 - 22% had completed grades 7 to 9
 - 26% had completed grades 10 to 12

- 14% had attained some form of higher education

EMPLOYMENT CHARACTERISTICS³

- Agricultural workers had an average of 18 years of U.S. farm experience.
- Agricultural workers worked an average of 39 weeks a year in agriculture,
- 88% of agricultural workers said they were hired directly by the grower or producer, while 12% said they were employed by a labor contractor.
- Agricultural workers reported being employed in a variety of agricultural tasks:
 - 31% performed technical tasks
 - 28% performed pre-harvest tasks
 - 20% harvested products
 - 21% performed post-harvest tasks
- The breakdown of the primary crops worked by agricultural workers is as follows:
 - 20% worked with vegetables
 - 38% worked with fruit and nuts
 - 24% worked in horticulture
 - 14% worked with field crops
 - 3% reported working in miscellaneous or multiple crops

ECONOMIC CONTRIBUTION

Agricultural workers support the \$1.264 trillion agricultural industry in the U.S.² Eliminating agricultural workers or switching to less labor-intensive crops negatively impacts agricultural regions and reduces the number of jobs available to permanent local residents.⁴ Research conducted on Michigan's agricultural economy found that agricultural workers contributed over \$23.3 million dollars to the state's annual economy by enabling farmers to produce higher-value crops, after the deduction of agricultural workers' wages and housing costs.⁵ Strict immigration laws passed in several states have demonstrated the severe impacts of farm labor shortages.⁶ A University of Georgia study found that House Bill 87, passed in April 2011, adversely affected the state's agricultural output. Georgia lost over \$181 million in less than a year due to increased labor shortages.⁷

AGRICULTURAL GUEST WORKER PROGRAM

The United States experienced drastic farm labor shortages during World War II. To meet the demand for farm laborers, the U.S. created the Bracero Program in 1942.⁸ This program brought in over 4 million guest workers from rural, poor areas of Mexico.⁸ In 1964, the U.S. terminated the Bracero program and created the H-2 guest worker program for temporary work, with H-2A being agricultural workers and H-2B being guest workers who do non-agricultural work.⁹ During the fiscal year of 2021, the U.S. Department of Labor certified 317,619 H-2A visas out of the requested 330,489.¹⁰ See NCFH's [fact sheet on H-2A guest workers](#) for more information.

WAGES AND BENEFITS

Agricultural workers represent some of the most socially and economically disadvantaged people in the U.S. According to the 2019-2020 NAWS survey results, 20% of agricultural worker families had family income levels below the national poverty guidelines.¹¹ Farmworkers reported an average hourly wage of \$13.59.³ The survey found that 82% of agricultural workers said they were paid by the hour, 7% were paid by the piece, and 8% were salaried. Using piece rate as a basis for payment is common in agricultural sectors where the crop is easily weighed and

measured. Some employers prefer this form of payment because it motivates workers to work faster during seasonal crop harvesting.¹² In addition to low wages, agricultural workers rarely have access to worker's compensation, occupational rehabilitation, or disability compensation benefits. Because a worker's benefits are state-dependent, agricultural workers are often more challenged by the qualifications and requirements of each state. Farmworker Justice compiled a chart of state-specific worker's compensation coverage limitations for agricultural workers.¹³ In the United States and U.S. territories, 17 states do not require workers' compensation insurance for agricultural workers, 14 states require workers' compensation for all agricultural workers and the remaining 19 states require it, but provide exceptions for small employers.¹³ Although many agricultural workers meet income guidelines for programs such as Medicaid and the Supplemental Nutrition Assistance Program, very few are able to secure these benefits because of different state eligibility requirements and having families with mixed immigration statuses. Also, there are administrative barriers to medical coverage for mobile populations, and some organizations have recently focused their interest in overcoming these.¹⁴⁻¹⁶ Recent research demonstrates that portable health service programs such as Medicaid and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), currently administered at the state level, would benefit mobile agricultural worker families.¹⁷ Some solutions suggested for solving the portability issue include a multistate Medicaid card and an interstate provider network.

HOUSING

Although there are good examples of improving agricultural worker housing conditions, such as the Farmworker Housing Program in Washington state, most agricultural worker housing is often substandard or overcrowded.^{18,19} A study conducted in 2008 in North Carolina found that about 89% of the agricultural worker labor camps had more than one condition that violated the Migrant Housing Act (MHA) of North Carolina.¹⁹ According to the same study, 78% of workers reported living in crowded conditions regardless whether the provided space complies with housing standards. Another study conducted in 2007 in the Coachella Valley of California concluded that 2% of those surveyed reported having living situations not meant for human habitation (such as the outdoors, vehicles, or inhabited converted garages).²⁰ Negative behavioral and mental health are linked to poor housing conditions and overcrowded spaces.²¹ Anxiety disorders, including post-traumatic stress disorder, and depression and other mood disorders are common diagnoses for agricultural workers.²² Over the last decade, governmental agencies and nonprofit groups became more interested in improving agricultural worker housing conditions. The Department of Housing and Urban Development (HUD), the National Housing Trust, and USDA's Rural Development state offices all support improvements to farmworker housing.²³⁻²⁵ Improving access to home ownership is a priority for many advocates, as research has demonstrated that agricultural workers who own homes engage more in their communities and have an increased perception of community efficacy.²⁶

HEALTH

A study conducted in New York in 2007 found that poverty, frequent mobility, low literacy, language and cultural barriers impede agricultural workers' access to social services and cost-effective primary health care.²⁷ The small percentage of agricultural workers who do take advantage of health services face more issues: a limited means of transportation, language and cultural barriers, no health coverage, cost of services, the lack of time-efficient healthcare delivery methods and the medical referral system.²⁸ For over 55 years, health centers have provided primary care services to agricultural workers via the federal Health Center Program.²⁹ Health centers are community-based and patient-directed organizations that serve populations with limited access to health care. These include low-income populations, the uninsured, those with limited English proficiency, agricultural workers, individuals and

families experiencing homelessness, and those living in public housing.³⁰ Some Health Centers receive federal funds to provide health services to agricultural worker patients. In 2021, the Health and Resources Services Administration (HRSA) of the U.S. Department of Health and Human Services reported that the health center program provided health services to 1,015,162 agricultural workers (including family members) as reported by all Community Health Centers; of which 88% received services from 175 centers with specific funds to help agricultural workers.³¹ According to HRSA's Health Center Data, the following are the most common diagnoses reported by Health Centers for agricultural workers and their families in 2021.^{22(p6)}

Diagnosis	Number of Agricultural Worker Patients with Diagnosis, 2021 (n = 1,015,162)
Overweight/obesity	259,083
Hypertension	115,908
Diabetes mellitus	91,124
Anxiety disorders, including post-traumatic stress disorder (PTSD)	51,087
Other mental disorders, excluding drug or alcohol dependence	36,788
Depression & other mood disorders	36,317
Asthma	25,665
Lack of expected normal physiological development (such as delayed milestone, failure to gain weight, failure to thrive), nutritional deficiencies in children only. This does not include sexual or mental development.	23,474
Contact dermatitis and other eczema	14,587

LEGISLATIVE PROTECTION

According to the U.S. Bureau of Labor Statistics, agriculture ranks as one of the most dangerous industries in the nation.³² Commonly-reported injuries include exposure to the elements, musculoskeletal disorders, symptoms associated with pesticide exposure, and injuries. Despite their critical role in the Nation's economy, agricultural workers are excluded from many basic labor and health & safety protections. The following are some legislative protections that apply to agricultural workers:

The Fair Labor Standards Act (FLSA): First enacted in 1938, the FLSA has undergone many amendments; it establishes a minimum wage, overtime pay, record-keeping and child labor standards.³³ The agricultural industry is specifically exempted from the requirement for overtime pay, so agricultural employers are not required to pay employees time and a half for working more than 40 hours a week.³⁴ Small agricultural employers that do not meet a set threshold of labor hours are also exempted from the requirement to pay minimum wage.³⁴

Migrant and Seasonal Agricultural Worker Protection Act (MSPA): Enacted in 1983, the MSPA offers employment-related protections for agricultural workers.³⁵ Every non-exempt farm labor contractor, agricultural employer, and agricultural association must:

- Disclose the terms and conditions of employment to each mobile agricultural worker in writing at the time of recruitment and to each seasonal worker when employment is offered, in writing if requested;
- Post information about worker protections at the worksite;
- Pay each worker the wages owed when due and provide each with an itemized statement of earnings and deductions;

- Ensure that housing, if provided, complies with many federal and state safety and health standards;
- Ensure that each vehicle, if transportation is provided, meets applicable federal and state safety standards and insurance requirements and that each driver be properly licensed;
- Comply with the terms of any working arrangement made with the workers; and
- Make and keep payroll records for each employee for three years.

Occupational Safety and Health Act (OSH Act): In general, OSHA inspectors cannot conduct inspections on farms that have ten or fewer employees.³⁶ The Field Sanitation Standards specifies that agricultural employers with 11 or more employees who conduct hand labor operations in a field must provide: drinking water at a suitable drinking temperature, toilet and hand-washing facilities in a reasonable, accessible distance, and the employer must notify the employee of the location of such facilities.³⁷

Agricultural Worker Protection Standard: Enacted in 1992 and revised in 2015, Environmental Protection Agency enforces this standard.³⁸ Primarily focused on the safe handling of pesticides, the standard now prohibits children under the age of 18 from handling pesticides, requires that workers do not enter areas recently sprayed with pesticides, and improves protection for workers from retaliation if they make complaints about violations of the standard.

Immigration and Nationality Act: The H-2A portion of the Immigration and Nationality Act offers protections for H-2A workers concerning: a pay rate, written notice of the work contract with beginning and end dates, the three-fourths guarantee (employees must guarantee employment for at least 75% of the contract period), and housing provided at no cost to the employee. Employers are also responsible for transportation to and from work and transportation to and from their country of origin.³⁹

Title VII of The Civil Rights Act of 1964: Enacted in 1964, the basis of this act first included the prohibition of employment discrimination based on race, sex, color, national origin, and religion. Since 1964, the act has undergone many amendments, but Title VII is significant for farmworker women. A recent study conducted in California stated that farmworker women commonly experience, sexual harassment, sexually suggestive dialogue and inappropriate touching.⁴⁰ The same study found that 24% of the women reported sexual coercion. Supervisors would also often suggest a form of payment (either money or goods) to negotiate for potential sexual favors. Researchers documented analogous findings among farmworker women in Washington state.⁴¹ Title VII protects employees of both sexes through the Equal Employment Opportunity Commission's guidelines for sexual harassment. Quid pro quo (offering a professional benefit in exchange for sexual acts), hostile environment (sexual comments, suggestive physical contact or showing sexual material) and retaliation (punishment from the employer for reporting or formalizing a complaint on sexual harassment) are all protections that both male and female employees have regardless of the industry.⁴²

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