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IMMIGRATION AND THE CHANGING FACE OF RURAL AMERICA

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Agriculture: Immigrant Port of Entry

Between 1980 and 1996, the United States admitted 13.5 million immigrants, including 3.3 million Mexicans. The number of legal immigrants admitted over the past 16 years exceeds the population of 46 states, and the number of Mexican immigrants admitted legally exceeds the population of 23 states. In 1996, there were 25 million foreign-born persons in the United States, including 5 million who were not authorized to be here.

Most immigrants settle in urban areas. In fiscal year 1995, only 43,600 or 6 percent of the 720,500 immigrants admitted to the United States indicated that they intended to settle outside a metropolitan statistical area, an area defined as a city of 50,000 or more, or an urbanized area with at least 100,000 residents. However, much of the labor-intensive agriculture in the United States is in metro areas, so immigrants in the Fresno, Salinas or Stockton metro areas may well be farmworkers attracted to the United States to fill farm jobs.

Agriculture and related industries play an important role in bringing unauthorized and unskilled Mexican immigrants into the United States, a fact highlighted by U.S. legalization programs in 1987-88. Through two distinct legalization programs, one for persons residing in the United States illegally since January 1, 1982, and the other for unauthorized foreigners who did at least 90 days of farm work in 1985-86, some 2.7 million unauthorized foreigners became legal immigrants. Legalized aliens were 20 percent of all immigrants admitted legally over the past 16 years and two-thirds of the Mexican immigrants.

Agriculture was associated with over half the legalized aliens: including 1.1 million Special Agricultural Workers (SAWs) and 7 percent (or 80,000) of the 1.1 million aliens over 18 who applied for legalization on the basis of being in the United States since January 1, 1982. Agriculture played an even larger role: 25 percent of the pre-1982 adults legalized in 1987-88 had farm jobs in their country of origin and 16 percent had a farm job as their first U.S. job, with half finding nonfarm jobs by the time they applied for legalization (INS, p. 34; Martin, 1994).

These data suggest that U.S. agriculture is a port of entry for unskilled immigrants and that the farm labor market is like a revolving door, drawing in unauthorized migrants to fill seasonal farm and related nonfarm jobs, and then

replacing them with fresh newcomers when they exit for nonfarm U.S. jobs or return to their countries of origin.

Farmworkers: The U-Turn, Illegal to Legal to Illegal

The purpose of the legalization programs in 1987-88 was to legalize the farm work force, and then force farm employers to adjust wages and working conditions to retain newly-legalized SAWs since illegal immigration would presumably be stopped by stepped-up border controls, employer sanctions and fines on U.S. employers who knowingly hire unauthorized workers. This did not happen, largely because illegal alien workers continued to arrive, and they and their U.S. employers could satisfy the letter of the law with forged work authorization documents.

The percentage of unauthorized workers in agriculture went from 20 to 25 percent in the mid-1980s to a low of less than 10 percent in 1988-89, and is currently 35 to 40 percent. Furthermore, legalization and sanctions had the unexpected effect of spreading Mexican workers from the Southwest and Florida throughout rural America. Workers who would have been suspected illegals in New England or the Midwest before the Immigration Reform and Control Act of 1986 were legally authorized after legalization. Employers who hired such workers did not risk having workers removed or fines if they copied the documentation presented.

The spread of Mexican and Central American workers throughout the United States has given the United States an immigrant farm work force. According to the U.S. Department of Labor's National Agricultural Worker Survey in 1994-95, 70 percent of the farmworkers on U.S. crop farms were immigrants. Most farmworkers interviewed were young men—80 percent were male and two-thirds were under age 35, including seven percent under age 18 in 1994-95. The median age of farmworkers was 31 in 1990, median years of education were eight, and 70 percent were married (Mines, et al.).

Farm earnings are low. About 80 percent of U.S. farmworkers have individual farm earnings of less than \$10,000 per year—including half with farm earnings less than \$5,000.

The National Agricultural Workers Survey also collected data on the family status of farmworkers. About 40 percent of all farmworkers live away from their families while doing farm work. In many cases, husbands doing U.S. farm work live with non-related adults, while their families remain in Mexico. This means that farmworkers' children are often not at the farm where the parent is working. About one-fourth of farmworkers live on the farm where they work.

Over the 1988-1995 period, the National Agricultural Workers Survey found that the percentage of foreign-born and illegal workers increased—70 percent of the hired workers interviewed in 1994-95 were born abroad. The percentage of

unauthorized workers rose from 7 percent in 1989 to 37 percent in 1995. Almost one in five workers in 1994-95 was working on U.S. farms for the first time and 70 percent of those working on U.S. farms for the first time in 1994-95 were unauthorized.

Most farmworker “careers” last less than 10 years. In the past, many U.S. farmworkers were attracted to nonfarm jobs by higher wages and benefits. In the 1950s and 1960s, according to Hildreth, “they were being *pulled* from the farm rather than *pushed* off the farm” (Hildreth, p. 104). Many immigrant farmworkers returned to their country of origin.

Today, both patterns are changing. There is some pull from nonfarm employers for farmworkers in related industries, such as meatpacking, but so many immigrants are heading directly for nonfarm U.S. jobs that immigrant farmworkers already in the United States may not have an advantage in getting nonfarm jobs. Second, more immigrant farmworkers seem to be settling in the United States with their families, seemingly assuming that the changes sweeping rural Mexico mean that rural America offers them better opportunities over the long run.

Prospects for Change: Agriculture

The current farm labor market resembles a revolving door in which new and increasingly unauthorized workers replace immigrants who exit seasonal farm jobs after 10 years. What are the prospects for change in the farm labor market that are attracting immigrants to rural America?

If the cost and availability of farm labor were to change, the number and characteristics of farmworkers may change, and thus the integration challenge facing rural communities would resemble more of a brief adjustment than an ongoing affair. The major U.S. change that would affect the need for a constant influx of farmworkers is mechanization of tasks in labor-intensive commodities, or shifts in their production to other countries. The major means by which the cost and availability of labor might increase are union activities, government wage regulation and minimum wage setting, or government activities that reduce immigration. All are unlikely to be effective over the next decade.

Unions. Unions have the potential to raise wages, and thereby spur mechanization or shift production overseas. There are at least 12 unions actively trying to represent farmworkers, including 9 in California (Table 1). Unions have long sought to be the major organizing institution in the seasonal farm labor market, displacing the Employment Service (ES) and labor contractors, and using some form of hiring hall to influence farm wages and benefits.

Farmworkers were excluded from the National Labor Relations Act of 1935 which means that they have the right to organize and bargain collectively with farm employers, but not under federal government auspices. Most of the “farmworker”

Table 1. California Farmworker Unions in 1996.

| Union | ALRB | | Percent of Certification | Jobs Covered ^a | Members ^b | Major Commodities | Region |
|--|------------------------------|----------------------|-----------------------------|------------------------------|----------------------|------------------------------------|--|
| | Certifications 1975-1996* | Current Contracts | | | | | |
| United Farm Workers | 450 | 40 | 9 | 20,000 | 25,000 ^c | All | All |
| Independent Union of Agricultural Workers | 12 | 6 | 50 | 800 | 1,500 | Vegetables | Oxnard, Salinas, Bakersfield |
| Fresh Fruit and Vegetable Workers Local 78-b | 22 | 15 | 68 | 900 | 1,200 | Vegetables and Packing Sheds | Salinas and Southern California |
| Christian Employees Union | 173 | 173 | 100 | 585 | 585 | Dairy | Central and Southern California |
| Teamsters 63 | 28 | 28 | 100 | 250 | 250 | Dairy | Los Angeles Bud-Dole multiregion contract |
| Teamsters 890 | 29 | 4 | 14 | 3,400 | 7,400 | Vegetables | |
| Totals | 775 ^d | 263 | 34 | 12,235 | 21,835 | | |

*Includes unions with 10 or more certifications.

- Unions with fewer than 10 certifications include: Comité de Campesinos Unidos, Teamsters Local 87, 166, 389 and 624, United Stanford Workers, Dairy Employees Union Local 17, and the Wine and Allied Workers Union.

- Unions without certifications and other farm labor organizations include: American Friends Service Committee Proyecto Campesino, San Joaquin Valley Workers Organizing Committee, Laborers International Union of North America, Anti-Racist Farm workers Union, Laborers International Union Local 304, and Trabajadores Agrícolas Unidos Independientes.

^aAverage employment on farms under contract.

^bPersons who pay dues to the union sometime during the year.

^cAbout 12,000 UFW members are covered by the UFW's Martin Luther King pension plan.

^dIncludes certifications of unions not listed above.

states outside California—Florida, Texas, Washington, North Carolina, and Oregon—have no collective bargaining agreements in agriculture. The exceptions are the Ohio-based Farm Labor Organizing Committee (FLOC), a 5,350-member union with three-way agreements between processors, farmers and workers on Ohio and Michigan cucumber farms, and the United Farm Workers (UFW) in Washington which, in 1995, signed its first farmworker contract with the Chateau Ste. Michelle winery, covering 200 regular and seasonal farmworkers.

California enacted a state law, the Agricultural Labor Relations Act (ALRA), in 1975 that was, in many ways, more favorable to unions and workers than the National Labor Relations Board. Between 1975 and 1996, the state supervised over 1,600 elections involving 125,000 workers, in which the unions won about half. However, in 1997, there are about 260 contracts between farm employers and unions, and 200 of these contracts are between dairy farms and their milkers. The UFW has about 40 contracts, despite winning elections on 450 farms.

There were four types of arguments advanced to explain why the UFW failed to obtain contracts with California farmers that might have raised wages and stabilized the work force after 1975 (Martin, 1996). First, it was argued that UFW leadership failures and strategy changes led the union to quit organizing and to isolate itself from farmworkers. Second, the UFW charged that the ALRA, enacted under Democratic governors, was improperly administered after Republican governors took office in 1982.

Third, the structure of farm employment changed in the 1980s in a manner that made organizing and representing farmworkers more difficult. Many farming companies switched from being integrated operations that hired both year-round and seasonal farmworkers directly to a series of separate entities that hired no seasonal workers. One of these entities might own the land, which another farms, while a third markets the commodities produced. The seasonal farmworkers on the farm may be employed by custom harvesters or “super” labor contractors. It is these employers with whom the union would have to make an agreement, not the farmer or marketer.

Fourth, legal and illegal immigration added to the supply of farmworkers. Although, in the early 1980s, the UFW seemed to temporarily defy the laws of supply and demand, winning a 40 percent one-year wage increase in 1980, employers learned that there were alternatives to unionized workers, and many of those that signed UFW contracts went out of business. When the UFW called strikes, other employers turned to farm labor contractors to supply them with workers.

The UFW is back in the limelight in 1997 with its campaign to organize 15,000 to 20,000 strawberry harvesters in California, and 40,000 apple harvesters in Washington. Both campaigns are strongly supported by the AFL-CIO. The Washington apple campaign is being coordinated with the Teamsters union, which is seeking to represent 15,000 warehouse workers. In both campaigns, the UFW is appealing to consumers and grocery stores to support “fair wages and conditions” for farmworkers, stressing how an extra \$0.05 cents for a pint of strawberries, or \$0.01 per pound of apples, could double pickers’ earnings. The UFW has not requested any elections so far in the California strawberry industry (Martin, Taylor and Fix).

It is not clear how successful these union-organizing campaigns will be. Most reports stress that an ample supply of workers is available, making the union threat more one of consumer boycotts than of labor shortages caused by strikes.

Minimum Wages and Labor Laws. The federal minimum wage increased from \$4.75 to \$5.15 on September 1, 1997. The California minimum wage, currently \$5.00, will increase to \$5.75 on March 1, 1998. Economic theory suggests that higher minimum wages should reduce employment as the demand for labor falls in response to higher wages, but rising domestic and export demand for labor-intensive commodities seem to have offset any decreases in the demand for labor due to wage increases.

A more serious threat may be labor law enforcement. It is not a secret that labor laws are routinely violated in agriculture, especially by the labor contractors and crew leaders who assemble most crews of farmworkers. The issue of who is responsible for the violations that are uncovered, whether liability should reach back to the farm on which the work was done or stop with the crew leader, could affect employment and immigration patterns in the 1990s.

If there is an ample supply of labor, then most employers seem to prefer a decentralized hiring system involving some combination of directly hiring some workers, and meeting peak seasonal labor needs with intermediaries such as contractors. If there are labor shortages, employers sometimes form associations to obtain the minimum number of local and foreign workers needed to do the work. The foreigners may be admitted as legal non-immigrant guestworkers, be housed away from rural cities and towns in farmer-provided housing, and then return to their country of origin at the end of the season.

The farm employment system has been decentralized over the past decade. Responsibility for labor law violations has been shifted from the farm operator to contractors and other intermediaries. The U.S. Department of Labor (DOL), however, is attempting to interpret the Migrant and Seasonal Worker Protection Act in a manner that would make it easier for the farm operator to be jointly liable for labor law violations with the labor contractor who brings workers to the farm. This DOL enforcement push, combined with an April 1997 federal court decision¹, could push employers to obtain labor collectively, perhaps under guest worker arrangements. A much greater degree of enforcement would be necessary to have such an effect.

More likely, attempts by employers to obtain labor collectively is one of the effects of the concentrated enforcement efforts in California and elsewhere. In California, the Targeted Industries Partnership Program (TIPP), has inspected 4,400 agricultural and garment work places since 1983, and assessed \$20 million in penalties against employers. But, what typically happens is that the contractors who are fined go out of business and are replaced by other intermediaries who operate in the same manner. In other words, sledgehammer enforcement in an industry rife with violations is more likely to put individuals out of business rather than change the structure of employment.

Immigration and Guest Workers. Since most of the new entrants to the farm work force are immigrants and a rising percentage are unauthorized, if the U.S.

¹Lopez et al. v. May et al., No. 96-35209, in the U.S. Court of Appeals (9th Circuit), found a farmer jointly liable for minimum wage violations committed by the contractor because the farmer, Bear Creek Farms, controlled the overall cucumber harvest schedule and the number of workers needed.

government was to put in place effective means of reducing illegal immigration, the farm labor market could face a series of adjustments. If there were labor shortages, wages could rise—encouraging mechanization—or farmers could press for non-immigrant guest workers, which would also reduce the number of immigrant families settling in rural communities.

The prospects for effective immigration control are poor. The Immigration and Naturalization Service (INS), charged with preventing unauthorized aliens from entering the United States and from obtaining U.S. jobs, has been one of the fastest growing agencies in the federal government. The INS budget has tripled in the past 6 years to \$3.1 billion, but seems so far to be unable to prevent illegal entry and employment. The INS has launched several high-profile border control efforts, such as Operation Gatekeeper along the U.S.-Mexico border south of San Diego, but survey and other evidence suggest that most of the foreigners seeking to enter the United States eventually succeed. The probability of apprehension on a single entry attempt remains at about 30 percent, which means that 7 in 10 aliens attempting illegal entry succeed on their first attempt.

Unauthorized workers have no trouble getting jobs within the United States by using false documents; as enforcement actions attest. But unlike pre-IRCA enforcement, employer sanctions impose fewer costs on employers since they are often notified of inspections beforehand, and are rarely fined if they have the completed paperwork on hand. Instead, enforcement involves removing the unauthorized workers from the work place, requiring the employer to hire new workers, and discouraging investments in training new workers whose legal status is dubious.

The enforcement paradox is that immigration agents seem to be more active in new rather than traditional areas of immigrant settlement; more active in Chicago or Georgia or Washington than in California. The reason is that the same budget covers the detection and removal of criminal aliens and enforcement of employer sanctions. In California, INS investigators make the apprehension of criminal aliens their highest priority while, in new areas of immigration, investigators can focus on employer-sanctions enforcement.

With immigrants continuing to pour into the United States, there is little prospect for a new guest worker program, which might slow family migration and settlement. In February 1995, the National Council of Agricultural Employers (NCAE) released a proposal for a supplementary foreign worker program to fill temporary or seasonal U.S. jobs. In 1996, Representative Elton Gallegly (R-CA) introduced the NCAE proposal as the “Temporary Agricultural Worker Amendments of 1995...to provide a less bureaucratic alternative for the admission of temporary agricultural workers.”

Under the proposal, growers, labor contractors, or associations wanting to employ foreign farmworkers would have to file a labor condition attestation (LCA)

with their state employment service (ES) office at least 25 days before the job was to begin, listing the number of foreigners requested and when work was to begin. Local ES offices would review these LCAs “only for completeness and obvious inaccuracies” within seven days after they were filed. Employers violating their attestations or program rules could be assessed civil money penalties, and be debarred from the program.

Foreign workers would have to leave the United States when their jobs end or be subject to deportation, unless another employer promises to hire them within 14 days. Under the plan, 25 percent of the foreign workers’ wages would have been placed into a federal trust fund managed by the INS, which foreign workers could have reclaimed, with interest, in their country of origin. Foreign workers would have been limited to a maximum two years in the United States. The House rejected this proposal March 21, 1996, by a 242 to 180 vote.

The Integration Challenge in Rural Communities

The face of rural America is changing as a result of immigration and there is little prospect that unions, labor law and wage enforcement, or immigration controls and guest workers will soon reverse immigration patterns. The rural towns and cities that have not been affected by immigration, bilingual education and the other integration challenges posed by immigration are likely to have to deal with them in the 1990s. The following three profiles illustrate the integration challenge.

Rural California. California has long depended on immigrant farmworkers but, in the past decade, more of them began to settle with their families in the towns and cities of the major agricultural areas. Towns such as Parlier include some of the highest percentages of residents in poverty, the highest shares of immigrant farmworkers and some of the fastest population growth in rural America. At the same time, the value of the commodities sold, and of the farm land used to produce them, has reached record levels (Taylor, et al.).

As a result, some of the highest rates of welfare dependency are in the agricultural counties of California, where unemployment rates are also high. In the heart of California’s San Joaquin Valley, for example, 29 percent of the residents of Fresno (761,000 population), 30 percent of Merced (199,000) and 25 percent of Tulare (362,000) county residents are on public assistance. At the same time, unemployment rates are in double digits, even in the peak spring and summer months. Despite high unemployment, farmers would like to see a guestworker program introduced.

Putting welfare recipients to work in such agricultural areas may not be easy. Many welfare recipients are mothers with young children. Most entry jobs in agricultural areas tend to be farm jobs that may require heavy lifting or climbing trees.

Parlier is a city of 10,400, about 20 miles southeast of Fresno, whose population is over 97 percent Hispanic. The job pyramid is very steep. The best jobs are those in government, where wages are not influenced by local conditions. Over two-thirds of the local work force in summer consists of immigrant farmworkers, and the second-best jobs are in the farmworker service economy, providing migrant and seasonal workers with housing, rides to work, meals and other services—often for cash wages in an underground economy. Virtually everyone is poor, but the receipt of welfare benefits is very uneven since many local residents are not eligible for benefits.

Iowa. Many Iowa cities with meat packing plants are experiencing immigration as immigrants fill year-round food processing jobs that pay at least \$6 to \$7 per hour, or \$12,000 to \$18,000 per year; enough to support a family in the United States. This means that there are fewer solo males in meat packing towns than in the farmworker towns that surround fields and orchards elsewhere in the United States.

The presence of families raises a number of issues—housing, schools, health care, etc. Unlike California, where settled Hispanic migrants often provide many services to newcomers and where immigrants are often segregated in particular areas, immigrant meat packing workers often obtain public and private services from non-Hispanic providers, making them more “visible.” This visibility can lead to problems, as when law enforcement officials are accused of harassing Hispanics, or lead to tension over the cost of providing extra services as schools add bilingual education programs.

Neither the industries that are attracting immigrants to the rural Midwest nor the communities that often provided subsidies to attract plants planned for the immigration and integration of the immigrants and their families. Indeed, some argue that programs which give employers wage subsidies for some workers during their first six months of employment, plus the meat packing industry’s policy of not offering fringe benefits to workers for the first six months, encourages worker turnover in a manner that minimizes labor costs and maximizes immigration.

Storm Lake, Iowa, is a city of 8,800 and it is home to two meat-processing plants that employ almost 2,000 workers. Storm Lake had three major waves of immigrants over the past 15 years to fill jobs in its Iowa Beef Producers (IAP) plant—two types of Lao immigrants, Mexican Mennonites and other Mexican immigrants. The Lao immigrants were recruited via private networks, and the Mexican Mennonites and the other Mexican immigrants were recruited with the active support of IAP.

The local community is divided over the influx of immigrants. About 24 percent of the children in K-12 classes are minorities, and the school system says that it must spend money on English as a second language classes and bilingual teachers. The IAP pork processing plant counters that it has a \$36 million annual payroll in the area, and that schools might close if the plant closed.

Delmarva. The 1990 Census reported that there were 7,000 Latinos in Maryland's Eastern Shore counties and Delaware's Kent and Sussex counties. Estimates are that their number rose to 9,000 in 1994 and, in the Fall of 1996, there were 20,000 Hispanics in southern Delaware and 7,000 on the Maryland Shore; including 1,200 to 1,500 Latinos in Georgetown, Delaware (population 4,400).

The first Latino residents were migrant farmworkers who settled after harvesting vegetables, such as tomatoes and melons, for Delmarva growers. Some 3,000 to 5,000 farmworkers continue to migrate to Delmarva every year, down from 15,000 in the 1950s.

Some of the farmworkers were drawn into year-round food processing jobs, especially poultry processing. Poultry is a \$1.6 billion industry on the Delmarva peninsula, which anchors the top of a U-shaped poultry belt that runs from Delmarva south to the Shenandoah Valley, through North Carolina and Georgia, and north to Arkansas and Missouri.

In the fall of 1996, the Delmarva Poultry Industry said that 3,200 Latino immigrants were employed by 6 area poultry processors. Most Delmarva poultry processors participate in the INS's Employment Verification Pilot, in which immigrant A-numbers are sent to the Immigration and Naturalization Service via modem and checked against the Alien Status Verification Index, a data base with 50 million immigration records that is maintained for the INS by Lockheed Martin Information Systems.

Within seconds, the employer gets one of two responses from the Immigration and Naturalization Service—"employment authorized" or "institute secondary verification," which means that the employer sends the INS additional information from the I-9 form. The INS responds to the secondary verification information request within three days. If the employee's right to work cannot be verified after secondary verification, the employee has 30 days to contact the INS and verify his right to work. If the employee has not received work authorization after 30 days, he is not eligible to work in the United States.

Georgetown, Delaware has been transformed by immigration, largely from Guatemala. It had a relatively large supply of low-cost housing and, thus, became the preferred city of residence for immigrant poultry workers. Workers often pay \$500 per month to share a house with four to six others. There is a Spanish-language cable television station, a Spanish-language newspaper and a Spanish-language radio station, as well as Latino-oriented stores and restaurants.

According to the Georgetown mayor, local workers shunned poultry processing jobs while "[Guatemalan] people will work 80 hours a week if the plant will let them." A local priest said that the poultry plants turned to Latinos after they "pretty much

exhausted” the local African-American work force. The mayor estimates that the workers mail \$300,000 per month to their families in Guatemala. In response to the changing face of Georgetown, a Spanish-speaking police officer was hired in 1996 and a Hispanic state trooper patrols area highways.

Conclusions

There are three major farm labor issues at the end of the 20th Century:

- **The Latinization of the farm and rural work forces** as rural poverty in Mexico and Central America is transferred to rural America via immigration.
- **Unions and farm labor law**, or what will happen to labor standards with an immigrant work force and a proliferation of hard-to-regulate middlemen such as labor contractors, custom harvesters, share croppers and raiteros.
- **Integration**, or how will the settlement of immigrant farmworkers and their families affect the economies and politics of the rural communities in which they settle? Will the first and second generation immigrants find upward socio-economic mobility in rural towns?

Most of the immigrants arriving in rural and agricultural areas are from rural areas of Mexico and Central America, areas with a disproportionate share of these countries' poverty populations. If current patterns persist, poverty in rural Mexico and Central America will be transferred to rural America. The new rural poverty being created by immigration could be difficult to extirpate, since most of the immigrants moving into rural areas to fill farm and related jobs have less than eight years of schooling and speak little English. Unlike the rural poor of the 1940s and 1950s, many of these immigrants, and their children, may find it difficult to find jobs locally that offer them middle-class living standards, or they may move to cities for such jobs.

If current patterns persist, rural America seems destined to be faced with the challenge of integrating immigrants from rural Mexico and Latin America in the 21st Century.

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