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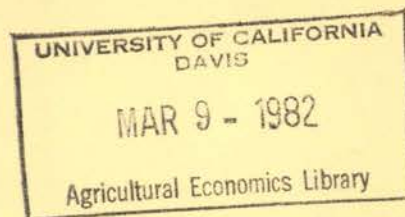
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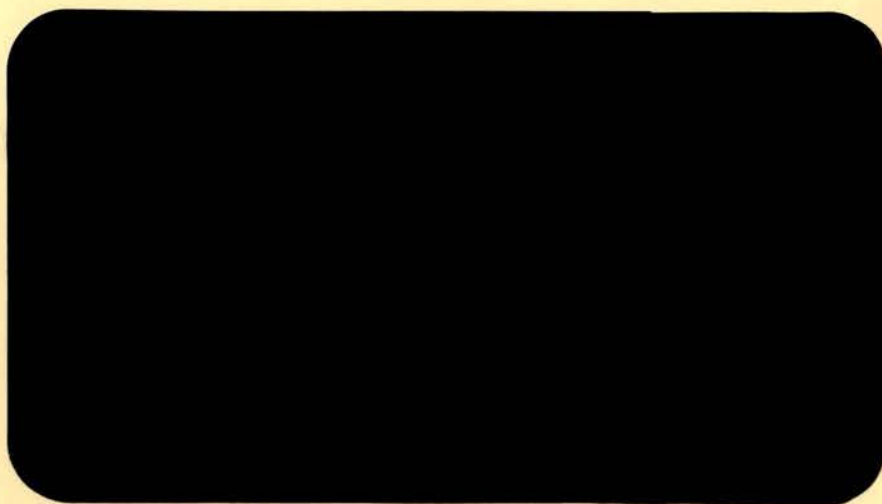
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Farmworkers and Immigrant Labor

by

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Farmworkers and Immigrant Labor

Abstract

Most of America's farmwork is done by the nation's 2.5 million farmers and their families. In an average week, there are about 1.3 million jobs for hired farmworkers. Since the typical farm job is filled by two workers during the year, there are about 2.6 million hired farmworkers in the U.S. The total number of hired farmworkers has not changed since 1968.

Although farmers and family workers still do two-thirds of the nation's farmwork, farmers quitting agriculture are being replaced by hired farmworkers. Between 1970 and 1980, the farmworker share of total farm employment increased from 25 to 35 percent. Only 16 percent of these farmworkers work more than 250 days each year; almost three-fourths do farmwork for less than six months.

The hired farm workforce is diverging. More farmworkers have the technical skills required by the 5000 U.S. farms that hire one-third of all farmworkers, often for 9 or 10 months each year. However, most farmworkers still harvest crops by hand for only a few weeks or months. This unskilled migrant and seasonal workforce earns low wages and often has few alternative employment options.

The farm labor market must match millions of seasonal workers with short duration jobs. The labor market is being tugged in opposite directions. Public policies and private efforts to upgrade farmwork are increasing wages and making the farm workforce more professional. However, illegal aliens are replacing farmworkers who get nonfarm jobs and replenishing the reserve army of harvest workers. Their availability perpetuates the system that traditionally matched farmworkers and jobs. Continued illegal immigration threatens to undermine the progress of the last two decades toward structured labor markets in agriculture.

1. Introduction

Agriculture has offered entry-level jobs to immigrants since colonial times. Until the 1870's, most immigrants obtained free land and became family farmers. Farm labor was done by the farmer, his family, and an occasional "hired hand"--often a relative or a youth from a neighboring farm or town. Southeastern plantation farming, based on slaves and later sharecropping, was an exception to this family farm tradition.

The completion of transcontinental railroads in the 1860's marked a new era in American agriculture. Refrigerated transportation opened Eastern and European markets to California fruits and vegetables. California farmers converted their grain fields into large-scale fruit and vegetable farms and hired the Chinese workers who had been imported to build railroads to plant and harvest crops that required large amounts of hand labor. Instead of family farms dependent on an occasional hired hand, these specialized farms required large crews of migratory workers for seasonal harvest activities.

Labor needs became pyramid-shaped. Little or no hired labor was needed during most of the year, but at harvest time the hired workforce had to swell to 8 or 10 times its normal size. Matching millions of workers with short-duration farm jobs involved uncertainties that were resolved by having farmers recruit as many workers as possible and letting the worker worry if enough money could be earned during the harvest season to support himself and his family throughout the year.

The California pattern of specialized commercial farms and migrant workers spread throughout the country. Migrant labor from outside the area became a necessity for farms on the Eastern Seaboard, the upper Midwest, the Southwest, and the West Coast. Farm labor contractors recruited migrants in

Florida, Texas, and California to move north with the harvest. These uneducated migrants were cheated by some unscrupulous farmers and labor contractors, accounting for the "harvest of shame" image that has been associated with farmwork.

The seeds of the farm labor problems that persist today were sown 100 years ago. The commercial farms that needed an army of hired harvest workers were often big businesses,¹ but agricultural policy continued to pretend that American farms were exclusively family operations. Farmers recruited large harvest workforces and freed themselves from the need to supervise motley work crews by paying piecerates for each box or bin picked. Farmworkers had few incentives to stay with one farmer the entire season or return to the same farm next year. Most farmers did not care who harvested their crops, and workers wanted to earn as much money as possible in the few weeks or months harvest work was available. Farmers guaranteed themselves an adequate supply of labor by insuring that the reserve army of harvest workers was kept at "safe" levels. Farmworkers tried to increase their earnings by "moving on" whenever they heard of better harvest opportunities elsewhere.

The diverse population that filled the ranks of agriculture's reserve army spoke a variety of languages. Middle-men were required to recruit workers, bring them to the farm, explain what was to be done, and keep order in migrant housing camps. These middle-men were farm labor contractors--often ex-workers who organized fellow countrymen. Farmworkers were unsure whether the labor contractor--who often hired, paid, and transported them--or the farmer was the real employer.

Periodic labor shortages and attempts to improve farmworker conditions in California were undermined by new waves of immigrant workers. The Chinese were replaced by Japanese workers, who were replaced by Filipinos, Okies, and

Mexicans. Farmers wanted the Federal government to assure them enough seasonal labor to prevent crop losses, and the government usually obliged. Agriculture became dependent on a reserve army of harvest workers that largely shielded farmers from the upgrading that occurred in nonfarm labor market. The itinerant migrants gave California its own "peculiar institution," in Carey McWilliams aphorism.

The reserve army of harvest workers helped keep food prices low. However, the work conditions of some migrants pricked the national conscience. Farm labor was excluded from most of the legislation enacted to regulate wages and labor relations in the 1930's, but coverage was extended to farmworkers in the 1960's and 1970's. Today's farmworkers are covered by most federal labor standards laws--although sometimes at different levels--except collective bargaining. However, uneven enforcement of labor laws in agriculture is a persisting problem.

Public policy was not the only factor changing the farm labor market. Nonfarm job opportunities, social welfare programs, and changed attitudes reduced the ability of agriculture to compete with nonfarm employers for workers. Although whites still dominate the hired farm workforce, farmworkers are becoming younger and more ethnic, especially in the Southwest and Florida. Some farmers recognized the eventual disappearance of a reserve pool of unskilled harvest workers and changed their labor management systems to employ fewer workers longer. The skilled farmworkers on some of these fresh fruit and vegetable farms can earn \$7 to \$15 hourly or \$8,000 to \$20,000 annually for seasonal farmwork.

Although public policy and private reforms have transformed the farm labor market in several areas of the U.S., an uncontrolled flood of illegal

aliens has slowed the diffusion of modern personnel practices and threatens to undo the progress already made. Low-paid illegal alien workers can sometimes harvest crops cheaper than more efficient workers earning higher wages and receiving fringe benefits, resulting in micro labor markets that witness farmworkers harvesting the same crop with the same technology but with very different wages and working conditions. Pressures to continue improving farm labor systems are offset by incentives to return to old-style reliance on an army of unskilled and docile workers. Unless public policy gives farmers a clear signal that farm and nonfarm labor markets will be merged, the farm labor problem will persist.

2. Hired Farmworkers

The number of hired farmworkers declined steadily until the late-1960's, when the farm workforce stabilized at about 2.7 million (Table 1). In 1980, the nation's 2.5 million farms offered an average of 1.3 million jobs during the four weeks quarterly employment surveys are taken. Since each of these jobs is filled by an average of two farmworkers, the total hired farm workforce (column 6) is about twice the average employment of hired workers (column 4).

Hired farmworkers have been replacing the farmers who quit agriculture, explaining the growing importance of hired labor in total farm employment (column 5). This increased reliance on hired farmworkers is reinforced by the continuing consolidation of land into larger farming units, a trend that requires more hired workers. However, mechanization continues to reduce the demand for hired labor and offsets the tendency of larger farms to hire more farmworkers.

Table 1. Family and hired employment on farms.

Year (1)	Annual average farm employment ¹			Hired labor as a percentage of total farm employment	Total hired farm workforce ²
	Total (2)	: Family (3)	: Hired (4)	(5)	(6)
	-----Thousands-----			Percent	Thousands
1910	13,555	10,174	3,381	25	NA
1920	13,432	10,041	3,391	25	NA
1930	12,497	9,307	3,190	26	NA
1940	10,979	8,300	2,679	24	NA
1950	9,926	7,597	2,329	23	4,342
1955	8,381	6,345	2,036	24	NA
1960	7,057	5,172	1,885	27	3,693
1965	5,610	4,128	1,482	26	3,128
1970	4,523	3,348	1,175	26	2,488
1971	4,436	3,275	1,161	26	2,550
1972	4,373	3,228	1,146	26	2,809
1973	4,337	3,169	1,168	27	2,671
1974	4,389	3,075	1,314	30	2,737
1975	4,342	3,025	1,317	30	2,638
1976	4,374	2,997	1,377	31	2,767
1977	4,170	2,863	1,307	31	2,730
1978	3,975	2,689	1,268	32	NA
1979	3,774	2,501	1,273	34	2,652
1980	3,705	2,402	1,303	35	NA

NA = Not available.

¹Average of quarterly estimates of number of jobs on farms.²Total number of persons employed for at least 1 day during the year.

Source: USDA

The people doing farmwork in the U.S. are diverse. The most recent profile of hired farmworkers finds that the "typical" farmworker is a 23 year-old white male. Other characteristics (Table 2):

- 75 percent of the hired farm workforce is white, 13 percent Black, and 12 percent Hispanic
- 57 percent of all farmworkers are under age 25; 28 percent are 14 to 17 years old
- 36 percent of all hired farmworkers do less than 25 days of farmwork each year
- 8 percent, about 205,000 people, are migrant farmworkers who cross county or state lines and stay away from home overnight to do farmwork.

These national statistics obscure pronounced regional differences in the hired farm workforce. Whites dominate the hired farm workforce in every region of the U.S. However, over half the Hispanics work in the lower Pacific states (California, Arizona, Nevada, Hawaii) and 35 percent of all Black farmworkers are in the eight Southeastern states.

Farmworkers are unevenly distributed across farm activities by race. Some of the highest paid and most stable farm employment is found on the nation's dairy farms, whose workforce is 98 percent white. Almost 10 percent of the nation's farmworkers care for tobacco; one-fourth of these workers are Black. Hispanics comprise almost 40 percent of the hired farmworkers used on vegetable and cotton farms, but only 2 percent of the nation's dairy workers.²

Any person 14 or older who does farmwork for wages is a farmworker. However, one-third of the farm workforce also had nonfarm jobs in 1979.

Table 2

Number of hired farmworkers by race, age, sex, migratory status, farm-nonfarm work, and duration of farmwork, averages, 1967-69 and 1977-79

Item	3-year	2-year	Change:	Percentage	
	average	average ^{1/}		of total	
	1967-69	1977-79		1967-69	1977-79
			1967-69 to 1977-79		
	---Thousands---			-----Percent-----	
Total ^{2/}	2,856	2,691	-5.8	100	100
Race: ^{3/}					
Whites	2,159	2,275	5.4	76	85
Blacks and Others	697	416	-40.3	24	15
Age (years):					
14-17	942	742	-21.2	33	28
18-24	568	776	36.6	20	29
25-34	352	467	32.7	12	17
35-44	307	263	-14.3	11	10
45-54	293	184	-37.2	10	7
55-64	258	145	-43.8	9	5
65 and over	135	117	-13.3	5	4
Region:					
Northeast	242	201	-16.9	8	7
North Central	587	758	29.1	21	28
South	1,279	1,111	-13.1	45	41
West	748	622	-16.8	26	23
Days of farmwork:					
Less than 25	1,248	977	-21.7	44	36
25-74	729	670	-8.1	26	25
75-149	298	323	8.4	10	12
150 and over	581	722	24.3	20	27
Migratory status:					
Migratory	271	204	-24.7	9	8
Nonmigratory	2,585	2,488	-3.8	91	92
Primary employment status:					
Nonfarm work	364	470	29.1	13	17
Farmwork	775	860	11.0	27	32

¹A 2-year average for 1977 and 1979 was used because the hired farm working force survey became biennial after 1977. Data for 1978 are not available.

²Percentages and numbers may not add to totals due to rounding.

³Hispanic data were not available for hired farmworkers for all periods.

Mixing farm and nonfarm work increases the incomes of whites but lowers Hispanic incomes (Table 3). The primary effect of mixing farm and nonfarm work is to increase the number of days worked during the year--"mixed" workers averaged 159 work-days while "only farmworkers" were employed 133 days. Note that Hispanic "only farmworkers" earned more than any other group--an average \$4,903 in 1979.

Migrant farmworkers are often believed to be hard-working but uneducated persons mired in poverty and subject to exploitation by farmers and labor contractors. Such abuses did occur, and helped cut the migrant workforce in half since 1960. Today's migrants, however, have higher daily and annual earnings than nonmigrants. In 1979, migrants mixing farm and nonfarm work averaged \$29 daily and \$4,850 for the year. Nonmigrant farmworkers, by contrast, averaged \$26 daily and \$4,125 annually. Some of the migrant's higher earnings may reflect the fact that entire migrant families sometimes work and report their earnings as if just one person worked.

Despite decades of debate, the federal statistical system does not generate a clear picture of the farm workforce. The numbers and characteristics reported here are derived from biennial questions attached to the same December household survey that generates monthly unemployment data. Critics believe the December survey underestimates the total farm workforce because illegal aliens and legal "green carders" return to Mexico and because Americans who did farmwork may not be easy to locate after the harvest ends.

To see how great this undercount is, a recent study counted all the social security numbers for which California farmers paid unemployment insurance (UI) taxes in 1978.³ The December 1979 national survey found 364,000 hired farmworkers in California, Arizona, Nevada, and Hawaii.

Table 3

Appendix Table 7--All Hired Farmworkers: Demographic Characteristics
by Average Number of Days Worked and Earnings, 1979

CHARACTERISTICS	THOUSANDS OF WORKERS	DAYS WORKED	FARM AND NONFARM DOLLARS EARNED		FARM EARNINGS (DOLLARS)		WORKERS WHO DID HIRE FARMWORK ONLY			
			DAILY	ANNUAL	DAILY	ANNUAL	THOUSANDS OF WORKERS	DAYS WORKED	DOLLARS EARNED	DAILY ANNUAL
ALL WORKERS	2,652	150	26.34	4,185	23.97	2,444	1,524	133	24.20	3,212
ETHNIC GROUPS AND SEX:										
WHITES	1,976	161	26.56	4,262	23.04	2,215	1,023	130	22.90	2,974
HISPANICS	320	181	26.94	4,882	27.90	4,006	234	172	28.53	4,913
BLACKS AND OTHERS	355	130	24.11	3,129	23.89	2,314	267	109	24.14	2,642
MALES	2,075	174	27.01	4,689	24.36	2,764	1,198	149	24.56	3,666
WHITES	1,596	174	27.12	4,726	23.43	2,482	825	146	23.36	3,473
HISPANICS	222	209	27.68	5,790	28.47	4,744	161	204	28.84	5,890
BLACKS AND OTHERS	258	139	25.26	3,511	24.54	2,801	212	121	24.78	3,107
FEMALES	576	106	22.39	2,370	21.34	1,293	326	72	21.41	1,518
WHITES	381	103	22.53	2,317	19.85	1,093	197	64	19.59	1,192
HISPANICS	98	118	23.95	2,822	25.55	2,332	71	101	27.15	2,732
BLACKS AND OTHERS	98	105	20.11	2,120	20.08	1,028	58	64	19.51	1,270

Source: USDA

However, California farmers alone paid UI taxes for over 616,000 Social Security numbers in 1978. Since California estimates that there are 220,000 farm jobs in a typical week, this UI data suggests that the average farm job is filled by almost three workers, not two. If the California data were expanded nationally, the total hired farm workforce would rise from 2.7 to almost 4 million.

3. The Farm Labor Problem

Agriculture's labor needs are seasonal--three times more farmworkers are hired for September's harvest than for January's winter tasks. Seasonal workers are unemployed local residents, students, and housewives or migrant farmworkers. Farmers that require large numbers of short-term workers never considered seasonality an insurmountable problem because American agriculture has been built on the assumption that a labor force able to accommodate itself to seasonal labor requirements would continue to exist. However, society has come to the conclusion that a farm labor force of such dimensions cannot earn incomes that meet or exceed generally accepted standards. The American dilemma is how to assure farmers enough labor to produce their crops cheaply and to enable farmworkers to earn incomes high enough to satisfy minimum living standards.

Farmers sell most of their hand-harvested crops in competitive markets. Since farmers receive uniform prices for their crops, harvesting piecerates tend to be uniform. But the harvesting abilities of farmworkers vary considerably, leading to a wide dispersion in hourly earnings. Piecerates set high enough to enable casual workers to earn the minimum wage of \$3.35 hourly in farmwork may permit professional farmworkers to earn \$15 hourly.⁴

Many farmers would like to hire only a corps of professional farmworkers. However, most farmers are "too small" or offer jobs "too seasonal" to raise wages and improve working conditions enough to attract and keep career farmworkers. Since many harvest jobs require few skills, these farmers try to employ everyone who wants to work, including workers with few other employment opportunities. Low farmworker incomes are the result of many people working part-year at low wages.

The vicious circle of seasonality, competitive markets, and low wages perpetuates itself. Farmers must cope with the uncertainties of nature and markets for their crops. Farmers appeal to government and the public by arguing that they can lose an entire year's income if their crops are not harvested because they lack workers, a loss that will raise their costs and possibly food prices.⁵ If the farm labor pool is not replenished with American or foreign workers, these farmers argue, some profitable crops will migrate to Mexico and other developing nations, eliminating both harvest jobs and well-paid food processing jobs in the U.S.

Farmers want a reserve army of workers because most farmers simply discharge their workers when the harvest is completed. The next season, workers must search anew for a series of jobs while farmers worry if harvest workers will be available. Since workers sometimes live in another state, distance compounds the uncertainty of farmers and workers. Traditional labor-management practices mean uncertainty for both farmers and workers.

Some farmers have restructured their labor management systems to assure a corps of returning farmworkers each year. These farmers believe that farm labor is often wasted today because it is "too cheap". An employer association in California discovered that professional lemon harvesters were

three times more efficient than workers drawn randomly from the reserve labor pool. In 15 years, it reduced the total number of pickers hired from 8000 to 900 and increased the earnings of the remaining farmworkers.⁶

Reforming agriculture's labor management system will require wage increases. However, reform will also require the development of labor management practices that provide farmers with an assured labor supply and guarantee workers secure employment. Large commercial farmers appear most able to offer the wages and job security that professional farmworkers want.

The nation's food system is at a crossroad. Several parts of the food system were built on a cheap labor supply that is becoming more illegal and less certain. Most farmers are buffeted by so many uncertainties that they refuse to consider a new labor supply uncertainty. These farmers urge reliance on alien workers to meet seasonal labor needs, a policy that will drive an even larger wedge between farm and nonfarm jobs. Before turning to the alien labor issue, it may be helpful to review the integration of farm and nonfarm labor markets that has occurred.

4. Progress

Farmworkers now participate in the social security, unemployment insurance, and workers compensation programs. Federal and state officials monitor the housing, health, and safety conditions of farmworkers. Minimum wage and maximum hour legislation covers most farmworkers. Special regulations apply to the farm labor contractors who recruit and transport farmworkers.

The 1935 National Labor Relations Act (NLRA) did not give farmworkers the right to organize and bargain collectively with farmers under government

supervision. Two states--Hawaii and Wisconsin--extended collective bargaining rights to farmworkers in general state legislation and four states--California, Arizona, Idaho, and Kansas--enacted special laws to regulate labor relations in agriculture. After a flurry of activity and publicity in the 1970's, the United Farm Workers (UFW) union headed by Cesar Chavez has about 30,000 farmworker members in California. Uniform federal regulation of collective bargaining in agriculture will not occur until farmers and workers reach agreement on whether agriculture needs a special labor relations law or if farm labor should simply be covered by existing national labor relations legislation.⁷

The federal government has devoted considerable monies to train farmworkers for jobs inside and outside agriculture. The 1973 Richey Court Order requires the Employment Service to inform farmworkers that nonfarm job and training services are available. These training services are provided by nonprofit organizations authorized by Title III, Section 303 of the Comprehensive Employment and Training Act (CETA). The 303's spent \$100 million serving farmworkers in 1980.

Protective legislation and these training programs are responsible for some of the changes that have occurred in farm labor markets. However, this formal progress is often undermined by inadequate enforcement and ineffective assistance programs. The Farm Labor Contractor Registration Act (FLCRA) is the only federal law that prohibits the knowing employment of illegal aliens. In FY 1980, only 188 labor contractors were found in violation and fined an average \$1,284 each. Anecdotal evidence suggests that farm labor contractors using illegals are flourishing instead of being intimidated by FLCRA. The

legal protections extended to farmworkers will not be repealed, but they are ineffective unless they are enforced actively and uniformly.

Private upgrading of farm labor markets has occurred along side public efforts. For a variety of personal and economic reasons, some farm employers have tried to foster a continuing employment relationship with a corps of professional farmworkers. These innovative employers discovered that written rules governing hiring, promotion, layoffs, and recalls encouraged the best workers to return year-after-year. If these reliable workers were also offered fringe benefits, training, and sometimes union contracts, farmers realized they could harvest their crops with only one-third the number of workers required under the reserve army system. The Secretary of Agriculture established an Agricultural Employment Work Group (AEWG) in 1979 to see how many innovators exist and to study ways to encourage other farmers to reform their labor management systems.

The AEWG conducted case studies in 1980-81. These studies show that a typical farmer "wastes" labor.⁸ Farmers do not realize that each worker entails fixed hiring costs and that payroll taxes must be paid for each worker employed. The innovators tend to select the best farmworkers and keep them by developing skill classifications that offer workers the option of climbing a job ladder.

The innovators' most common complaint and a factor that impedes the spread of farm labor reforms is the availability of illegal alien labor. Innovative farmers pay higher wages and bonuses, payroll taxes that add up to 25 percent to wage costs, and additional fringe benefits like paid vacations and health insurance. A farmer with illegals often pays only the minimum wage, neglecting payroll taxes and escaping detection because illegal aliens

do not risk apprehension by trying to collect benefits. The progress represented by public and private efforts has driven a wedge between the cost of legal and illegal farmworkers that encourages farmers to use illegals.

5. Alien Labor

Mexicans have been crossing our Southern border for decades. Before 1924, Mexicans did not need permission to cross the Rio Grande and there was no Border Patrol to discourage or record their movement. In 1942, wartime labor shortages prompted an agreement to recruit Mexicans for farm jobs in the U.S. This wartime labor agreement lapsed in 1948, but American farmers continued to recruit Mexicans privately.

Domestic opposition to this private recruitment and Mexico's desire to have the U.S. government guarantee the work contracts that tied Mexican nationals to individual farmers led to the enactment of Public Law 78 in 1951. This law sanctioned the employment of braceros (strong armed ones) on U.S. farms. PL 78 permitted the admission of braceros for seasonal jobs only if able, willing, and qualified American workers were not available; if the employment of braceros would not adversely affect the wages and working conditions of American farmworkers; and if employers had made reasonable efforts to attract unemployed Americans.

The Bracero Program left recruitment to the Mexican government. United States officials interviewed potential workers in Mexico and arranged for their transportation to a reception center just inside the U.S. Individual farmers or employer association representatives met braceros at the reception center and offered individual contracts that detailed wages and

transportation, housing, and subsistence arrangements. Most work contracts were for six months or less, and all braceros were guaranteed work for at least three-fourths of the contract period. This work guarantee, ironically, promoted the formation of employer associations that scheduled work among member farmers so that individual braceros would find "full-time" employment.

Almost 5 million braceros harvested crops in the Southwest between 1942 and 1964 (since some workers returned year after year, fewer than 5 million individuals participated). During the war years, when manpower needs were presumably acute, the Bracero Program was very small (Table 4). Braceros proved addictive, and their number swelled in the 1950's to 13 percent of the hired farm workforce--just as American unemployment rates reached their post-war peaks. Farmers clearly preferred braceros to American workers.

The Bracero Program did not end illegal immigration. Until 1954, annual apprehensions of Mexicans usually exceeded the number of Mexican braceros admitted legally. The day after signing PL 78 in 1951, President Truman urged Congress to deal with "the more basic problem of controlling illegal immigration" by enacting legislation that would penalize persons harboring illegal aliens, permit Immigration and Naturalization Service (INS) agents to inspect worksites without warrants, and expand the Border Patrol. Congress did make the importation, transportation, and harboring of illegal aliens a felony in the 1952 Immigration and Naturalization Act, but "harboring" was defined to exclude the employment of illegal aliens, the so-called "Texas proviso."

Instead of employer sanctions, the U.S. stepped up its border enforcement efforts. In 1954, General Joseph Swing was made INS Commissioner and ordered to stop illegal immigration. Despite the admission of 310,000

Table 4

Foreign Farm Worker Admissions
and Apprehensions of Illegal Aliens
1942-1964

Year	Admissions		Total	Apprehensions of Mexicans ^b
	<u>Mexicans</u>	<u>Other^a</u>		
1942	4,203	—	4,203	NA
1943	52,098	13,526	65,624	8,189
1944	62,170	22,249	84,419	26,689
1945	49,454	23,968	73,422	63,602
1946	32,043	19,304	51,347	91,456
1947	19,632	11,143	30,775	182,986
1948	35,345	9,571	44,916	179,385
1949	107,000	5,765	112,765	278,538
1950	67,500	9,025	76,525	458,215
1951	192,000	11,640	203,640	500,628
1952	197,100	13,110	210,210	534,538
1953	201,380	13,941	215,321	875,318
1954	309,033	11,704	320,737	1,075,168
1955	398,650	13,316	411,966	242,608
1956	445,197	14,653	459,850	72,442
1957	436,049	19,156	452,205	44,451
1958	432,857	14,656	447,513	37,242
1959	437,643	17,797	455,420	30,196
1960	315,846	18,883	334,729	29,651
1961	291,420	18,955	310,375	29,877
1962	194,978	22,032	217,010	30,272
1963	186,865	22,353	209,218	39,124
1964	177,756	22,353	209,218	39,124

^aincludes primarily Filipinos, Canadians, British West Indians.

^bFrequently, the same person was arrested several times during a single year and each arrest is counted as an apprehension.

Source: INS

legal Mexican braceros, the INS apprehended over one million Mexicans illegally in the U.S. The often harsh tactics of the INS encouraged, in Swing's words, thousands of other Mexicans "to depart of their own accord."

The Bracero Program reached its high water mark between 1955 and 1959, when over 400,000 Mexicans were admitted annually. Organized labor opposed the Bracero Program's continuation, church and Hispanic groups complained that braceros were mistreated, and labor economists noted that braceros got work guarantees not available to American farmworkers. The Bracero program was ended on December 31, 1964, because a Democratic President believed that braceros were hurting some of the domestic workers the country was trying to help with its civil rights and war on poverty programs. Farmers did not fight as hard for braceros in 1964 because a mechanical tomato harvester was being developed to pick the crop that relied most heavily on braceros and because the migration networks established by bracero recruitment could guarantee a steady supply of illegal alien workers to Southwestern farmers.

These migration networks are the source of many illegal aliens today. Throughout the bracero era, some temporary Mexican workers remained in the U.S. These ex-braceros became labor contractors that supplied work crews to farmers and housing, food, and entertainment for braceros. Success enabled some of these ex-braceros to open restaurants and small businesses in urban areas. The successful pioneers retained ties to their home villages in Mexico and recruited friends and relatives for jobs in the U.S. Studies of Mexican emigration villages in the 1970's show that increasing proportions of the residents of one-time bracero villages now come to the U.S. and stay.⁹

Many farmers consider legal and illegal aliens an ideal workforce. The aliens come to the U.S. after they reach working age, saving the U.S. the

costs of raising and educating them. The migrants accept lower wages while they train themselves, and do not complain when they are charged for work equipment. The migrants who leave their families in Mexico will "retire" when their oldest son can replace them in the U.S. work crew, saving retirement costs. Since the status quo so perfectly meets employer needs, 10 years of debate on illegal immigration but no action should come as no surprise.

An estimated four to six million illegal aliens are living and working in the U.S. A Select Commission on Immigration and Refugee Policy (SCIRP) review of various studies concluded that only one-half of the illegal aliens are Mexican and that the aliens have spilled from agriculture into nonfarm jobs. About 10 percent of the one million aliens apprehended annually are found in agriculture, but apprehension statistics do not say much about the employment patterns of illegal aliens because 80 percent are caught along the border, not at a worksite.

We cannot draw a statistically reliable profile of these illegal alien workers. A variety of case studies suggests that a higher proportion of Mexicans are in farm jobs than are illegal aliens from other countries. Some of these Mexicans return to their own small farms in Mexico a few months each year, while others use farmwork to gain an economic foothold in the U.S. Like other illegal aliens, Mexicans come illegally because hourly U.S. wages (\$4 to \$7) often exceed a day's farm wages in Mexico (\$4 to \$6).

The fact that these farmworkers are in the U.S. illegally makes them vulnerable. Many Mexicans pay \$300-\$500 to be smuggled into the U.S. by coyotes. Once in the U.S., the illegal workers are sometimes housed in remote camps and charged exorbitant prices for food, housing, and

transportation. Illegal aliens are protected by health, safety, and wage laws, but enforcement of these laws depends on complaints and illegal aliens do not complain because they fear apprehension.

The H-2 program began in 1952 to bring alien farmworkers from the Carribbean to Eastern states. The 1952 Immigration and Nationality Act included Section 101(a) (15) H-2 to admit temporary alien workers for temporary U.S. jobs if employers could not find qualified Americans to fill vacant jobs. The H-2 provision was meant to be an emergency safety valve for farmers and an avenue for admitting foreign entertainers and athletes whose reputations do not qualify them for a "distinguished" H-1 visa.

The agricultural H-2 program has remained small because the Department of Labor has been reluctant to certify that qualified Americans are not available to fill vacant jobs. About 30,000 H-2 visas are issued each year. Almost half go to agricultural workers. The 12,000 Jamacians who hand-cut sugar cane in Florida and pick apples in the Northeast form the largest single contingent, followed by 1000 Basque and Hispanic sheepherders in the west and 1000 French-Canadian woodsmen in Maine.

The H-2 program is a geographically and numerically unlimited temporary worker program. It is very controversial. Department of Labor (DOL) regulations require farmers to recruit American workers. Farmers argue that the American workers who show up to work are not qualified or willing to work fast enough to earn the minimum wage farmers are required to pay. Farmworker representatives argue that H-2 aliens work "hard and scared" because they can be deported immediately if fired. Most H-2 workers want to please farmers and be invited back the following year. In addition, H-2 aliens are cheaper

than equally productive Americans because farmers do not have to pay Social Security or unemployment insurance taxes on the aliens' wages.

In a now familiar cycle, farmers begin to recruit Americans in the summer for a fall harvest. DOL often refuses to certify the admission of H-2 aliens because a farmer has inadequate housing or promises benefits to aliens (e.g., transportation reimbursement) that are not available to Americans. With fruit threatening to rot, farmers secure injunctions that admit H-2 workers. It has been asserted that more private and public money is spent to administer the agricultural part of the H-2 program than is earned by the H-2 workers. The Select Commission on Immigration and Refugee Policy echoed past studies and recommended that the H-2 admission process be streamlined in its March 1981 report.

The H-2 program for apple harvesters illustrates the general alien labor problem. Most apple growers have no system to recruit farmworkers. All harvesters are paid piecerates, and workers unable to pick fast enough to earn at least the minimum wage are terminated. The H-2 program is a labor recruitment system that guarantees qualified harvesters to apple growers. Without alien workers, apple production would decline for at least a few years until farmers recruited and trained other workers or switched to mechanical harvesting. However, the availability of alien workers encourages farmers to plant more apple trees and not worry about getting the harvest workers.

Alien labor is a substitute for an effective Employment Service to match workers and jobs and the labor management systems needed to attract good workers. The importance of the H-2 program as an alternative employment service is reflected in legislative proposals that require the Secretary of

Labor to either refer "able and qualified" domestic workers within 30 days of a farmer's request or certify the admission of (qualified) alien workers, eliminating any farmer responsibility to train workers. These proposals also require that domestic workers be available "at the time and place needed," ending the requirement to seek workers from outside the area.

President Reagan's July 1981 immigration reforms propose a two-year pilot guestworker program with Mexico. Under the Reagan plan, each state will certify the industries and occupations that need foreign workers. Up to 50,000 Mexicans could be admitted for up to six months to take these certified vacant jobs. The Reagan proposal has been criticized because the "free agent" Mexicans may wind-up unemployed in the U.S., because farmers fear that the guestworkers will avoid farmwork, and because there are eight million unemployed Americans. Many people believe the pilot program will be expanded to admit 500,000 to 1,000,000 Mexicans annually.

The main problem with all guestworker programs is that alien workers are a wage subsidy to their employers--farmers would have to pay Americans more if they wanted to continue growing crops that now require alien workers. If the U.S. government guarantees farmers an alien labor supply, the farm labor market is distorted, making it difficult to end dependence on alien workers. For example, the continued availability of legal and illegal alien apple harvest workers has slowed the switch to dwarf apple trees (whose fruit can be picked without ladders) and mechanical apple harvesters, ensuring a future need for alien apple pickers. It is easy to find an emergency harvest justification to admit alien workers, but it is very hard to terminate an alien worker program after aliens become the main source of labor for selected farmers.

The 1950's witnessed a decade of migration from the farm to the city. The 1960's began the process of including farm labor in social welfare legislation, eroding the differences between farm and nonfarm labor markets. The 1970's saw the beginnings of government sanctioned union activity and public and private efforts to upgrade farm jobs. The central question facing the nation in the 1980's is whether illegal immigration should be stopped and the alien reserve army reduced. If we continue to employ legal and tolerate illegal alien workers in agriculture, we will enlarge the wedge that now separates farm and nonfarm labor markets.

If America wants a legal and domestic farm workforce, it will have to impose sanctions on employers who knowingly hire illegal aliens, establish an identification system that quickly distinguishes legal and illegal alien workers, increase border and interior enforcement efforts, and vigorously enforce labor standards laws. Since the U.S. permitted illegal aliens to work and employers to become dependent on them, a transistional guestworker program that permits illegal aliens now in the U.S. to enter and leave and apply for immigrant status after five years would help smooth the shock that may accompany a sharp reduction in illegal immigration.¹⁰ The H-2 program can be retained to provide temporary alien workers on an emergency basis, perhaps by giving farmers access to H-2 workers only three or four seasons every five years. Reversing the effects of two decades of illegal immigration will be painful for some farmers and workers, but delay will only increase adjustment problems.

6. Conclusion

The farm labor market matches millions of seasonal workers with short-duration jobs each year. Farmers fear that an entire year's efforts will be lost if they do not have enough hired labor. Since many farmers cannot offer year-round work or pay wages high enough to attract workers, they have pressed for a large pool of reserve domestic and foreign workers. This army of unskilled workers is paid piecerates, freeing the farmer from the need to select, train, and supervise workers capable of earning minimum wages or wages determined by collective bargaining.

The farm labor market has been changed by public policies and private efforts. More and more farmers pay industrial-scale wages to professional harvest workers and skilled farmworkers operating complex and expensive equipment. Some farmers have been able to diversify their crops and offer year-round jobs. Farmworkers are now covered by most labor standards laws and have collective bargaining rights in six states.

The farm labor market is more heterogeneous than ever before. Some farmers have adopted labor management systems that encourage workers to stay with them: written personnel policies, training and advancement opportunities, and higher wages and fringe benefits. However, many farmers continue to expect a crew of unskilled workers to appear at harvest time. These farmers cannot or will not revise their labor systems to attract and keep qualified American workers. These farmers argue that alien workers are the only way to assure Americans a steady supply of low-cost food.

The availability of legal and illegal alien farmworkers has encouraged farmers to expand production beyond levels that can be staffed with American

workers willing to work at prevailing wages. United States immigration policy is designed to unify families and admit refugees, not promote economic expansion with foreign workers. Unlike Western Europe, America formally recruits legal alien workers only in emergency situations.¹¹ If the status quo continues, the U.S. risks dependence on an alien and illegal labor supply in agriculture.

The farm labor market is at a crossroad. If the current pool of low-skilled domestic and foreign labor shrinks, production of some labor-intensive crops will be reduced. More efficient farmers may buy out their less efficient neighbors. If the farm labor pool is replenished, the gap between industrial and agricultural labor markets will widen, making it more difficult to ever equalize conditions in the two labor markets.

Footnotes

¹Even small tobacco, fruit, and vegetable farmers need a large number of short-duration workers.

²Although definitive statistics are lacking, anecdotal evidence suggests that minority farmworkers are disproportionately vulnerable to displacement by machines because they hand-harvest crops that white youth transport from the field to the farm or processing plant.

³Chris Groeger and Philip Martin. California's Hired Farmworkers: 1978 (Davis: Department of Agricultural Economics, 1981).

⁴The number of farmworkers paid piecerates is not reported regularly. Steve Sosnick cites a 1971 Department of Labor survey that found only about one-third of all seasonal farmworkers being paid piecerates during pre-harvest activities. Harvest piecerates, however, are very common. See Hired Hands: Seasonal Farm Workers in the U.S. (Santa Barbara: McNally and Loftin, 1978) p. 23.

⁵Prospective harvest losses help explain the old policy of setting school starting dates after the harvest is completed and stopping welfare payments during the harvest season.

⁶John Mamer and Donald Rosedale. The Managment of Seasonal Farmworkers Under Collective Bargaining. (Berkeley: University of California, 1980.)

⁷Farmers and labor representatives have reversed their opinions on the "special and exempt" status of agriculture several times. In 1935, farmers convinced Congress that agriculture was unique and got farm labor excluded from the NLRA. In the 1960's, labor representatives argued that conditions had changed and farm labor should be covered by the federal NLRA. In 1975, labor representatives in California successfully supported special state

legislation governing labor relations in agriculture. In 1981, California farmers made a concerted effort to repeal the special state legislation and cover farmworkers under the NLRA.

⁸Agricultural Labor in 1980 (Washington: AEWG, 1981).

⁹Richard Mines. Developing a Community Tradition of Migration: A Field Study of Rural Zacatecas, Mexico, and California Settlement Areas (U.C. San Diego, 1981).

¹⁰Termination of the Bracero Program wreaked havoc in the hand-harvest citrus industry in 1965. Ventura County (California) growers recruited Indians, poor Appalachian residents, and Blacks to replace braceros. Turnover was very high--the average six-month picking job was filled by 12 individuals in 1965. See Richard Mines and Ricardo Montoya, New Migrants vs. Old Migrants: Alternative Labor Market Structures in the California Citrus Harvest (U.C. San Diego, 1981), p. 37.

¹¹See Philip Martin. Guestworker Programs: Lessons from Europe (Washington: Department of Labor, 1980).

