



Feature:

From Fields to Factories: The Roots of the Immigration Debate

From Fields to Factories: The Roots of the Immigration Debate

An estimated 11 million to 12 million illegal immigrants now live in the U.S., forcing employers in nearly every industry to confront workforce issues California farmers have dealt with for decades.

By Irwin Speizer

uring peak harvest season, Jack Vessey hires some 500 workers to pick lettuce, broccoli and other row crops on his farm in California's Imperial Valley, smack up against the Mexican border. Much of his labor originates in Mexico. Yet, not a single worker lacks the necessary immigration papers required to work in the U.S.

How is that possible?

The answer is at the heart of this country's troubled immigration system now under national debate. Farms have always needed cheap, short-term labor. Mexico offers a ready supply. And impractical U.S. laws, lax immigration enforcement and readily available fake documents make it easy for workers from Mexico and other Central American countries to enter and get jobs.

"We always say that everybody we have is documented," Vessey says. Like most farmers in California's \$18 billion agriculture industry, Vessey admits he has no way of really knowing whether all those documents are valid. Nor does he have a legal obligation to verify work documents. Under the system that has operated in agriculture for years, farmers are required only to check for the necessary papers and then forward the information on to the government before putting a worker on the job.

The result of the system is that, by various estimates, half to three-quarters of California's harvest workers arrive illegally. California is not unique in the agriculture industry, although its farmers arguably have relied on more illegal immigrant workers continuously for longer than any other sector of the U.S. economy.

Over the years, illegal immigrants have steadily migrated from farms to restaurant kitchens to construction sites to factories. An estimated 11 million to 12 million illegal immigrants now live in the U.S., forcing human resources officials in companies across the country to confront the same sorts of issues that California farmers have been dealing with for more than half a century. Deciding what to do about the country's immigration situation has thus far confounded Congress.

President Bush offered his ideas in a June 7 press conference, suggesting some sort of system to settle the legal status of those already here, combined with a method under which companies could legally bring in temporary workers.

"We've got to have a rational way that recognizes there are people sneaking across to do work Americans aren't doing," Bush said. "And my attitude is this: When you find a willing worker and a willing employer, there ought to be a legal way to let somebody come here to work on a temporary basis."

Although he never mentioned agriculture, Bush neatly paraphrased the position farmers—especially California farmers—have espoused for more than a decade. The workforce realities of farming and its need for cheap foreign labor are now woven through much of the broader economy, with far-reaching consequences.

Ira Mehlman, media director of the Federation for American Immigration Reform, which seeks tougher immigration enforcement, says hiring illegal workers leads to substandard wages and few benefits.

"As illegal immigrants have moved (from farming) into other sectors, fewer workers have health care and other benefits that used to be a normal part of a job in this country," Mehlman says. "Also, as fewer workers have health care benefits, costs for those who do have benefits go up as they subsidize those who don't."

But to simply seal the borders and keep foreign workers out could be highly disruptive for farming and other low-wage industries.

"We can't just send all these people back to Mexico," says John Baillie, a farmer in California's Salinas Valley. "What is that going to do to our economy, and not just in agriculture?"

The underlying problem is the competitive pressure that affects not just fresh produce but a host of consumer products. Retailers like Wal-Mart demand low prices from suppliers, and suppliers respond by constantly trying to cut costs. In an industry like farming, labor becomes a key place to economize, and cheap foreign labor is the answer.

Vessey says labor represents about half the cost to produce a head of lettuce or a stalk of broccoli. Farmers face uncertainties galore. Will bad weather ruin a crop? Will a glut drive prices below production costs? They're understandably keen on controlling their labor expenses. That has pushed them increasingly toward imported workers.

"Bracero" to H-2A

The current farm labor situation can be traced to 1942, when the U.S. enacted the "bracero program" (formally, the Mexican Farm Labor Program). It allowed Mexican farmworkers into the country as seasonal workers to replace the domestic workforce that was being drawn into military service during World War II. Mexican farmworkers soon discovered that border enforcement was lax. They could simply cross illegally and get jobs, rather than deal with the paperwork. The U.S. has been struggling to control the worker flow from south of the border ever since.

"When you find a willing worker and a willing employer, there ought to be a legal way to let somebody come here to work on a temporary basis."
--President Bush, in June 7 press conference

In an analysis of the history of Mexican farmworker immigration, the National Foundation for American Policy, a group that supports a system of legal temporary workers, noted that when the Immigration and Naturalization Service started cracking down on illegal immigrants in 1954, Mexican farmworkers flocked to the bracero program. Bracero admissions doubled, rising from 201,000 in 1953 to 430,000 a year from 1956 to 1959, while apprehensions of illegal farmworkers plunged.

Complaints that bracero workers were taking jobs away from U.S. citizens and depressing wages, and that they faced shoddy and sometimes dangerous work conditions, ultimately led to the program's cancellation in 1964. But the flow of Mexican farmworkers, legal and illegal, has continued ever since, branching out from farms to jobs in the cities.

"Bracero began this whole process of illegal immigration," Mehlman says. "It got people into the country. Once here, they looked around, got off the farm, got into the city and found things were better."

The bracero program was replaced with the H-2A agricultural guest worker program, but farmers never embraced that program as they did bracero. H-2A carries stringent requirements that turn most farmers away. For example, farmers must provide housing and meals to their H-2A workers. About 30,000 workers come in through H-2A annually, a fraction of the number believed to enter illegally each year to work on farms.

Vessey says he considered using H-2A workers on his farm but found the legal requirements too cumbersome and expensive. "With H-2A, the hurdles you have to go through, it's too much," Vessey says. "It takes forever. You need to know months ahead how many workers you need. I don't know months ahead how many I need."

The uncertainties and difficulties of H-2A have proved to be a boon to Mordechai Orian, president and chief strategic officer of Global Horizons, a Los Angeles-based labor contractor. Global Horizons specializes in importing H-2A workers for farm work. The company now operates in 28 states and brings many of its workers from Thailand.

His company is based on three assumptions: Farmers need cheap labor, they can't find it locally, and they consider the H-2A program too difficult and expensive to use themselves.

"When the farmer comes to us, it is the last resort," Orian says.

Orian signs up foreign crews, brings them to the U.S., provides them housing and food allowances, and moves them from farm to farm as needed. His crews harvest cherries in Washington, pick coffee in Hawaii and harvest fruits and vegetables in California and Arizona. Unlike many of the farmworkers harvesting crops, his all have legitimate immigration papers.

Simplifying the system

Stuart Anderson, executive director of the National Foundation for American Policy, says H-2A is the right idea, but has been bungled by bureaucracy and made too difficult for most farmers to use themselves. A simplified system tailored to the needs of farmers would resolve the problem of illegal farmworkers. And a similar system geared to other industries would solve the overall problem.

"If you don't have a workable visa system to let people come in legally, you will have a lot of people coming in illegally," Anderson says.

"We can't just send all these people back to Mexico. What is that going to do to our economy, and not just in agriculture?"

--John Baillie, Salinas Valley, California, farmer

But to Mehlman, supporters of broad guest worker programs come at the issue from the wrong angle. In farming, the debate is framed around the need for cheap labor, without which farmers say they could not profitably produce crops. To which Mehlman asks: Why should farming be different from any other industry, particularly in a place like California, where farming is dominated by large companies and corporations?

"Agriculture is not prepared to compete for labor the way other industries compete for labor," Mehlman says. "Look at coal mining. It is hard, dangerous work. Interestingly, it is done almost exclusively by American workers. Why can coal mining companies find American workers but farmers can't? The answer is, if you are a coal miner in West Virginia, you can earn a decent wage."

The farm model of low wages, few benefits and a winking acceptance of illegal workers is now creeping into other industries, Mehlman says. "Construction was a middle-class, blue-collar job. It changed because employers looked around and said, 'Why pay top dollar when we have all these other guys here who would work for a fraction of the cost?'"

Luawanna Hallstrom, a farmer in Oceanside, California, says it's not that simple. Coal mining has a ready workforce despite its harsh conditions. Not farm labor.

"You have to realize that ag is the lowest job on the totem pole for most people," Hallstrom says. "There are more than enough jobs out there in other areas that Americans would much rather do. There are American workers who would rather work at minimum wage at McDonald's."

Without immigrant laborers, farmers say, they might never find enough workers to harvest their crops even if they raised wages. And the lack of a viable guest worker program leads to the current system where illegal workers manage to cross the border and hire onto crews.

Vessey farms about 10,000 acres primarily in the Imperial Valley. His regular payroll includes about 100 workers who get decent pay and benefits, including a 401(k). During harvest, Vessey needs about 500 more temporary workers, whom he typically pays about \$7.50 to \$8 per hour. Most of them he gets from farm labor contractors, who simply park their buses near the border and load up with workers who can show documents. Neither the contractors nor Vessey are required to verify the documents, but simply note that each worker showed up with what appear to be the right papers.

The information is recorded on the familiar I-9 form, issued by the Department of Homeland Security. As with all employers, the farmers attest that the worker's documents appear genuine. The worker must sign to indicate that all documents are in fact genuine and all information is true. The I-9 forms are often completed on the bus ride to the farm.

The forms then work their way through the government mill. Baillie says it can take up to a year before final verification from the government is complete. The crop and the worker are both long gone by then.

Indeed, farmers could be harvesting a new crop and hiring new seasonal workers by the time the government decides whether last season's harvest workers were legal.

The system might still be operating unchallenged today if not for the push to secure the nation's borders after the September 11 attacks. Beefing up border security eventually led to questions about illegal workers.

Farmers like Hallstrom say they welcome the attention, hoping that a comprehensive guest worker program will replace the current makeshift system that encourages illegal workers to show up with falsified documents.

"The sad thing is that not until 9/11 did people think this was important—and then not even right away," Hallstrom says. "If 9/11 hadn't happened, we would still be sweeping this issue under the carpet. That is the sad truth of it."

Workforce Management, August 14, 2006, p. 1, 18-26 -- *Subscribe Now!*

Irwin Speizer is a freelance writer based in Pacific Grove, California. E-mail editors@workforce.com to comment.