TABLE OF CONTENTS

Introduction ............................................................. xi

CHAPTER 1. THE UNIONIZATION OF FARM LABOR .......... 1
   I. Farm Labor and the National Labor Relations Act .... 1
   II. How Farmworkers Are Organizing Without the Help of a National Labor Relations Act .......... 6
      A. The Method and Problems Encountered in Organizing Farmworkers ................................ 8
      B. The Tactics ..................................................... 17
         1. Implementing the Strike .................................. 17
         2. Proposed Regulation of Strike Activity .......... 20
         3. The Boycott .................................................. 21
            a. Effect of the Boycott .................................. 22
            b. Legality of the Boycott ................................. 23
         4. Legislative Proposals to Include Farmworkers Within the Scope of the NLRA ............ 28
   III. Conclusion ....................................................... 31
      A. The Argument Against Higher Wage Rates .......... 32
      B. The Argument for Higher Wage Rates ................. 33
      C. A Proposal: Decasualization ......................... 35

CHAPTER 2. FARM LABOR CONTRACTORS AND LOW FARM WAGES ....................... 39
   I. The Success of the Farm Labor Contractor .......... 39
      A. Migrants ....................................................... 40
      B. Day-Haulers .................................................. 42
      C. Farmer Reliance ............................................. 44
   II. Abuse of Farmworkers ......................................... 45
   III. Control of Labor Contractors ......................... 46
      A. Federal Farm Labor Contractor Registration Act . 47
      B. State Acts ..................................................... 48
         1. Licensing .................................................... 48
         2. Prohibited Practices .................................... 49
         3. Duties ......................................................... 49
         4. Revocation or Suspension of License ............. 50
         5. Penalties ..................................................... 50
   IV. Suggested Reforms ............................................. 50
      A. Grower Liability .......................................... 51
      B. Surety Bonds ............................................... 52
CHAPTER 3. ILLEGAL ENTRANTS: THE WETBACK PROBLEM IN AMERICAN FARM LABOR ................. 55
I. The Invasion ........................................ 55
II. Consequences of the Wetback Invasion ............... 58
   A. Competition for Wages and Jobs .......... 58
   B. Impact on the Community ............... 59
III. Control of Wetback Traffic .................. 60
    A. Apprehension: The Role of the Border Patrol . 61
    B. Deportation and Voluntary Departure:
       The Process of Removal ................. 62
    C. Criminal Penalties .................. 63
       1. Unlawful Entry .................. 64
       2. Smuggling .................. 64
       3. Transporting, Concealing, and Harboring .. 65
    D. The Effect of Present Law ............. 65
IV. Efforts For Change: The Dilemma .............. 66
    A. Congressional Activity .......... 66
    B. Civil Actions .................. 67
    C. Some Suggestions ........... 68
CHAPTER 4. FARM LABOR HOUSING IN CALIFORNIA .... 71
I. Introduction ...................................... 71
   A. Historical Setting .................. 71
   B. Poor Housing Conditions: A Consequence
      of Low Wages .......................... 72
   C. Characteristics of the Market for Farm Labor
      Housing ................................ 73
II. Types of Farm Labor Housing: Contribution Toward
    Meeting the Demand .......................... 74
   A. Employee Housing .................. 74
      1. Supply and Condition ............ 75
      2. Financing .................. 77
      3. Another Approach ........... 78
   B. Public Housing .................. 78
      1. Farm Labor Supply Centers ....... 79
      2. OEO Migrant Housing ........ .. 79
      3. Local Public Housing ........... 82
   C. Private Housing ................. 87
      1. Self-Help Housing ........... 89
      2. Housing Industry ........... 91
         a. Development of a Low-Cost Unit .... 92
b. Building Codes ............................ 94
  c. Financing ................................ 95
  d. New Federal Subsidy Programs .......... 97

III. Building Codes and their Enforcement ........................ 100
   A. Federal Regulations .......................... 100
   B. California State and Local Codes ........... 102
      1. Regulation of Employee Housing ............ 102
      2. Regulation of Rural Non-Farm Housing ....... 105

IV. Conclusion ................................... 108

CHAPTER 5. WORKMEN'S COMPENSATION, MINIMUM WAGE, AND THE FARMWORKER .................. 113

I. Introduction .................................. 113

II. Workmen's Compensation ........................ 115
   A. The Law Prior to Workmen's Compensation ..... 115
   B. Present Workmen's Compensation Systems ...... 118
      1. Characteristics of a Typical Act ............. 118
      2. Types of Coverage under Workmen's
         Compensation Laws ........................... 120
            a. Compulsory Coverage ..................... 121
            b. Elective Coverage ......................... 121
            c. Voluntary Coverage ....................... 122
   C. Workmen's Compensation and the Farmworker ... 123
      1. The Coverage of Farm Labor .................. 123
          a. Farm Labor Excluded ...................... 124
          b. Farm Labor Partially Covered .......... 125
          c. Farm Labor Covered ....................... 127
      2. Reasons for Excluding Farm Labor ........... 127
   D. Suggestions for Reform ....................... 129

III. Minimum Wage .................................. 133
   A. Federal Legislation .......................... 133
      1. Coverage of Farmworkers Under the
         Fair Labor Standards Act ..................... 133
      2. Reasons for Discriminatory Treatment
         of Farmworkers ............................... 137
   B. State Legislation .............................. 140
      1. States That Have No Wage Laws ............. 140
      2. States with Wages Laws That Exclude
         All Farmworkers .............................. 140
      3. States with Wage Laws that Cover Only
         Females and Minors ........................... 141

vii
4. States with Wage Laws that Cover Farmworkers .................................. 142
C. The Need for Change ............................................................... 145
D. Suggestions for Reform .......................................................... 148
IV. Conclusion .............................................................................. 153

CHAPTER 6. HEALTH INSURANCE FOR FARMWORKERS .155
I. Introduction ................................................................. 155
II. The Health Needs of Agricultural Employees .............. 156
III. Government Financed Health Care ................................ 158
IV. Private Employer Contributions to Health Care ....... 162
   A. Characteristics of the Farm Labor Work Force .......... 162
   B. Private Insurance Plans Now Used in Agriculture . 166
V. Expansion of Private Employer Coverage .................. 168
   A. Reasons for Expansion ................................................. 168
   B. Recommended Changes in Current Health Plans ... 169
VI. Conclusion ........................................................................ 171

CHAPTER 7. THE WELFARE SYSTEM AND THE FARM LABORER .................................................. 173
I. Introduction ................................................................. 173
II. The Welfare System: The Recipient’s Viewpoint ....... 176
   A. Welfare Programs ......................................................... 176
   B. Welfare Inequities Caused by Eligibility Requirements ................................................. 178
   C. The Problem with Eligibility Requirements .... 184
III. Rural Political and Economic Pressures ................. 185
   A. Local Administration and the Rural Setting ...... 185
      1. Historical Perspective ............................................. 188
      2. The Creation of the Unemployed Parent Provision
         and Its Implementation in Rural Counties .......... 189
      3. Concluding Remarks on Farm Labor Referrals
         and the Rural Recipient ........................................... 192
   B. Correcting Problems of Local Administration .. 193
IV. The Migrant Farm Laborer: Transiency and
Residence Requirements ......................................................... 199
V. Farm Laborers’ Employment Situation:
   Low Income and Sporadic Employment ................. 205
   A. Lack of Economic Protections and
      Its Effect on Welfare Services ......................... 205
      1. Farm Labor Welfare Problems Due
         to Low Wages ...................................................... 206