

Association of Farmworker Opportunity Programs
CHILDREN IN THE FIELDS CAMPAIGN

The Struggles

YOU SHOULD KNOW



POWERED BY:  AOP



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Every time we sit at a table at night or in the morning to enjoy the fruits and grain and vegetables from our good earth, remember that they come from the work of men and women and children who have been exploited for generations.

-Cesar Chavez

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SPECIAL THANKS TO:

- Oregon Human Development Corporation (OHDC)
- PathStone Corporation
- Motivation Education and Training, Inc. (MET)

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This publication was made possible with grant #P3033500
From the W.K. Kellogg Foundation

Introduction

“The American Dream is a Myth.”

– Joseph Stiglitz,
Nobel-Prize Winning Economist

One of the most persistent beliefs in United States culture is this: that hard work is healthy, and that it always pays off... eventually. It’s the core of the American Dream, and it attracts people from all over the world. The idea that you’ll be successful if you just work hard enough is enthralling.

Unfortunately, economists have been warning us recently that it is a fallacy. Inequality in America is worse than in most other developed countries, they say, and our system is no longer set up to reward hard, honest work. Joseph Stiglitz explains that “the status you’re born into — whether rich or poor — is more likely to be the status of your adult life in America vs. any other advanced economy.”¹

But don’t take it from a Nobel-prize winning economist. Just ask a farmworker child:

“It seems as though an average field worker never progresses. They go through the same vexatious routine everyday just to get by. They get up extra early every day, go to the field to which they are assigned, and deal with the dangers of pesticides. They deal with back pain from being knelt over the whole time and deal with the heat beating on them, so much that it feels literal. Is all that stress worth a paycheck that is only enough to barely get by?” - Fernando, 14

Migrant and Seasonal Farmworker (MSFW) children are born into these farmworker families who live near or below the poverty line. Their parents work long hours for low pay - so low that they often need all hands-on deck to help pull in a more sustainable family income. Some are introduced to the fields as babies, placed inside empty apple bins as playpens while their parents and older siblings pick. Many start work as young as six, picking the lower-hanging fruit so their mom or dad can focus on the higher branches. They’re thrown into the working world, facing the same occupational hazards and poor health outcomes as their parents, long before they’re of legal working age.

If the American Dream were not a myth, they could claw their way out of poverty with the help of hard work at home and at school – and that is in fact what many MSFW children attempt to do.

Unfortunately, factors outside of their control prevent many MSFW children from getting those straight A’s in school, from graduating from that 4-year university, or from obtaining that sustainable job – and so they fall into the same trap of poverty as their parents, pinning their hopes and dreams, again, on the next generation. Thus, the cycle continues, even as America keeps on dreaming its Dream.

For The Struggles You Should Know, AFOP interviewed 37 children in the fields in three different regions (West, East, and Mid-Central). In those interviews, MSFW children vulnerably shared their day-to-day reality, as well as their hopes, dreams, and fears. We have tried to encapsulate their struggles and their stories in these pages, in the hope that it will finally wake America up from its fanciful and irrational dream and start giving farmworkers the kind of life they deserve.

¹ Luhby, Tammy. “The American Dream is a Myth.” 22az April 2015, <https://money.cnn.com/2015/04/22/news/economy/stiglitz-american-dream/index.html>.



“Being part of a farmworker family is somehow learning to hustle the struggle but never realizing it because your struggle is actually your normal, a normal that is not normal for everyone else.”

- Emily, WA

Healthy Struggles

"Nobody knows everything that is suffered while working in the fields. Like after crouching for the day, crawling on the ground, the excruciating back pain. Or when the sun hits its highest point, at 2-3 in the afternoon, and you die of thirst and exhaustion, wondering where to get the energy to keep going. While in the shade, drinking water and resting, the owner is yelling at everyone to hurry or they will not get to eat." – Karina, 12, CA

Youth is synonymous with health, strength, vibrancy. Those who have it often take it for granted, believing they will be healthy and whole forever. But, while farmworker children may – at least initially – feel fewer aches and pains and have lower rates of illness than their parents, when they're subjected to the same work conditions, their bodies, too, inevitably begin to break down.

MUSCULOSKELETAL PAIN AND INJURY

"I have scoliosis. I developed it; I wasn't born with it. ...The doctor asked, what are you doing? I told him [I picked apples], and he said, this is from your working conditions."² - Mireya, a 20-year-old farmworker who has worked in the fields since she was 9

Back pain is one of, if not the, most common complaint among adult farmworkers. That's why we weren't surprised when it came up a lot in our surveys of MSFW children. In fact, while 20% of them experienced pain in their hands, 12% had pain in their feet, and 28% reported "whole body pain," nearly half - 48% - said they felt back pain.

Back pain is so common in the farmworker community that it can easily be shrugged off as insignificant. Just wait until the off season, then you can rest up and get back to feeling well again - or so the thinking goes. Children who complain of back pain might not get much sympathy from their parents, either, who have experienced similar discomfort for decades and have simply learned to live with it.

Unfortunately, without the right interventions or treatment, back pain can become exactly that: a debilitating, lifelong issue. Unlike fleeting muscular pain that lessens with the right amount of stretching or rest, chronic back pain can be a sign of degenerating discs, curvature of the spine, arthritis or other inflammatory disease, as well as more serious nerve and spinal cord issues.³

MSFW children see the delayed debilitating effects of farmwork in their parents, and they understand the stakes. Celia Vargas, a former National Migrant and Seasonal Head Start (NSMSHA) intern, said that her dad suffers from "back pain, kidney stones, joint pain. He's 52 but he looks like he's in his 70's. [He] falls asleep when he's conversing with you. Mom has fallen off ladders, [her] feet get swollen, [and she] needed hand surgery."⁴ When farmwork is permitted to have a negative impact on your health in your youth, it will only lead to discomfort, pain, high healthcare costs, and the inability to work when you're older.

Unfortunately, MSFW children have to return to physically hazardous work, simply because – just as it is

² Camacho, Mireya. Personal Interview. 20 July 2018.

³ Dickson, Douglas, M.D., and Trivedi, Kavita, D.O. "5 signs your back pain might be an emergency." UT Southwestern Medical Center, 3 July 2019,

<https://utswmed.org/medblog/5-signs-your-back-pain-might-be-emergency/>.

⁴ Vargas, Celia. Personal Interview. 20 July 2018.

with their parents – they don't have much choice. Even Mireya, diagnosed with scoliosis at the tender age of 17, has to go back to picking blueberries and apples whenever she's home for the summer. "I have to sleep

on the floor to keep my back straight," she said. "I absolutely know it's because of [the work]. Until I graduate and find a professional job, that's what I have to do every summer, and that's the consequence of it."

HEAT STRESS

"Like other farmworkers, children experience heat-related conditions from intense sun exposure. This includes heat exhaustion, heat stroke, dehydration, and even death. At a young age they may also be less aware of their body's functions, and thus less able to recognize these conditions when they are occurring." –Camila, 11, CA

Heat is another factor that MSFW children have to face in the fields, and it's especially concerning since children and adolescents are more susceptible to heat-related illness than adults. That's because, according to Current Sports Medicine Reports, they have "a greater surface area to body mass ratio, lower rate of sweating, and slower rate of acclimatization."⁵ And just as 11-year-old Camila, an MSFW child from California, correctly stated, most children haven't yet developed an awareness of their body's functions, and are thus less likely to recognize thirst or other signs of heat stress that are accumulating in their bodies.

Greater surface area to body mass ratio than adults
Production of more metabolic heat per kilogram of body weight
Slower rate of sweating than adults
Temperature when sweating starts is higher
Lower cardiac output at a given metabolic rate than adults
Rate of acclimatization is slower
Thirst response is blunted compared with adults
Hypohydration affects children more than adults

Bytomski and Squire⁶

Dehydration, if left undetected and untreated for very long, can lead to severe illness and death. And heat stroke, even if it's survived, can lead to life-long complications. One former MSFW child told us about how she fell ill to heat stroke for the first time at the age of 15. The experience was jarring and it precipitated the

development of heat intolerance, which she has experienced ever since. "I feel hot a lot faster," she told us, "and I can't handle the heat as much as I could before then."⁷ Heat intolerance is described by Medical News today as "an unusual sensitivity to the heat," and symptoms include exhaustion and fatigue during warm weather; nausea, vomiting, or dizziness in response to heat; and changes in mood when too hot.⁸

When asked what they like least about working in the fields, MSFW children told us that temperature extremes ranked at the top of their list. Fortunately, 97% said they drink water regularly, and 68% said they do take breaks from the sun. However, 30% of them said they are able to take breaks from the sun only "sometimes," and not everyone felt encouraged by their employer to take shaded breaks. Considering what is at stake, it is crucial that employers are fully supportive of regular, shaded breaks, and that they provide ample drinking water at all times in the fields.

As the climate continues its warming trend, it would save the lives of many workers - MSFW children among them - if an enforceable heat standard could finally be implemented that mandated water, rest, and shade for everyone. Unfortunately, efforts to implement such a measure on the federal level have thus far been unsuccessful.

⁵ Bytomski Jeffrey R. DO; Squire, Deborah L. MD. "Heat Illness in Children." *Current Sports Medicine Reports*: vol. 2, no. 6, Dec 2003, pp. 320-324, NIH National Library of Medicine, doi: 10.1249/00149619-200312000-00007.

⁶ Id.

⁷ Moesle, Kendra. "Part III: Nothing New Under the Sun." AFOP Health & Safety Programs, WordPress, 9 Jan 2019,

<https://afophs.wordpress.com/2019/01/09/part-iii-nothing-new-under-the-sun/>.

⁸ Villines. Zawn. "Everything You Need to Know about Heat Intolerance." Medical News Today, 21 May 2019, <https://www.medicalnewstoday.com/articles/325232>.

Julieta

Julieta is a 9-year-old girl. She's been working in the fields for one year. Lately, she's been helping her family with the cherry harvest, picking the lowest-hanging fruit so her mom doesn't have to. Their family doesn't migrate.

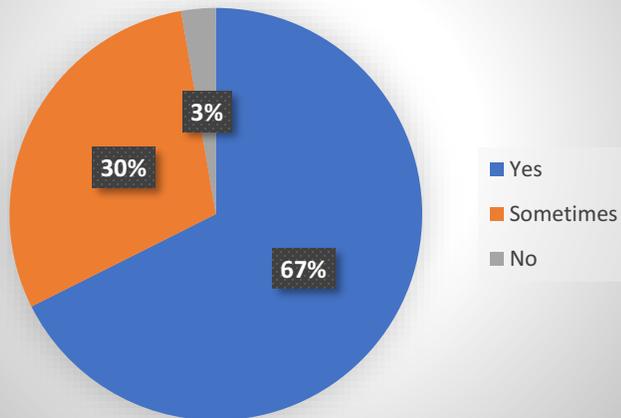
Though Julieta appreciates the fact that her earnings help her parents, she minces no words when expressing her true feelings about farmwork: "The toilets are nasty and [there's] barely any shade." Her dreams for the future are to "have an actual paying job" – implying that the one she currently has doesn't pay. At least, not that much.

Julieta works in the field to help her parents, and what little she earns goes towards paying their bills. The most she can imagine buying for herself is school supplies, "so my parents don't have to buy them for me."

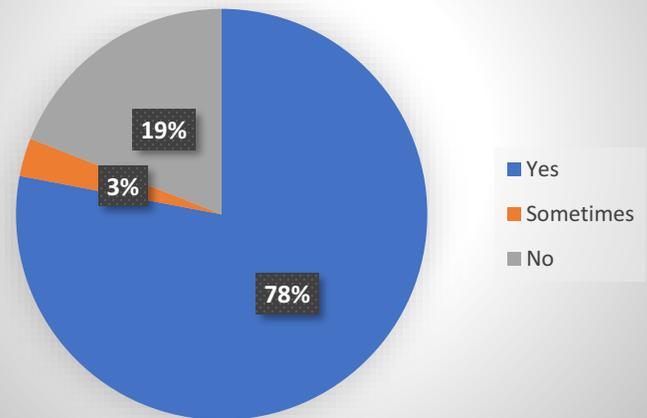
Julieta is in the 4th grade and says she prefers school, because "I don't need to bend down to get stuff. I don't have to get tired. I just have to sit and learn at school." Julieta dresses to disguise her identity as a girl in the fields – because, otherwise, "what if boys look at me and give me bad comments?"



Do you take shaded breaks?



Does your employer encourage shaded breaks?



PESTICIDE EXPOSURE

"There was so much we didn't know about the effects of pesticides on children's development."

- Kim Harley, epidemiologist at UC Berkeley and CHAMACOS associate director

longitudinal study that has tracked the effects of pesticides in dozens of farmworker children since they were in utero.

According to various studies CHAMACOS researchers have published, "Women who had higher exposure to organophosphates during pregnancy were more likely to have children with neurodevelopmental disorders." This means many things, but among them are "infants with slower reflexes, toddlers who show autism-like disorders, five-year-olds with behavioral problems like ADHD, and seven-year-olds whose IQs, on average, are seven points behind their peers."⁹

The secret has been out for a long time that pesticide exposure in children causes not only neurodevelopmental disorders, but pediatric cancer, too. In 2007, a systematic review of studies published between 1992 and 2003 established the following: "Most studies on non-Hodgkin lymphoma and leukemia showed positive associations with pesticide exposure. Children's and pregnant women's exposure to pesticides was positively associated with the cancers studied in some studies, as was parents' exposure to pesticides at work. Many studies showed positive associations between pesticide exposure and solid tumours. The most consistent associations were found for brain and prostate cancer. An association was also found between kidney cancer in children and their parents' exposure to pesticides at work. These associations were most consistent for high and prolonged exposures."¹⁰

⁹ Bergamin, Alessandra, *supra*.

¹⁰ Vakil, Catherine, MD, et. al. "Cancer Health Effects of Pesticides." *Canadian Family Physician*: vol. 53 no. 10, Oct 2007, pp 1704-1711, U.S. National Library of Medicine, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2231435/>.

As with heat and musculoskeletal injuries, though the lifelong effects of pesticide exposure are difficult to measure in the moment, they are very real. On a mission to inject more data into the story is CHAMACOS, a

In 2011 it was found that, though death rates from cancer were decreasing for both men and women, incidence rates of childhood cancer were still on the rise.¹¹ And in 2015, *Pediatrics* published a meta-analysis of 16 studies, finding “disturbing evidence that children’s exposure to household insecticides is linked to higher risks of childhood leukemia and lymphoma, the most common cancers in children.” It was the same case with outdoor herbicides, too.¹²

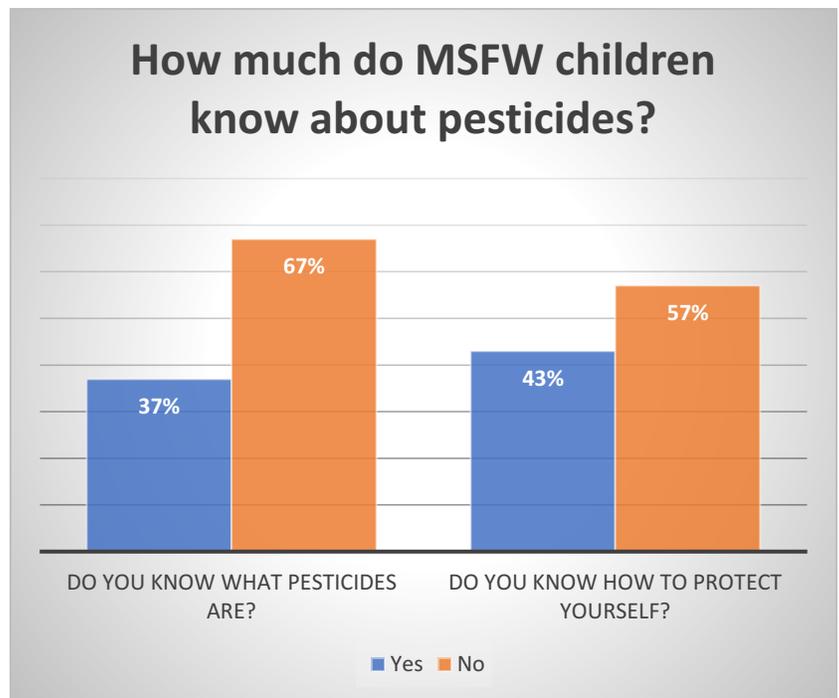
But, even though the evidence keeps mounting about the dangerous effects of agrichemicals on children’s health, the Center for Biological Diversity reported that “the U.S. continues to use 85 pesticides that have been banned” in other countries.¹³ In fact, Pesticide Action Network International put together a tabulation of pesticides that have been banned in various countries around the world. Of the 327 chemicals on the list, only one has been banned in the U.S.A.¹⁴ The Environmental Health Journal attributes this to “deficiencies in pesticide legislation” which gives the Environmental Protection Agency “significant discretion on which pesticides it ultimately decides to cancel, and makes the US EPA-initiated, non-voluntary cancellation process particularly onerous and politically fraught.”¹⁵

HEALTH EDUCATION

I’ve probably worked for every single farmer in town, and I’ve never gone through a training [on pesticides].¹⁶

- Mireya, 20-year-old farmworker

In an environment where industry is consistently prioritized above public health, one stop-gap measure is training and education. If we can educate more migrant and seasonal farmworkers and their children about the risks of pesticide exposure, the hope is that we can help them prevent it and thus protect them from its dangerous effects.



¹¹ Kohler, Betsy A., et. al., “Annual Report to the Nation on the Status of Cancer.” *Journal of the National Cancer Institute*: vol. 103, no. 9, 31 March 2011, pp 714-736, Oxford University Press, DOI: 10.1093/jnci/djr077.

¹² Sciamacco, Sara. “Study links Childhood Cancer and In-Home Pesticide Use.” 28 Sept 2015, Environmental Working Group, <https://www.ewg.org/release/study-links-childhood-cancer-and-home-pesticide-use>.

¹³ “New Study: United States Uses 85 Pesticides Outlawed in Other Countries.” *Center for Biological Diversity*, 6 June 2019, <https://biologicaldiversity.org/w/news/press-releases/united-states-uses-85-pesticides-outlawed-in-other-countries-2019-06-06/>.

¹⁴ “PAN International Consolidated List of Banned Pesticides.” PAN International, <http://pan-international.org/pan-international-consolidated-list-of-banned-pesticides/>.

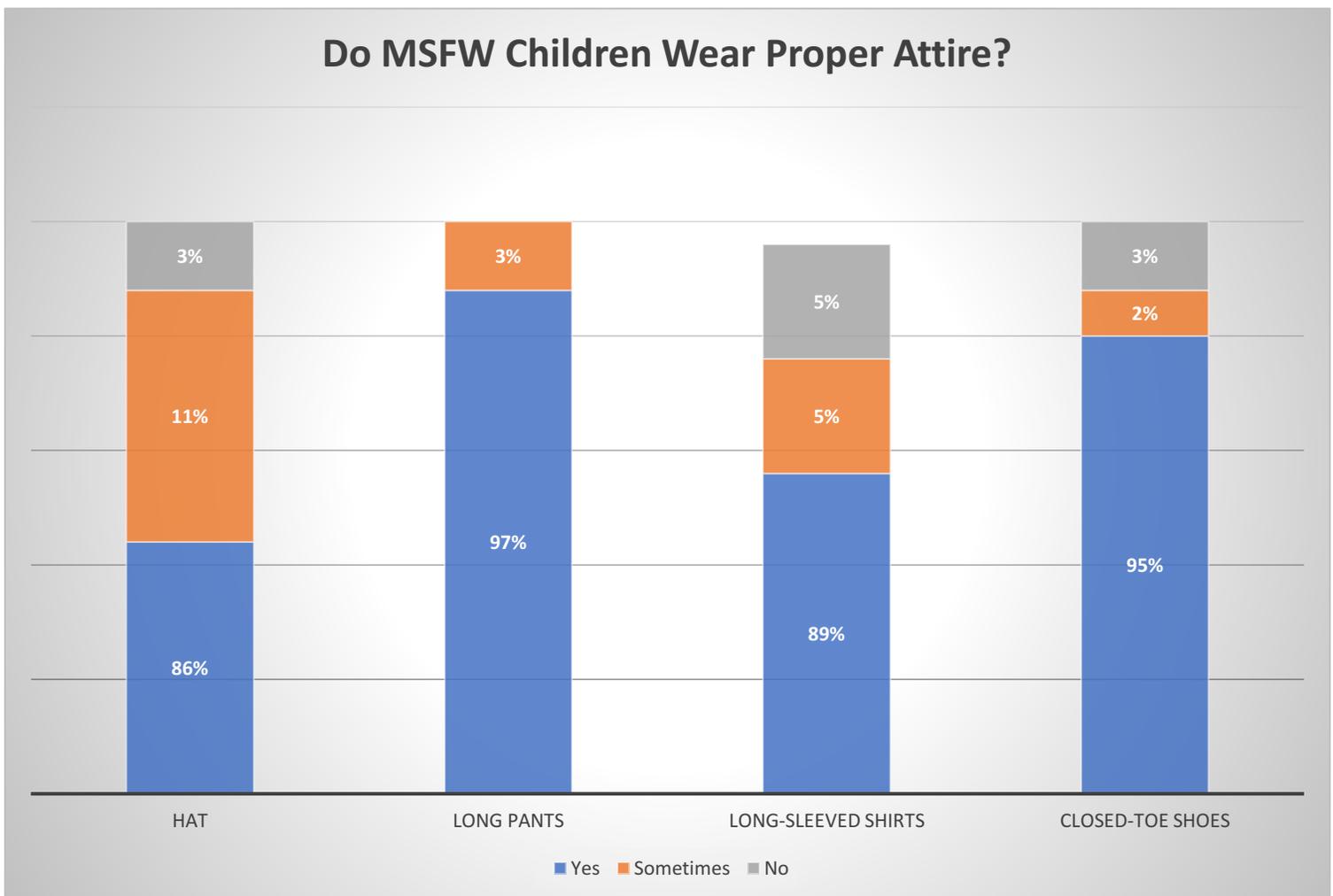
¹⁵ Donley, Nathan. “The USA lags behind other agricultural nations in banning harmful pesticides.” *Environmental Health*: vol. 18, no. 44, 7 June 2019, BioMed Central, <https://doi.org/10.1186/s12940-019-0488-0>.

¹⁶ Camacho, *supra*.

To that end, the Environmental Protection Agency (EPA) has required that employers provide pesticide safety training to all their agricultural workers and pesticide handlers.¹⁷ This and efforts by farmworker advocates have helped empower many farmworker families with the information and resources they need to stay safe in the fields.¹⁸

Unfortunately, judging from our survey results, it has not been enough to protect the majority of MSFW children. For example, 67% of children interviewed for this project were not able to accurately describe what pesticides are, and 57% did not know how to adequately protect themselves from them. One respondent thought pesticides meant “pet”, while another said they “help plants grow.” 94% of respondents said they had never been exposed to pesticides, yet 19% said they felt sick while working in the fields and 22% reported having had a skin rash – both of which could be indications of pesticide exposure.

On the plus side, children are, by and large, dressing appropriately for work in the fields: 100% wear long pants, while only one or two respondents said they did *not* wear a hat, long-sleeved shirt, or closed-toe shoes. This is encouraging, since covering up is the first essential step in preventing pesticide exposure.



¹⁷ “Agricultural Worker Protection Standard.” <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>

¹⁸ Bergamin, *supra*.

COVID-19 HEALTH IMPACT AMONG FARMWORKER CHILDREN

Farmworkers and their families have been significantly and disproportionately impacted by the COVID-19 pandemic. Farmworkers, deemed essential workers, have continued to labor in fields, nurseries, orchards and packing houses and work with limited protection. The toll of the pandemic has been devastating to farmworker communities, with thousands of farmworkers infected with COVID-19 and hundreds of dead.

By and large children have not been as severely impacted in terms of the direct effects from the virus and resulting sickness and death. However, children have been deeply affected indirectly from the pandemic, particularly in terms of their mental health and their economic well-being. Farmworker children are likely to have suffered even more given the historical and significant health disparities facing farmworkers, the heightened vulnerability to SARS-CoV-2 of the farmworker community and the high rates of poverty for farmworker families. Each of these individually and in concert have put farmworker children's health at risk during the pandemic.

As the pandemic continues into 2021, the impact on farmworker physical health and mental health has intensified along with workplace inequalities and economic stressors, further disenfranchising an already vulnerable population.

THE HEALTH IMPACT OF COVID-19 ON FARMWORKERS: MORBIDITY AND MORTALITY

As many workplaces in the United States began to cease operations or pivot to virtual platforms in March 2020 to minimize the spread of COVID-19, farmworkers were deemed essential workers and continued to labor in the fields, leaving them more vulnerable to SARS-CoV-2. For the entire first year of the pandemic, the federal government neglected to pursue regulations to protect farmworkers on the job from SARS-CoV-2, despite their "essential" status. In the absence of federal protection, 11 states enacted emergency temporary standards or issued executive orders of varying strength requiring farms to provide basic protection from the virus, including sanitation, physical distancing, ventilation, and masking requirements.

Without federal requirements and largely uneven state policies, thousands of farmworkers continued to work without any workplace-provided protection. While some farms incorporated safer practices, many failed to implement preventative measures to protect workers. Transportation and housing, in many cases, remained overcrowded with limited ability for workers to remain physically distant. Many farmworkers travel to and from work in farm-provided transportation. Without required distancing, ventilation, or masking, transportation became an important source of exposure for workers,

increasing their risk of contracting and/or spreading the virus.

Many farmworker families live in substandard and crowded housing. Poor ventilation and shared living spaces, often between related and non-related farmworkers and family members, further put farmworkers and their families at risk of COVID-19. Should a family member contract the virus or be exposed, isolation and quarantine are, for most, impossible, with little space that can be effectively used to keep apart from others in the home. Farmworkers endure high rates of poverty, lack access to paid sick leave and many lack health insurance and have limited access to health care. Even when sick, many farmworkers cannot afford to miss work as that may impact their ability to put food on their table and pay rent. For those who became ill from COVID-19, fear of job loss and medical and hospital bills kept many from seeking timely care.

The toll has been devastating with an estimated 500,000 workers in agriculture infected in the first year of the pandemic.¹⁹ The exact number of deaths is not known but research suggests that Latino/a farmworkers have endured a higher mortality rate in comparison to that of other workers and other populations.²⁰ In a study

¹⁹ Food and Agriculture Vulnerability Index Dashboard. Purdue University. Accessed March 6, 2021 <https://ag.purdue.edu/agecon/Pages/FoodandAgVulnerabilityIndex.aspx>

²⁰ Fielding-Miller RK, Sundaram ME, Brouwer K. Social determinants of COVID-19 mortality at the county level. *PLoS One*. 2020 Oct 14;15(10):e0240151. doi: 10.1371/journal.pone.0240151. PMID: 33052932; PMCID: PMC7556498.

examining excess deaths by occupation in California, researchers found that Latino Californians experienced a 36% increase in mortality, with a 59% increase among

Latino food/agriculture workers, the highest among all surveyed races/ethnicities and occupational sectors, including healthcare workers.²¹

ECONOMIC IMPACTS OF THE PANDEMIC ON HEALTH

In addition to the unprecedented impact on morbidity and mortality, systemic inequalities and structural barriers resulted in further hardships during the pandemic. Latinos were more likely to have lost a job, to have lost income, to have experienced difficulties paying household expenses, and to have experienced food insecurity during the pandemic, in comparison compared to Whites. Latino and Black households with children experienced three or more hardships at twice the rate of Asian and White child households.²²

When schools, childcare and businesses initially shuttered due to the pandemic, farmworker parents had few options regarding their children's care, health, and safety. Some parents had no choice but to bring their children to work and some children opted to help their family by working in agriculture. Other farmworker parents temporarily dropped out of the work force to care for their children, but not without severe economic consequences. Many farmworkers are not authorized to work in the United States and they and their families were largely left out of COVID-19 economic relief measures, although some farmworkers were eligible for paid sick leave as part of the relief package. Most of the federal economic relief response in the United States focused on adults with the assumption that children would benefit from these measures. However, for low-income children, particularly for families disenfranchised

from resources and services, this response was insufficient²³. The economic impacts of the COVID-19 pandemic may be long lasting for farmworker families.

Prior to the pandemic, researchers noted higher rates of food insecurity among farmworker children compared to children in other poverty-stricken households²⁴. Rural locations, ineligibility for supplemental food programs, or fear of exposing immigration status by enrolling in supplemental food programs may have furthered heightened food insecurity levels among farmworker families during the pandemic. In many cases community groups and Migrant Head Start programs have been offering meals and groceries to farmworkers during the pandemic but the demand for such services remains significant.

For some students, they were unable to return to classroom instruction for over a year. In the early months of the pandemic, many school districts serving farmworker children struggled to develop a virtual or home-based school program that took into account the needs of farmworker families. Due to rural locations and poverty, many farmworkers lack access to high-speed internet or sufficient cellular data plans to support virtual learning. Even if unable to access the virtual classroom, children were instructed to stay home during school hours.

MENTAL HEALTH AND COVID-19

Many health risks and health disparities that farmworker children face have been intensified by the COVID-19 pandemic. Mobility, poverty, cultural and linguistic

differences, immigration status, food security, housing, and access to health care and/or childcare are some of the overlapping disparities that impact farmworker

²¹ Chen Y, Glymour M, Riley A, Balmes J, Duchowny K, Harrison R, Matthay E, Bibbins-Domingo K. Excess mortality associated with the COVID-19 pandemic among Californians 18–65 years of age, by occupational sector and occupation: March through October 2020. Preprint medRxiv 2021.01.21.21250266; doi: <https://doi.org/10.1101/2021.01.21.21250266>

²² Padilla C and Thomson D. More than One in Four Black and Latino Households with Children Are Experiencing Three or More Hardships during COVID-19. January 13, 2021. Accessed March 6, 2021

<https://www.childtrends.org/publications/more-than-one-in-four-latino-and-black-households-with-children-are-experiencing-three-or-more-hardships-during-covid-19>

²³ Dooley DG, Bandedaly A, Tschudy MM. Low-Income Children and Coronavirus Disease 2019 (COVID-19) in the US. *JAMA Pediatr.* 2020 Oct 1;174(10):922-923. doi: 10.1001/jamapediatrics.2020.2065. PMID: 32401283.

²⁴ Hill BG, Moloney AG, Mize T, Himelick T, Guest JL. Prevalence and predictors of food insecurity in migrant farmworkers in Georgia. *Am J Public Health.* 2011;101:831–833.

children's health²⁵. There are limited data available to underscore the immediate health impacts of the pandemic on farmworker children. However, clinicians are increasingly concerned about the children's mental health crisis in the general pediatric population that is resulting from the pandemic as it has had a profound effect.²⁶ In a study of pediatric Emergency Department visits the proportion of children's mental health-related Emergency Department visits increased and remained elevated in 2020. Between 2019 and 2020, the proportion of mental health-related visits increased 24% for children aged 5–11 years and 31% for children aged 12–17 years.²⁷

Moreover, research suggest the rate of depression in US adults in all demographic groups—especially in those with financial burdens—has tripled during the pandemic.

We can assert significant impact on children on key areas that affect child development.²⁸ Depressed parents are less sensitive to a child's needs, are less responsive to those needs, may become neglectful, disengaged, or hostile and, lacking in energy, a parent may fail to provide necessary structure to organize the child's life²⁹.

Prior to the pandemic, researchers noted loneliness, economic hardship, and discrimination likely contribute to mental health problems among Latino farmworker children³⁰. Given the already vulnerable status of the farmworker community and the additional stress caused by the pandemic, the mental health of both adults and children has undoubtedly been impacted. Community health workers in Florida and Georgia note that substantial family stressors among farmworkers have undoubtedly affected the children.

LACK OF ACCESS TO CHILDCARE

Prior to the pandemic shutdown of businesses and schools, some farmworker families lacked sufficient access to quality and affordable childcare. While limited data exist, anecdotal evidence points to these childcare issues growing in severity during COVID-19. Over 90% of Migrant Head Start programs designed to assist farmworker families with childcare were temporarily shuttered; most other childcare programs were similarly

closed. Some, which remained open for essential workers' children, were limited; reports indicate that many prioritized healthcare worker children over farmworker children. While most Migrant Head Start programs began reopening in June of 2020, requirements around physical distancing further limited the number of spaces available for children in centers.

AGRICULTURAL INJURIES AND EXPOSURES

With few childcare options, some farmworker parents opted to bring their children to work and some children are working in agriculture. Amid pesticide applications, heavy machinery, and minimal protection from sun and wind, children who work or who are brought to farms or

fields risk agricultural injury. Exposure to pesticides and dust have acute and chronic respiratory health effects. Farmworker children are disproportionately impacted by birth defects, autism, higher rates of irreversible developmental brain damage, and higher rates of child

²⁵ McLaurin J and Liebman A. Unique Agricultural Safety and Health Issues of Migrant and Immigrant Children. *J Agromedicine*. 10 Apr 2012. <http://dx.doi.org/10.1080/1059924X.2012.658010>

²⁶ FAIR Health. The Impact of COVID-19 on Pediatric Mental Health: A Study of Private Healthcare Claims. White Paper. March 2, 2021.

²⁷ Leeb RT, Bitsko RH, Radhakrishnan L, Martinez P, Njai R, Holland KM. Mental Health–Related Emergency Department Visits Among Children Aged <18 Years During the COVID-19 Pandemic — United States, January 1–October 17, 2020. *MMWR Morb Mortal Wkly Rep* 2020;69:1675–1680.

DOI: http://dx.doi.org/10.15585/mmwr.mm6945a3external_icon

²⁸ Ettman CK, Abdalla SM, Cohen GH, Sampson L, Vivier PM, Galea S. Prevalence of Depression Symptoms in US Adults Before and During the COVID-19 Pandemic. *JAMA Netw Open*. 2020;3(9):e2019686. doi:10.1001/jamanetworkopen.2020.19686

²⁹ National Research Council (US) and Institute of Medicine (US) Committee on Depression, Parenting Practices, and the Healthy Development of Children; England MJ, Sim LJ, editors. *Depression in Parents, Parenting, and Children: Opportunities to Improve Identification, Treatment, and Prevention*. Washington (DC): National Academies Press (US); 2009. 4, Associations Between Depression in Parents and Parenting, Child Health, and Child Psychological Functioning Accessed March 7, 2021 from: <https://www.ncbi.nlm.nih.gov/books/NBK215128/>

³⁰ Taylor, Z. E., & Ruiz, Y. (2017). Contextual stressors and the mental health outcomes of Latino children in rural migrant-farmworker families in the midwest. *Journal of Rural Mental Health*, 41(4), 284–298. <https://doi.org/10.1037/rmh0000082>

cancers including leukemia, neuroblastoma, non-Hodgkin's lymphoma, and brain cancer.

Even farmworker children who do not follow their parents to the workplace suffer from increased risk of

agriculture-related health concerns. Farmworker children are regularly exposed over the course of their lifetimes to pesticides and dust via para-occupational exposure from their parents and in their own backyards, in school yards, and in the community.

CONCLUSION

The longstanding challenges faced by farmworker children are systemic and have been deepened by the pandemic. The pandemic has pulled the curtain back on the existing inequities and profound health disparities. To improve the well-being of farmworker children, policy solutions are needed to address the structural roots of these challenges including meaningful immigration reform, improved regulatory protections for workers, universal healthcare and childcare services as well as targeted outreach and education programs.



Rey

Rey is a 10-year-old migrant farmworker who has been working in the fields since he was 6. He was harvesting soy beans along with his parents. He likes working in the fields because he can help his parents with the bills. He stopped attending summer to work in the fields to help his family. During the interview he mentioned he was ready to go home because it was too hot.

Juan

Juan is a 7-year-old boy. He's been working in the fields for one year. At the time of the interview, he was helping his mom pick little pumpkins. She'd cut the gourds from the branches, while he'd come after her and put them in buckets. He said he was a little tired from bending over.

Juan migrates with his mom once a year, in the summertime. He said he mostly helps out on weekends and when school is out, though we met him in the fields on a weeknight. He works, he says, "So I can help my mom. She tells me we only have each other." He gives all of his pay to her, and she promises him that she's saving it for his college. One day he'd like to buy an X-box with his earnings.

Farmwork is ok, Juan said, when the sun is not hot. When it is too hot, he said, "I get home tired." Juan's greatest aspiration is to become a lawyer, and said he likes school because he gets to read and play with his friends.



Education Struggles

Hundreds of thousands of children – the sons and daughters of our nation’s hardest-working and lowest-paid workers, the migrant farmworkers – are having to choose between their education and helping their families make ends meet. We are one of the world’s richest nations, with the power to achieve amazing feats like send humans to outer space (one of whom happened to be a former farmworker child). Yet it speaks volumes that, in a nearly trillion-dollar industry, we have been unable to provide a living wage for farmworkers.³¹

MIGRANT & SEASONAL FARMWORKER CHILDREN

A migrant farmworker child is an individual under the age of 18 who follows their parent(s)/legal guardian(s) from a permanent place of residence for the purpose of seeking employment in agriculture. Seasonal farmworker children are individuals under the age of 18 who are employed in temporary (i.e. seasonal) agricultural labor. Throughout these sections, the two

“In today’s society, migrants are often confused with immigrants from other countries, but our reality as migrant farmworkers is very different. As children of migrant farmworkers, many students have to move throughout the year to different states, changing schools which makes them have trouble with their grades.” -Laura, 11, NV

terms will be used jointly as Migrant and Seasonal Farmworker and referred to as MSFW. Although MSFW children can be undocumented, the majority are U.S. citizens. It is estimated that there are between 1-2.5 million hired farmworkers in the U.S., and about half of those workers are children under the age of 18. Most of them are Latinx.³²

The majority of farmworkers harvest crops that require care and skill when picking, as they tend to bruise easily. Because of this, there is room in the industry for child labor. Tiny hands are able to harvest the produce without damaging the crops. All of the industries that depend on the labor of farmworkers - fruit/vegetable, nut, greenhouse/nursery, and grains - although going through a new wave of mechanization, are still reliant on hand harvesting.³³

The reasons for the inadequate levels of education among migrant farmworker children are numerous, but the biggest one is the mobility of the migrant lifestyle, since it leads to disrupted schooling. Parents who work in agricultural jobs, picking and planting crops, tend to move regularly. These moves can make it difficult for MSFW children to stay up-to-date on academic responsibilities.

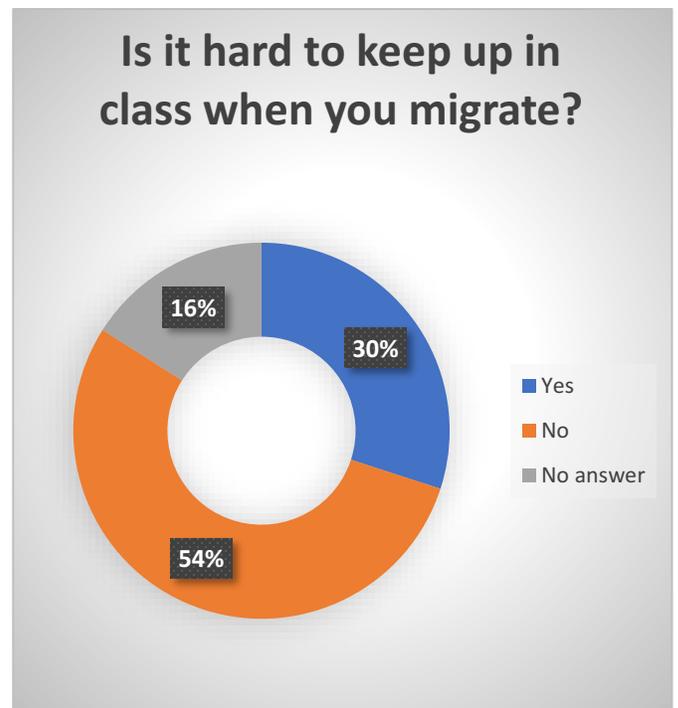
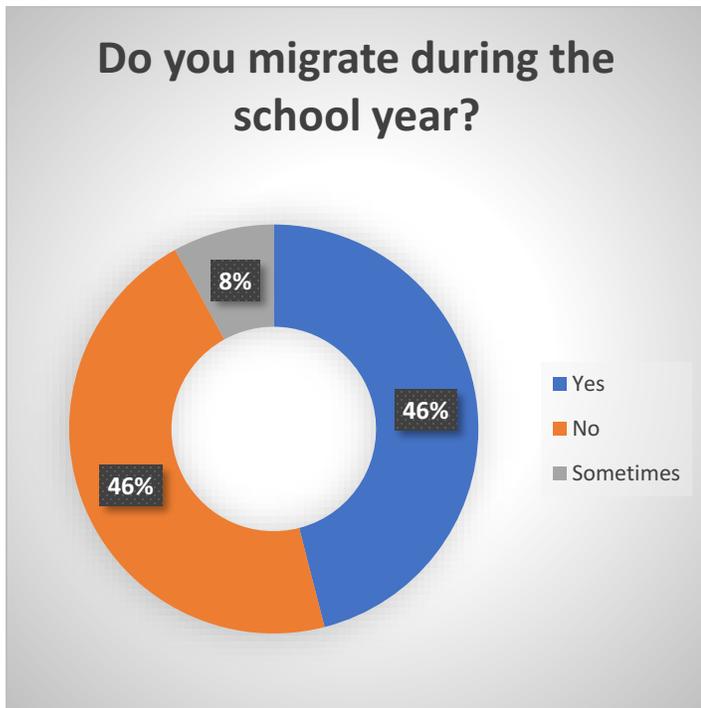
In our survey of children in the fields, nearly half (46%) reported having to migrate during the school year. Of those who migrated, 30% said it’s difficult keeping up in class, because different subjects are taught in different states, school requirements vary, and/or their peers might be ahead in a subject when they arrive, forcing them to do extra work lest

³¹ “Food & Ag Industry Contributes \$992 Billion to U.S. Economy.” *Agweb*, Food Journal, 7 April 2017, <https://www.agweb.com/article/food--ag-industry-contributes-992-billion-to-us-economy-naa-ben-potter/>.

³² “Health Services: Did you know?” *Chautauqua Opportunities, Inc.*, IES Central, Inc., <https://www.chautauquaopportunities.com/do-you-know-migrant-seasonal-farmworkers/>.

³³ Saurig, Yaov, et. al., “Alternatives to Immigrant Labor?” Center for Immigration Studies, 1 Dec 2000, <https://cis.org/Report/Alternatives-Immigrant-Labor-0>.

they be left behind. In addition, they told us that the language barrier impedes their scholastic achievement, not to mention the incentive of wage labor that takes them out of school and cuts into their study time (which is all the more necessary when they're having to do catch-up work).



In a University of Chicago study of 13,000 Chicago students, researcher David Kerbow found that inner city students who had changed schools four times or more by the time they reached the 6th grade were approximately a year behind their classmates.³⁴ Although not the same population, we are able to deduce the effects are much greater on MSFW children who may change schools on average 3 times in one year. For many MSFW children, it takes roughly three years to advance one grade level.

David Bell explains: “The misconception is that MSFW children don’t care about their education because their

parents don’t care, two falsities that couldn’t be further from the truth. MSFW parents generally aren’t involved in their children’s education because they are working 12-plus hour days to provide for their family. Often, students drop out of school to labor in the fields alongside their parents for the sole purpose of making ends meet. And yes, states have laws requiring children to be enrolled in school until a certain age, but, because of the high mobility associated with the migrant lifestyle, migrant students who drop out are rarely followed up on, and so they fall through the cracks.”³⁵

³⁴ Kerbow, David. (1996) Patterns of Urban Student Mobility and Local School Reform, *Journal of Education for Students Placed at Risk (JESPAR)*, 1:2, 147-169, DOI: 10.1207/s15327671espr0102_5.

³⁵ Bell, David. “The Nation’s Invisible Families Living in the Stream,” *Rural Educator*, v15 n3 p27-30 Spr 1994. MEMO.

MIGRANT LIFESTYLE

“As a 12-year-old migrant student, moving constantly is very difficult but I have learned to adapt to any new changes that come my way. For example, I’ve had to adapt to a new place to live, never really having a place to call “home”, making new friends at a new school, and playing catch-up with my school assignments. It’s hard being a migrant student because many times I am pulled from advanced courses because of how late I enter into the school year. I don’t blame my parents because it’s them who have sacrificed so much for me.” - Kelly, 12, FL

Some of the unique challenges MSFW children face are late arrival in the school year, early departure, sometimes traveling to another country over the Christmas break and returning later on, and missing a substantial number of school days. This means that, each year, children are missing somewhere between three to six months of the school year. Some students begin the school year in one state and, when they reach the next state, are re-learning what had already been taught in their home state or state of origin. The transience of being enrolled in multiple school districts can create a sense of isolation.

Not having a place of permanence results in migrant students always being the “new kid” and oftentimes fighting a sense of inferiority as a result of racist stereotypes or hindered academic development. These are children’s developmental years and the frequency of traumatic circumstances and interruptions in their education can make school seem pointless and graduation an unreachable goal. Ultimately, these obstacles along with the harsh realities of migrant farmworkers makes dropping out a viable option for many of our farmworker youth.

“Being a migrant high school student was never easy. Especially in high school, the transition from fall semester in North Dakota to spring semester in Texas was always difficult. The high school I attended in North Dakota and the one in Texas had different degree plans interfering with my education. When we would migrate back to school in Texas, some of the classes in North Dakota were not offered there and my credits were not getting transferred. As a migrant, summer school has been a great impact for me. Summer school would allow my parents to work and my sisters and I to recover from credit loss. There were some days that I couldn’t attend summer school, because I had to work out in the fields.” - Annahi, 15, ND



Joaquín

Joaquín is an 8-year-old boy. He's been working in the fields for one year. Lately, he's been helping out his family with the melon harvest. They don't migrate.

Joaquín's motivation to do farmwork is pretty straight-forward: to earn money. The pay he earns is used to help the family. The best part about working in the fields is that his family gets to take some of the fruit home, while the worst part is "that you need to work hard."

Joaquín's dreams for the future? Not to do farmwork anymore.

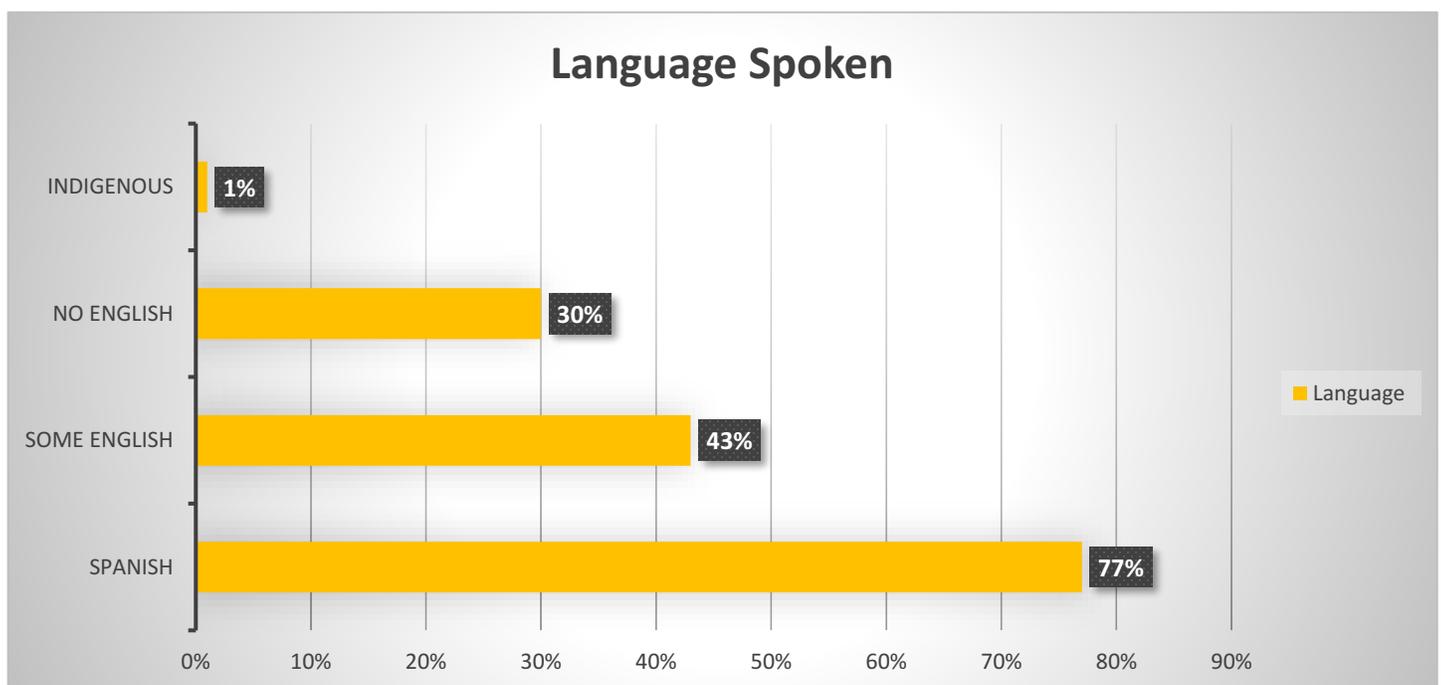


LANGUAGE BARRIERS

MSFW children, the majority of whom are US-born, also have to contend with language barriers as one of the obstacles on their path to educational attainment. Based on the U.S. Department of Labor's National Agricultural Workers Survey (NAWS) report, 75% of those surveyed were immigrants, the majority of whom were from Mexico.³⁶ Of those farmworkers surveyed in the NAWS, 77% identified Spanish as their dominant language, while 30% reported speaking neither English nor Spanish, meaning one of the ten reported indigenous languages was their dominant language.

Indigenous languages are so diverse, much like the cultures from which many of our MSFW families originate, which makes it difficult to navigate a system that accommodates only Spanish-speakers. In comparison to mainstream languages, they are small in

number, and, since they do not share the same structure as traditional language, they preserve a feeling of isolation among those who speak it and prohibit proficiency among the general population, thus widening the language gap. It's also important to keep in mind that many indigenous MSFWs are illiterate and lack formal schooling. As an inadvertent consequence, many of the programs and documents that schools utilize aren't linguistically or culturally appropriate. These struggles of accessibility are being faced not only with indigenous language-speakers but Spanish-speakers as well. This is pertinent information when considering barriers to MSFW children's educational fulfillment, since the home is the first place of learning and much of early childhood education begins with the parents/caregivers.³⁷



Source: AFOP based on NAWS data

³⁶ "Findings from the National Agricultural Workers Survey (NAWS) 2015-2016." *JBS International*, U.S. Department of Labor, Jan 2018, www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS_Research_Report_13.pdf.

³⁷ Caswell, L., Bumgarner, E., Barrueco, S., López, M., Wolf, A., and Layzer, C. (2019). *Migrant and Seasonal*

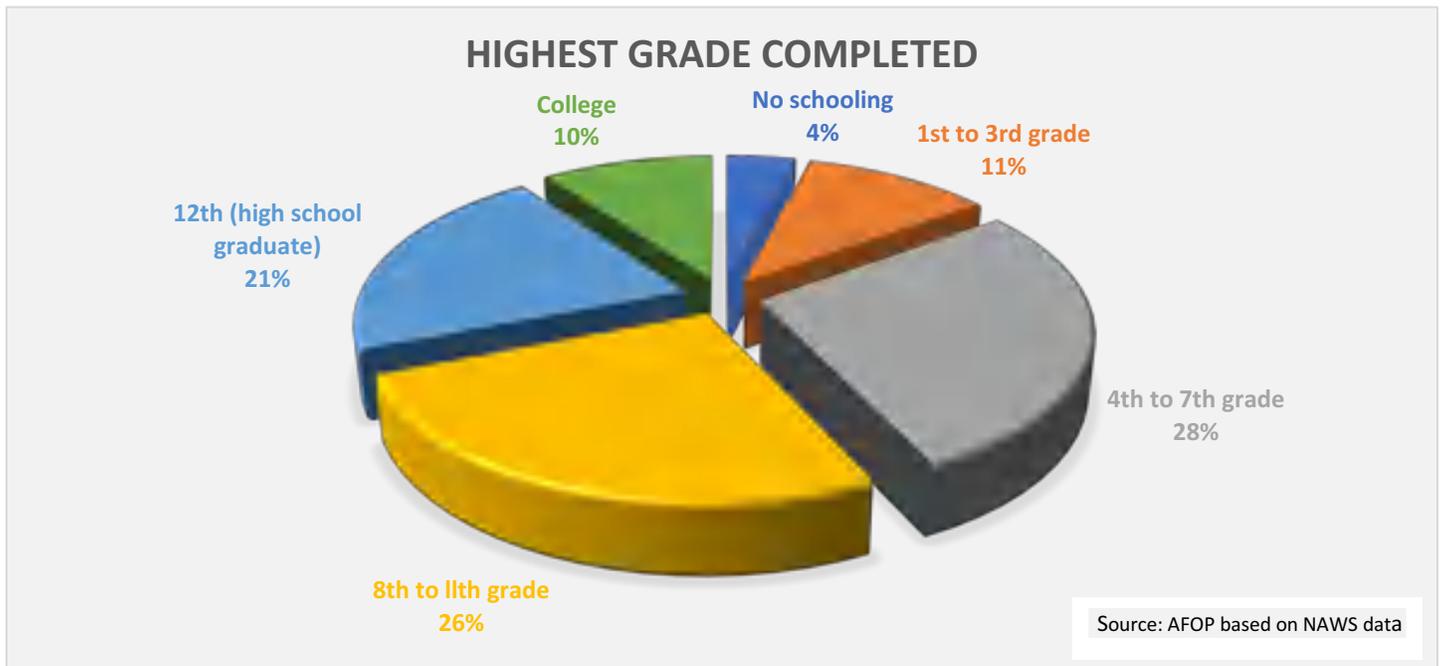
Head Start Study 2017: Data Tables, OPRE Report #2019-66. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

Poor language skills mixed with high mobility and overcrowded schools not only leave our MSFW children verbally and culturally isolated, but they also leave educators feeling lost, because they lack the support and tools to help their students achieve. By putting resources into the school systems and developing more programs like the Migrant Education Program and Migrant and Seasonal Head Start, we are providing our children with the much-needed leg up, placing them in a position to contribute not only to their own lives but to their communities as well, in ways that differ from crop and field labor.

“The work in the fields was hot and dirty. My older brother, sister and I worked with my parents to remove the weeds from the rows of cotton. It was rough work, but we had to do it to help with our family budget. I am not ashamed of my parents, nor of being called a migrant. I am proud of my family for venturing out for work. They saw an opportunity and seized it.”

Rose, 16, TX

This is not a negative critique of farmworkers or the valued work they perform. At its core, farm work is seasonal in nature and dependent upon crop yields and weather outcomes, which makes it difficult to earn a living wage. It’s the poverty that forces many MSFW children into the fields (discussed further in the section on [financial burden](#)). On average, farmworkers earn \$10.60 per hour - piece-rate earners making \$10.58 and hourly wage earners making \$10.35. With earnings like these, there is no room in an already stretched family budget for anything to spare. MSFW children not only feel those constraints but they witness the toll it takes on their parents to provide for their family. They cannot afford the necessities for school let alone the add-ons of fitting in socially or participating in sports and clubs.



These extracurricular activities are a privilege most MSFW children are not afforded. Financially, this would be considered a luxury at the bottom of the list of priorities. MSFW are already working to help off-set the cost of school clothes and supplies, not to mention that there isn’t any time for such activities, since that time is already dedicated to working in the fields. Many children find themselves working in the fields during their weekends or before and after school to help lessen the financial and physical burdens placed on their parents.

The Office of Migrant Education (OME) works to ensure all migrant students reach academic standards and graduate with a high school diploma. Title I, Part C includes the Migrant Education Program (MEP)³⁸, College Assistance Migrant Program (CAMP)³⁹, and High School Equivalency Program (HEP),⁴⁰ which provide supportive services and programs to help MSFW children reach more than just their scholastic goals in life.

Migrant educators, counselors, and advocates go to monumental lengths to try to mitigate MSFW children's educational deficits. Unfortunately, the lack of motivation and feelings of discouragement that result from their inconsistent routines can sabotage an already hard-to-obtain education. These are the results when school officials understand what it means to be a migrant or a farmworker child thanks to the Migrant Education Program (MEP). The results in a school where MSFW children do not enjoy that level of support are even worse.

During the 2016-2017 school year, 302,000 children and youth were eligible for migrant education services, according to the most recent Education Department data. Of these, 28,000 are out-of-school youth: school drop-outs who received a secondary school diploma or an equivalent but lacks basic skills, is unemployed, or underemployed. Many MSFW children qualify as out-of-school youth, with an 8th grade education being the average highest grade completed in school.⁴¹

In 47 states, MEP provides funding to ensure migrant students graduate high school or earn their GED in preparation for college or employment. However, MEP is more than just an education program, as it offers tutoring, referrals to dentists and doctors, school supplies, and rides, as well as programs that help educators and school districts better educate their students. MEP also partners with other government programs such as the College Assistance Migrant

Program, which offers migrant students a one-year university scholarship in addition to mentoring, tutoring, and financial aid for school supplies.

However, this support system is not always available to farmworker children, as there may not be a migrant education program in the town where they've migrated. And, even if MSFW children make it to college in spite of the numerous hurdles, many drop out after their freshman year because they are unable to afford tuition and the costs associated with higher education, both financial and psychological. For many MSFW children, college is the first time they are on their own, which creates a new psychological pressure of being so far from their family. Also, since most are first-generation college students, there's tremendous pressure to succeed.

For younger children, there may not be anyone that even looks like them enrolled in their new school district. Children are children no matter what their background or circumstances; they just want to belong. So having to deal with the added pressures of racism, unstable housing situations due to migration, and/or financial difficulties, it's no wonder education falls by the wayside.

When MSFW children are unable to surpass the educational levels of their parents and diminish the educational gap between themselves and their peers (non-MSFW children), they will just re-enter the migrant stream, and migrant communities will remain at a disadvantage. Fortunately, MEP continues to grow their vision with the help of new technologies to improve on the services provided to migrant students. There is a new web-based system called the New Generation System (NGS) that is designed to serve as an inter-state information network for migratory students that collects, stores, communicates, and transfers migrant student demographic, education, and health information. By allowing educators to record the movement of migrant students through the production

³⁸ "Migrant Education--Basic State Formula Grants." US Department of Education, <https://www2.ed.gov/programs/mep/index.html>.

³⁹ "Migrant Education--College Assistance Migrant Program." US Department of Education, <https://www2.ed.gov/programs/camp/index.html>.

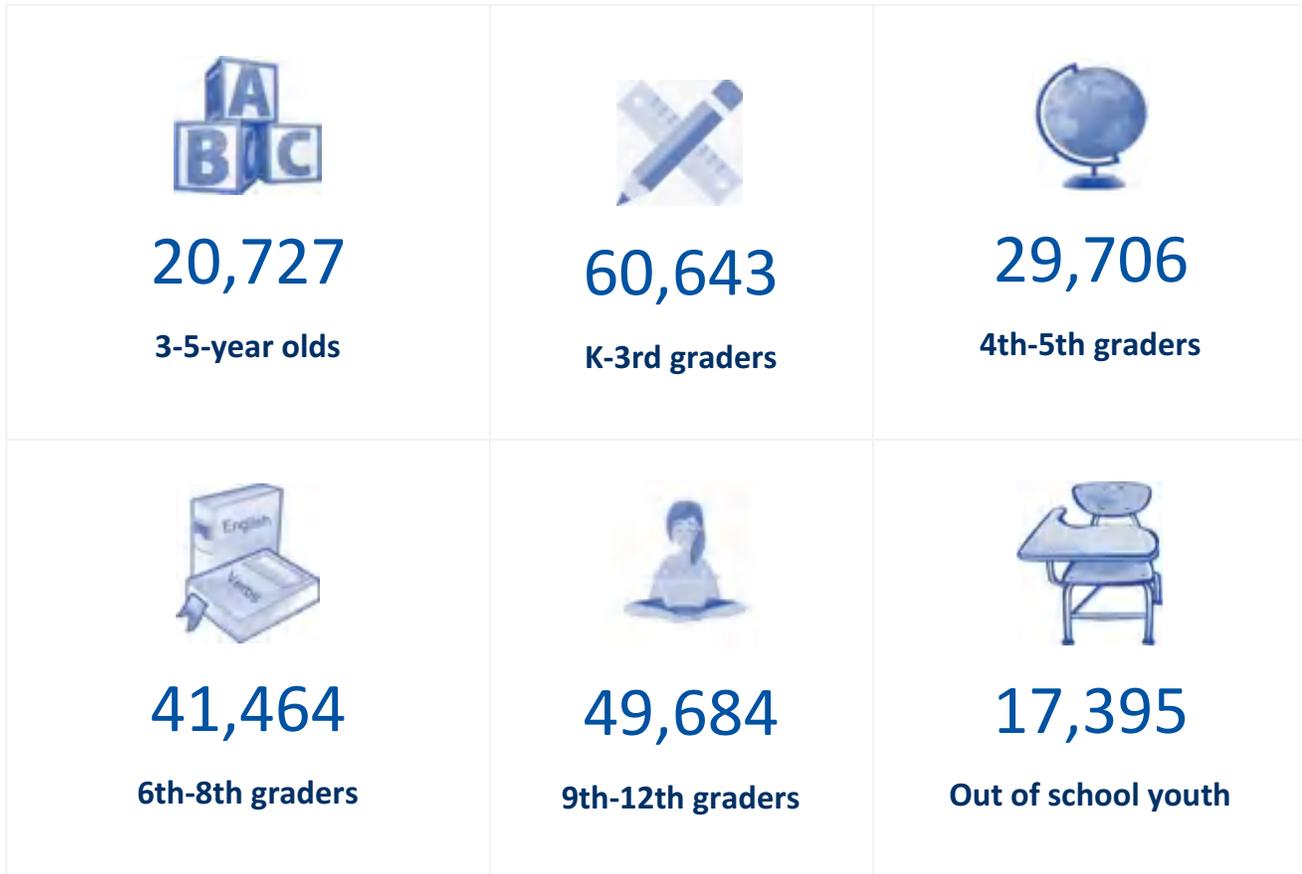
⁴⁰ "Migrant Education--High School Equivalency Program." US Department of Education, <https://www2.ed.gov/programs/hep/index.html>.

⁴¹ "Findings from the National Agricultural Workers Survey (NAWS) 2015-2016," *supra*.

of online educational progress and health profiles, NGS has the potential to generate academic placements that

will benefit the migratory students and hopefully lessen the educational gap.

Migrant youth participating in the Migrant Education Program in 2016-17:



Source: [Ed Data Express](#)



Andy

Andy is a 14-year-old that has been working in the fields since he was ten years old. He helps his mom pick vegetables – peppers, tomatoes, cucumbers – that get sent to market. He and his family migrate every year to follow the crops, which he says has been affecting his grades.

Andy is ambivalent about working in the fields, saying he does it to help his family. But, after a long day at school, he says it's hard to motivate himself. One thing that keeps him going is the prospect of purchasing something with his hard-earned money, like clothes or a new phone – if there is enough money left after paying the bills.

Andy experiences back and knee pain from working in the fields. Also, he worries about his family a lot. However, Andy has a strong sense of self, and is very hopeful about his future - which he definitely doesn't want to be in farmwork. Rather, Andy's dream job is to become a real estate agent.



Financial Burden

Nothing in life is free, and some things come at a higher cost than others. For farmworker families, this statement rings all too true, as things that most of us take for granted become an additional burden and cost when their entire family is uprooted anywhere from six to ten months a year in search of employment.

Farmworker families face many challenges, but the lack of access to childcare is an immense one that could be considered an entry-way for MSFW children working in the fields. With no dependable childcare options, families are left with little choice but to bring their children to the fields with them, exposing them to long work days surrounded by poisonous chemicals and dangerous heavy machinery. If parents choose, or are forced, not to bring their children to the fields, they must leave them with an older sibling or, worse, alone.

In the United States, children as young as twelve years old are legally allowed to work on farms. (Children of any age can work on farms owned by their parents).⁴² Most individuals fail to realize that U.S. child labor laws intended to protect working youth on the job do not apply to agriculture. There are a separate set of laws that govern child labor in agriculture, which are far less protective. The MSFW children hired are often very young and predominantly Latinx, chiefly hailing from low-income families that also work in agriculture. MSFW children live in rural areas and have few economic and educational opportunities available to the community at large, so they feel compelled to work out of economic necessity.

Poverty is the primary root of child labor in agriculture, coupled with the lack of access to resources, isolation, and antiquated beliefs regarding children's participation in agriculture. According to NAWS, the average total yearly income of a farmworker is between \$15,000 to \$17,499, and \$20,000 to \$24,999 for a family.⁴³ This income is often supplemented by non-farm work. When you compare these earnings to the federal poverty level for a family of 3, which is \$19,970, that means 33% of farmworker families are living below the poverty level.⁴⁴

When parents are not earning a living wage, it is difficult to meet their family's basic needs. Children cannot study if they are hungry nor when they lack the proper attire to attend school. Besides, it's more economical for them to work and hard to understand the benefit of school when the family can see the immediate benefit of extra hands in the fields. It's hard to look towards the future when living day-to-day is a struggle. Children want to help their parents, which leads to them bearing some of the family's financial burdens on their own shoulders.

"It's not a good feeling. In the hot days I get really thirsty and I also get headaches. If I can buy my own supplies, [my mom] will have extra money for food." - Mario, 13, OR

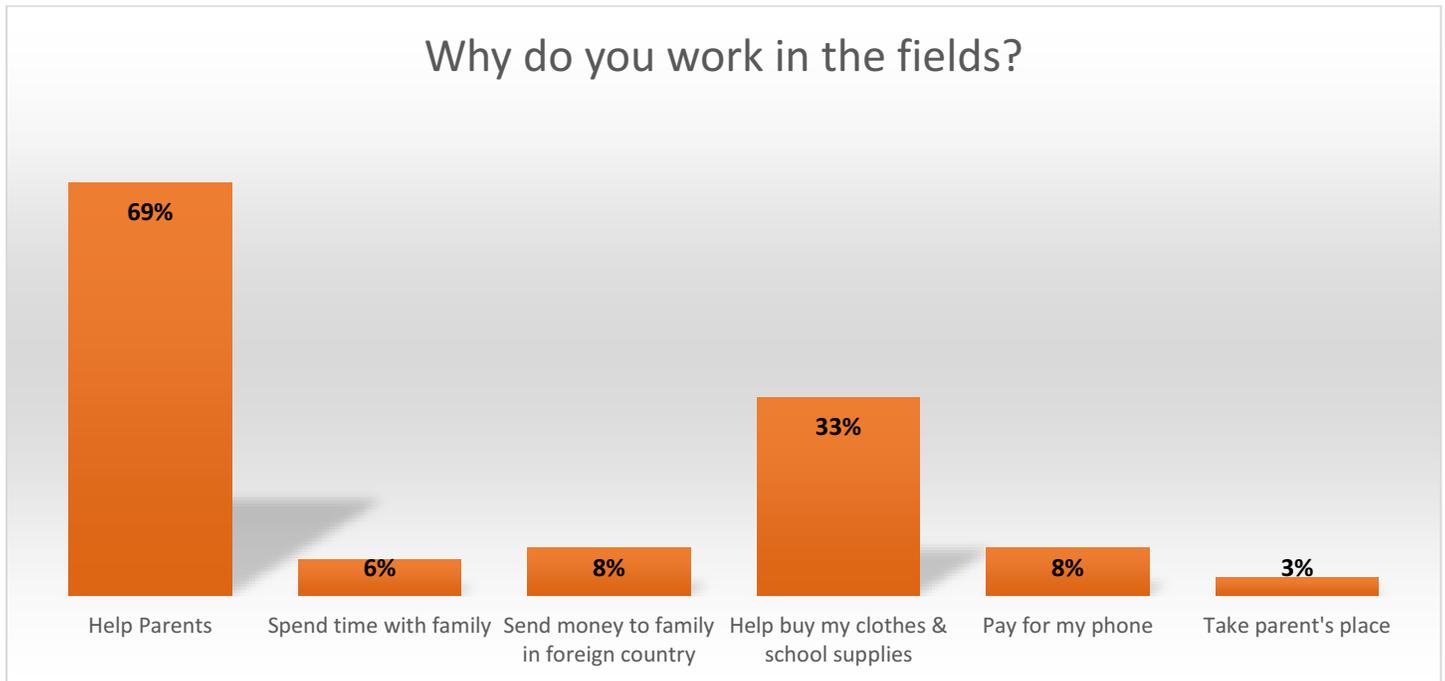
Despite his dislike of work in the fields, 13-year-old Mario does it because he feels the need to help his mom by buying his own school supplies and giving her the money earned. He is not alone in this sentiment. It's estimated that hundreds of thousands of children work alongside

⁴² "State Child Labor Laws Applicable to Agricultural Employment." US Department of Labor, Wage & Hour Division, 1 Jan 2020, <https://www.dol.gov/whd/state/agriemp2.htm>.

⁴³ "Findings from the National Agricultural Workers Survey (NAWS) 2015-2016," *supra*.

⁴⁴ "Data Tables." US Department of Labor, Employment & Training Administration, <https://www.doleta.gov/naws/research/data-tables/>.

their parents on farms picking fruits and vegetables, forming the backbone of the agriculture industry. Federal law permits children to begin working in agriculture at age 12 with parental consent. And, although this work is not supposed to occur when school is in session, it frequently does.⁴⁵



“I haven’t had the opportunity of working in the fields and my mother hoped that none of her children is part of being a field worker, but when times get rough, you do what you can for your family. That is why my sister is working in the fields. If it wasn’t for the minor’s law, I would be in the fields working a full day as well.” - Theya, 13, CA

In our interviews with children in the fields, we asked how many of them worked to help their families. All but two of them said “yes.” Specifically, they said they work in the fields to buy their own school supplies and clothes, to pay the bills, to take away the parents’ burden, or to send remittances home to family living abroad. Very few of them were able to keep the money they earn or even take time a little time off to play with their friends. They sounded less like children and more like little adults who had already given up on quite a few dreams just to accommodate their reality.

High mobility is often mentioned when talking about farm work, but the other side of it is its unpredictability and seasonality. Farmworkers are constantly pursuing the next harvest, because growing seasons are limited.

Since the work only adds up to about 33 weeks out of the year, many farmworkers dedicate their whole families to the task, to maximize their income at peak harvest times.⁴⁶

The majority of fresh fruit and vegetable harvesting is piece-rate work. With piece rate, workers receive pay based on each item picked, ensuring that they are paid for the amount of work they complete. And, even though employers are supposed to provide supplemental pay to equal minimum wage, this rarely occurs. Children are less likely than their adult counterparts to question authority or even know the law, which makes them the ideal candidates for piece-rate workers.

⁴⁵ “Child Labor Bulletin 102.” U.S. Department of Labor, Wage & Hour Division, Nov. 2016, www.dol.gov/sites/dolgov/files/WHD/legacy/files/childlabor102.pdf.

⁴⁶ World report on child labour 2015: Paving the way to decent work for young people / International Labour Office. Geneva: ILO, 2015.

When MSFW children work, they could be compensated in one of three ways: directly; on the account of an adult; or off the books (in which case the money is often given to their accompanying adult). In the first scenario, children who are cheated out of their rightful wages are often unaware of it, or, if they are aware, they do not speak up so as not to create problems for themselves or their family members (who need the job). In the second and third scenarios, the children's production counts towards the check of another individual, making it seem as if that individual is able to produce more, thus earning a higher wage. Either way, it is unfair to the children and the adults toiling in the fields.

"One thing that I like about working in the fields is that my parents get more money with me working. The other thing that I like is that I get to help my mom pay the bills. I do not like working, so I get so tired. But I still help my parents." -Ashley, 11, TX

MSFW children are generally employed in job duties that require little education and no specialization, such as planting and harvesting. Although this is referred to as unskilled labor, it does require a great amount of skill to perform said tasks at such rates. This skill is acquired before the children can legally work, through observation at the side of a working parent.

When an industry has legal access to child labor, there is no incentive to increase wages. And, when it is a legitimate legal option for parents, children, and employers, the choice is often made to work. Therefore, those same economic circumstances and compounding influences that force children to leave school and contribute to their family income repeat themselves, making them less likely to ever find steady employment.

If they do find jobs, they are more likely to be low-paying jobs attainable without a diploma, thus continuing the intergenerational cycle of poverty.⁴⁶

"I must admit, working in the fields is an honest labor, but you don't ever progress. It's like being stuck in quick sand, you're there and it's so hard to get out." -Maribel, 15, FL

Farmworkers are some of the country's lowest paid workers in the United States. In May 2018, the Bureau of Labor Statistics estimated the median annual wage of agricultural workers at \$24,620. The work is seasonal and uncertain due to the weather, as well as government policies ranging from immigration to trade.

When you are living paycheck to paycheck or in arrears because of financial debts owed to your employer for housing, transportation, etc., it becomes a question of that child's earning potential and economic contribution to the family; not future potential earnings based on education. More workers generate a higher income.

Bearing the burden of adult responsibilities has obvious physical effects: for example, the impact of labor-intensive work of stooping in uncomfortable positions for long periods, hauling heavy loads, and toiling in intense weather conditions in the fields while being exposed to hazardous machinery and harmful pesticides and their residues. However, there is also the emotional and mental drain MSFW children face as a result of working in harsh conditions: aging prematurely because of having to deal with situations beyond their measure, depression, chemical dependency, and the disadvantages that accompany discrimination.

Jazmín

Jazmín is a 12-year old that has been working in the fields since she was ten years old. Her hours are after school, on weekends, and during summer break. She mostly works with her aunt but gives all of her pay to her mom: a single mother who needs it “to pay bills [and] buy food and clothing for all of us.” Only a 7th-grader, Jazmín has already learned to disguise her gender in the fields, she said, “because my mom is not with me.”

Farmwork is tiring, Jazmín told us, but feels pressured to keep it up. She appreciates being able to help out her family but regrets having no time to spend with her friends. If she could ever buy something with her earnings, Jazmín would get herself a bike. What drives Jazmín forward is the dream of going to college to get a degree. She said she would be the first in her family to do so.



Mental Health Struggles

"Lost, fighting, crying... all because we want to live better lives."

- Kayla, 18, DE

MSFW children lead hard lives, in many ways, but the part that's often forgotten is the toll that it takes on their mental health. Available research tells us that "20–50% of farmworkers have poor mental health," which is due to "a variety of structural and social factors, including the absence of fixed-term permanent employment, poverty-level wages, separation from family and community for extended periods of time, and hostile attitudes toward immigrants."⁴⁷ MSFW children face some of the same conditions, pressures, and fears as MSFW adults, and it shapes their emotional and mental development in many significant ways.

ANXIETY

"Every day I pray to God that my parents always wake up with their eyes open, their legs, arms, and hands still working, and for them to keep breathing. I worry that they may faint in the hot sun or hurt their backs." - Melanie, 10, CA

MSFW children regularly deal with a lot of anxiety, particularly when it comes to their families. In their essays, they tell us how they worry about their parents' well-being at work, since agriculture ranks consistently as one of the most dangerous occupations in the U.S.⁴⁸

They worry about family separation, since so many of them hail from mixed-status families and so they fear that someone will get caught up in an ICE raid. They worry about whether their family will have enough – which is part of what drives them to work in the fields in the first place. They worry about the weather and the crops, so that their parents will continue to have work. And, most tellingly, they worry about keeping up their grades, since their success is seen as the only way out of the vicious cycle of poverty the entire family is trapped in.

Of course, passing worries are common to the human experience, but the stressors in MSFW children's lives are so intense and constant that even "normal" levels of anxiety about those stressors can become debilitating. The American Psychiatric Association defines an anxiety disorder as fear that is "out of proportion to the situation" or which "hinder[s] your ability to function normally."⁴⁹

MSFW children tell us that worries about their parents' health disrupts their ability to focus when they're in school. They worry so constantly about their family members getting deported, that they physically feel sick about it. And they experience so much stress and bullying from their peers that some are driven to thoughts of self-harm and suicide.

⁴⁷ Grzywacz J.G. (2009) Mental Health Among Farmworkers in the Eastern United States. In: Quandt S., Arcury T. (eds) Latino Farmworkers in the Eastern United States. Springer, New York, NY. https://doi.org/10.1007/978-0-387-88347-2_7.

⁴⁸ Brown, Gretchen. "Farming Remains One of the Most Dangerous Jobs in America." 25 April 2017, Wisconsin Public Radio, <https://www.wpr.org/farming-remains-one-most-dangerous-jobs-america>.

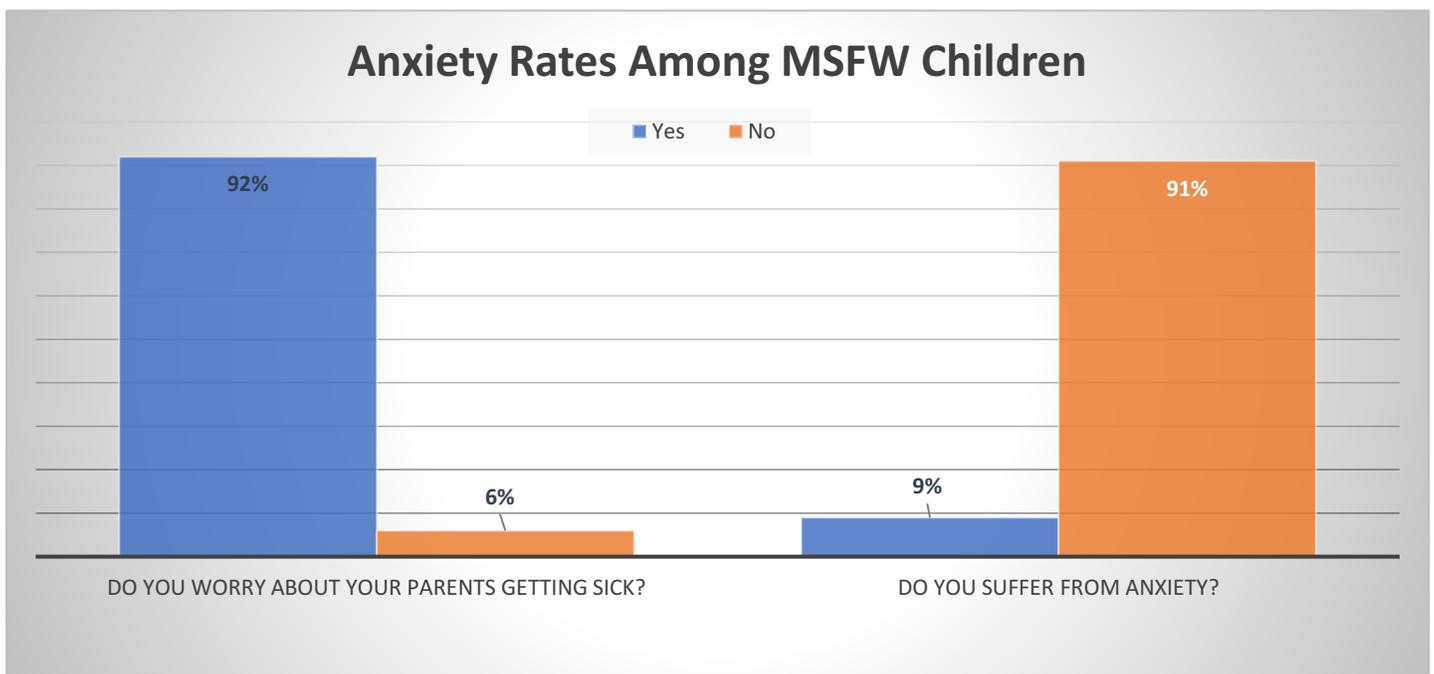
⁴⁹ "What are Anxiety Disorders?" <https://www.psychiatry.org/patients-families/anxiety-disorders/what-are-anxiety-disorders>

Many MSFW children we surveyed were able to identify symptoms that are associated with high amounts of anxiety:

- Stressed
- Shaking hands
- Panic attacks
- Nervousness

Just like in their essays, almost all MSFW children we surveyed in the fields responded that they worry about their parents' or family's well-being. However, 91% claimed they do not suffer from anxiety – which may indicate either that those worries do not rise to the level of an anxiety disorder, or that there is not a sufficient understanding of the symptoms of excessive anxiety. Since 53% of respondents said they do not know what anxiety is, we suspect it's the latter. This means, then, that anxiety among MSFW children is going almost completely untreated.

Of those who recognized that they do suffer from anxiety (9%), only one was actively seeking and getting help.



CIFC interviewer:

“Describe in your own words what anxiety is.”

MSFW child, 16:

“Stuff that happen that make you feel ugly.”



STRESS AND RESPONSIBILITY

"I am the daughter of farmworkers. My parents work very hard in the fields. They wake up early and come home late. My siblings and I have a lot of responsibility at home and school. When they come home, we make sure dinner is all ready. Also, my siblings and I have the house clean for them. When they wake up, I wake up with them to make sure their lunch is in their bags and they have enough water to drink for the day. When we are at school, we have no one to pick us up, so we have to be responsible and walk home."

– Melanie, 10, CA

A heavy workload can lead to high levels of stress, and MSFW children certainly bear heavy loads. From a very young age, MSFW children are expected to pitch in and help their family in almost every conceivable way. Like 10-year-old Melanie, they are not only responsible for their own schoolwork and chores, but for much of the cooking and cleaning, too. They have to wake up early, pack lunches, and, on non-school days, accompany their parents into the fields. On days when they do have school, they are fully responsible for themselves and their younger siblings. Some even take on a care-taking role for their own parents: one MSFW child said that she makes her mother dinner and gives her a foot rub at the end of particularly long, punishing days at work.

As first- or second-generation immigrants, many MSFW children also operate as the de facto interpreters for the family, and so are thrust early-on into certain roles that other people would spend years training for. Celia, a

former MSFW child, told us how she became her little brother's advocate upon graduating from high school. He was misdiagnosed with ADHD, and Celia's parents were unwilling to challenge it. So, with just a few college classes of early childhood development under her belt, Celia took her brother to the M.D., who determined that he did not in fact suffer from ADHD. Celia then worked together with the teacher and school administrators to get her brother's behavior back on track. If it hadn't been for her influence, Celia's little brother would probably still be on drugs for an attention-deficit disorder he doesn't even have.⁵⁰

MSFW children know exactly how much is riding on their success and initiative. Their families don't just appreciate their help, they genuinely need it in order to survive. That is way more pressure than any kid should have to bear.

⁵⁰ Vargas, *supra*.



BULLYING

“When we [farmworker] children go to school is very difficult and there are people who tease and bully you, and tell you that you will never achieve anything in life.” - Anonymous

Bullying is not unique to MSFW children, but, at least anecdotally, we know that it happens to far too many of them. In essays from all over the country, MSFW children tell us how they get picked on by their peers for any number of reasons – for the socks they’re wearing, for their identity as indigenous or Latinx, for being poor, for what their family does for a living, and so on.

Itzury, an 11-year-old from California, said, “Last year, a kid was picking on me because of my shoes and saying stuff about my mom.” Jose, a 13-year-old from California, said, “We all get called one word in general. That word is ‘beaner.’ I too have been called this word before and at first it offended me but I have gotten used

to it. We don’t just get called that word, but we all get racist comments told to us on sometimes a daily basis.”

According to health experts, bullying can cause a child’s body to “go into lasting, low-level stress. When this happens, their nervous system remains active and they can go into stress overload. When their body cannot reset or return to a normal state, on-going stress can lead to exhaustion, a weakened immune system, anxiety or panic attacks, headaches, stomach aches, and chest pains.”⁵¹ This is very concerning, because MSFW children already endure so much stress. Being bullied by one’s peers can be the thing that pushes them over the edge.

DEPRESSION

“Last year, a kid started picking on me and said I was poor because my mom did not get paid a lot. Some kids can get through it but some don’t and they start cutting. When they start cutting their parents get worried and waste money on them and end up having no money for the rent.”
–Anonymous

As with anxiety, short periods of time when you’re feeling sad or depressed are normal. The National Institute of Mental Health (NIH) defines clinical depression, however, as “a mood disorder that causes distressing symptoms that affect how you feel, think, and handle daily activities, such as sleeping, eating, or working.” To be diagnosed as depression, the symptoms must last every day for at least two weeks.⁵²

It can be challenging to accurately measure clinical depression among MSFW children, partly because the

topic is a difficult one to broach, especially in the Latinx farmworker community. The Cleveland Clinic reports that stigmas surrounding mental illness are, in general, statistically higher among Latinx, stating that “only 20 percent of Latinos with a mental disorder talk about it...and only 10 percent pursue treatment from a mental health provider.”⁵³

⁵¹ “What are the Unseen Mental Health Effects of Bullying.” Fairmont Behavioral Health System, <https://fairmountbhs.com/patients-families/resources/what-are-the-unseen-mental-health-effects-of-bullying/>.

⁵² “Depression Basics.” National Institute of Mental Health, <https://www.nimh.nih.gov/health/publications/depression/index.shtml>.

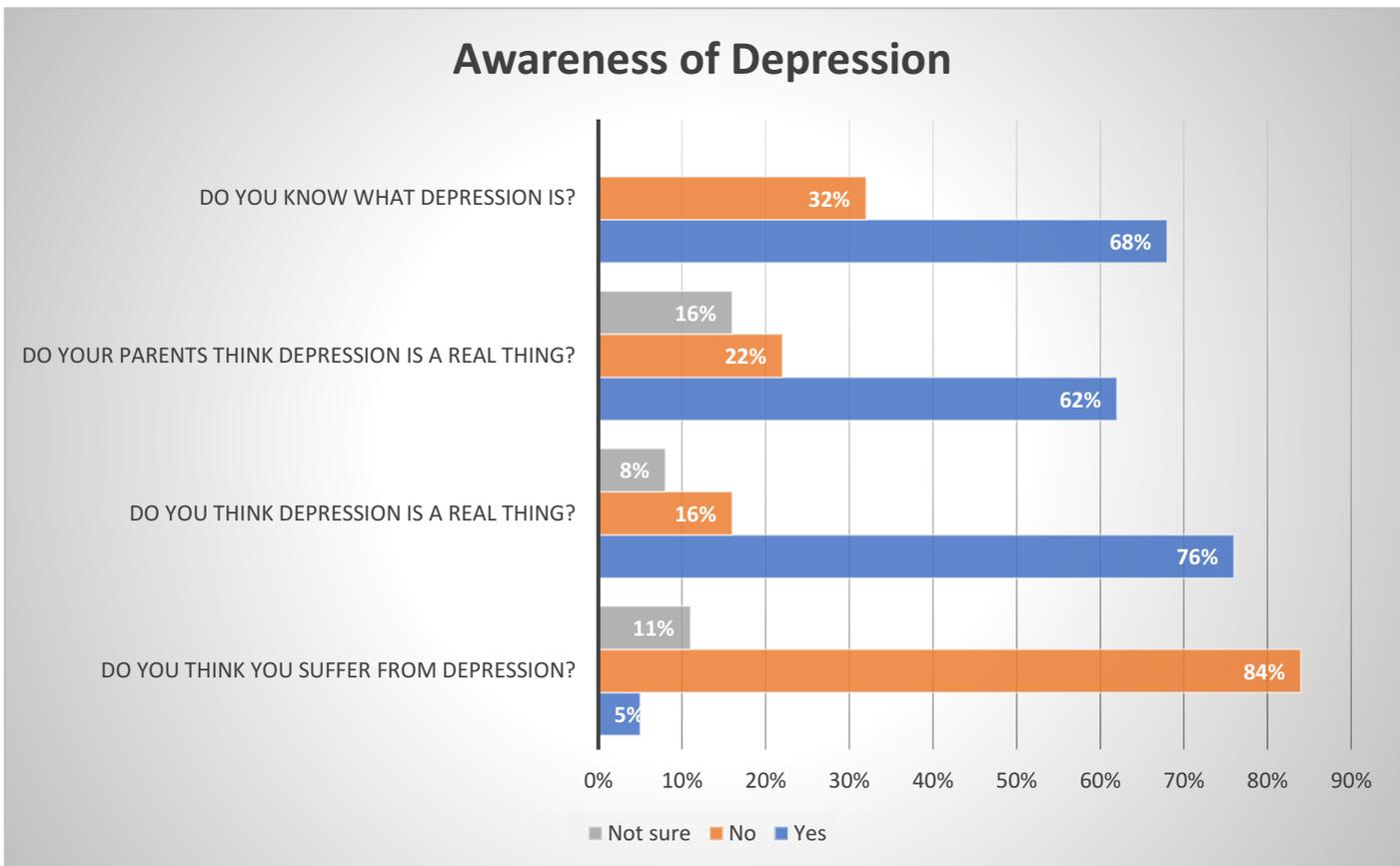
⁵³ “Overcoming Mental Health Stigma in the Latino Community.” Cleveland Clinic, 21 Nov 2017, <https://consultqd.clevelandclinic.org/overcoming-mental-health-stigma-in-the-latino-community/>.

The National Alliance on Mental Illness says that “approximately 33% of Hispanic or Latinx adults with mental illness receive treatment each year compared to the U.S. average of 43%.” The barriers to care that are contributing to this disparity include less health insurance coverage, lack of cultural competence by the provider, and legal status.⁵⁴

As part of our survey, we asked MSFW children whether they knew what depression was, whether they or their parents believed it to be a real thing, and whether they thought they suffered from it.

84% of children responded that they did not think they suffered from depression, even though over 30% said they did not know what it was, and most of them said they and/or their parents did not believe it to be a real thing.

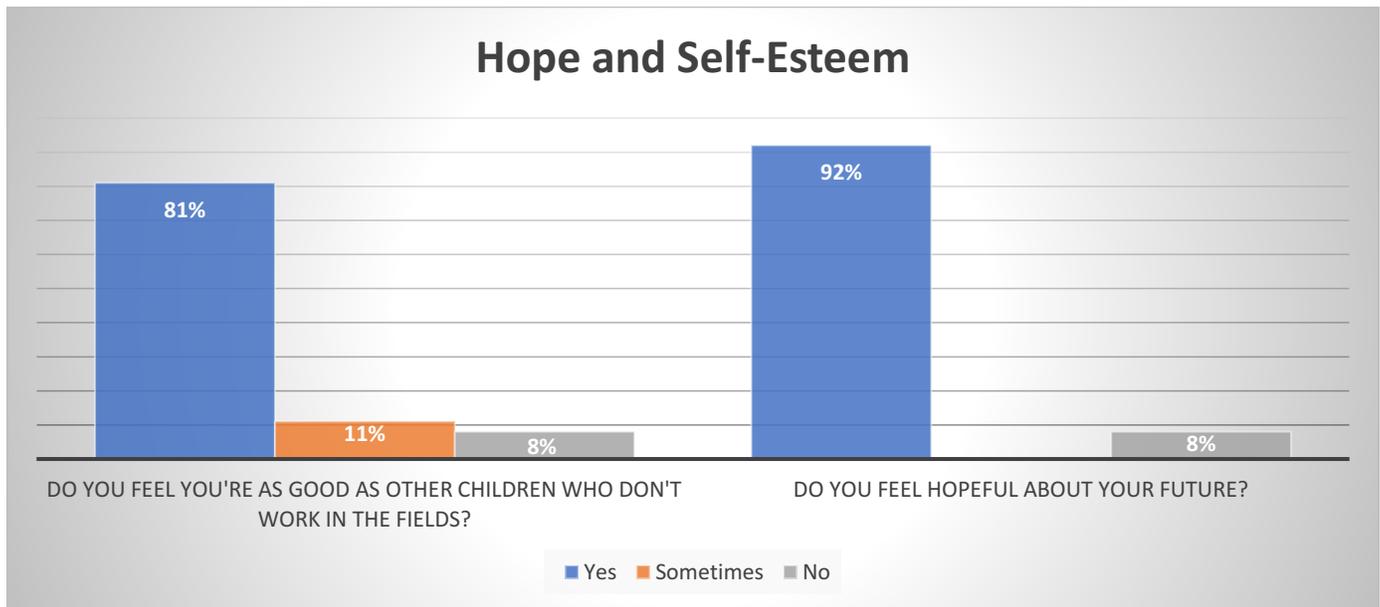
This indicates a need for greater education about the causes and symptoms of depression, so that the stigma surrounding mental illness can be overcome. Also, doctors and psychiatrists that serve the farmworker community need to make adjustments in the way they provide care, so those barriers to care are removed and more MSFW children can benefit from early intervention and treatment of their mental illness.



⁵⁴ “Latinx/Hispanic.” National Alliance on Mental Health, <https://www.nami.org/Your-Journey/Identity-and-Cultural-Dimensions/Latinx-Hispanic>

“What motivates me to go through work or a school day is hope for a better future.” - Vianney, 14, AL

With so much going wrong in MSFW children’s lives, is anything going right? What motivates them to get out of bed in the morning, other than their intense dedication and love for their families? The answer: hope.



In response to our survey questions, 81% of MSFW kids said they feel they’re just as good as other kids, and 92% said they feel hopeful about their future. This is in alignment with research into farmworker mental health which indicates that “self-efficacy appears to protect farmworkers from elevated anxiety symptoms.”

Furthermore, both self-esteem and self-efficacy – the idea that you have the power and ability to reach your goals – are “widely believed to protect individuals from experienced stress, in part by shaping the way stressors are interpreted and appraised.”⁵⁵ This means that simply believing you are good enough, and trusting that you will

eventually succeed, can get MSFW children through some of their darkest times.

However, hope and hard work aren’t enough to break the cycle when the odds are still stacked against you. High school drop-out rates for children of migrant and seasonal farmworkers, after all, still hover around 50%.⁵⁶ This means that, despite their best efforts, one out of every two MSFW children is still at high risk of getting stuck in the same trap of poverty as their parents. Therefore, advocates must continue to push for the laws and resources needed to ensure that MSFW children’s success is possible way more than just half of the time.

⁵⁵ Crain, Rebecca et al. “Correlates of mental health among Latino farmworkers in North Carolina.” *The Journal of Rural Health : Official Journal of the American Rural Health Association and the National Rural Health Care Association* vol. 28,3 (2012): 277-85. doi:10.1111/j.1748-0361.2011.00401.x

⁵⁶ Wiseman, Judy. “BARRIERS TO EDUCATION FOR CHILDREN OF MIGRANT FARM WORKERS.” *San Joaquin Agricultural Law Review*, vol 13,49 (2003): 49-65. <https://www.sjcl.edu/images/stories/sjalr/volumes/V13N1C1.pdf>.

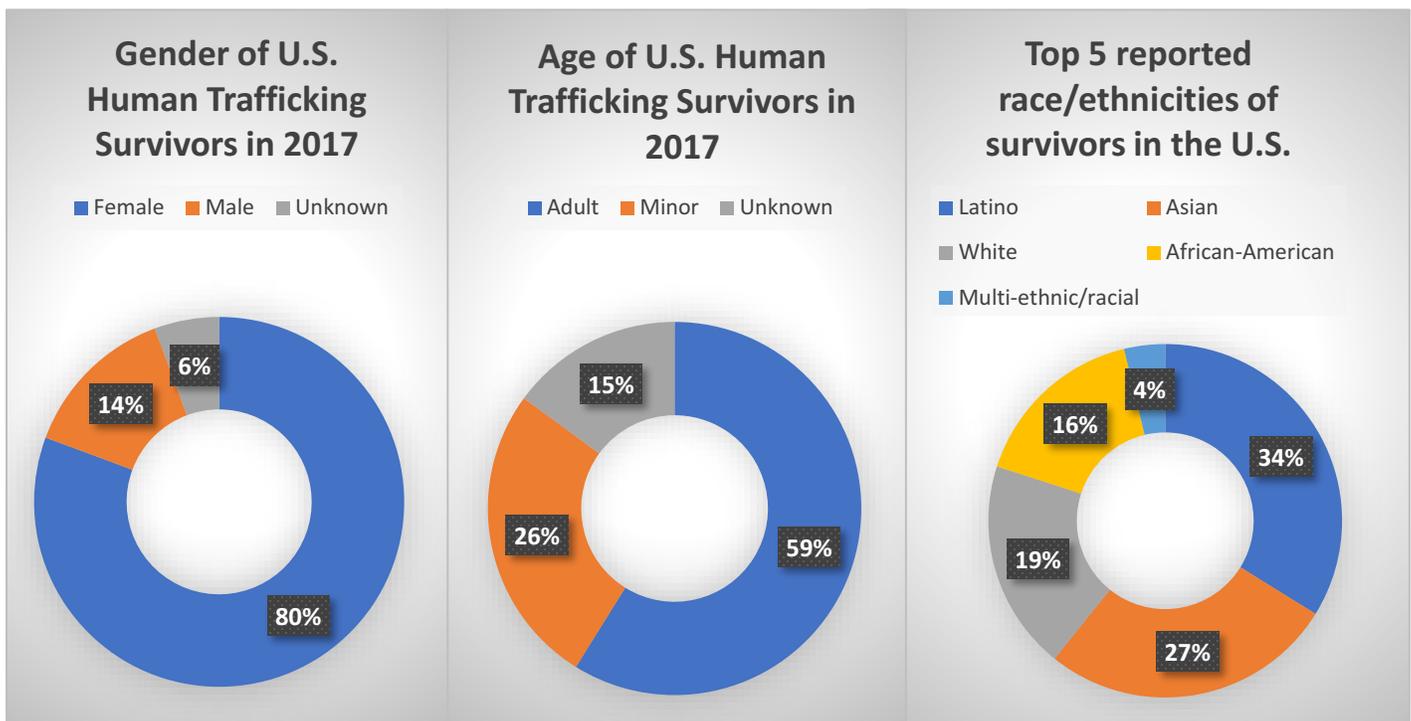
Human Trafficking

Human trafficking is the illegal transportation of people for the purposes of forced labor, sexual exploitation, or both. By law, all victims in the U.S. sex trade under the age of 18 are also considered human trafficking victims, regardless of the presence or absence of force. According to the International Labor Organization's (ILO) 2017 report "Global Estimates of Modern Slavery," there are approximately 25 million human trafficking victims worldwide, **18% of whom are children.**⁵⁷

ILO's 2014 report, "Profits and Poverty" found that human trafficking is a business that brings traffickers approximately \$150 billion dollars in profit every year.⁵⁸

Human trafficking occurs in the U.S., as it does in every country in the world. According to annual statistics provided by the Polaris Project, after domestic work, agriculture is the most common industry for labor trafficking in the United States.⁵⁹

Since agriculture is also the only industry where, legally and illegally, children start working at a very young age, it is a huge and vital section of the US economy primed for the exploitation of children.



⁵⁷ Global Estimates of Modern Slavery." PDF. International Labour Organization and Walk Free Organization, 2017, Geneva. www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf.

⁵⁸ "Profits and Poverty: The Economics of Forced Labour." International Labour Office, 2014, Geneva.

www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf

⁵⁹ 2018 U.S. National Human Trafficking Hotline Statistics. 13 Feb. 2020, www.polarisproject.org/2018-us-national-human-trafficking-hotline-statistics/.

There is no official estimate of the total number of human trafficking victims in the U.S., since the entity that collects that data – the Polaris Project, through its National Human Trafficking Hotline – only tracks reported cases. However, the Polaris Project estimates that the total number of victims “reaches into the hundreds of thousands when estimates of both adults and minors and sex trafficking and labor trafficking are aggregated.”⁶⁰ As for the number of children involved, in an analysis of ten years’ worth of their data, the Polaris Project found that 8% of reported human trafficking cases in agriculture involved minors.⁶¹

HOW HUMAN TRAFFICKING OCCURS

Often, minors are trafficked by people who, on some level, are familiar with them, their families, and their unique vulnerabilities. This is because traffickers’ profit from knowing which weaknesses can best be exploited. In sex trafficking, traffickers’ modus operandi involves false promises of a better future (followed up by intimidation and threats) to impoverished and/or impressionable young girls. Similarly, in labor trafficking, it is the elusive dream of a more prosperous life that lures children into labor conditions that are exploitative.

Every day, kids are trafficked across the U.S. border as well as within the U.S. itself. Sometimes they travel with adults and will try to pass for an adult themselves. For example, the Los Angeles Times reported immigrants who were discovered by Border Patrol to be “unlawfully present” in the country after having crossed the border in the bed of a tractor-trailer, and who ranged in age from 16-56 years old.⁶²

Other minors are tricked by a smuggler into believing that they will be given an education and a better life, but, once they arrive in the U.S., they are instead trapped into debt bondage, given a fake I.D., and forced to work for their enslaver – hidden in plain sight, in the fields where they are of the legal age to work. This fits the profile of a recent case: a 12-year-old who managed to escape his enslaver in West Palm Beach, FL, after putting in grueling, 40+ hour weeks on a pepper farm. The Miami-Herald reported that a fellow co-worker spirited him away to North Carolina, where she was able to call U.S. Department of Labor Wage & Hour investigators.⁶³ According to the Polaris Project, among the highest risk factors for human trafficking for minors are:

- recent migration or relocation,
- substance use,
- runaway/homeless youth,
- mental health concerns, and involvement in the child welfare system.

The age at which sex or labor trafficking is most likely to begin is 15-17 years old.⁶⁴

⁶⁰ “Myths, Facts, and Statistics.” *Polaris Project*, 17 Jan. 2020, www.polarisproject.org/human-trafficking/facts.

⁶¹ “The Typology of Modern Slavery.” Polaris Project, Mar. 2017, www.polarisproject.org/wp-content/uploads/2019/09/Polaris-Typology-of-Modern-Slavery-1.pdf.

⁶² Money, Luke. “26 immigrants found locked in tractor-trailer after being smuggled across the border.” *Los Angeles Times*, 14 Feb 2020, www.latimes.com/california/story/2020-02-14/26-immigrants-found-locked-in-tractor-trailer-after-being-smuggled-across-the-border.

⁶³ Neal, David. “He forced a 12-year-old into near-slavery on Florida farms. That got him prison time.” *Miami-Herald*, 14 Jan. 2020, www.miamiherald.com/news/state/florida/article239249193.html.

⁶⁴ “Myths Facts, and Statistics,” *supra*.

Clara

Clara is an 8-year-old girl. She is weeding the mint harvest alongside her aunt and uncle. She's been working in the fields for two years, mostly after school, on weekends, and during summer break. She migrates with her family twice a year.

What Clara likes most about working in the fields is that she can help her family. But, she says, "I get tired and my back hurts."

"I do it to help my parents. We have a lot of bills," she told us. Clara doesn't keep the money – her parents keep it, while she gets an allowance. But if she could buy whatever she wanted, Clara would get "a TV and a lot of toys."

In the second grade, Clara is already of the mindset that, on a cold day, she can keep warm if she just works a little faster. The day we talked to her, she was not feeling well and wished she could just stay home.

One day, Clara hopes to become a police officer.



HUMAN TRAFFICKING AND THE LAW

Thanks to the Trafficking Victims Protection Act of 2000, or TVPA, human trafficking is a crime under federal law as well as in all 50 states. In an article for Trafficking Matters website, author Rebecca June calls the TVPA “the anchor for federal human trafficking legislation in the United States.” Prior to that, consequences for participating in the modern, global slave trade in the U.S. were “murky” or “nonexistent.”⁶⁵

Unfortunately, just because something is a crime does not guarantee that it will be punished. This is especially true when aid for victims is dialed back. In 2019, the State Department reported that the U.S. “decreased the number of trafficking-specific immigration options issued to victims, including T-nonimmigrant status and Continued Presence, and granted fewer Certification and Eligibility Letters providing access to benefits and services to foreign national victims of trafficking.”⁶⁶

Mariana Rodriguez leads anti-trafficking efforts for the Latina Resource Center at UMOs, Inc., Wisconsin, one of the top ten agriculture-producing states.⁶⁷ She confirmed that the recent reduction in victim benefits has been hampering their work combating labor abuses in agriculture. The T-visa, for example, was designed to help individuals who have been human-trafficked, giving them the ability to find work and remain legally in the United States. But human trafficking victims are not seeing any deferred actions or even any response to their applications anymore. Obtaining a T-visa used to take 6-9 months. Now, the waiting period has turned into one-two years.⁶⁸ Rodriguez said, “With those kinds of backlogs, it really does create problems. They can't work. They're still out of status.”⁶⁹



Image: https://dworakpeck.usc.edu/news/7-facts-you-didnt-know-about-human-trafficking%3Futm_source%3Dtest

⁶⁵ June, Rebecca. “On This Day in History: The Trafficking Victims Protection Act Passed in Congress.” *Trafficking Matters*, Human Trafficking Institute, 28 Oct. 2019, www.traffickingmatters.com/on-this-day-in-history-the-trafficking-victims-protection-act-passed-in-congress/.

⁶⁶ “Trafficking in Persons Report 2019.” US Department of State, June 2019, <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>.

⁶⁷ “FAQs.” Economic Research Service, US Department of Agriculture, 2 Sept 2020, <https://www.ers.usda.gov/faqs/#Q1>.

⁶⁸ “Number of Form I-914, Application for T Nonimmigrant Status by Fiscal Year, Quarter, and Case Status 2008-2019.” U.S. Citizenship and Immigration Services, July 2019, https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/Victims/I914t_visastatistics_fy2019_qtr3.pdf.

⁶⁹ Rodriguez, Mariana. Personal Interview. 30 August 2019.

The T-visa gives trafficking victims access to federal funds so they can obtain healthcare and other necessary services – crucial support for people who are at the most vulnerable moment of their lives.⁷⁰ Rodriguez said UMOS has had clients with “great medical needs” at the time they were recovered, including “fungus in their hands [and] in their feet.” Others were injured, while two recent victims needed emergency appendectomies. “Their healthcare issues are *great*,” Rodriguez said. But if the support is not there to help with medical bills, and/or if a trafficking victim’s immigration status is still in limbo, those needs will go unmet.⁷¹

Additional hurdles appear for trafficking victims when the law is not enforced or prosecuted. In fact, the law may be used against the victim instead of the perpetrator. Human Rights Watch reported in 2012 that “police and prosecutors may opt not to pursue investigations and prosecutions because of ...pervasive prejudice against and misconceptions of unauthorized immigrants.”⁷² Without adequate funding or enforcement, it doesn’t matter if the laws are on the books – they will continue to be violated and ignored to the detriment of the people they were passed to protect.

DESTINATION: U.S. AGRICULTURE

CIFC Interviewer: *“She didn’t seem to really know where she was, or where she would be going after.”*

Some, though not all, migrant and seasonal farmworker children cross the US-Mexico border as unaccompanied minors on their way to work in American fields. These minors are at heightened risk for exploitation. Monica Ramirez, Founder and President of Justice for Migrant Women, came to this conclusion after many visits to refugee camps in Mexico City and detention camps on the US-Mexico border. The border crisis, she says, is a perfect storm in which only more children will end up being trafficked into U.S. agriculture – girls in particular. Since only 3% of H-2A visas go to women, women and girls have had a difficult time obtaining legal status prior to emigrating. Already suffering in their home country, many flee to the U.S. where they hope to obtain asylum and start work. Unfortunately, what they find in the process is little relief from their struggles. Even if they are able to run the gauntlet at the border, many of those

who end up working in agriculture only experience further abuse.

Agriculture, Ramirez said, “is one of the few opportunities where [children] come to work without detection and restrictions,” and, in the event of abuse in the fields, “very few people are going to know they’re out there, because they’re isolated.”⁷³

In 2014, a group of Guatemalan teens was trafficked by a third-party contractor onto Trillium Farms in Ohio, where they worked as slaves.⁷⁴ The children had been worked to the bone and then paid \$600/week. But at the end of each week, they were ordered to give up \$550 to their crew leaders. If they refused, they were harassed and the safety of their families was threatened.

⁷⁰ “Federal Law.” *National Human Trafficking Hotline*, Polaris Project, <https://humantraffickinghotline.org/what-human-trafficking/federal-law>.

⁷¹ Rodriguez, *supra*.

⁷² “Cultivating Fear.” Human Rights Watch, 15 May 2012, <https://www.hrw.org/report/2012/05/15/cultivating-fear/vulnerability-immigrant-farmworkers-us-sexual-violence-and>.

⁷³ Ramirez, Monica. Personal Interview. 9 July 2019

⁷⁴ Taddonio, Patrice. “Inside the Hidden Reality of Labor Trafficking in America.” *Frontline*, PBS, 24 April 2018, <https://www.pbs.org/wgbh/frontline/article/inside-the-hidden-reality-of-labor-trafficking-in-america/>.

How did those children get trafficked? Contractors had recruited them from their home country with promises of well-paying jobs, then posed as their sponsors for Health & Human Services to get them across the border. These contractors then delivered the minors to Trillium Farm and acted as the go-between for the kids and the farm owner. They got away with it for some time, and it certainly helped that it was – and continues to be - legal to employ young kids full-time in agriculture.

Senator Rob Portman, a Congressman from Ohio, formed a committee to investigate the incident. According to PBS Frontline, “Portman’s committee found that the Ohio egg farm case wasn’t an isolated incident — and

said it’s impossible to know just how many other victims in similar situations there are.”⁷⁵ Daffodil Altan, the segment’s producer and correspondent, said that trafficking of minors “is not overt, it’s not totally obvious. You start to scratch the surface and you find out people are still coming, that people still have big debts, that there are still contractors working. It’s this whole unregulated layer that allows for a lot of criminality.”⁷⁶

Farmworker advocates need to raise the alarm – that the longer our laws remain unevenly applied to agriculture and to kids in agriculture, the more cases like the egg farm will keep happening but go completely unnoticed.

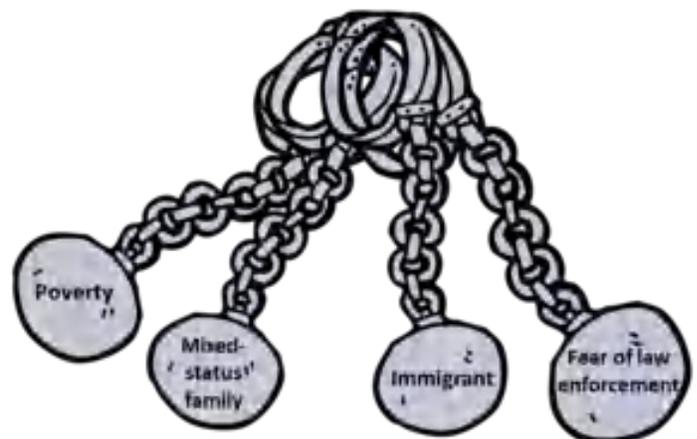
THE VULNERABILITIES OF MIGRANT AND SEASONAL FARMWORKER CHILDREN

“If you boil all the water out of human trafficking, it’s the exploitation of vulnerability.”
-Hollie Strand, forensic examiner

For MSFW children to truly feel safe, they must have confidence in the adults who are in authority around them for their support and protection: their parents, their employer, social services, and law enforcement. Unfortunately, while MSFW kids have faith in their families, and many say they trust their employers, few, if any, ever feel like the law is on their side.

There are a number of factors that make MSFW children especially vulnerable to exploitation:

1. poverty;
2. their families’ often mixed-immigration status;
3. their identity as immigrants;
4. fear of law enforcement.⁷⁷



⁷⁵ Id.

⁷⁶ Kovak, Marc. “Frontline documentary focuses on human trafficking at Ohio egg farms.” Columbus Dispatch, 25 April 2018,

<https://www.dispatch.com/news/20180424/frontline-documentary-focuses-on-human-trafficking-at-ohio-egg-farms>.

⁷⁷ Strand, Hollie. Personal Interview. 14 June 2019.

Estefania

Estefania is 15 years old, and has been working in the fields since she was 9. She works during summer breaks to earn some money for school supplies. She doesn't like it, but she does enjoy being able to help her parents. The worst part, she says, is "in the summer [when] the weather is very hot, [because] it is hard to work when it's hot." At the time of the interview, she was picking cherries with her dad.

Estefania likes school, where she "doesn't have to get up so early and she's able to come home not being so tired." She is in the tenth grade, but she's not sure yet what she wants to do with her future.



POVERTY

Without farmworkers, the whole world would quickly grind to a halt. Nevertheless, they are at the beginning of the supply chain and, as such, are not compensated justly for their labor.

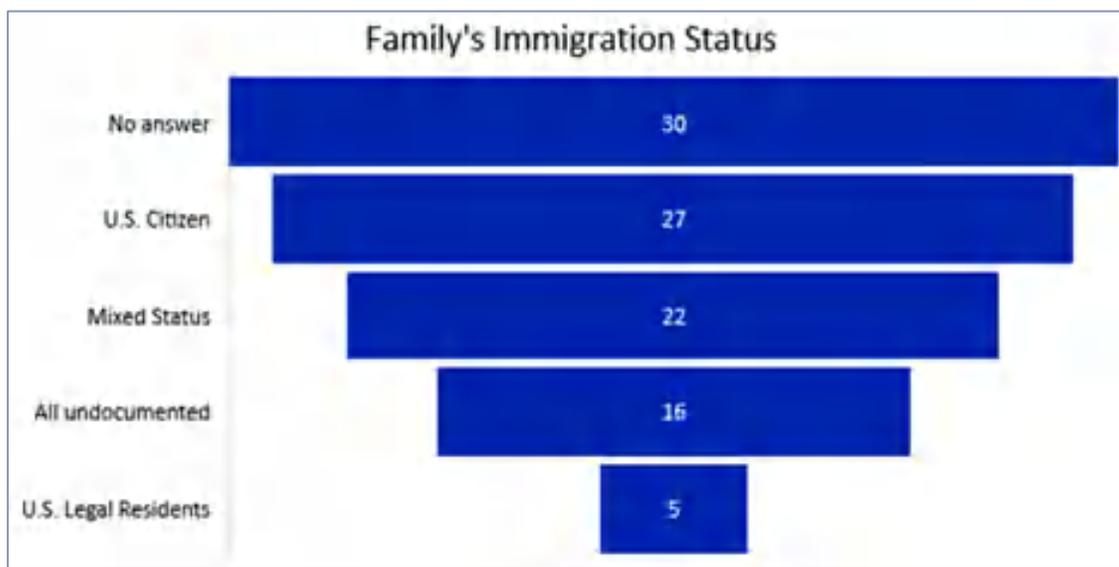
According to NAWS, farmworker families earn an average wage of \$20,000 a year; one-third of them live below the poverty line.⁷⁸ This is a huge part of the reason why farmworker children are brought into the fields to help their parents in the first place: because their families genuinely need the help.

In our survey of MSFW children in the U.S., we found that 94% of them work in the fields to help their families earn a living. Among the things they reported buying most often with their earnings, “bills” was at the top of the list, followed by school supplies, clothes, savings, a phone, and sending money to family abroad. Only rarely did they report being able to buy things they wanted with their own money. Rather, most of them turned their money over to their parents and, at most, were given a small allowance, sometimes on the condition that they worked faster.

MIXED-STATUS

Due to the lack of immigration reform in the United States, many MSFW children and their families have a tenuous or mixed immigration status. According to our research, only a minority of MSFW kids – 32% - come from families in which everyone has permanent legal status. 22% of respondents said their families were mixed status, 16% reported that their entire families were undocumented, and 30% declined to answer the question at all.

When a family has mixed status, it means that, even if the child is a U.S. citizen, he/she has at least one close family member who is not. This leads to a genuine hesitancy to stand up for themselves, because they do not want to risk attention being drawn to their undocumented family member(s). This hesitancy can easily be exploited.



⁷⁸ "Findings from the National Agricultural Workers Survey (NAWS) 2015-2016," *Supra*.

IMMIGRANT

Many MSFW children are first- or second-generation immigrants with limited knowledge of their rights under the law. If they encounter abuse, they often don't know the laws of the land that are designed to protect them from that abuse. If they do, they often don't know where to turn, first of all because they're kids, and second of all because their parents and legal guardians may not know the legal system in the United States, either.

FEAR OF LAW ENFORCEMENT

If an MSFW child's rights are violated – lost wages, threats, sexual exploitation, etc. - farmworker families will be hesitant to contact law enforcement due to their fear of ICE involvement.⁷⁹ Monica Ramirez, Founder and President of *Justice for Migrant Women*, told us about one young farmworker girl who was raped and went to a priest for help. When the priest approached law enforcement, he was told that if the girl and her family were illegal, the officer would arrest them too and treat them as fugitives of the law.⁸⁰ Considering that story, it's no wonder farmworkers are extremely suspicious of law enforcement nor that they under-report crimes that occur in their communities.

Farmworker children are one of the most vulnerable populations in America's workforce when it comes to human trafficking and sex and labor exploitation. With age comes maturity, knowledge, and power. Thanks to child labor law loopholes, MSFW children have the disadvantage of being the youngest segment of America's workforce. This lack of experience, coupled with a very real fear of law enforcement, gives bad actors endless opportunities for exploitation.

OUR RESEARCH

Many employers make the right decisions about how to treat farmworkers and their families. They go the extra mile in making farmworker children feel supported, safe, and taken care of while they are on the job. Many of the farmworker children we interviewed said they viewed their employer positively, and that the work paid what they and their parents expected. Very few of them reported being threatened or intimidated on the job. One farmworker child described her employer as "a very nice person."

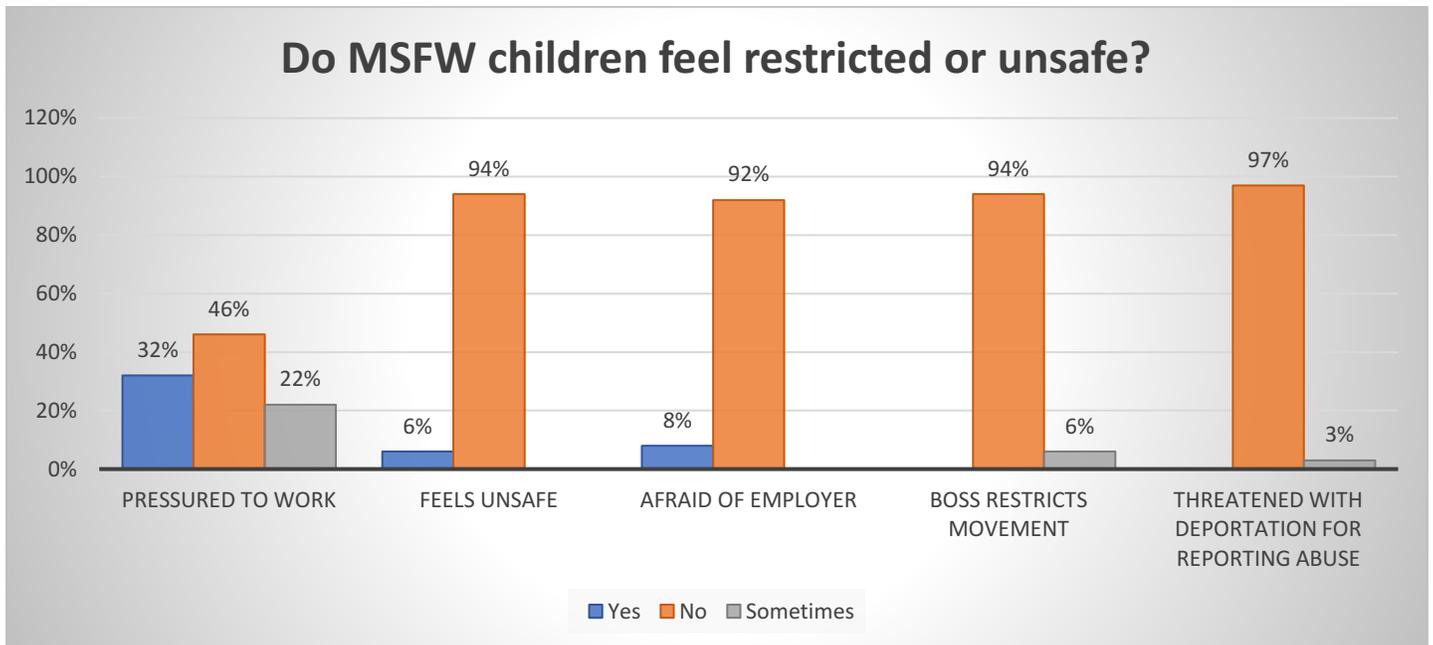
Unfortunately, that critical support was not felt by everyone.

- 19% of the MSFW children interviewed said their employers did not encourage taking breaks.
- 11% reported having sustained injuries while on the job.
- 12% said that they or their parents have had to buy their own tools.
- 24% said that the job did not pay as much as was expected.
- 33% said that the employer did not support them or their parents visiting the doctor.

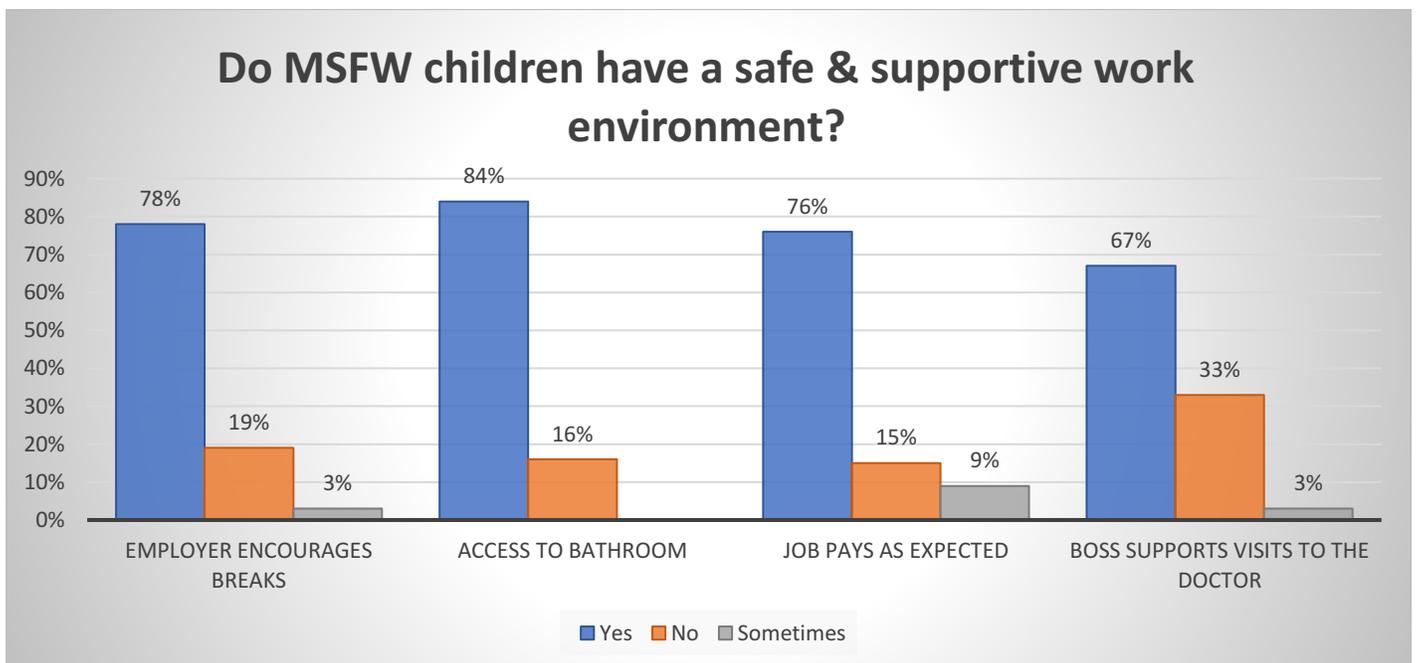
⁷⁹ Strand, *supra*.

⁸⁰ Ramirez, Monica, *supra*.

In our study of MSFW children across the U.S., at least one teenager was being regularly subjected to bullying, intimidation, and sexual harassment while working in the fields. To make matters more complicated, her status as an undocumented minor seemed to be interfering with her ability to speak out against or even recognize such abuse. Though hers was the worst case, she was not the only one.



32% of all MSFW children in our surveys said that they felt pressured to work in the fields, while 6% went so far as to say they felt unsafe. 8% were afraid of their employer, because they were screamed at or reprimanded for not doing something the way the supervisor wanted them to. At minimum, these results show that MSFW children need more supportive services, and that we need to see to it that they are no longer at risk of sex and/or labor exploitation.



As the COVID-19 pandemic grew in 2020, state and local governments took unprecedented steps to keep communities safe from the quickly-spreading virus. This led to an unprecedented number of children, youth and adults that are not attending schools or universities because they have been shut down in an attempt to curb the spread and flatten the curve.

According to UNESCO, school closures have significant negative effects on low-income families who disproportionately lack access to technology, internet, nutritious food and childcare services, as well as students with disabilities.

Among the most vulnerable in our community are our nation's farmworkers. Farmworkers play a critical role in keeping a safe and secure source of fruits and vegetables on our tables. Yet, the irony is that they often cannot afford to buy the very produce they harvest. They are among the lowest-paid workers, averaging about \$15,000 to \$17,499 a year, according to the NAWS. Their children are often faced with the difficult decision to either focus on their education, or risk falling behind on their education as they work alongside their parents in the fields in an effort to make ends meet. Agriculture is ranked among the most dangerous industries, yet under current US labor law, children as young as 12 years old can work with few restrictions and protections. This has resulted in more deaths for children working in agriculture than in any other industry. As farmworker children headed to the fields instead of the classrooms, we know there will be an increase in the number of injuries and deaths with the increased exposure to the dangers of farm work.

Estimates show that children from farmworker families are four times more likely to drop out of high school than other students, and even less of them complete a higher education. Often, farmworker families speak Spanish or indigenous languages at home, and their children struggle with obtaining the English-language skills needed to be successful in school.

Migrant farmworker families follow the harvests, often moving across the state or country in search of agricultural work. Their children face an interrupted academic school year and may attend two or more schools each year. Disruptions in educational instruction deprive children from opportunities for growth and development. In particular, the disadvantages are disproportionate for farmworker children who have fewer educational opportunities outside of school. Furthermore, without the security of free school meals, these children are at risk of going hungry unless they join their parents in working.

Over the past decades, great strides have been made to mitigate these barriers, and we have seen improvements in the number of Latino students, including those from farmworker families, have made in obtaining their diplomas. However, due to the school closures, millions of learners will experience disruptions to their education, putting at risk these educational gains for the Latino community.

Most schools are designing plans to move their lessons to digital learning platforms. For rural communities, in which the majority of farmworkers live, reliable internet connectivity is not always available. The one-on-one tutoring and educational support needed by struggling students have been hard to sustain by school teachers. Furthermore, current federal bills did not provide any protections to mitigate the potential impacts of school closures for children with disabilities or accommodations needed for distance learning. Homeschooling has not been an appropriate option by parents who lack English-language skills. They need an established remote home-learning opportunity for ESL children that is supported with tutoring from educators.

The school closures are undoubtedly having a negative impact on the learning outcomes of children who may already be behind on their studies, and it will be a challenge to ensure students who are already at risk of dropping out of school to return to the classroom once

the school closures end. When faced with a seemingly insurmountable obstacle to earn their diploma, coupled with the financial duress their families will feel with this pandemic, children of farmworker families may opt to begin their careers in farm work, condemning them to a lifetime of poverty.

No child should have to sacrifice their health, education and childhood to survive in America. All children, regardless of their background, deserve a happy, healthy childhood and access to high-quality educational opportunities, especially in the face of a national crisis. Farmworkers are asked to sacrifice so much to feed this country year-round, despite the risks they face daily. The least we can do to thank them for their back-breaking work is to ensure their most precious treasure, their children, are protected during these uncertain times.

Organizations that serve the farmworker community and advocates from across the country have raised critical concerns, including the educational risks, to policymakers in support for farmworkers and their families during the COVID-19 epidemic. Policies are needed to help mitigate the negative impact school closures will have on children of farmworkers. This includes providing children with basic tools to engage in online learning, such as reliable broadband access and computers, and alternative methods for them to submit their completed assignments. It also requests mandated childcare options to be provided for essential workers,

like farmworkers, and to enact a feeding program in rural communities that ensures children of farmworker families are provided nutritious meals while practicing safe social distancing during school closures. Additionally, our government needs to protect the children of farmworkers from exploitation in agricultural work sites by providing them with the same rights and employment protections as children working in every other industry. Since many schools have been suspended due to the pandemic, children will continue to face increased risks of having to work on farms without adequate protections.

Our country's leading experts promise "normality that is close to where we were before" by the end of 2021 if the vaccination campaign goes well. However, it is impossible to predict an end date to the pandemic with certainty. Meanwhile, children of farmworkers continue to face the daily challenges of COVID and to fall further behind their peers in the virtual classroom -- if they are attending school at all. Their education and futures will be weighed by the negative impacts of this impact for years to come unless we take action now.

We must continue to call on our government representatives on the local, state and federal level and schools to enact policy recommendations that properly support all of our children, especially the most vulnerable, even after this pandemic ends. Let's make sure farmworker children are not forgotten.

Javier

Javier is a 17-year-old boy. He migrates every summer and works hard harvesting lettuce in the fields with his mom and dad. He says it's hard to make friends when he's moving around so much, and that the language barrier has proven to be the biggest difficulty.

Javier biggest motivator is to earn money to buy a phone, but he also helps his family with expenses and sends money to relatives in Mexico.

Javier stated that his knees and his back hurt sometimes. Javier worries about himself or his family getting sick or hurt, and says that he doesn't have much hope for the future. However, when he graduates, Javier wants to go into the Army.



LABOR EXPLOITATION

Child labor has not always been universally condemned. On the contrary, up until just a century ago, child laborers were an “integral” part of the U.S. economy. In the year 1900, 18% of the workforce was under 16 years old. The History Channel calls it “one of the more remarkable changes in the social and economic life of the nation over the last two centuries.” It was a long and difficult battle, hard-fought by businesses in America who had much to lose. After all, “[children] could be paid lower wages, were more tractable and easily managed than adults, and were very difficult for unions to organize.”⁸¹

But, eventually, the Fair Labor Standards Act (FLSA) was enacted in 1938 to establish basic labor protections like minimum wage, overtime, and a minimum working age for minors. At the same time, it enshrined into law the

discrimination then experienced by African American workers, who made up the bulk of the workforce for domestic and agricultural labor. Even today, when the demographics have shifted so that Latinos make up the majority of the workforce in those industries, agriculture is still treated as a world apart.

As a result, farmworker children continue to be systematically denied the protections enjoyed by children in all other industries. In U.S. agriculture, the old paradigm still holds sway that hard work teaches children good values. Unfortunately for farmworker children, these “good values” actually add up to legalized exploitative labor that is stealing their childhoods and shortening their lifespans.

CIFC interviewer: What do you do with the money you earn in the fields?

MSFW Child: “I give it all to my mother.”

FARMWORKER CHILDREN CAN WORK AT LEAST TWO YEARS EARLIER IN AGRICULTURE THAN IN OTHER INDUSTRIES

Agriculture consistently ranks among the top ten most dangerous workplaces in the U.S., and yet it is legal to hire minors to do this work two years before their peers in other industries. When we consider the hazards of farmwork – tractor rollovers, suffocation in grain bins, exposure to pesticides, extreme temperatures, hazardous equipment – it doesn’t make any sense that the laws are *less* strict. That is, until one considers financial incentives and the power of Big Agriculture. Just as it was a century ago, children can be paid lower wages, as they are “more tractable and easily managed than adults.”⁸²

Most child farmworkers never see the money that they’re paid. Rather, it goes towards their parent’s paycheck to help alleviate the family’s poverty. Hardly anyone is up in arms about this – at least not those who are in a position of power to change it. And until they are, children will continue doing whatever they can to help their family, even when they feel, every day, the real impact of laws arranged specifically for their exploitation.

⁸¹ “Child Labor.” *History.com*, A&E Television Networks LLC, 17 April 2020, www.history.com/topics/industrial-revolution/child-labor.

⁸² *Id.*

*CIFC interviewer: What do you do when you feel tired?
MSFW Child: “Rest on my [weeding] hoe for a little bit.”*

FARMWORKER CHILDREN ARE ALLOWED TO WORK UNLIMITED HOURS OUTSIDE OF SCHOOL

In non-agricultural occupations, children under the age of 16 are strictly limited to working three hours per day on weekdays and eight hours a day on weekends. In agriculture, however, children can work unlimited hours outside of school starting at age 14. And on small farms that are exempt from federal law, any child any age can work any number of hours – and so they do. This bears out in our interviews with kids as young as six who told us they worked after school and on weekends, that they got up early and got home late, and that their whole bodies ached by the time they were finally allowed to stop.

NO MINIMUM WAGE

There are a variety of loopholes through which farmworker children can be denied even the inadequate federal minimum wage of \$7.25. There’s the small farm exemption, which allows a child farmworker to be paid whatever wage the employer is able to pay. And then there’s FLSA’s 90-day exemption, which says that “employees under 20 years of age may be paid \$4.25 per hour during their first consecutive 90 calendar days of employment with an employer.”⁸³

NO OVERTIME

No agricultural employees are granted overtime by the FLSA. While some states have put stronger laws into effect, like New York and California, they continue to be unequal and they do not protect children.

HAZARDOUS WORK IS PERMITTED AT AGE 16

No minor is allowed to do any hazardous work in non-agricultural occupations – for example, coal mining, mixing explosive compounds, processing chemicals, operating circular saws, etc. In agriculture, however, minors are allowed to do unlimited hours of hazardous work starting at age 16. As stated in the regulations, “the orders declaring certain occupations to be particularly hazardous for the employment of minors between 16 and 18 years of age or detrimental to their health or well-being **do not apply to employment in agriculture.**”⁸⁴

Hazardous work orders in agriculture are badly out-of-date and fail to protect children from obvious dangers. A prime example of this is work in tobacco fields, which is not even currently defined as hazardous. However, exposure to nicotine on the tobacco leaves will give child farmworkers green tobacco sickness with symptoms that include vomiting, dizziness, insomnia, etc. With parental consent, any child can legally do this work starting at age ten.

⁸³ “Child Labor Bulletin 102.” *Supra*.

⁸⁴ United States, Department of Labor, Wage & Hour Division. “Agriculture.” Electronic Code of Federal Regulations,

29 CFR 570.123, https://ecfr.io/Title-29/se29.3.570_1123.

Oscar

Oscar is 16-years old, and has been doing farmwork with his family for over five years, migrating every summer like the other families until a few years ago, when his parents decided to “settle out” for the sake of the kids. Oscar’s parents put their children’s education first, only allowing their kids to work during non-school hours. At the same time, Oscar knows he needs to work if he wants to buy some basic things, like clothes and school supplies – so he goes to the fields even when he doesn’t feel like it.

The one thing Oscar enjoys about farmwork is the socializing - talking to his family and the other workers while they pick. However, he does not like how tired it makes him. What he really likes the most is just being in school, where he can be with his friends and not feel so exhausted.

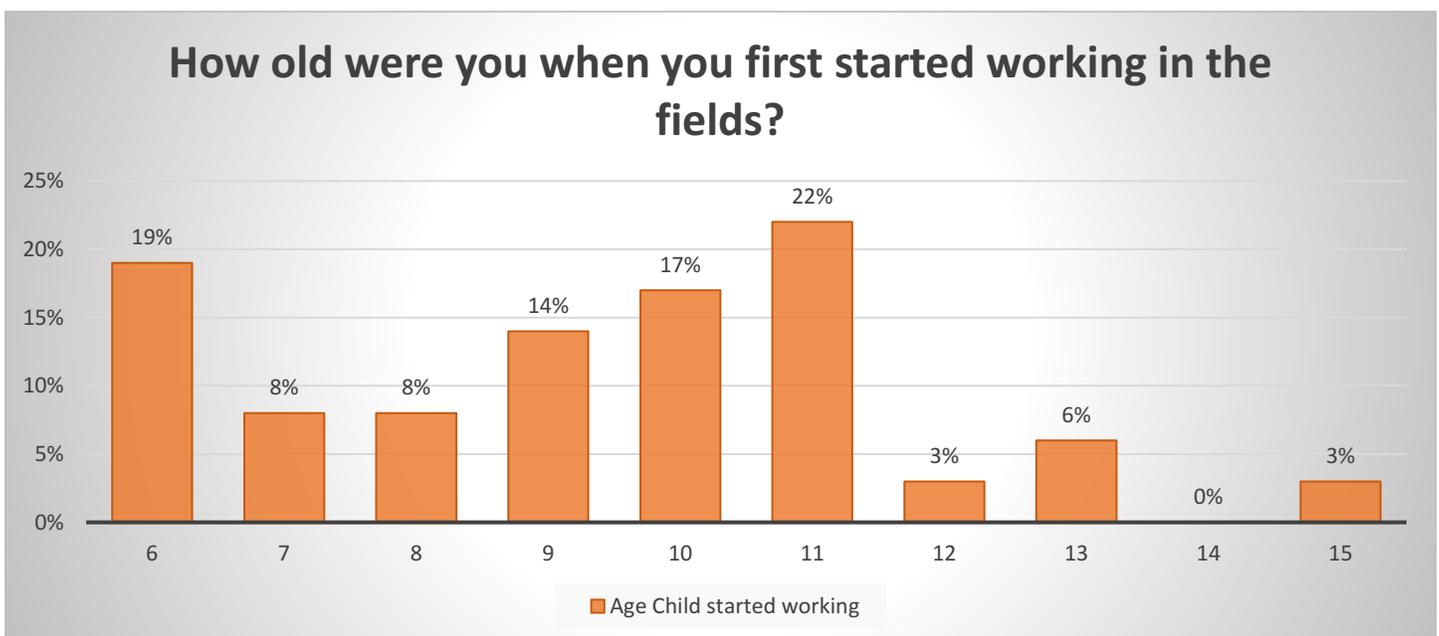
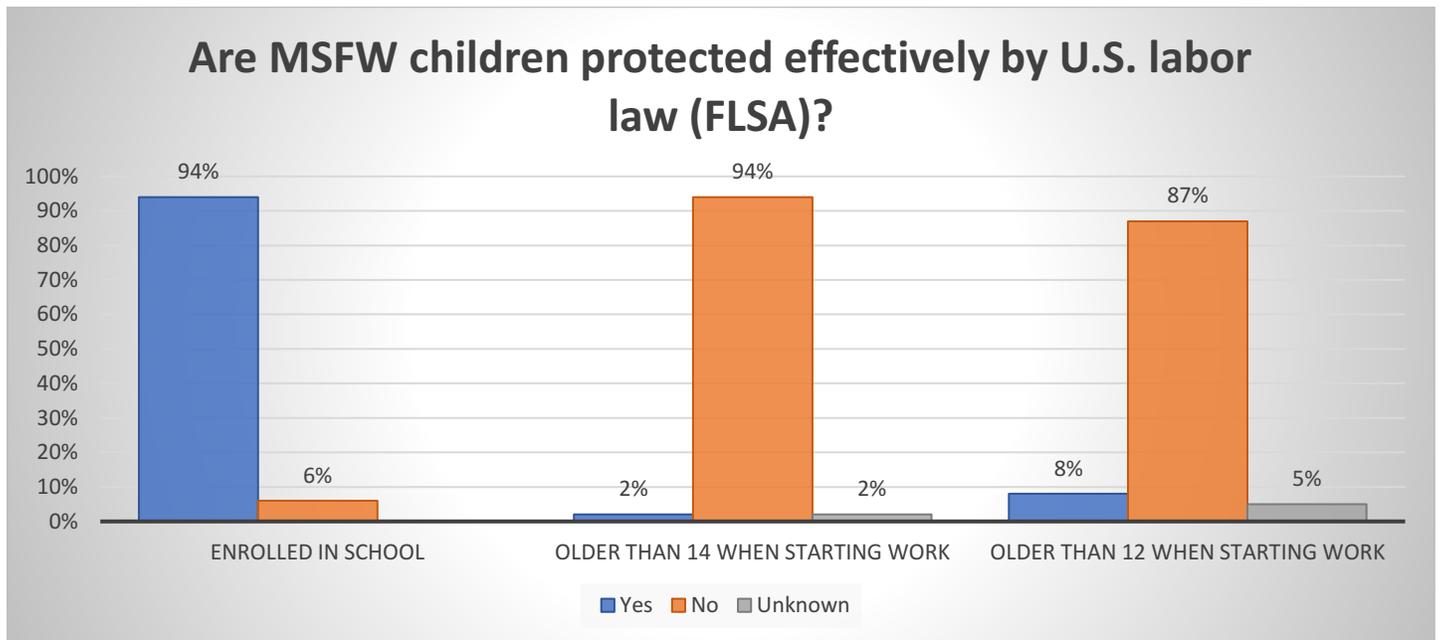
Oscar’s favorite subject is math. He has decided he wants to go to college and become a software developer. He’s determined to save up enough money so that, one day, he can buy a computer.



OUR RESEARCH

Six percent of the children we interviewed said they worked year-round, contrary to the law that requires children under 18 to be enrolled in school. Many of the children reported giving all of their pay to their parents or sending it abroad to family in their home country.

The following graphs illustrate some more of our findings. The good news is that 94% of MSFW children interviewed were enrolled in school. Unfortunately, age at the time that they started work is shockingly young. **89% of respondents stated that they were 11 years old or younger when they first started working in the fields. 19% of them were just six years old at the time of hire.**



Almost all of the children we interviewed reported a work history that was in obvious violation of even the laxest minimum age in the FLSA.

We have a long way to go if we want to adequately protect children working in agriculture. Our surveys clearly show that, even with the inadequate standards of the FLSA as our starting point, minimal protections for farmworker children are not having their intended effect.

SEXUAL VIOLENCE IN THE FIELDS

In our surveys for this project, we met Maria, an indigenous 16-year-old girl from Guatemala journeying throughout the U.S. doing farmwork with her father. She'd only attended school up to the third grade and worked in the fields full-time.

CIFC interviewer: *“Boys sometimes say things to Maria that make her feel uncomfortable. Sometimes she hates the work, and she screams.”*

Our training partners who talked to Maria made note of several things. First of all, she acted extremely uncomfortable during the interview, constantly adjusting her clothes and avoiding eye contact. She expressed fear of the overseer as well as of certain men in the camp, saying that she overdressed to avoid unnecessary sexual attention. Our partners observed other children in the camp teasing her and excluding her from group photos, making embarrassing comments that she “might be pregnant soon.”

The easiest thing to do in this scenario is to brush the facts aside and blame the victim. But Maria is undocumented and impoverished, sending all of her earnings to her mom and ten siblings back at home in Guatemala. It would not be in her interest to get pregnant, as it would only impede her work and add another mouth in the family to feed. Therefore, if Maria is participating in unprotected sex, it's highly unlikely that she is consenting to it. Hauntingly, when asked if we could share these disclosures with her father or anybody else, Maria said no.

Just as labor exploitation does not occur spontaneously, neither does sexual abuse. Sex, too, is all about power and control.⁸⁵

“We cannot separate labor abuses from sexual violence in the fields.” -Monica Ramirez

Migrant and seasonal farmworkers and MSFW kids are at a severe disadvantage when it comes to defending themselves against sexual violence. This is because the perpetrator is often someone who is in a position of power over them, and this power imbalance makes it all but impossible to defend one's bodily autonomy. In a PBS Frontline news story, it was found that, “in virtually all [farmworker sexual violence] cases they reviewed, the alleged perpetrators held positions of power over the women. Despite the accusations, these supervisors have remained on the job for years without fear of arrest.”⁸⁶

⁸⁵ We owe this insight to a personal interview with Tifanie Petro, Director of Advocacy and Prevention at Children's Home Society of South Dakota, who challenged us not to think of forced labor as separate from sexual violence. Monica Ramirez of Justice for Migrant Women echoed the same sentiment.

⁸⁶ “Sexual Assault and Farmworkers.” *Weekend Edition Sunday*, NPR, 5 November 2017, www.npr.org/2017/11/05/562188700/sexual-assault-and-farmworkers.

Traveling from state to state or from the pick-up location to the fields, girls are at the mercy of the driver and crew leader, who can stop the van and, through threats and coercion, get what he wants. MSFW girls have described abuse that occurs while they are en route from point A to point B – coerced into sexual relations with the driver because he holds the keys to the car. Or, they have been cornered and raped in the fields, pressured into submission by threats that the crew leader will take away their jobs or report them to the police.⁸⁷

Even if the remoteness of the fields and the powerlessness of farmworkers were not a problem, they would still have the layout of labor camps to contend with. In migrant camps, living quarters are often shared, and families aren't able to lock their own door. In fact, living quarters are so tight that multiple unrelated men, women, and children are put up in rooms together; women share beds with men they don't even know. Showers and bathrooms are communal and might involve a long walk in the dark where MSFW children are extremely vulnerable to attack.⁸⁸

“There’s additional pressure that you’re going to be judged for what you wear. Women tie a long-sleeved shirt around their waist, because when they’re bending over picking, they don’t want their male co-workers looking at them from behind. Sometimes when they’re working and a supervisor is behind them, leering at their backsides, it makes them feel unsafe and insecure.” – Monica Ramirez

If a girl doesn't cover up and then gets abused, her peers may go so far as to say that the abuse was her fault. AFOP Health & Safety has heard from trainers that farmworker men will insist on working behind women and girls so they can “enjoy the view,” and the men see nothing wrong with that.

Through it all, farmworker women and girls are subjected to a male-dominated, *machismo* culture where men can ogle women all they want and take advantage of them with impunity. For this reason, farmworker women and girls do their best to hide their breasts, hair, and face in order to avoid unwanted attention. Monica Ramirez, who runs the *Bandana Project*, said that this causes them

psychological and emotional harm. By covering up, women and girls feel “isolated.” Having to look ugly just so they won't experience sexual violence makes them feel even worse.

What happened to Maria? Our partners reached out to her to offer further supportive services: birth control, enrollment in a nearby school, free clothes, etc. But by then, the appeal of the incentives they offered for participating had worn off, and Maria and her father ceased to respond. Eventually, the social workers speculated that Maria and her father must have left for another job opportunity, because she was nowhere to be found.

⁸⁷ Cultivating Fear, *supra*.

⁸⁸ Ramirez, *supra*.

Noemi

Noemi is a 16-year-old girl. She's been doing farmwork for over five years, migrating once every year with her brothers and parents. Together they pick cucumbers, cherries, and jalapeños, typically after school and on the weekends.

Noemi works in the fields because that's what her family has always done. On the plus side, she says she looks forward to her paycheck, but the downside is the hot sun and coming home utterly and completely exhausted at the end of the day. Noemi saves up her money to go shopping for make-up and other things.

Noemi is in the eleventh grade, having managed to stay on top of her grades and varying school requirements despite the constant moving back and forth. It's a difficult task, she says, but she still prefers it to farmwork. As she nears her high school graduation, Noemi has set her sights on going to college and getting a degree in radiology.



Survey Findings

For this project, AFOP conducted a special survey with farmworker children from 3 different regions (West, East and Mid-Central). All of the farmworker children interviewed work in the fields to help their family's financial situation. In order to protect the children, AFOP won't mention the states where the surveys were conducted. These are the results.

DEMOGRAPHICS

Age

- 43% age 12 and under
- 32% ages 13-15
- 24% ages 16-18

Sex

- 49% female
- 51% male

Housing

- 65% live with their mom and dad
- 22% live only with mom
- 11% live only with dad
- 3% have another living arrangement (undefined)

Family Composition

- 4 average number of siblings
- 5 average number of family members living in the same household

School

- 94% are in school
- 6% are not in school

Work with...

- 92% of the children work their parents
- 8% of the children work with other family members

MIGRATION

Migrate from state to state to work in the fields

- 46% of surveyed farmworker children migrate from state to state to work in the fields
- 46% of surveyed farmworker children do not migrate
- 8% of surveyed farmworker children sometimes migrate

How often do you migrate?

- 53% migrate once a year
- 47% migrate twice a year
- 46% migrate during the school year

Migrating concerns

- 57% of surveyed farmworker children expressed that migrating affects their grades
- 30% of surveyed farmworker children expressed that is hard to keep up in class while migrating
- 23% of surveyed farmworker children expressed difficulty in making friends while migrating
- 11% of surveyed farmworker children expressed sometimes having difficulty making friends while migrating
- 49% of surveyed farmworker children expressed no difficulty making friends while migrating

LEGAL STATUS

Family's legal status

- 16% all family members are undocumented
- 22% mixed legal status
- 27% U.S. citizen
- 5% U.S. residents
- 30% Did not answer

FARM WORK

Average number of years working in the fields: **3 years**

Seasons when farmworker children work:

- 59% Summer Break
- 35% All Year
- 3% Spring Break
- 46% of surveyed farmworker children said they like working in the fields
- 32% of surveyed farmworker children said they sometimes like working in the fields
- 22% of surveyed farmworker children said they don't like working in the fields

Things they like the most about working in the fields:

- That they are able to help the family's finances
- Spending time with family members
- Being to help provide food for their families
- Getting paid

Things they like the least about working in the fields:

- Waking up early
- Extreme weather conditions (heat/cold)
- No time with friends
- Back pain
- Bathrooms are too far and too dirty

School vs. Farm Work

78% expressed that they liked going to school more than going to work in the fields

Why?

- have a better future
- learn English
- learn different subjects and skills
- spend time with friends
- its cooler (air conditioner) than in the field

REASONS FOR WORKING IN THE FIELDS

Farmworker children said they work in the fields for the following reasons:

- help family
- buy school materials
- help pay bills
- buy own things
- spend time with parents
- buy food

Surveyed farmworker children use the money they earn to:

- Pay bills
- Parents keep it to pay bills and buy food
- Help family
- Buy own things to take away parents' burden
- Buy school supplies and clothes
- Send money to other country

Do farmworker children feel pressure from parents to work in the fields?

- 32% yes
- 22% sometimes
- 46% no
- 94% of surveyed farmworker children said they work in the fields to help their family financially

Surveyed farmworker children said they would like to use the money to buy:

- electronics (cellphones, laptop, tablets, TV)
- clothes
- a bike
- Barbie
- slime
- gift for parent
- land
- makeup
- clothes

PESTICIDES

Pesticide knowledge

- 37% of surveyed farmworker children said they know what pesticides are
- 63% expressed a lack of knowledge about what pesticides are

Pesticides described in their own words:

- chemicals
- don't know
- like an animal - like a pet
- help plants grow
- stuff that makes you itch
- poisonous

Pesticide exposure:

- 6% have been exposed to pesticides
- 94% not sure whether they have been exposed to pesticides
- 3% have handled pesticides (mixed and applied)
- 19% said they have felt sick while working in the fields

What symptoms?

- dizzy
- headache
- weak
- leg pain
- stomach pain

Some surveyed MSFW children said the best way to prevent pesticide exposure is by:

- Wearing long-sleeved shirts or sweater
- Wearing long pants
- Wearing a jacket
- protecting nose from breathing in pesticides
- covering yourself
- gloves

HEAT STRESS

- 78% of surveyed MSFW children prefer water over other drinks while working in the fields

Drink	Yes	Sometimes	No
Water	97%	3%	0%
Soda	19%	24%	57%
Juice	19%	22%	59%
Energy drinks	5%	8%	86%
Beer	0%	0%	100%
Aguas Frescas	27%	27%	46%
Coffee	8%	22%	70%

- 86% of the children expressed that they wear a hat to protect themselves from the sun
- 89% of the children expressed that they wear a long-sleeve shirt
- 95% of the children expressed that they wear closed-toe shoes
- 5% of the children expressed they have played under the irrigation sprinklers to cool off from the heat (these are often laced with pesticide residues)

During hot weather, farmworker children mentioned doing the following:

- Rest
- Take a break
- I don't get tired
- Drink water
- Finish job, rest, and continue
- Parents tell kids to take a break

Other

- 68% of the children said they take breaks from the sun while working in the fields
- 92% of the children said employers encourage them to take a break from the heat
- 84% of the children said their parents encourage them to take a break from the heat



ERGONOMICS

- 68% of the children experienced some kind of body pain from working in the fields:
- 48% children experienced back pain
- 20% children experienced pain in their hands
- 12% children experienced pain in their feet
- 28% children experienced whole body pain
- 4% children experienced a fever
- 8% children experienced pain in other parts of their body (leg, shoulder)

INJURIES

- 11% of the children have suffered an injury while working in the fields
- 33% Fallen
- 33% Hit with metal items
- 33% Fell on rock

WORK ENVIRONMENT

- 84% of children said they have access to a bathroom in the fields
- 16% of children said they have no access to a bathroom while working in the fields
- The children mentioned that they usually...
 - Go to a gas station
 - Hold it because bathrooms are very dirty and far away
 - Go in the woods
 - Go to the nearest store

MENTAL HEALTH

Depression:

- 68% of children said they know what depression is

Children expressed in their own words what they think depression is:

- | | | |
|----------------------------|------------------|-------------------|
| • being sad | • feeling down | • mix of emotions |
| • not talking to anyone | • frustrated | • tired |
| • something that hurts you | • feeling lonely | • body pain |

Other answers about depression:

- 76% think depression is a real health issue
- 62% said that their parents think depression is a real health issue
- 5% think they might be suffering from depression; 11% are not sure

Reasons they think they might be suffering from depression?

- Experienced a recent death of a close family member
- Were bullied

Told the parent about this?

- 67% said yes
- 50% of the children suffering from depression are seeking help

Anxiety:

- 47% of the children know what anxiety is

Children expressed in their own words what they think anxiety is:

- stressed
- frustrating
- shaky hands
- shaking
- panic attacks
- nervous

Other answers about anxiety:

- 9% of the children think they might be suffering from anxiety
- 17% are seeking help to manage anxiety
 - by a Mental Health and Mental Retardation Professional
 - by a Parent
- 81% of the children feel they are as good as children who are not working in the fields
- 92% of the children feel hopeful for their future

Their dreams for their future consist of:

- Graduate school
- Get into college
- Get a "good job" (Lawyer, Nurse, Police, Dentist, Radiologist, Pathologist)
- Buy a house
- Fix parents' house

Other worries:

- 81% of the children worry about the well-being of their parents
- 92% of the children worry about their parents getting sick
- 92% of the children worry about their parents getting hurt

Labor Exploitation | Sexual Harassment

- 6% of the children felt unsafe working in the fields
- Why?
 - Bullied because they are indigenous
 - Sexually harassed
 - Strangers
 - Animals



“It’s ironic that those who till the soil, cultivate and harvest the fruits, vegetables, and other foods that fill your tables with abundance have nothing left for themselves.”

-Cesar Chavez

- 94% of the children said that their boss does not restrict them to where they can go
- 97% of the children said they have never been threatened with deportation as retaliation
- 76% of the children said that their job pays them and family what they expected
- 88% of the children said employers do not make them buy their own tools
- 67% of the children said their bosses support them getting medical attention when sick
- 3% of the children said they avoid people in the fields
- 19% of the girls said they dress like a boy in order to hide their gender
 - Why?
 - Sexual harassment
- 95% of the children said nothing bad ever has happened to them in the fields
- 8% of the children expressed fear of their employer
 - Why?
 - employers look scary
 - employers scream
 - get reprimanded for not doing work like employer wants
 - employer reprimands and screams

INTERVIEWERS' NOTES

Crops harvested by the farmworker children surveyed for this project:

- lettuce
- peppers
- jalapeño
- tomato
- cucumbers
- cherry peppers
- weeding
- cabbage
- blackberries
- soy beans
- mint
- cotton
- pumpkin
- cherries
- watermelon

Working conditions:

- cold weather
- very hot weather
- rain
- high humidity

Child's reaction during interview:

- distracted
- tired
- nervous
- quiet
- reserved
- exhausted

Other observations:

- noticed language barriers
- difficulty to learn English
- parents stop migrating to provide better school stability to child
- ambition - big dreams for the future
- participate in migrant education programs
- "his labor is solely to send back the money to his country"
- Changing school is difficult and is behind in some subjects



Recommendations

PHYSICAL HEALTH

1. Implement a federal heat standard.

Currently, the only thing protecting MSFW children from excessive heat in the fields is OSHA's General Duty Clause, which requires that a workplace is "free from recognized hazards that are causing or likely to cause death or serious harm to employees."⁸⁹ That is not enough, unfortunately, as found by the Occupational Safety and Health Review Commission (OSHRC) when it vacated OSHA's ruling in a fatal workplace injury case:

Employers are left in confusion about their responsibilities when OSHA fails to set specific standards... Congress intended for the agency to set specific workplace safety and health standards once a hazard was identified under the General Duty Clause. However, OSHA relies on the General Duty Clause instead of setting standards...⁹⁰

Given OSHA's inaction, several bills have been introduced in Congress that would direct OSHA to set this standard, though any have yet to be passed. Also, multiple branches of the U.S. Armed Forces, as well as several states – California, Washington, and Minnesota— have issued their own enforceable guidelines.

2. Limit MSFW children's hours and duties in the fields.

When school is in session, agricultural work for minors should be restricted to three hours per day or less on weekdays and eight hours a day on weekends. During school breaks, the number of hours should be capped at 40 hours/week. Hazardous occupations should be updated to include tobacco and be restricted for all minors, just as they are in other industries.

3. Expand pesticide education programs for children, such as CIFC's *Jose Aprende Sobre las Pesticidas*.

In *Jose Aprende*, children are educated about the dangers of pesticide exposure, as well as how to prevent it in their homes and in the fields. This kind of education is vital in empowering children – and by extension, their families – to limit and reduce their exposure.

4. Ban pesticides that are found to be harmful to children's health. Amend the regulatory process so that it is no longer voluntary, industry-led, or political.

Consideration of children's health must be completely separated from partisan politics.

⁸⁹ "Heat." United States Department of Labor, <https://www.osha.gov/SLTC/heatstress/standards.html>.

⁹⁰ "OSHA uses General Duty Clause as 'gotcha,' 'catchall,' safety board says." 25 March 2019, BLR.com, <https://safety.blr.com/workplace-safety-news/safety-administration/OSHA-and-state-safety-compliance-enforcement/OSHA-uses-General-Duty-Clause-as-gotcha-catchall-s/>.

EDUCATION

5. Change migrant housing center regulations defining who qualifies to live in state-subsidized migrant housing centers.

Requirements specify that families move a certain minimum distance for a certain number of months in order to be eligible for migrant housing during the following year's harvest. These mandates create situations for students where they may no longer qualify as a migrant student, thus temporarily restricting access to programs designed to help MSFWs and their families, not to mention the constant moving that disrupts the child's education as they are forced to relocate to another home.

6. Institute universal education throughout the US and eliminate the confusion MSFW children face academically as they try to match up classes with credits or repeat/miss vital course information covered in their school.

7. Institute an online credit-recovery program in each state that students can access during their school hours. Eliminate the need for reliable Wi-Fi connections in the home.

Some states count an individual class as one full credit while others count a class as a half credit, creating a discrepancy for passing to the next grade or even graduation. Some states require their students to take a standardized test at the end of each school year that they are not receiving preparation for in the states they are passing through. Although some states do work together through MEP to help students achieve the necessary credits, such as Florida and North Carolina, there are still gaps and not enough resources for every state to do so.

8. Implement a federal compulsory school attendance law as opposed to each state regulating the issue.

There will always be individuals that fall through the cracks or deliberately evade attending school. However, the discrepancies in state laws make this even more likely. Five states require students to begin school at age 5, while 32 mandate that schooling start at age 6. And, while the law states that all children must continue their education through high school, 26 states set the age limit at 16 while others opt for 17 or 18. This is bound to cause confusion and result in some kids not being tracked down for dropping out of school when they really do need that follow-up.

9. Enact comprehensive immigration reform.

Without delving into the political aspects of immigration reform, the lack thereof stands to undermine all the benefits that migrant programs provide communities throughout the U.S. For example, Head Start is required to maintain a certain level of enrollment, so the lack of immigration reform could have detrimental effects if families withdraw or fail to enroll their children out of fear. Similarly, as funding for programs is set aside based upon statistical data and program effectiveness, if families are afraid to migrate, programs fail to meet requirements, negatively impacting their funding. Ultimately, this lack of immigration reform runs the risk of impacting the close to 1 million U.S. children who are enrolled in Head Start.⁹¹

10. Fully fund federal programs.

Migrant and seasonal farmworker families do not earn sufficient income to afford reliable childcare. There are federally-funded programs like Migrant Seasonal Head Start and Migrant Education that work to solve that problem, but it can only do so with sufficient federal funding and continued advocacy for farmworkers.

⁹¹ Mead, Sara. "Denying Kids a Head Start is Wrong." U.S. News & World Report, 9 Feb 2018, <https://www.usnews.com/opinion/knowledge-bank/articles/2018-02-09/trump-proposal-to-punish-immigrants-via-head-start-is-immoral>.

11. Pay farmworker children an hourly rate.

The federal and state Departments of Labor should implement hourly wages in the fields, for both MSFW children and adults. Piece rate leaves room for wage theft in the form of non-payment or intimidation, and it does not incentivize safety.

12. Revise the Fair Labor Standards Act. Congress and state legislatures need to act to increase the age at which youth can be hired to work on farms (other than their own family farms). The age of 16 should be the minimum age for non-hazardous work, and 18 for hazardous work. This will bring agricultural work in alignment with child labor laws in other industries.

The 1938 Fair Labor Standards Act establishes many of the basic rights and protections that all workers in the US are entitled to, but it excludes farmworkers and domestic workers from those protections. If we take a full look at history, these are the same industries in which African slaves once worked. Though the individuals performing these tasks have changed, the mistreatment has not, resulting in two differing sets of laws.

Farmworkers in this country are treated inhumanely, and the industry is unsustainable as it currently stands. Farmworkers today - much like those of past generations - are subjected to legal exploitation in the form of:

- Arduous work
- Low wages
- Lack of overtime pay
- Exposure to dangerous pesticides
- Exposure to extreme temperatures
- Poor working conditions
- Inhumane living conditions

Discriminatory laws perpetuate a cycle of instability within the agricultural industry, creating high turnover which keeps wages low. The exclusion of farmworkers from minimum wage and overtime pay was never “fair” despite the nomenclature of the Act. Agriculture has always been idealized and regulated under the political and racial lenses of the New Deal.⁹² In the past it was primarily African American sharecroppers who were the disenfranchised farmworker population, today it is predominantly Latino farmworkers.

There is no real justification for paying such low wages or excluding farmworkers from being paid overtime or having bargaining rights. Today, most farms are large-scale operations, and, although they are seasonal, they are competing in a global market of industrialized agriculture and could borrow lessons on how to function from other seasonal sectors of employment.

There are no excuses for not taking action, especially since consumers are now willing to pay more for fair food and a just supply chain. According to Philip Martin, a USDA economist at UC Davis, fruits and vegetables would be most affected by a farmworker wage increase, since commodity crops are mechanized. Approximately 25¢ of every \$1 spent at the grocery makes its way to the farmer, whereas about one-third of that - 8¢ - is paid to the farmworker.⁹³

⁹² Powell, Jim. ⁸⁰“Why Did FDR’s New Deal Harm Blacks?” Cato Institute, 3 Dec 2003, <https://www.cato.org/commentary/why-did-fdrs-new-deal-harm-blacks>.

⁹³ Haspel, Tamar. “Illegal immigrants help fuel U.S. farms. Does affordable produce depend on them?” Washington Post, 17 March 2017, https://www.washingtonpost.com/lifestyle/food/in-an-immigration-crackdown-who-will-pick-our-produce/2017/03/17/cc1c6df4-0a5d-11e7-93dc-00f9bdd74ed1_story.html.

MENTAL HEALTH

13. Increase collaboration between primary care physicians and psychiatrists.

The Cleveland Clinic reports that many patients – including Latinx – are more likely to mention mental health concerns with their primary care physician instead of directly seek out a psychiatrist. Therefore, it is of vital importance that primary care clinics collaborate closely with psychiatrists in referrals and follow-ups when a mental health concern is noted.”⁹⁴

14. Continue combating misinformation about mental illness and the stigma surrounding it.

As a society, we have made considerable progress in changing the conversation around mental illness. Recent surveys show that more people feel comfortable talking about their mental illness and more people are also willing to get help for that mental illness.⁹⁵ For these trends to spread to the farmworker community, public awareness campaigns need to be translated and adjusted in order to better reach a farmworker audience.

15. Remove barriers to care, such as language, lack of health insurance, and PCPs’ lack of cultural competency.

Many MSFW children have no access to health insurance, due to the U.S. system of employer-based healthcare and its often-prohibitive cost. One solution would be universal healthcare, or, failing that, an expansion of current programs for low-income children, like the Children’s Health Insurance Program (CHIP).

If they haven’t done so already, clinics that serve the farmworker community need to make adjustments in the way they provide care – for example, by hiring physicians and staff who speak their patients’ primary language. Also, they need to ensure that everyone on staff receives ample cultural sensitivity training, so that various pitfalls are avoided in the course of providing care.

END THE EXPLOITATION OF MSFW CHILDREN

16. Enact more funding to enforce all existing as well as any future child labor laws.

Farms should be visited annually to check for compliance. Without enforcement, the law will continue to be broken.

17. Hold farm owners jointly responsible for their workers, along with labor contractors.

Being held legally responsible will motivate owners to investigate and be familiar with what’s happening on their property. The current division in accountability encourages and rewards ignorance.

18. Strengthen labor unions so that workers have someone to turn to in a labor dispute.

When union leaders speak for farmworkers and negotiate with employers, everyone wins. For example, the Farm Labor Organizing Committee (FLOC) has developed a collaborative relationship with employers and employer associations in North Carolina, successfully resolving cases before they go to court. They have also seen progress in unionizing H-2A workers in South Carolina, just as the United Farm Workers (UFW) has had a long history of successfully defending agricultural workers’ rights and interests in California.

⁹⁴ “Overcoming Mental Health Stigma in the Latino Community,” *supra*.

⁹⁵ “Stigma of Mental Health Decreasing, Surveys Show.” Health Partners, 24 Feb 2020, <https://www.healthpartners.com/hp/about/press-releases/stigma-of-mental-illnesses-decreasing.html>.

19. Enact a clear grievance procedure on farms, with actionable consequences for abusive supervisors.

In the words of Rosalinda Guillen, a farmworker woman interviewed by NPR, a proper grievance procedure “guarantees that there will be no retaliation, provides a means of justice and fairness and a response that’s speedy, addresses the issue, allows farmworkers to actually have abusive supervisors fired and go back to work and be safe.”⁹⁶

20. Open up the possibility for all farmworkers to obtain legal status.

Farmworkers with documents are more likely to resist abuse and exercise their rights.

21. End common living situations where children are likelier to be attacked and exploited.

Migrant camps, by bringing people into close proximity with one another, break down barriers between children and a potential abusers’ basest instincts. Migrant housing standards should be updated to better protect children and families, and the frequency of inspections should increase so that conditions are not able to deteriorate for so long.

22. Improve data collection on farmworker children, so we can better understand the scale of the issues they struggle with and move to address them.

Although the National Agricultural Workers Survey (NAWS) is continuously cited throughout this publication, it is limited in scope. The NAWS does not interview children younger than 14 years old, meaning there is an entire workforce of children under the age of 14 unaccounted for in agriculture. We know these children are in the fields, because we have heard their stories first-hand.

23. Increase funding for labor trafficking enforcement, awareness campaigns, and victim services.

According to the State Department, state activities focus almost exclusively on sex trafficking, with a heavy emphasis on child prostitution cases, rather than addressing all forms of trafficking and all vulnerable populations.⁹⁷ The Polaris Project itself “firmly believes” that labor trafficking is under-reported due to a lack of awareness – on the part of victims as well as the general public.⁹⁸ In data compared between the ILO and Polaris Project, 23% of global human trafficking is in the sex trade, while 77% is forced labor. In the U.S., it is almost exactly the inverse: 83% of human trafficking is sex trafficking while 27% is forced labor. This is obviously a reflection, not of reality, but of the imbalanced priorities of law enforcement in the U.S.



⁹⁶ “Sexual Assault and Farmworkers,” [supra](#).

⁹⁷ “TIP Report 2019,” [supra](#).

⁹⁸ “The Typology of Modern Slavery,” [supra](#).



Conclusion

“The term 'child labour' is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.”⁹⁹ - International Programme on the Elimination of Child Labour (IPEC)

As explained throughout this publication, much of the child labor being carried out in U.S. agriculture is neither healthy nor good. Rather, it is exploitative and injurious to MSFW children’s health and future prospects. As such – and in aligning ourselves with international standards - it should be brought to an end as quickly as possible.

“Never give up on your dreams. It could come true one day and if you give up, then it will never happen and your dream will never come true. You should always never stop fighting for that dream of yours.” –Elizabeth, 12, CA

Though the American Dream is a myth, that doesn’t stop MSFW children from believing in it or fighting for it. How can we make that dream come true – not just for the lucky few, but for all children who labor in American fields?

The good news is that there is a way. And in order to get there, we simply need to follow the recommendations put forth in this publication. These are not unattainable, pie-in-the-sky goals. They are well within our reach if we, as a nation, finally decide that exploitative child labor in U.S. agricultural fields is not O.K.

MSFW children are resilient. They are brave. And they are long-suffering. But they are sick and tired of having to be all of these things just to survive. So, instead of singing their praises, let’s correct the baked-in prejudices that impede their progress and finally give MSFW children the opportunities they deserve.

*Migrants are very strong people that suffer everyday with labor and get home with less than minimum wage. The job of a migrant worker is very important because the products of their labor sit on mine and your table every day.
I am a Migrant child. –Itzel, 14, CA*

⁹⁹ “Child Labor.”
International Labour Organization,
<https://libguides.ilo.org/child-labour-en>.

Resources

- Support and learn about Children in the Fields Campaign: <https://afop.org/cif/>.
- Learn more about AFOP's Health & Safety programs: <https://afop.org/health-safety/>.
- Get to know our current AFOP members: <https://afop.org/members>.
- Join the coalition to end child labor worldwide: stopchildlabor.org.
- Read the Nov 2018 Government Accountability Office's Report on Working Children: <https://www.gao.gov/assets/700/695209.pdf>.
- See the latest findings from the National Agricultural Workers Survey (NAWS) 2017-18: <https://www.dol.gov/sites/dolgov/files/ETA/naws/pdfs/NAWS%20Research%20Report%202014.pdf>

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DID YOU KNOW THAT YOU CAN MAKE A DIFFERENCE IN THE LIVES OF MSFW CHILDREN? HERE ARE SOME IDEAS TO GET YOU STARTED:

- **DONATE** to our art & essay contest for farmworker children. 100% of the proceeds go to MSFW children who enter and win.
- **URGE** your elected representatives to take action for MSFW kids by closing the loopholes in the FLSA and passing legislation that will protect farmworker children and benefit farmworker families as a whole.
- **SUPPORT** initiatives like Migrant Education, which helps keep MSFW kids in school, and the National Farmworker Jobs Program, which increases the wages of farmworker parents.
- **VOLUNTEER** your time with your nearest farmworker-related organization.
- **CONTACT** your local media outlets to educate them and your fellow community members about the plight of child farmworkers.
- **FOLLOW** us on social media → @CIFCampaign on Instagram, Facebook and Twitter.



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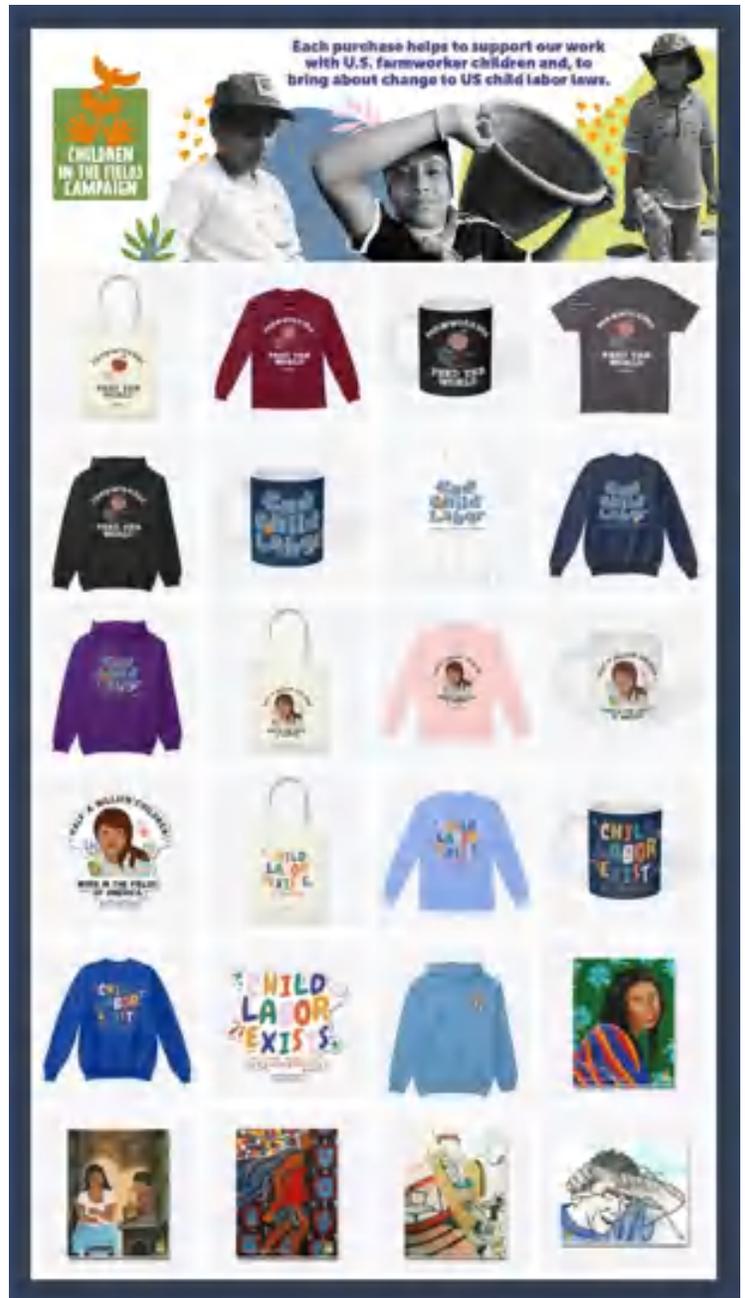
Each purchase helps support our work to keep farmworker children in school, while we work strongly to bring change to U.S. child labor laws to protect this vulnerable population.



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