

Can We Make the Workplace Safer Amid Rapid Technological Change?

*Health & Safety in Western Agriculture:
Research to Practice*

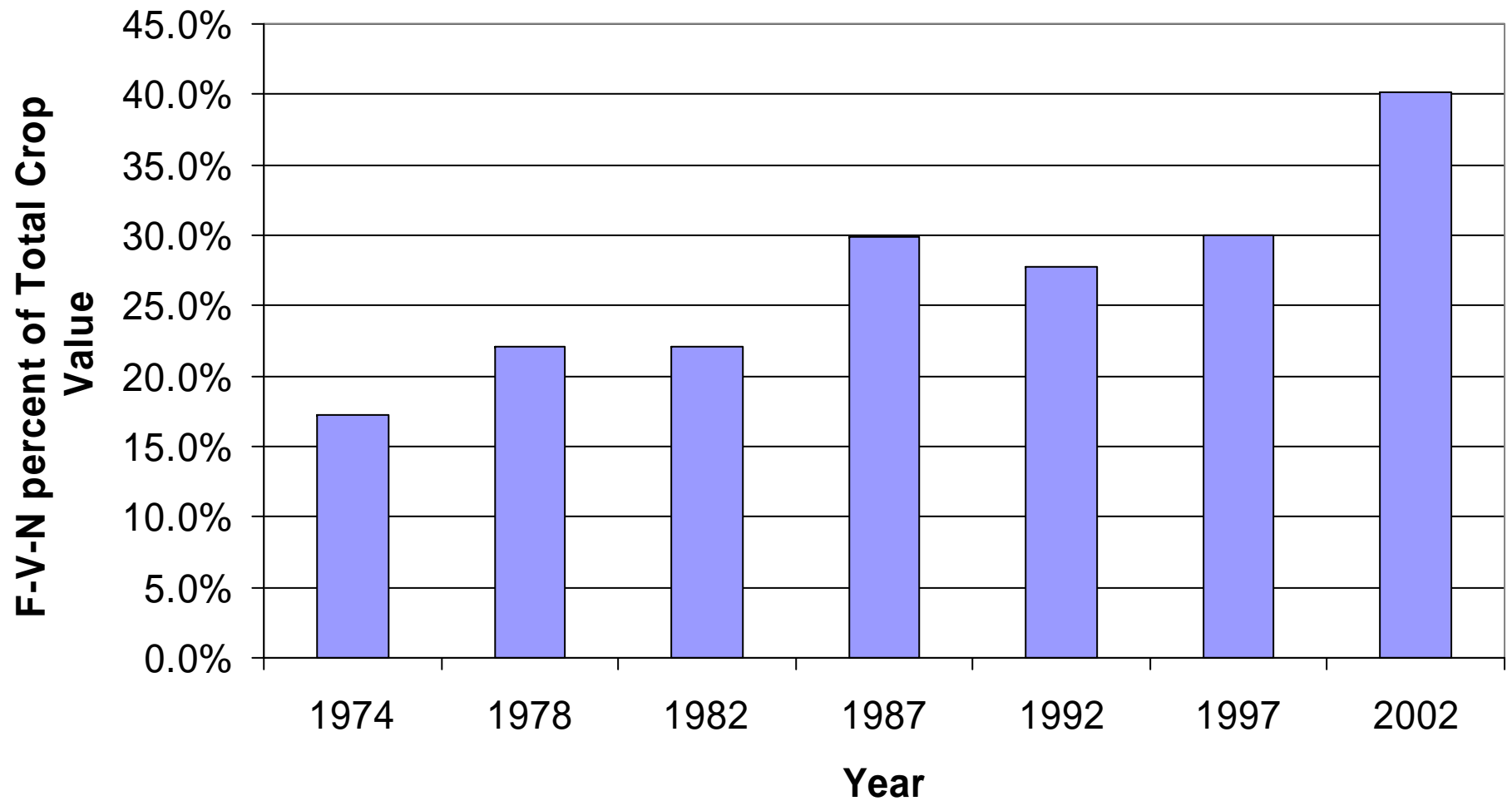
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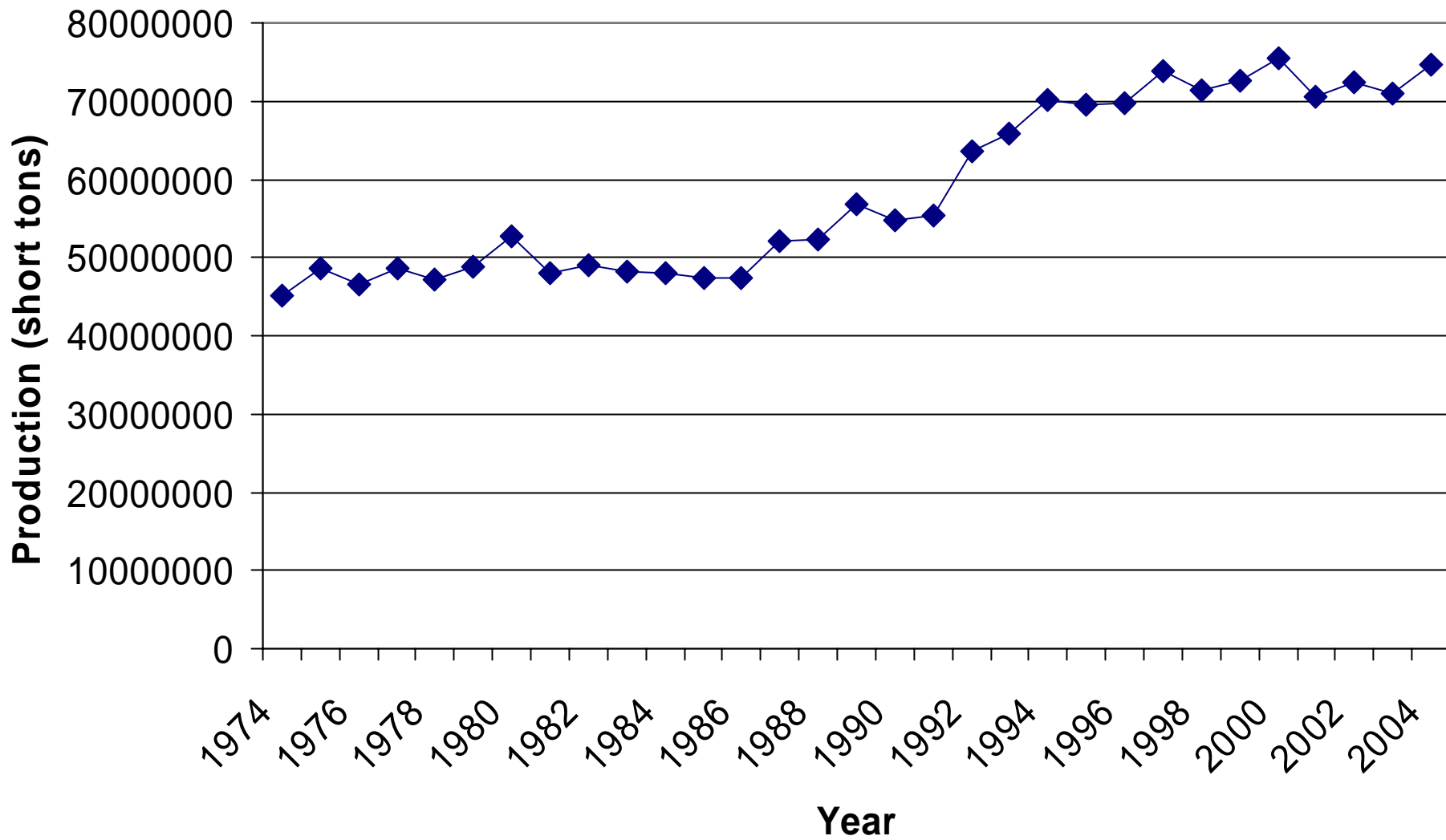
Topics for Discussion

- Recent trends in production
- Composition of labor demand
- Today's farm labor force
- Technological change
- Enforcement and Education

Fruit-Vegetable-Nursery Crops as Percent of Total U.S. Crop Production (Value) Census of Agriculture



Fruit and Vegetable Production (short tons), United States, USDA/NASS



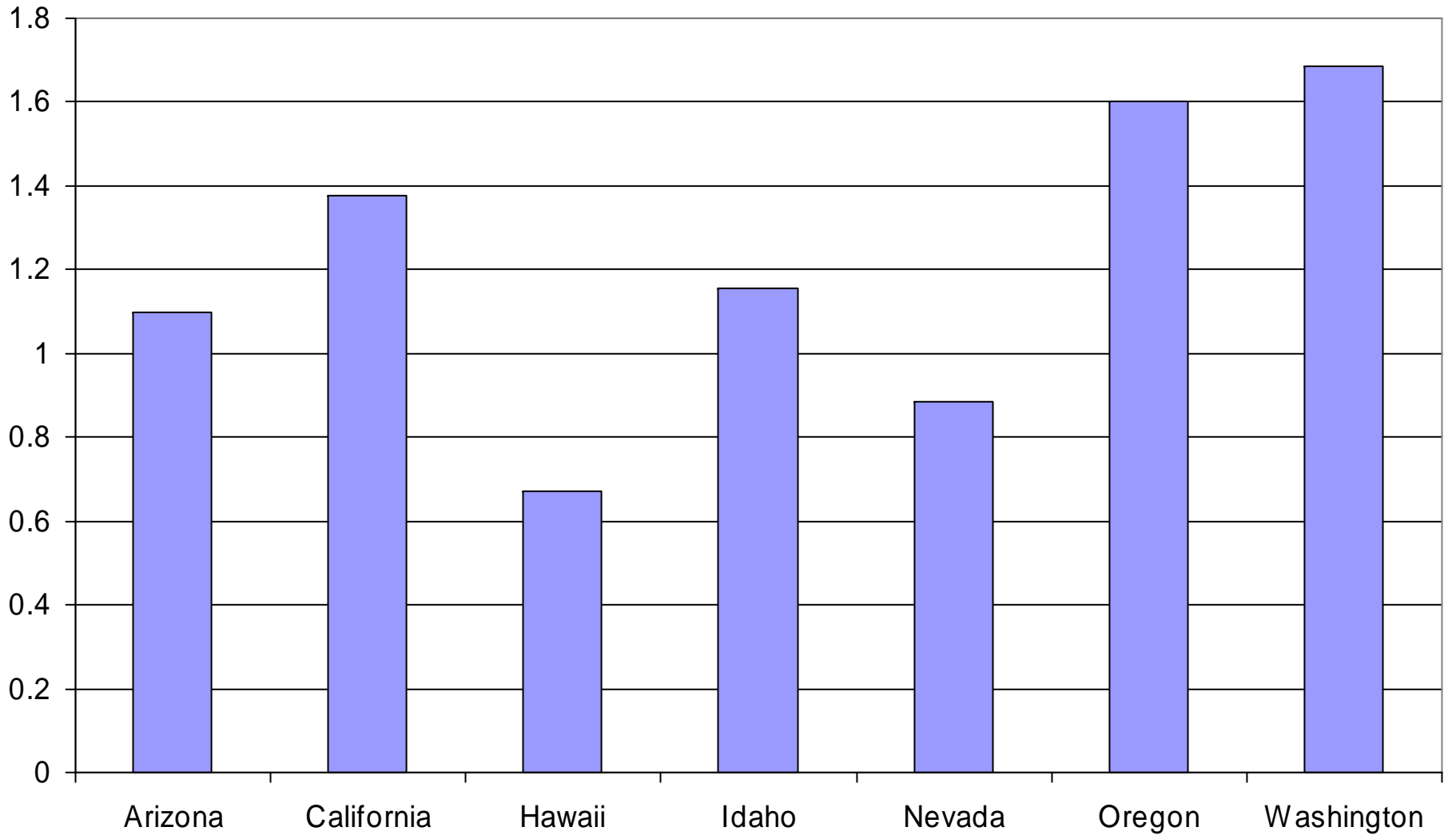
Selected Cropland, U.S. v. Pacific/ Northwest Regions, 1974-2002, CoA

<i>Land Use (acres)</i>	<i>Change, U.S.</i>	<i>Change, Pac-NW</i>
Land in orchards	+1,140,099	+1,271,516
Harvested vegetables	+574,487	+546,934
Harvested berries	+84,907	+53,086
Greenhouse (million sq. ft.)	+892.6	+237.2

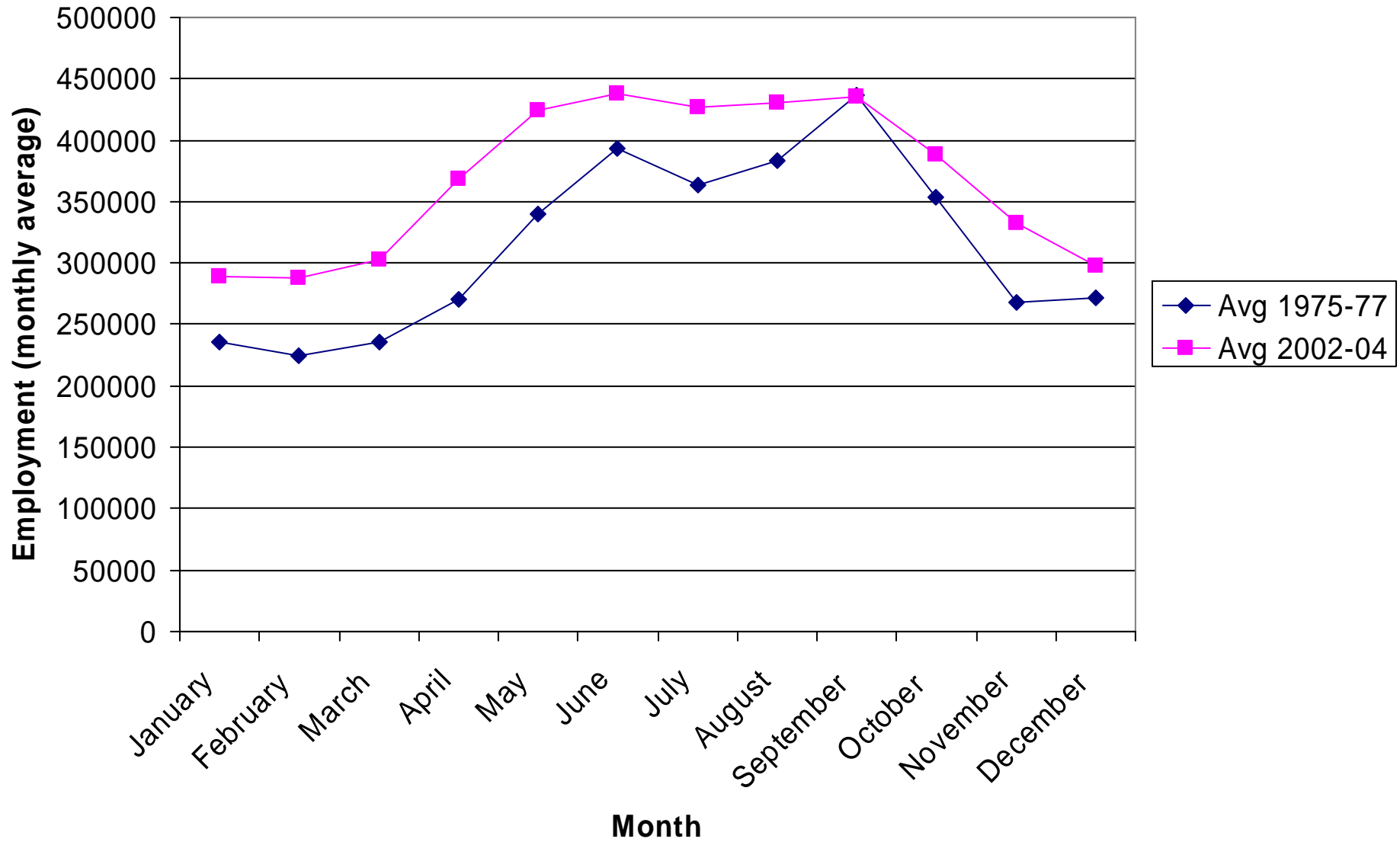
Farm Labor – Pacific/NW States

- Farmers and Ranchers – EEOC: **80,600** (1990); **59,335** (2000)
- Unpaid family workers – Total Unknown (USDA discontinued sample to estimate the number of farmers and unpaid family in 2001)
- Direct-hire farm workers – Total Unknown: regular and year-round; seasonal; temporary
- Contract-hire farm workers – Total Unknown: use varies greatly in the Pac/NW. Contract labor as percent of total crop labor costs: AZ, 26%; CA, 32%; ID, 10%; OR, 9%, WA, 6%

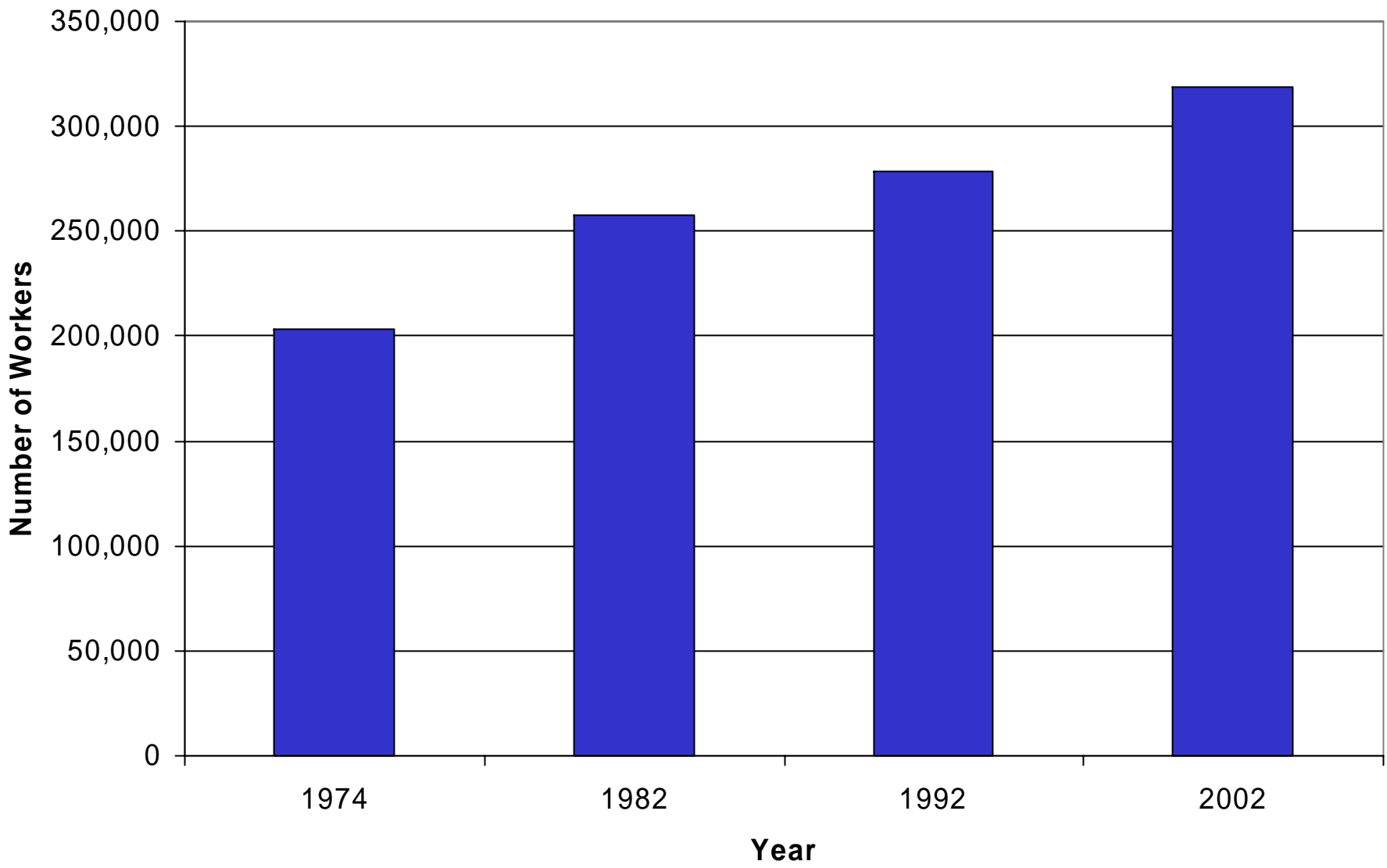
Change of Labor Demand (2002/1974), Ratio of Total Hours of Labor Demand, Seven Pacific/Western States, Census of Agriculture & USDA Farm Labor



**Employment, Hired Farm Workers, California
Avg 1975-77 & Avg 2002-04, EDD**



Direct-Hire Workers, 150 Days or more, Eight Pacific/Northwest States, Census of Agriculture



Hired & Contract Labor, California, 2005, Farm Labor, USDA

<i>Week</i>	<i>Direct-hire (150+ days)</i>	<i>Direct-hire (<150 days)</i>	<i>Contract labor</i>
Jan 9 – 15	119,000	24,000	75,000
Apr 10 – 16	143,000	32,000	82,000
Jul 10 – 16	162,000	44,000	141,000
Oct 9 – 15	145,000	36,000	102,000

Hired & Contract Labor, Oregon & Washington, 2005, Farm Labor, USDA

<i>Week</i>	<i>Direct-hire (150+ days)</i>	<i>Direct-hire (<150 days)</i>	<i>Contract labor</i>
Jan 9 – 15	33,000	5,000	n.a.
Apr 10 – 16	43,000	21,000	n.a.
Jul 10 – 16	50,000	59,000	n.a.
Oct 9 – 15	47,000	29,000	n.a.

Hired Farm Workers, California, 2003-04, NAWs & INS/MPB

- Increasingly solo males: 93% of recent border recent crossings are males
- Increasingly indigenous migrants: 16% - 20% (100,000 – 128,000 workers)
- Newcomers (< 2 yrs in U.S.) comprise 18% of the California hired farm labor force
- Overall, 57% are undocumented; 99% among newcomers and 85% among indigenous migrants
- Pesticide safety training: 86% said they had received training in the previous 12 months

Changes of Labor Demand

- Raisin grape production – mechanical harvest in about 20% of acreage – reduction of at least 5,000 jobs
- Harvest aids to set pace of work – strawberry production in Central Coast
- Field packing and processing – melons now field packed; bulk lettuce coring in the field
- Processing tomato planting – shift from seed planting to hand-transplanted starter plants from nurseries
- Processing tomato harvest – large scale farmer near Huron reports just one worker to operate machines
- “Farm of the Future” at West Hills College

***Paid Claims, Workers Compensation,
Hired Farm Workers, 1990-99,
California, N=298,730***

Source: Workers Compensation Insurance Rating Bureau of California

Fatalities	455
Major Permanent Disability	12,932
Minor Permanent Disability	31,958
Temporary Disability	68,357
Medical/No Indemnity Payment	185,029

Cal/OSHA Inspections, Farm Sites, 1999-2002, Annual Average

<i>Industry</i>	<i>Inspections</i>	<i>Inspections with Serious Violations</i>	<i>Rate: Serious Violations (%)</i>
Farm Labor Contractors	398	42	10.6%
Crop Farm	408	50	12.3%
Livestock Farm	63	22	34.9%
<i>Total</i>	<i>868</i>	<i>114</i>	<i>13.1%</i>

Cal/OSHA Inspections, Farm Sites, 2003-2005 (8/05), Annual Average

<i>Industry</i>	<i>Inspections</i>	<i>Inspections with Serious Violations</i>	<i>Rate: Serious Violations (%)</i>
Farm Labor Contractors	153	15	9.8%
Crop Farm	165	24	14.5%
Livestock Farm	24	8	33.3%
<i>Total</i>	<i>342</i>	<i>47</i>	<i>13.7%</i>

Enforcement & Education – Add 100 New Field Inspectors to Staff of Cal/OSHA and DLSE; Establish Public Oversight Board

An analysis of indemnity claim frequency in all industries by WCIRB for the period 1989-1998 finds that Cal/OSHA enforcement and education was the *largest single factor* in reducing such claims. Further, the Cal/OSHA program “... is the only one of numerous variables posited as explanatory factors found to have a statistically significant relationship with annual changes in non-cumulative indemnity claim frequency.”

Source: Workers Compensation Insurance Rating Bureau of California, *California Indemnity Claim Frequency Analysis*, San Francisco, April 25, 2002, p. 3.

Laws Need to Be Improved: End to Agricultural Exceptionalism

- California – for hired farm workers, overtime pay required on seventh day, following six consecutive 10-hour days; all other workers, overtime pay required after 8-hour work day.
- California – farm labor contractors are not ‘employers’ with respect to concerted action. But FLCs are the principal employer of seasonal or temporary workers. Need joint and several responsibility among all employers at every agricultural work site.
- California – all types labor market intermediaries should be subject to licensing and regulation: FLCs, farm management companies, custom harvesters, etc.

Worker Education: Challenges and Opportunities

The increasing proportion of workers who are indigenous migrants, newcomers and undocumented presents a major challenge for workplace safety. New approaches to education are required, including unprecedented cooperation between agency outreach staff and organizations directly representing workers, such as the Frente Indígena Oaxaqueña Binacional and the farm labor unions now cooperating in the Change-to-win federation (UFW, Teamsters, UFCW).