

Section VI.
Work Conditions, Income and Assets

Executive Summary:

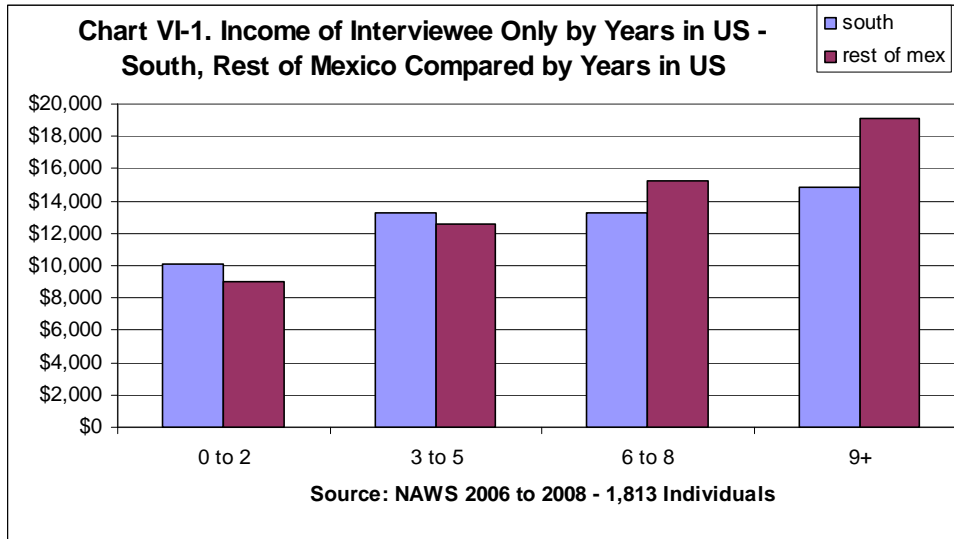
- Those who can carve out a living at farm work in California experience improvement in working conditions, income and asset acquisition over time.
- Over time the average indigenous farmworker has not acquired more assets while the average mestizo has. This implies that the influx at the bottom of the labor market has a high proportion of indigenous.
- The indigenous may have fewer assets than mestizos in California due to closer ties to their hometown where they are more likely to maintain a house.
- There are few wage differences across groups of indigenous farmworkers. The most marked difference was by California region.
- Higher wages may be associated in some cases with a sped-up piece rate work environment and worse working conditions.
- Workers complained most about non-payment and underpayment of wages.

VI-1 Improvement of conditions for those who stay in agriculture:

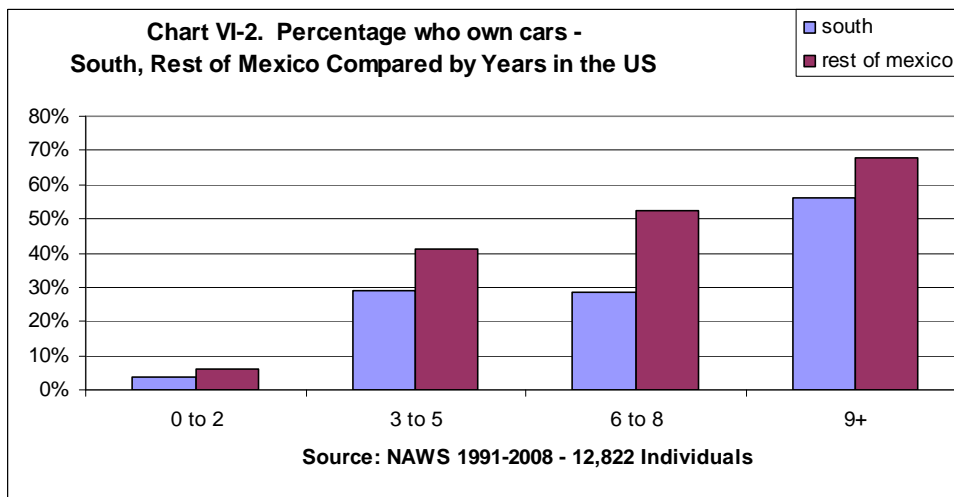
Indigenous (and other Mexican) farmworkers' income, wages and working conditions improve over time for those who have figured out a way both to remain in the United States and continue doing farm work. We need to recognize that a majority of Mexican farmworkers working in California are below the poverty line and most of the rest make a meager income.¹ Still, if we look at the Mexican farmworkers in the National Agricultural Workers Survey that worked in California in the 2006 to 2008 period, it is clear that conditions improve for those who stay in California's fields and orchards for awhile. The southerners (our proxy for the indigenous) clearly do worse than those from the rest of Mexico (our proxy for mestizos), but both see some improvement if they are able to carve out an existence as a California farmworker. In Chart VI-1 below, we see that personal income during this three year period (2006-2008) varied from \$10,000 a year for the newcomers to nearly \$20,000 a year for the long-time committed farmworkers. In the early years of stay there is not much difference in earnings between the southerners and others. However, by the time the groups have been here for 9 years or longer the southerners appear to fall behind.²

¹ There is no evidence to prove this obvious fact. The NAWS data records ranges, not point income estimates for the respondents. Therefore, the NAWS can only estimate a minimum proportion of those living below the poverty line among farmworkers and not the true percentage. The Census Bureau and the Current Population Survey cannot be used for sources of this information because they fail to find a large proportion of the farmworkers, especially the poorer ones.

² The income of long stayers is greater than for newcomers for all groups regardless of gender, age, or region of origin in Mexico.

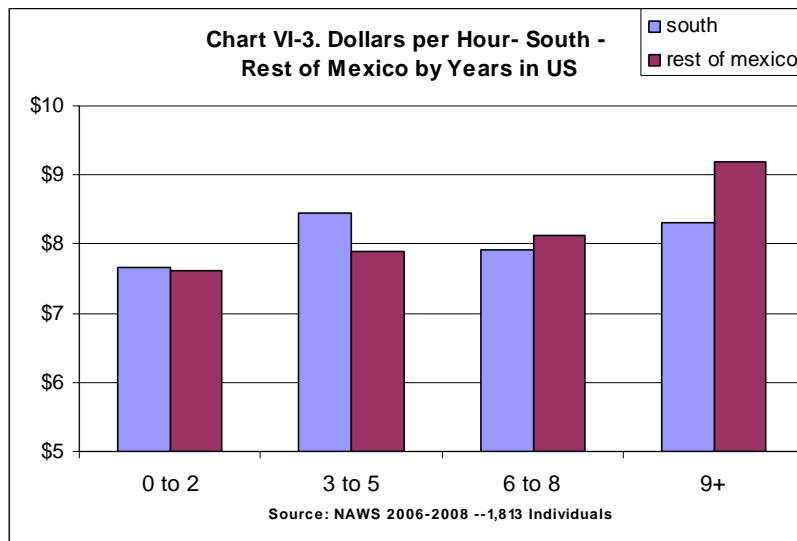


Another way to demonstrate improving income for long-time farmworkers is shown by the increasing ability to own cars in the United States as one stays longer periods. Again, though southerners acquire cars at a much lower rate than California farmworkers from the rest of Mexico, the experienced farmworkers from the south have many more cars than newcomers. Even if we look only at the southerners, we observe a huge increase in acquisition of vehicles as the indigenous farmworkers stay longer in California agriculture. As Chart VI-2 shows, few in the newest group that has been in the country from 0 to 2 years have had a chance to acquire assets. And even in the groups that have been in the United States from 3 to 5 years and from 6 to 8 years, less than 30% of the southerners have cars. However, with the group that has stayed 9 years or more, the majority of southerners have vehicles. As we see below, cars are crucial assets in getting to work.



This same pattern of reward for experience also applies to wages and working conditions. Though, as can be observed in Chart VI-3, average wages per hour for farmworkers are

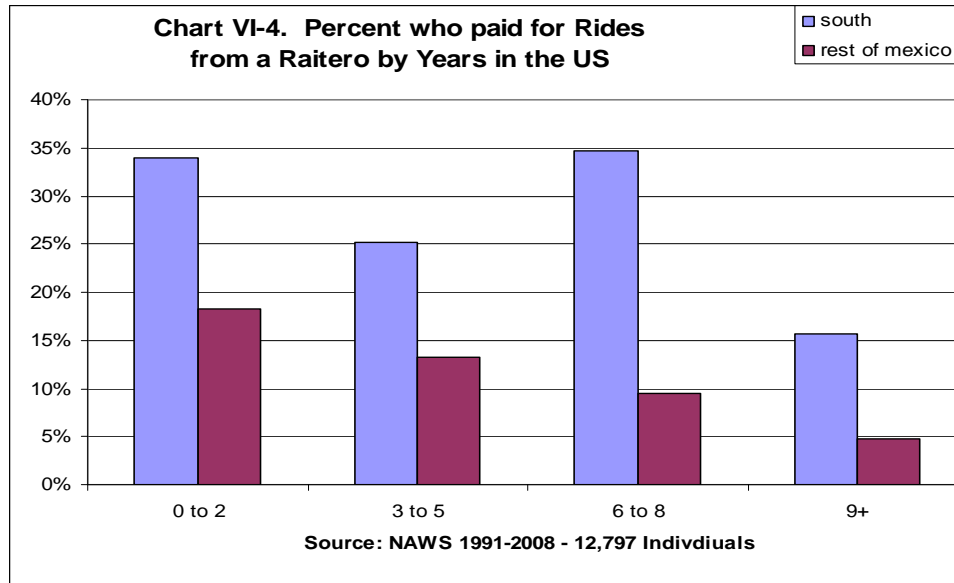
relatively flat and, in general, do not vary very much across groups. The differences in hourly wages between those from the south and the rest of Mexico do not appear very significant. The newcomers earned on average during these three years (2006 to 2008) about \$7.50 an hour while the veteran workers with more than 9 years in the United States earned about \$9.00 an hour.³ Since the typical farmworker has difficulty working as many hours per year as he or she would like, the income of farmworkers is as much related to how many hours per year they work as it is to how much they earn per hour.



An assessment of how well farmworkers are being treated by the employers is also measured by surveys. One important gauge is whether the workers feel obliged to pay for rides to work. Many foremen take advantage of the most vulnerable among farmworkers by charging them to get to work. As Chart VI-4 demonstrates again, the more entrenched farmworkers suffer from this practice much less than the newcomers. And the southerners (in all the length-of-stay groups) have to put up with this practice much more than those from the rest of Mexico. For the southerners, the practice affects over 30 percent, even for those who have been here from 6 to 8 years. For the southerners who have lived in the United States for more than 9 years, still 15 percent have to take rides from ‘raiteros’.⁴ The predominantly mestizo workers from the rest of Mexico are much less exposed to this abuse. By the time they are experienced workers with 9 years or more in the country, only 5 percent are paying for rides.

³ Minimum wage in CA was \$6.75 until January 1, 2007 when it rose to \$7.50. It rose again to \$8.00/hour on January 1, 2008.

⁴ Raiteros or troqueros usually have vans and transport workers for high fees. Often, the workers must accept the rides in order to obtain the work.

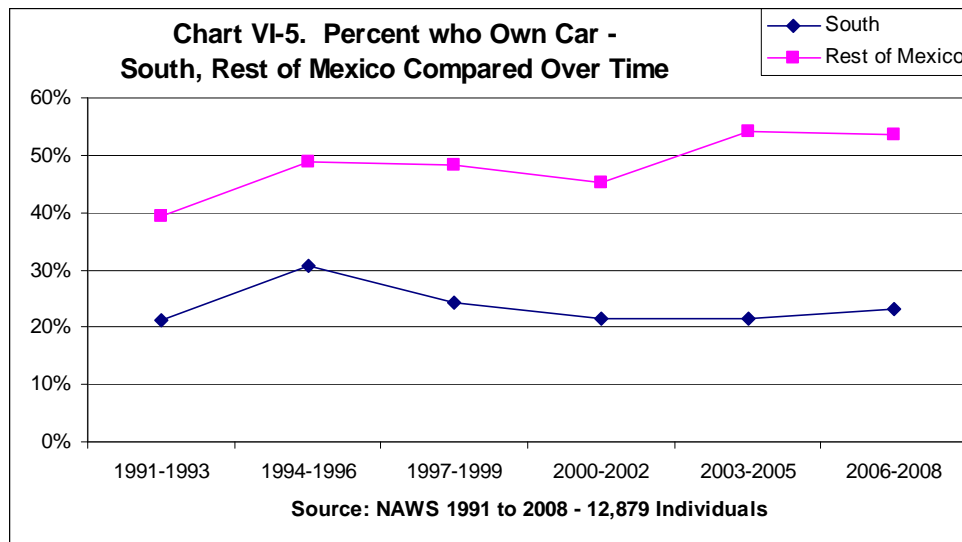


VI-2 Over time average conditions for the indigenous have not improved:

Over time, some individual indigenous farmworkers, though they do not obtain high incomes, can obtain a stable life style. As shown in Chart VI-2 above, over half of the farmworkers (from both the South and elsewhere in Mexico) who have been here for nine years have a vehicle to drive. There is a heavy flow-through of farmworkers at the bottom of the farm labor market as new immigrants arrive and veteran workers either go back to Mexico or find employment at better U.S. farm jobs or at non-farm jobs. A high proportion of the new entrants are indigenous workers, while at the same time, some of the veteran indigenous farmworkers are leaving for Mexico or better jobs.⁵ The result is that the stable ones (long-timers) among them remain a minority. While over the years, many of the farmworkers from the rest of Mexico (our mestizo proxy) have settled into a more stable life style, it appears that most of the indigenous farmworkers (those from the South) have remained mired in precarious economic circumstances. This occurred because as the indigenous moved into farm work the mestizos have tended to move up to the better, longer lasting farm jobs (for example, the irrigators, the pesticide applicators and the property management jobs) while a majority of the indigenous remain in (or enter into) the temporary job slots (for example, the harvest, hoeing and pruning jobs). In Chart VI-5 below, we can observe this stubborn relative poverty of indigenous compared to mestizo farmworkers with some precision. The Chart demonstrates that already in the early 1990s, about 40 percent of those from the rest of Mexico had a vehicle. Over time, the ability to obtain a car only improved for mestizo workers observed as a group. In the more recent periods since 2003, the non-southern workers from the rest of Mexico have maintained a rate of car ownership well above 50 percent. On the other hand, the mostly indigenous southerners have not been able to keep a high rate of car ownership. In fact, according to the NAWS, as a group, southerners have actually lost ground. In the 1994-

⁵ As shown in the introduction above, the indigenous have greatly increased their proportion of all California farmworkers. The vast majority of these have most likely occupied the lowest rungs of the employment ladder.

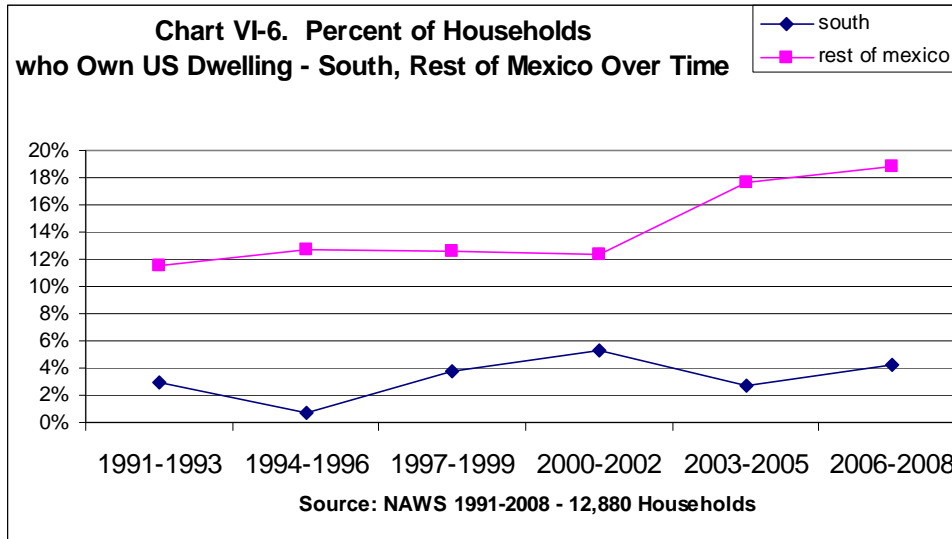
1996 period, 30 percent had cars in the group, while throughout the decade after 2000, barely 20 percent have had cars.



This same pattern of improvement for the ever-changing group of farmworkers from the rest of Mexico, compared to a stagnation among those from the south, can be observed as well in the acquisition of houses. In Chart VI-6, we see that the southerners, who have always had less than a five percent rate of home ownership, continue at that low rate as a group. Meanwhile, the group of workers from the rest of Mexico, who always had rates of ownership above 10 percent, has in recent years increased that proportion to almost 20 percent.⁶ The indigenous from the South appear stuck at the bottom of the labor market and are less able than the other groups to adapt to U.S. society.

There are at least two possible explanations for this inability of the indigenous to, on average, acquire assets compared to the mestizo farmworkers. As we argued for the educational level of southerners in Section IV above, the constant influx of indigenous newcomers from remote villages unaware of their rights and willing to accept low wages may, in part, explain the stagnation in asset ownership. In addition, this stubborn inability to advance in the United States for the indigenous may be due to the segmentation of the labor market. It may be that employers intentionally choose the indigenous networks for certain tasks in certain crops because they perceive the indigenous as more willing to work at lower wages and endure worse working conditions. This discrimination may lead to lower earnings and result in a lower level of asset acquisition.

⁶ Mestizos since they buy more houses than the indigenous may have been more exposed to subprime lending practices than the indigenous.

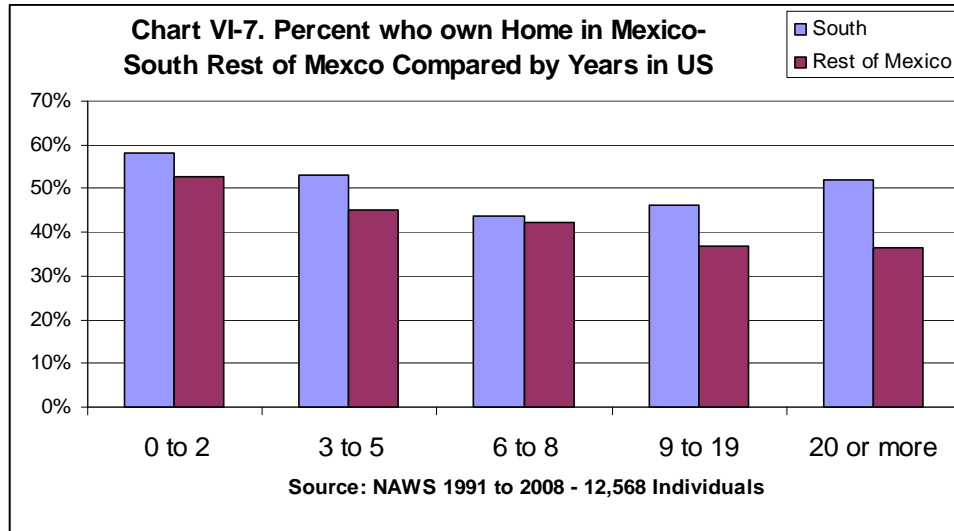


VI-3 Strong ties back to Mexico for the indigenous affect their acquisition of U.S. assets:

There may be another reason why indigenous farmworkers appear to have fewer assets in the United States than mestizo Mexicans. The indigenous are more likely to acquire assets in Mexico than other Mexicans. And, this is true even for those who stay for long periods. For the southerners in the NAWS, a higher proportion of those who stay a long time in the United States continue their interest in maintaining homes in Mexico, whereas a higher proportion of those from the rest of Mexico give up their Mexican homes as they stay longer in the United States. In Chart VI-7, one can observe that for the southerners, the proportion maintaining a home in Mexico does not decline as much as for those from the rest of Mexico. For those southerners who have been in the United States for 9 or more years, the rate of maintaining a house stays at a high level (48%) while for those from the rest of Mexico the rate drops off to 37%.⁷ And this same tendency of continued interest in maintaining homes is also observed for the indigenous families in the ICS.⁸ It may be that the indigenous are more likely to use their limited resources to maintain assets in Mexico because of a relatively stronger cultural bond to their hometown than the mestizos.

⁷ One should take special notice of the indigenous who have been in the U.S. for 20 or more years and probably benefitted from the SAW program to obtain legal papers. Over half of this group that can return securely to Mexico on a regular basis still maintain a home in Mexico despite their long years of residence north of the border.

⁸ In the ICS, 50% of those with 9 years or more in the United States maintain a home in Mexico.



These strong ties to Mexico among the indigenous can be demonstrated in another way from the ICS. Those settled farmworkers with a spouse in the household in California have consistently more assets than either the unmarried farmworkers or than those with a wife in the hometown in Mexico. And the ones with a wife in Mexico (a measure of close ties to Mexico) have practically no assets in California. For example, 71% of those with a spouse in the U.S. home have a car in California compared to 38% of the unmarried and 22% of those with a spouse in the hometown. Sixteen percent of those with a wife living with them own a trailer while none of the others own one. And, finally, 8% of those with a spouse in the U.S. home are owners of a house while 3% of the unmarried and none of those with spouses abroad own a house in California. The tie to Mexico for those with families there translates into a lack of interest in acquiring assets north of the border. This tendency is stronger among indigenous than mestizos because fewer of them have their spouses living with them in the United States. In the NAWS, 26% of the California farmworkers from the South have spouses with them in California, while 42% of those from the rest of Mexico are living with their spouse north of the border.⁹

VI-4 A detailed look at indigenous workers shows few wage differences:

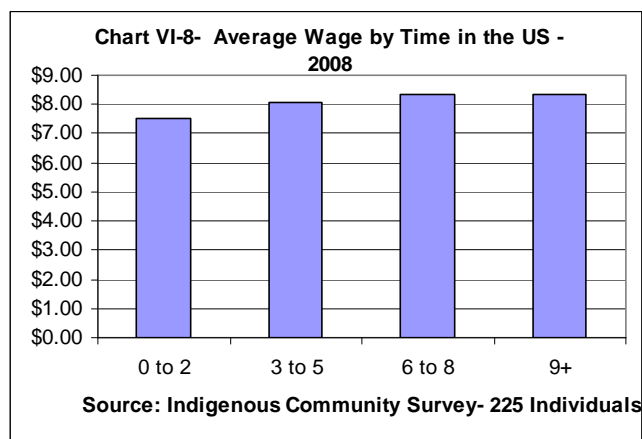
While the NAWS provides a good overview of the position of indigenous farmworkers relative to other Mexican California farmworkers, the Indigenous Community Survey (ICS) gives us a close-up look at conditions faced by indigenous workers. Although the ICS only reports data from nine hometown networks, it sheds light on the intricate relationship between income, wages and working conditions for an unquestionably pure group of indigenous farmworkers.¹⁰

⁹ NAWS 1991 to 2008, N=12,882

¹⁰ Overall 319 workers who worked at a farm job in 2008 gave us information about wages and/or working conditions. A total of 226 gave us interpretable wage data for that year.

Although there is some variation across groups with respect to wage levels, the wage and working condition dynamics of these poorly paid groups may not mean better working and living conditions for those with the higher wages. Many times those with higher hourly wages are working for a piece rate in a sped-up work environment with poorer working conditions. When reviewing the descriptions of the wages and working conditions, one needs to remember that all of the groups (on average) are poorly paid and endure difficult treatment.

A discussion of wages should begin by pointing out that in 2008 two thirds of the indigenous farmworkers in the ICS survey earned at the minimum wage or below. One third of the workers earned above the minimum wage (\$8.00 per hour), one third reported earning exactly the minimum and one third reported earning below the minimum.



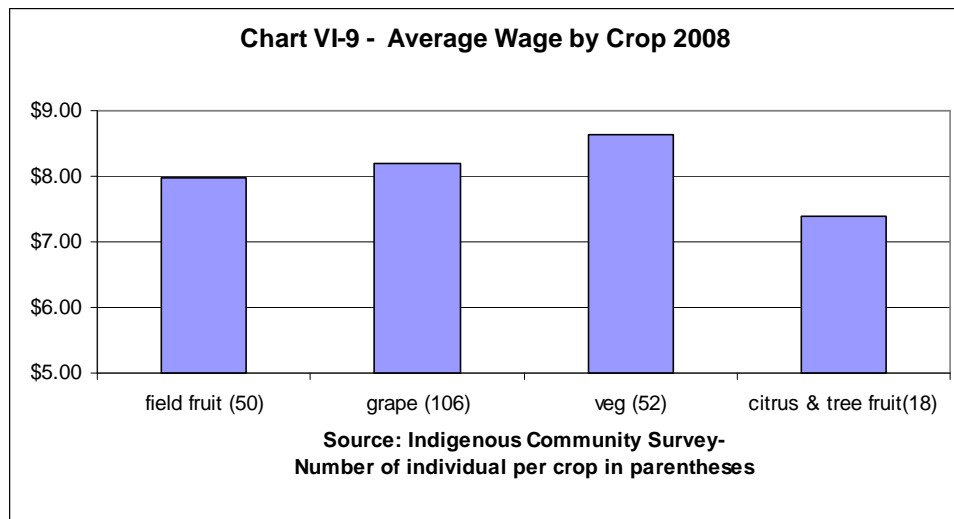
Wages do not vary very much if we compare different groups of indigenous workers because wages are relatively flat across most groups within a region and appear to vary as much by the amount of effort put out by the individual worker as by his experience or seniority. For example, surprisingly, the age of the worker did not have a big wage impact in the labor market for indigenous farmworkers.¹¹

As discussed above using NAWS data, there is an observable reward for experience in the United States, with the newcomers earning less. Notice in Chart VI-8 (above), however, that newcomers average \$7.50 while more experienced workers have only a modestly higher average at \$8.25 per hour among these indigenous workers. In fact, after the workers have been in the country 5 years, wages appear to stagnate, reflecting the fact that, as a rule, experience is not rewarded with much higher wages in California's fields.

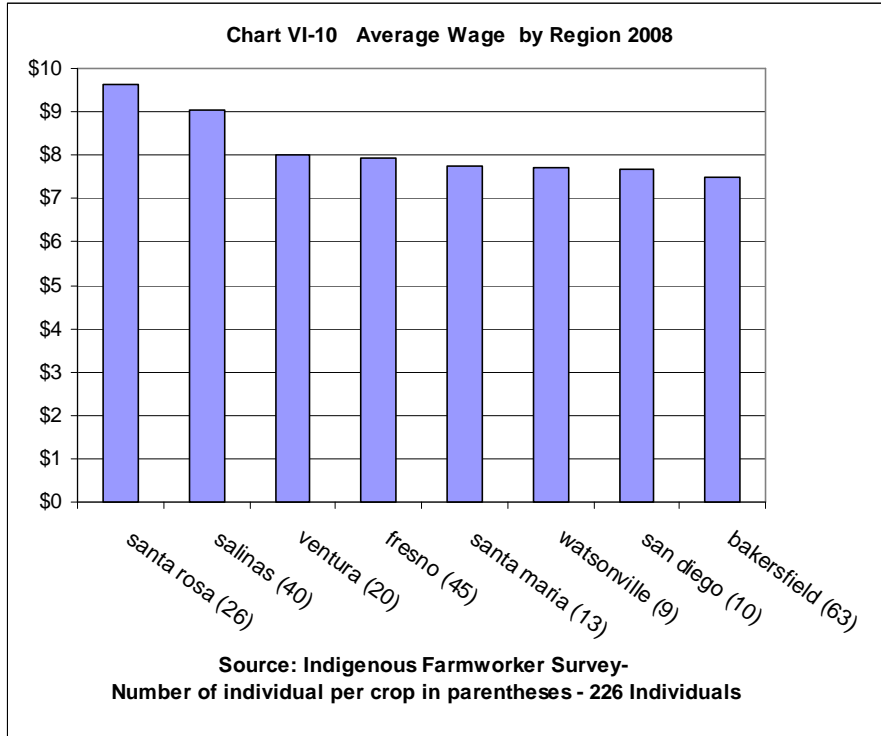
There are significant differences in wage levels among different crops and regions of California. The three main crop activities of ICS respondents were vegetables, grapes and field fruit (mostly strawberries). Vegetables and grape workers reported earning slightly above minimum wages on average, while field fruit (mostly strawberries) and

¹¹ Women are paid less in the Indigenous Community Survey sample; see discussion below.

other crops (citrus and tree fruit) workers reported an average below the \$8.00 per hour minimum (see Chart VI-9).



These higher wages by crop reflect regional differences. In Santa Rosa, indigenous workers have benefitted from the relatively high hourly wages in the local grape industry; and in Salinas workers have on average earned above the minimum because of the relatively high hourly wage paid in the vegetable industry. In all other areas, the average wage was at or below the minimum (see Chart VI-10, below). In general, workers in Santa Maria, Oxnard, and Watsonville worked in the relatively low wage strawberry industry. In San Diego, workers worked in the low-wage strawberry and tomato crops, while in Bakersfield and Fresno grapes predominate. Finally, the wages of workers also varied a small amount by hometown network but the main difference again appears to be related not to the maturity of the network but to the California region where the workers lived. In fact, the two networks with better hourly wages (Santa Cruz Río Venado and Cerro de Aire) are relatively new, unsettled networks. That the former works in vegetables in Salinas and the latter in grapes in Santa Rosa appears to explain the moderately higher hourly wages received.

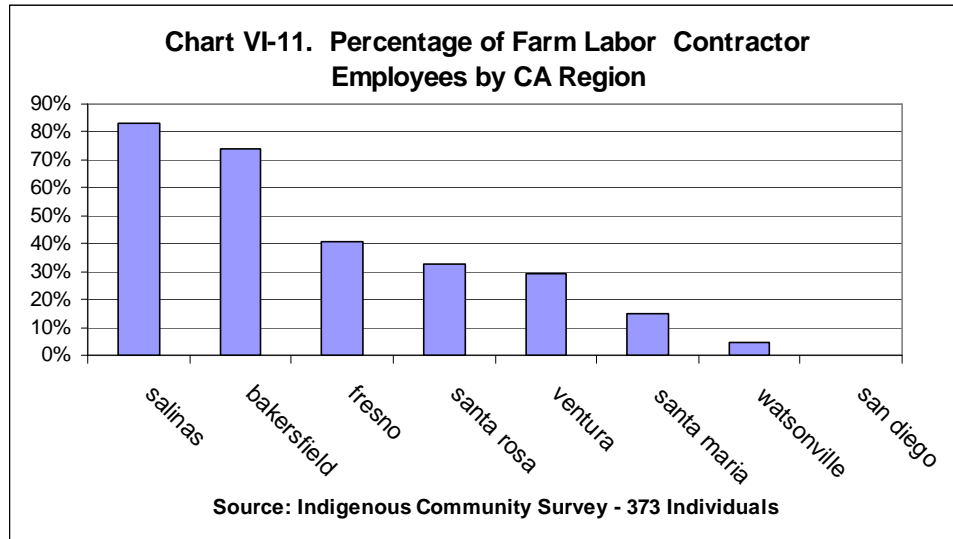


VI-5 Poor working conditions independent of wage levels:

Next, we try to place the wage information in a larger context by incorporating working conditions into our discussion for the various groups of indigenous farmworkers. Above, we saw that wage levels were low and fairly uniform across most differences in the population. The same finding can be reported for uniformly poor working conditions across the regions.

In the survey research, we have four ways to judge the working conditions of indigenous farmworkers. These are: (1) the extent to which they work for farm labor contractors (FLC); (2) the proportion that works on a piece rate rather than hourly basis; (3) the proportion that pay for their equipment; and, finally, (4) the proportion that pays for rides. On all four of these measures, the indigenous worker respondents in the Indigenous Community Survey reported worse conditions than those for the southerners in the NAWS.¹²

¹² This is not surprising since the ICS has 100 percent indigenous workers in its interviewee group, while the southern Mexicans in the NAWS are intermixed with some non-indigenous in the NAWS sample. The comparison between the NAWS and the ICS is only suggestive since no statistical measures are possible.



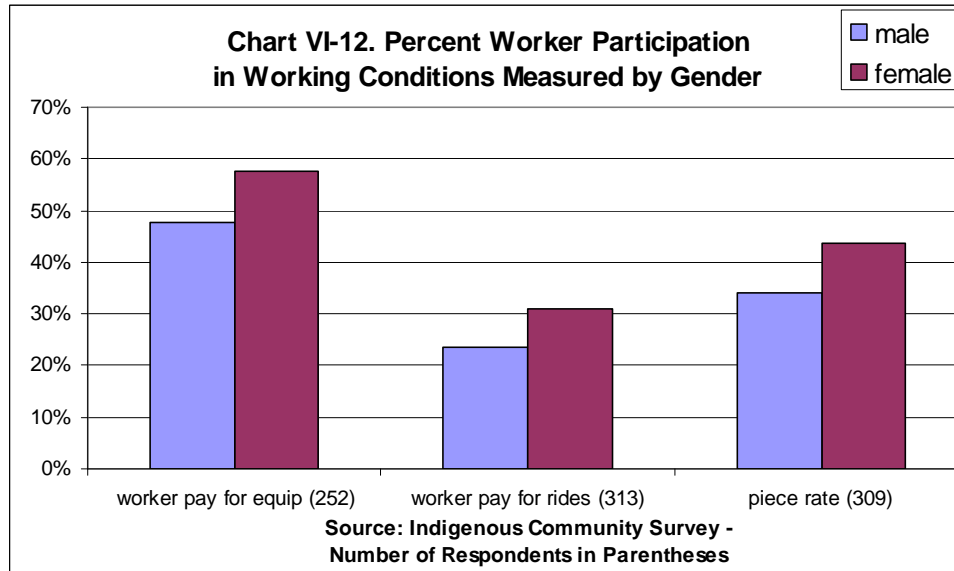
First, there has been a close association in farm labor survey research between farm labor contractors (FLC) and poor working conditions. Measures of poor conditions are highly associated in the National Agricultural Workers Survey and in the Indigenous Community Survey with working for a farm labor contractor. Interestingly, the FLC employees in the Indigenous Community Survey are paid a slightly higher wage (\$8.21 vs. \$8.15) than those working directly for the growers.¹³ However, this equivalence in the wage is often associated with poorer working conditions for the FLC employees. Farm labor contractors in the ICS more often pay by the piece rate than by the hour (45% vs. 30%); they more often charge their workers for equipment (63% vs. 40%); and FLC employees more often pay for rides than those working for a grower (31% vs. 21%). However, there does not seem to be any systematic relationship between lower wages and the use of FLCs. For example, when we look at the two higher paying regions for the indigenous workers in the study, we see that Santa Rosa has a moderate amount of FLC employees (35%) while Salinas has the most (90%)—see Chart VI-11 above.¹⁴

Although the sample is very small, the women in the ICS seem to earn less and be more poorly treated than men. First, there is a significant advantage in wages for men over women.¹⁵ Well over half the women earned below the minimum while only about one quarter of the men did. They also appear (recall the small sample) to suffer from worse working conditions. Compared to men, they pay more often for their equipment (58% vs. 48%), they pay more often for rides (31% vs. 24%), and more of the women than the men are paid by the piece rather than by the hour (44% vs. 34%)-see Chart VI-12, below.

¹³ In the NAWS as well, for workers from the South of Mexico for the 2006 to 2008 period, there is virtually no difference in wages between FLC and grower employees.

¹⁴ Chart VI-11 only has data on 8 California regions where the ICS took place. Data from the Count of Hometown Networks gathered data on 12 California regions.

¹⁵ In the NAWS, which has very large randomly selected sample, there is very little difference in wages paid to men and women among southerners in the 2006-2008 period.



In sum, although it can be shown that two regions—Santa Rosa and Salinas—pay higher (although still low) wages to indigenous farmworkers, the working conditions in these and other areas are uniformly poor. A slightly higher wage may reflect a sped-up piece-rate-based work environment rather than better conditions for the workers. Finally, it is interesting that no systematic better working conditions can be attributed to the older networks as compared to the newer ones. Again, although longevity is associated with better living standards and employment opportunities for the individual member of a network, an improved situation in the farm workplace for the whole network is not easy to demonstrate.

VI-6 Worker complaints:

The workers in the ICS were asked if they would like to make a legal demand regarding the complaints that they have against employers, landlords or others. Of the 400 respondents 59 voiced a specific understandable complaint that had been bothering them. Three regions—Bakersfield, Salinas and Santa Maria—had 85% of the complaints, and just three of the nine hometown networks—Santa Cruz Rio Venado, San Martín Peras and Santa María Teposlantongo—had 90% of the complaints.

Well over half the legal complaints were related directly to the work site (see the first three rows in Table VI-1, below). The biggest complaint was non-payment of wages or being underpaid relative to what the employer had promised before the work (27%). Several workers complained that the foremen would dock them pay without explanation, or would undercount the boxes (in strawberries) or pounds (in peas) in order to underpay the workers. Another 19% complained about the working conditions. The workers often mentioned foremen that yelled at the workers or did not provide water or bathrooms in the fields. Three of the workers working in peas in 2008 in Greenfield actually participated in a union campaign to stop the abuses. Another common complaint was having their injuries ignored or their doctors' bills unpaid by the responsible employer

(12%). Several said that foremen refused to take them to the doctor after an injury. Apart from the workplace, the most common complaint stemmed from an inability to make themselves understood by authority figures in California (25%). The workers complained of accidents that could not be resolved and of fraud they had suffered that they could not find help for. One 27-year-old Mixteco man in Bakersfield said that his cellular company cheated him but he could not communicate with the company and gave up. Another 47-year-old Mixteco man in Oxnard complained that a money transfer company sent money for him that never reached the destination. He could not recover his money. A related problem is outright discrimination due to the inability to speak Spanish well (7%). One 60-year-old Triqui-speaking woman in Greenfield complained that the foreman waved her off pretending like he didn't understand her when she complained in broken Spanish that he was undercounting her pounds picked. Another 54-year-old Triqui in Santa Rosa complained that other workers and foremen made fun of his Spanish language skills humiliating him in front of other workers. Finally, five percent complained about abusive landlords that refused to return deposits.

Table VI-1. Legal Complaints by Workers	
Type of complaint	Percent
bad working conditions	18.6%
underpaid or no pay	27.1%
Foremen ignored injury or employer didn't pay doctor bills	11.9%
unable to defend oneself with authorities	25.4%
abuse by landlord	5.1%
language or discrimination	6.8%
other	5.1%
Source: Indigenous Community Survey -- 59 Complaints	

The interviewees were asked if they knew of indigenous people being helped by legal services and 23 percent said that they had heard of such a case.¹⁶ Interestingly, those who had heard of cases in which legal services had helped were less likely to report abuses by employers such as paying for rides.¹⁷

¹⁶ It should be noted that half of the interviewees were California Rural Legal Assistance outreach workers asking about their own services.

¹⁷ Since the federal agency, the Legal Services Corporation, which is an important source of funds for California Rural Legal Assistance, has strict rules to exclude undocumented workers from legal protections, it is not surprising that most indigenous workers are unaware of their legal rights.