

THE WHITE HOUSE

WASHINGTON

April 5, 1967

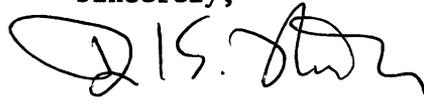
Dear Dr. Garcia:

We have enclosed some material which may be of interest to you:

1. A copy of Senator Harrison Williams' Subcommittee on Migratory Labor's annual report.
2. A staff paper indicating the location, state by state, of resident aliens born in Mexico.
3. A staff analysis of the President's Poverty Message. This is for your use and not for reproduction.
4. A reference manual, in Spanish, on the new minimum wage law amendments.
5. A listing of OEO-financed projects for the migrants.

We can supply limited numbers of additional copies of most of this material, so let us know your needs.

Sincerely,



David S. North

Dr. Hector P. Garcia  
1315 Bright Avenue  
Corpus Christi, Texas 78405

Enclosures

## MEXICAN ALIEN IMMIGRANTS RESIDING IN THE UNITED STATES

The definition of the Mexican Resident Alien Population used here includes all Mexican nationals admitted to this nation on a permanent basis, i.e., green card holders. Covered in this group are the 40,000 to 50,000 green card commuters (who register in cities along the border). Not included are braceros, illegal immigrants, visitors, tourists, and representatives of the Mexican Government.

Mexican immigrants form the largest groups of resident aliens in the United States. In 1966, of the 3,088,133 resident aliens, one of five was Mexican. The great majority live in the southwestern border states; California and Texas contain over 80% of the Mexican immigrants.

The annual alien address registration statistics of the Immigration and Naturalization Service (see table attached) indicated that the total Mexican alien immigrant population has increased dramatically from about 424,000 in 1956 to about 646,000 in 1966. However, for 1965 and 1966 the rate of increase has declined. This was due, in part, to the "labor certification" program regulations administered by the Department of Labor. Under this program alien workers are admitted as immigrants only when domestic workers are not available to fill existing job vacancies. Furthermore, the wages and working conditions of the jobs must be up to acceptable standards. The program first went into effect July 1, 1963. Its results were not immediately apparent because of aliens already issued visas who had not yet arrived in the United States.

During the past 11 years great shifts occurred in the distribution of the Mexican alien population. In 1956, the greatest number of them were living in Texas -- 205,000 or 48% of the U. S. total. California ranked second with 141,000 immigrants, 33%. By 1966, the Mexican alien immigrant population of California had increased by 131% to a total of 326,000 which constitutes 51% of the U. S. total. For the same period the Mexican immigrant population of Texas dropped to 31% of the total (199,000).

March 29, 1967

**MANUAL DE REFERENCIA**  
Sobre La  
**LEY DE NORMAS RAZONABLES DE**  
**TRABAJO**  
Segun Enmendada en 1966



**DEPARTAMENTO DE TRABAJO DE LOS ESTADOS UNIDOS**  
**W. Willard Wirtz, Secretario**  
Division de Horas y Salarios y Contratos Publicos  
Clarence T. Lundquist, *Administrador*

Este manual contiene información general en relación con la aplicabilidad de la Ley de Normas Razonables de Trabajo, según enmendada en 1966. Esta información no deberá ser considerada a la misma luz que las declaraciones contenidas en los Reglamentos, Boletines Interpretativos y otras publicaciones que exponen las determinaciones oficiales de la División y que son publicadas en el "Federal Register." Copias de estas publicaciones pueden ser obtenidas gratuitamente de la oficina más cercana de la División de Horas y Salarios. Una lista de las oficinas aparece en las páginas 15 y 16.

## INDICE

	Página
La Ley de Normas Razonables de Trabajo y las Enmiendas de 1966.....	1
Normas Basicas de Horas y Salarios.....	1
Normas de Horas y Salarios Para Empleo Cubierto por Primera Vez.....	2
Empleo Cubierto Anteriormente.....	2
Empleo Cubierto por Primera Vez a Partir del 1ro. de Febrero de 1967.....	4
Empleo Anteriormente Cubierto y Cubierto por Primera Vez en la Misma Empresa.....	5
Empresa.....	6
Exenciones.....	6
Exenciones de las Disposiciones Sobre Salario Mínimo y Tiempo Extra.....	7
Exenciones de los Requisitos Sobre Tiempo Extra Solamente.....	7
Exenciones Parciales de los Requisitos Sobre Tiempo Extra.....	8
Como Computar la Compensación por Tiempo Extra.....	8
Que es la "Semana de Trabajo".....	10
Lo que Significa "Horas Trabajadas".....	11
Propinas y Facilidades Suplidas por el Patrono.....	11
Disposiciones Especiales.....	11
Disposiciones de Paga Igual.....	11
Disposiciones Sobre el Empleo de Menores.....	12
Records.....	13
Algunos Comentarios.....	13
Ejecución de la Ley.....	14
Se Provee Ayuda.....	14
Donde se Puede Obtener Información.....	15

## LA LEY DE NORMAS RAZONABLES DE TRABAJO Y LAS ENMIENDAS DE 1966

La Ley de Normas Razonables de Trabajo de 1938, según enmendada, establece normas de salario mínimo, número máximo de horas, paga por tiempo extra, paga igual, y trabajo de menores para empleo cubierto, salvo cuando se aplica una exención.

A partir del 1ro. de febrero de 1967, las Enmiendas de 1966 a la Ley de Normas Razonables de Trabajo hicieron extensiva la aplicabilidad de la Ley a un número adicional de empleados y aumentaron el salario mínimo para empleo ya cubierto por la Ley. Con anterioridad a las enmiendas se aplicaba la Ley, como se aplica aún, a empleados individualmente dedicados al comercio interestatal o con el extranjero o a la producción de artículos para tal comercio, y a empleados en ciertas empresas grandes (indicadas en este manual como empleo "anteriormente cubierto", y que se discute en las páginas 2, 3 y 4.)

La extensión de la aplicabilidad de la Ley en virtud de las enmiendas de 1966 se consiguió mediante la ampliación de la definición del término "una empresa cubierta". Además, algunas exenciones fueron revisadas o eliminadas.

Entre otros cambios, más empresas de ventas y servicios al por menor quedaron cubiertas por la Ley. Por primera vez se hicieron extensivas las normas de la Ley, total o parcialmente, a empleados en ciertos hoteles, moteles y restaurantes, en hospitales y hogares de cuidado, y en escuelas. Ciertos empleados agrícolas quedaron sujetos a los requisitos sobre salario mínimo. Para una discusión más amplia sobre empleo "cubierto por primera vez", véase las páginas 4 y 5.

Las normas sobre salario mínimo y tiempo extra para empleo "cubierto por primera vez" difieren, durante los períodos limitados especificados en la Ley, de las normas correspondientes que se aplican al trabajo cubierto por la Ley antes del 1ro. de febrero de 1967.

### NORMAS BASICAS DE HORAS Y SALARIOS

Salvo que estén específicamente exentos, los empleados dedicados a trabajo cubierto anteriormente por la Ley deberán ser remunerados a razón de no menos de la escala siguiente:

**Salario Mínimo.**—\$1.40 la hora, a partir del 1ro. de febrero de 1967; \$1.60 la hora, a partir del 1ro. de febrero de 1968.

**Tiempo Extra.**—Vez y media el salario regular por hora del empleado por cada hora trabajada en exceso de 40 en una semana de trabajo.

## NORMAS DE HORAS Y SALARIOS PARA EMPLEO CUBIERTO POR PRIMERA VEZ

Salvo que estén específicamente exentos, los empleados dedicados a trabajos que quedaron cubiertos por las enmiendas de 1966 deberán ser remunerados a razón de no menos de la escala siguiente:

**Salario Mínimo para Trabajo No Agrícola.**—\$1.00 la hora a partir del 1ro de febrero de 1967; \$1.15 la hora a partir del 1ro de febrero de 1968; \$1.30 la hora a partir del 1ro de febrero de 1969; \$1.45 la hora a partir del 1ro de febrero de 1970; \$1.60 la hora a partir del 1ro de febrero de 1971.

**Paga por Tiempo Extra para Trabajo No Agrícola.**—Se requiere el pago de vez y media el salario regular del empleado por cada hora trabajada en exceso de: 44 horas en una semana de trabajo, a partir del 1ro de febrero de 1967; 42 horas en una semana de trabajo, a partir del 1ro de febrero de 1968; 40 horas en una semana de trabajo, a partir del 1ro de febrero de 1969.

Los empleados de hogares de cuidado, casas de convalecencia y establecimientos de bolear deberán recibir compensación adicional a razón de una vez y media su salario regular por hora por cada hora trabajada en exceso de 48 en cualquier semana de trabajo.

Una disposición especial permite a los hospitales adoptar un período de trabajo de 14 días en vez de la semana de trabajo usual de 7 días, siempre y cuando se le pague al empleado no menos de vez y media su salario regular por hora por cada hora trabajada en exceso de 8 en cualquier día de trabajo y en exceso de 80 en el período de 14 días.

**Salario Mínimo para Trabajo Agrícola.**—\$1.00 la hora a partir del 1ro de febrero de 1967; \$1.15 la hora a partir del 1ro de febrero de 1968; \$1.30 la hora a partir del 1ro de febrero de 1969.

Las disposiciones sobre tiempo extra NO son aplicables a trabajo agrícola.

## EMPLEO CUBIERTO ANTERIORMENTE

Los empleados que estaban cubiertos por la Ley con anterioridad a las enmiendas de 1966 continúan cubiertos bajo la Ley enmendada. Esto incluye (A) empleados dedicados individualmente al comercio interestatal o con el extranjero, (B) empleados dedicados individualmente a la producción de artículos para el comercio interestatal o con el extranjero, y (C) todos los empleados en ciertas empresas grandes.

A. Empleados dedicados al comercio interestatal o con el extranjero: Estos incluyen a trabajadores de empresas de teléfono, telegrafo, radio, televisión, y transportación; aquellos que construyen, conservan y reparan carreteras, ferrocarriles y aeropuertos, o dan servicio a vehículos o equipo que es usado en el comercio interestatal; empleados de industrias distributivas, tales como mayoristas, que

manipulan artículos que se transportan en el comercio interestatal así como trabajadores que ordenan, reciben o llevan récords de tales artículos, oficinistas y otros empleados que regularmente usan el correo, el teléfono o el telégrafo en la comunicación interestatal, empleados de negocios tales como bancos, compañías de seguro y agencias de publicidad, que regularmente utilizan las vías de comercio interestatal en el curso de sus actividades; y empleados que regularmente viajan a través de las fronteras estatales mientras trabajan.

B. Empleados dedicados a la producción de artículos para el comercio interestatal o con el extranjero: Incluye empleados que trabajan en establecimientos de manufactura, elaboración y distribución, y en minas, campos de petróleo, y canteras que producen artículos para el comercio interestatal o con el extranjero. Esto abarca a todo el personal, incluyendo empleados de oficina, administración, ventas y embarques, y empleados de conservación, vigilancia y protección, que estén empleados ya sea por el productor o por un intermediario. Un empleado puede estar cubierto aún cuando su patrono no embarque directamente sus productos en tal comercio. Los productos pueden salir del estado por mediación de otra firma. Pudiera ser que los trabajadores elaboren productos que formen parte o sean un ingrediente de productos que se transporten en el comercio interestatal o con el extranjero por otra firma. También están cubiertos los trabajadores dedicados a cualquier proceso estrechamente relacionado con, u ocupación directamente esencial a, la producción de dichos artículos. Su patrono puede suministrar facilidades tales como maquinaria, combustible, o servicios a firmas que produzcan artículos para el comercio interestatal o se dediquen al mismo.

C. Empleados que trabajan en las siguientes empresas si:

(1) En las actividades de la empresa hay empleados dedicados al comercio interestatal o con el extranjero o a la producción de artículos para el comercio interestatal o con el extranjero, incluyendo empleados que manipulan, venden o de otro modo trabajan en artículos que se han movido o han sido producidos para tal comercio por cualquier persona, y si—

(2) tal empresa es una que—

(i) tiene uno o más establecimientos de ventas o servicios al por menor y un volumen bruto anual de ventar de \$1 millón\* o más, y obtiene anualmente para la reventa artículos por valor de no menos de \$250,000 que se mueven a través de las fronteras estatales, o

(ii) se dedica al negocio de construcción o reconstrucción y tiene un volumen bruto anual de negocio de \$350,000 o más, o

---

\*Quedan excluidos los arbitrios en ventas al por menor que se consignan separadamente.

(iii) es un establecimiento de servicio de gasolina que tiene un volumen bruto anual de ventas de \$250,000\* o más, y

(iv) se dedica a operaciones de transportación urbana o interurbana y tiene un volumen bruto anual de ventas de \$1 millón\* o más, o

(v) es un establecimiento de cualquiera otra empresa de esa índole, donde hay empleados dedicados al comercio interestatal o con el extranjero o a la producción de artículos para tal comercio y la empresa tiene un volumen bruto anual de ventas de \$1 millón o más.

La Ley dispone que ninguna de las empresas arriba descritas incluirá establecimiento alguno que tenga como únicos empleados al dueño, su esposa, padres, o hijos.

### **EMPLEO CUBIERTO POR PRIMERA VEZ—A PARTIR DEL 1RO. DE FEBRERO DE 1967**

Las enmiendas de 1966 extendieron la aplicabilidad de la Ley al incluir empleados de empresas adicionales, haciendo le Ley extensiva también a otros empleados al revocar o revisar determinadas exenciones. El empleo que quedó así cubierto por las disposiciones sobre salario mínimo en virtud de las enmiendas es "empleo cubierto por primera vez". Por lo tanto, para los efectos de determinar si un empleado está "cubierto por primera vez", deberá considerarse la Ley antes de las enmiendas de 1966 a la luz de los cambios introducidos por las enmiendas de 1966

(A) Personas empleadas en las empresas indicadas más adelante están cubiertas por la Ley a partir del 1ro de febrero de 1967 en virtud de las enmiendas de 1966, si—

(1) en las actividades de la empresa hay empleados dedicados al comercio interestatal o con el extranjero o a la producción de artículos para el comercio interestatal o con el extranjero, incluyendo empleados que manejan, venden, o de otra forma trabajan en productos que han sido transportados en las vías del comercio interestatal o extranjero o producidos para tal comercio por cualquier persona, y si—

(2) tal empresa es una que—

(i) tiene un volumen bruto anual de ventas o de negocio, excluyendo ciertos arbitrios, de por lo menos \$500,000 (\$250,000 a partir del 1ro de febrero de 1969), o

(ii) se dedica al negocio de construcción o reconstrucción (no importa el volumen de negocio), o

(iii) se dedica al lavado y limpieza de ropa, o reparación de ropa o telas (no importa el volumen de negocio), o

---

\* Quedan excluidos los arbitrios en ventas al por menor que se conrignan separadamente

(iv) se dedica a la operación de un hospital (excepto un hospital del Gobierno Federal), hogar de cuidado, o escuela (ya sea pública, privada, o con fines no pecuniarios y sin tomar en consideración el volumen de negocio).

La Ley dispone que ninguna de las empresas descritas arriba incluirá establecimiento alguno que tenga como únicos empleados al dueño, su esposa, padres, o hijos, o cualquier otro miembro de la familia inmediata del dueño.

(B) Como resultado de la eliminación o revisión de varias exenciones, las exenciones para empleados de hoteles, moteles, y restaurantes y otros establecimientos de ventas o servicios al por menor han cambiado. Además, los empleados de compañías de taxímetros y compañías de transportación adicionales han quedado sujetos al salario mínimo.

Las disposiciones sobre salario mínimo han sido extendidas a ciertos trabajadores agrícolas, a empleados de elevadores de campo en el "área de producción", a desmotadores de algodón, y a ciertos empleados en la transportación de frutas y vegetales. La exención de salario mínimo y tiempo extra para empleados que manejan y elaboran productos agrícolas en el "área de producción" ha sido revocada. Las exenciones de paga por tiempo extra aplicables a ciertos otros empleados de elaboración en la agricultura han sido eliminados o revisadas. Ahora hay más empleados de cuadrilla en la industria de aserraderos sujetos a los requisitos de salario mínimo y tiempo extra de la Ley. El número de horas sobre el cual se requiere el pago de tiempo extra en industrias estacionales ha sido reducido.

### **EMPLEO CUBIERTO ANTERIORMENTE Y CUBIERTO POR PRIMERA VEZ EN LA MISMA EMPRESA**

Es posible que haya empleados anteriormente cubiertos y empleados cubiertos por primera vez en virtud de las enmiendas de 1966 trabajando en la misma empresa. Por ejemplo, los empleados del almacén central y de la oficina central de una cadena de tiendas al por menor con un volumen bruto anual de ventas entre \$500,000 y \$1 millón estaban cubiertos anteriormente por la Ley deberán recibir no menos de \$1.40 la hora a partir del 1ro. de febrero de 1967 y \$1.60 la hora a partir del 1ro. de febrero de 1968, y pago por tiempo extra después de 40 horas en una semana de trabajo. Sin embargo, a los empleados de una de las tiendas individuales con un volumen anual de negocio de por lo menos \$250,000 en tal cadena de tiendas deberá pagárseles de acuerdo con lo establecido para empleo cubierto por primera vez, según se indica en la página 2, comenzando con un mínimo de \$1.00 la hora y tiempo extra después de 44 horas, a partir del 1ro. de febrero de 1967.

## EMPRESA

Una empresa se define en la Ley como las actividades relacionadas entre sí, llevadas a cabo, ya sea mediante operación unificada o control común, por cualquier persona o personas con un propósito común de lucro. La empresa incluye todas estas actividades, ya sean llevadas a cabo en uno o más establecimientos o por una o más unidades corporativas u organizacionales. Siendo así, cuando existe operación unificada o control común de actividades relacionadas llevadas a cabo con un propósito común de lucro en departamentos de un establecimiento operado mediante arrendamiento, las actividades llevadas a cabo en el departamento arrendado están incluídas en la empresa. Por otro lado, las actividades relacionadas llevadas a cabo para la empresa por un contratista particular no están así incluídas.

Cuando se puede determinar que la empresa consiste solamente de las actividades de un establecimiento particular de ventas o servicios al detal, la Ley provee algunas reglas especiales. Si dicho establecimiento opera como propiedad independiente, no se considerará que al ser así operado o controlado pierde su carácter de empresa separada o distinta por el mero hecho de que su sitio de negocio y los locales separados ocupados por otros establecimientos de ventas o servicios al detal han sido alquilados del mismo dueño. Tampoco tendrá este efecto el mero hecho de que exista un arreglo de venta, o de vender únicamente los artículos especificados de un fabricante, distribuidor o propagandista en particular, o el unirse a otros establecimientos semejantes en la misma industria con fines de comprar colectivamente, o de tener el derecho exclusivo de vender los artículos o usar la marca de fábrica de un fabricante, distribuidor o propagandista dentro de un área especificada.

Las enmiendas de 1966 modificaron la definición de "empresa" con el fin de hacer claro que las actividades de los siguientes establecimientos son llevadas a cabo "con un propósito común de lucro" según el texto de la Ley: hospitales (excluyendo hospitales del Gobierno Federal), e instituciones dedicadas principalmente al cuidado de ancianos, personas mentalmente enfermas o incapacitadas que residen en el local; escuelas elementales y de nivel secundario, escuelas para niños superdotados o incapacitados, e instituciones educacionales de niveles más altos; además, tranvías, ferrocarriles suburbanos e interurbanos, y trolebuses locales o guaguas de pasajeros, si los precios y servicios de tales sistemas están sujetos a reglamentación por una agencia estatal o local. La aplicabilidad de la Ley a tales empresas no depende de que sea pública o privada, o que sea operada con fines pecuniarios o no pecuniarios.

## EXENCIONES

Algunos empleados que de otra manera tendrían derecho a los beneficios de la Ley están excluídos de las disposiciones de salario

mínimo o pago por tiempo extra, o ambas, en virtud de exenciones específicas. Estas exenciones se aplican únicamente en aquellos casos que se ajustan específicamente a los términos y condiciones de la exención. Los patronos deberán verificar cuidadosamente los términos y condiciones de cualquier exención que intenten utilizar. La lista a continuación indica y se limita a algunos tipos de exenciones contenidos en la Ley y no especifica sus condiciones. Cualquier información sobre exenciones específicas podrá obtenerse en la oficina más cercana de la División.

## **LAS EXENCIONES DE LAS DISPOSICIONES DE SALARIO MINIMO Y TIEMPO EXTRA INCLUYEN LOS SIGUIENTES:**

Empleados ejecutivos, administrativos, y profesionales (incluyendo maestros y personal docente administrativo en escuelas elementales y secundarias), y vendedores viajantes, según los definen los reglamentos del Secretario.

Empleados de un establecimiento de ventas o servicios al por menor que efectúa la mayor parte de sus ventas dentro del estado y no está dentro de una empresa cubierta por la Ley o tiene un volumen menor de \$250,000 en ventas anuales (excluyendo arbitrios especificados). Los hospitales, hogares de cuidado, lavanderías, establecimientos de limpieza de ropa a vapor, y escuelas, que están cubiertos por la Ley, no llenan los requisitos de esta exención.

Empleados de ciertos establecimientos estacionales de entretenimiento o diversión, de cines, de ciertos periódicos de pequeña circulación; operadores de cuadros telefónicos que tengan menos de 750 teléfonos; marineros que trabajan en buques que no son de matrícula americana; criadores de peces y pescadores;

Ciertos trabajadores agrícolas que trabajan para un patrono que no utilizó más de 500 días-hombre de labor agrícola en un trimestre natural del año natural anterior; empleados dedicados a ciertas operaciones relacionadas con determinados productos de agricultura y horticultura; y empleados en operaciones de silvicultura y aserradero en pequeña escala.

## **LOS SIGUIENTES ESTAN INCLUIDOS EN LAS EXENCIONES DE PAGO POR TIEMPO EXTRA SOLAMENTE**

Empleados de hoteles, moteles, restaurantes; empleados de establecimientos de ventas y servicios al por menor que se emplean principalmente en actividades relacionadas con ciertos servicios de comida o bebidas;

Ciertos empleados de paga alta a comisión en establecimientos de ventas y servicios al por menor; dependientes, mecánicos y vendedores de piezas dedicados principalmente a la venta y servicio de automóviles, camiones, remolques, implementos agrícolas o equipo de aviación empleados por establecimientos no manufactureros

dedicados principalmente al negocio de venta tales vehículos a compradores que no los compran para la reventa;

Empleados de ferrocarriles, cañerías, y porteadores aéreos cubiertos por ciertos estatutos determinados; operadores de sistemas de transportación urbana e interurbana; conductores de taxímetros; marineros en buques de matrícula americana; ciertos empleados de porteadores públicos de motor; y conductores en vehículos dedicados a entregas locales que son pagados por viaje o mediante otro plan de pago por entregas que llene ciertas condiciones estipuladas;

Empleados dedicados a enlatar, elaborar, almacenar, mercadear y distribuir productos acuáticos;

Anunciadores, redactores de noticias y primeros ingenieros de ciertas emisoras situadas fuera de las áreas metropolitanas.

## **EXENCIONES PARCIALES DE LAS DISPOSICIONES DE PAGO POR TIEMPO EXTRA**

Hay exenciones parciales de las disposiciones de pago por tiempo extra durante ciertos períodos para empleados en industrias consideradas estacionales por el Administrador; para ciertas operaciones en productos agrícolas; y para empleados de ciertos distribuidores de petróleo al por mayor o a granel cuyas ventas brutas anuales (excluyendo ciertos arbitrios) son menores de \$1 millón. Además hay una exención limitada sobre tiempo extra para empleados de instituciones dedicadas principalmente al cuidado de enfermos, ancianos, y personas mentalmente enfermas que residan en la propiedad; y establecimientos de boleo.

## **COMO COMPUTAR EL PAGO POR TIEMPO EXTRA**

Deberá pagarse remuneración adicional por tiempo extra por cada hora trabajada en exceso de la semana máxima de trabajo aplicable al tipo de empleo a que se dedica el empleado. El pago por tiempo extra deberá hacerse a razón de no menos de una vez y media el tipo corriente de remuneración que devenga el empleado.

El "tipo corriente de remuneración" puede ser más alto que el salario mínimo, pero no puede ser menor. Con excepción de ciertos pagos especificados en el Artículo 7(e) de la Ley, el tipo corriente de remuneración de un empleado incluye todos los pagos hechos por el patrono al empleado o a favor del empleado. Asumiendo que el empleado no reciba otra compensación que la mencionada, he aquí algunos casos típicos dados a manera de ejemplo, basados únicamente en una semana máxima de trabajo de 40 horas:

- 1. Pago por hora.**—El tipo corriente de remuneración de un empleado a quien se paga por hora es su tipo por hora. Cuando su semana de trabajo excede 40 horas, tiene derecho a vez y media su tipo corriente por cada hora en exceso de 40.

*Ejemplo:* Un empleado recibe \$1.60 la hora, y ese es su tipo

corriente. Si trabajara 44 horas en una semana, tendría derecho a vez y media \$1.60, o sea \$2.40 por cada hora en exceso de 40. Debería recibir por esa semana \$64 por las primeras 40 horas más \$9.60 por las 4 horas adicionales, o un total de \$73.60.

- 2. Pago por pieza.**—El tipo corriente para un empleado que trabaja por pieza se obtiene dividiendo el total ganado en la semana por el número total de horas trabajadas en esa semana. El empleado tiene derecho al pago de la mitad de este tipo corriente por cada hora en exceso de 40, además de sus ganancias completas por su trabajo por pieza.

*Ejemplo:* Un empleado trabaja a base de paga por pieza. Cuando trabajó 45 horas en una semana se ganó \$81.00. Su tipo corriente de remuneración para esa semana fué \$1.80 (\$81.00 dividido por 45). Además de su tipo corriente, debe recibir 90 centavos (la mitad de su tipo corriente) por cada hora en exceso de 40, o cinco veces 90 centavos por las cinco horas adicionales. Estos \$4.50 de compensación adicional aumentaron sus ganancias a un total de \$85.50.

Otro método de compensar a los trabajadores por pieza por el tiempo extra,—cuando se acuerda por anticipado—es pagándoles una vez y media el precio por pieza por cada pieza producida durante el tiempo extra. El precio por pieza debe ser el que en efecto se paga durante horas que no constituyen tiempo extra y debe ser lo suficiente para cubrir no menos del salario mínimo por hora.

*Ejemplo:* Un empleado gana 8 centavos por pieza. En una semana en que trabajó 43 horas, ganó \$68.40 por las primeras 40 horas a este precio. Su paga fué una vez y media el precio por pieza, o sea, 12 centavos por pieza producida en las horas extras. Asumiendo que produjo 65 piezas durante el tiempo extra, tenía derecho al pago de \$7.80 (65 veces 12 centavos) como compensación por tiempo extra. Por lo tanto, ganó un total de \$76.20 en la semana.

- 3. Sueldos.**—El tipo corriente para un empleado a quien se le paga un sueldo por un número regular o especificado de horas a la semana se computa dividiendo el sueldo por las horas trabajadas.

*Ejemplo:* Un empleado gana un sueldo de \$80 por una semana de trabajo de 40 horas. Su tipo corriente de pago es \$80 dividido por 40 horas, o \$2.00 la hora. Cuando trabaja tiempo extra tendrá derecho a una vez y media \$2, o \$3 por cada hora en exceso de 40.

Si bajo el convenio de empleo se paga un sueldo como remuneración sencilla, suficiente para cumplir con los requisitos de salario mínimo en cada semana de trabajo por cualquier

número de horas que se trabaje en una semana de trabajo, el tipo regular de salario se computa dividiendo el sueldo por las horas trabajadas cada semana. Las horas de trabajo de un empleado varían cada semana. Pero el convenio con el patrono dispone que ganará \$100 a la semana por cualquier número de horas que sea necesario. La semana de trabajo del mayor número de horas jamás trabajada por él es de 62. Bajo este plan de pago, su tipo corriente variará cuando trabaje tiempo extra. Si trabaja 50 horas, su tipo regular es \$2 la hora (\$100 dividido por 50 horas). Además de su sueldo, tiene derecho a la mitad de su tipo regular, o sea \$1 por cada una de las 10 horas extras, o un total de \$110 por la semana. Si trabaja 55 horas, su tipo regular será de \$1.82 la hora (\$100 dividido por 55). En ese caso se le adeudarán 91 centavos adicionales por cada una de las 15 horas extras de trabajo (\$13.65 o un total de \$113.65 por la semana).

Si se paga un sueldo sobre otra base que no sea por semana, deberá determinarse la paga semanal para computar el tipo corriente y la remuneración por tiempo extra. Si el sueldo es quincenal, deberá multiplicarse por 24 y dividir el producto por 52 para obtener el equivalente semanal. Un sueldo mensual debe multiplicarse por 12 y dividir el producto por 52.

La Ley provee algunos métodos alternativos para el cómputo de la remuneración por tiempo extra. Estos métodos aparecen en el Boletín Interpretativo, Parte 778, titulado "Remuneración por Tiempo Extra", y en el Reglamento Parte 548, sobre "Autorización de Tipos Básicos Establecidos para el Cómputo de Pago por Tiempo Extra."

## QUE ES LA "SEMANA DE TRABAJO"

La semana de trabajo es un período regularmente recurrente de 168 horas constituido por siete períodos consecutivos de 24 horas. La semana de trabajo no tiene que coincidir con la semana natural— puede empezar cualquier día de la semana y a cualquier hora del día. Cada semana de trabajo se considera separadamente. No se puede promediar el empleo durante dos o más semanas al calcular el pago por tiempo extra o el salario mínimo excepto bajo condiciones prescritas en el caso de marineros en buques de matrícula americana y empleados de hospitales. El salario mínimo debe pagarse por todas las horas trabajadas en cada semana de trabajo y la remuneración por tiempo extra debe pagarse por todas las horas trabajadas en exceso de las horas que constituyen la semana máxima de trabajo aplicable a la clase de trabajo a que se dedica el empleado. La aplicabilidad de la Ley y de la mayoría de las exenciones también se determina a base de la semana de trabajo.

## **LO QUE SIGNIFICA "HORAS TRABAJADAS"**

Un empleado sujeto a las disposiciones de la Ley en cualquier semana de trabajo debe ser remunerado de acuerdo con las disposiciones de la misma por todas las horas trabajadas en esa semana de trabajo. En general, "horas trabajadas" incluyen todo el tiempo durante el cual se requiere del empleado que esté presente en el establecimiento de su patrono o en un sitio designado de trabajo, y todo el tiempo durante el cual se le permite o tolera que trabaje para su patrono.

## **PROPINAS Y FACILIDADES SUPLIDAS POR EL PATRONO**

Las propinas recibidas por un empleado pueden ser consideradas como salarios, para los fines de la Ley, en una cantidad no mayor de un 50 por ciento del mínimo aplicable, según lo determine el patrono. Un "empleado gratificado" es una persona que trabaja en una ocupación en la cual normal y regularmente recibe más de \$20 en propinas al mes.

Los salarios incluyen también el costo justo razonable, según lo determine el Administrador, de comidas, vivienda, y otras facilidades usualmente proporcionadas a los empleados por el patrono. Sin embargo, tales costos no son incluidos en los salarios si así está estipulado en un convenio colectivo bona fide aplicable.

## **DISPOSICIONES ESPECIALES**

Salvo que estén específicamente exentos, todos los empleados cubiertos por la Ley deberán recibir no menos del salario mínimo aplicable, aunque los empleados sean remunerados a base de tiempo, pieza, tarea, incentivo, o cualquiera otra forma. Sin embargo, los principiantes (learners), aprendices, mensajeros, trabajadores de capacidad disminuída, y estudiantes regulares en establecimientos de ventas o servicios al por menor o en la agricultura bajo ciertas circunstancias, pueden ser remunerados a razón de salarios menores del mínimo siempre y cuando se obtengan certificados especiales del Administrador de la División de Horas y Salarios. Además, para empleados en Puerto Rico, las Islas Vírgenes, y Samoa Americana, se pueden establecer salarios menores del mínimo reglamentario mediante órdenes de salarios.

## **DISPOSICIONES DE PAGA IGUAL**

La Ley de Normas Razonables de Trabajo, según fué enmendada por la Ley de Paga Igual de 1963, prohíbe a los patronos que se discrimine por motivo de sexo en el pago de salarios por trabajo igual. Las enmiendas sobre paga igual han estado en vigor generalmente desde el 11 de junio de 1964, con un aplazamiento en el caso de ciertos convenios colectivos. El 11 de junio de 1965 la enmienda se hizo aplicable a todos los empleados sujetos a sus términos.

Bajo las disposiciones sobre paga igual, ningún patrono podrá discriminar por motivo de sexo pagando a empleados de un sexo salarios inferiores que los pagados a empleados del sexo opuesto que estén trabajando en el mismo establecimiento y desempeñando igual labor en tareas que requieran la misma destreza, esfuerzo y responsabilidad y que sean realizadas bajo condiciones similares de trabajo. Las disposiciones sobre paga igual se aplican únicamente a empleados que estén cubiertos por la Ley de Normas Razonables de Trabajo y estén sujetos a un salario mínimo bajo la Ley. Estas disposiciones se aplican en cada establecimiento donde haya tales empleados; no se aplican con respecto a ningún empleado que esté específicamente exento de los requisitos sobre salario mínimo.

La Ley contiene una excepción a la prohibición de paga inferior por motivo de sexo en trabajos iguales siempre y cuando se pueda demostrar que la diferencia en paga se basa en un sistema de años de servicio, sistema de méritos, un sistema que mide las ganancias por la cantidad y calidad de la producción, o por cualquier otro factor que no sea el de sexo.

Un patrono que esté pagando un diferencial en salario en violación a las disposiciones sobre paga igual de la Ley no debe reducir el tipo de salario de cualquier empleado con el fin de cumplir con estas disposiciones. La retención de salarios en violación a las disposiciones sobre paga igual tiene el mismo status que salarios o compensación por tiempo extra dejados de pagar bajo la Ley. Estos salarios atrasados adeudados bajo las disposiciones sobre paga igual están sujetos al mismo procedimiento que se sigue para recobrar cualesquiera otros salarios bajo la Ley.

La Ley prohíbe a cualquier organización obrera—o sus agentes—que represente empleados de un patrono que emplee trabajadores sujetos a las disposiciones sobre salario mínimo de la Ley, el causar o tratar de causar que el patrono discrimine contra un empleado en violación de las disposiciones sobre paga igual.

## **DISPOSICIONES SOBRE EL EMPLEO DE MENORES**

La edad mínima para la mayoría de los empleos cubiertos por la Ley es 16 años. Esto incluye el empleo en la agricultura durante horas de clase o en cualquier ocupación en la agricultura declarada peligrosa por el Secretario de Trabajo.

La edad mínima para el empleo en una ocupación no agrícola declarada peligrosa por el Secretario de Trabajo es 18 años.

La edad mínima para el empleo especificado en los Reglamentos del Secretario de Trabajo, que es permitido fuera de horas de clase en una variedad de ocupaciones no manufactureras y no mineras, por un período limitado de horas y bajo condiciones especificadas, es 14 años.

Los patronos pueden protegerse a sí mismos contra infracciones

involuntarias de las disposiciones sobre el empleo de menores, conservando en sus archivos un certificado de edad o de empleo para cada persona joven empleada que demuestre que tiene por lo menos la edad mínima que se requiere para su trabajo. Los certificados de edad o de empleo estatales son aceptados como prueba de edad en 45 estados, el Distrito de Columbia y en Puerto Rico. En Idaho, Misisipí, Carolina del Sur, y en Tejas se expiden certificados federales. En Alaska se han hecho arreglos especiales a este fin.

## RECORDS

Es un requisito llevar ciertos récords. Se exige de los patronos que lleven récords de salarios, horas, y otros datos que se especifican en los reglamentos Parte 516 CFR 29. La mayor parte de la información requerida es la que los patronos acostumbran llevar en el manejo normal de sus negocios y en cumplimiento con otras leyes y reglamentos. No es requisito llevar los récords en forma determinada.

Los récords requeridos para aquellos empleados a quienes se aplican exenciones son distintos a los de los empleados no exentos. Se requieren datos especiales sobre empleados sujetos a formas de pago no comunes o a quienes se les suministra comida, vivienda, u otras comodidades. Los patronos que empleen trabajadores a domicilio deberán hacer ciertas anotaciones en manuales provistos por la División. Los récords con la información requerida deberán ser conservados por tres años. Algunos récords suplementarios, tales como tarjetas de asistencia, talonarios de trabajo por pieza, y récords de órdenes y embarques no tendrán que conservarse por más de dos años. Generalmente son aceptables copias de récords en microfilm.

## ALGUNOS COMENTARIOS

La Ley se aplica igualmente a hombres y mujeres, a trabajadores a domicilio y a empleados de factoría y oficina (en ciertas industrias se requieren certificados expedidos por la División para trabajadores a domicilio) y (excepto con relación a ocupaciones relacionadas con operaciones de aserradero en pequeña escala y elevadores de campo) no importa número de empleados que tenga un patrono o si trabajan una jornada completa o parcial.

La Ley *no* requiere remuneración extra por trabajo en sábado, domingo o días festivos, como tales. Tampoco requiere el pago de vacaciones o días festivos en que no se trabaje, ni compensación o aviso previo por cesantía o despido. La Ley no fija límite alguno al número de horas de trabajo para personas de dieciséis o más años de edad.

La Ley no se aplica a empleados de los Estados Unidos, o de subdivisión estatal o política alguna de un estado, a menos que estén empleados en operaciones de hospitales, instituciones, escuelas o porteadores específicamente cubiertos por sus disposiciones.

## **EJECUCION DE LA LEY**

Los representantes autorizados de la División podrán investigar y obtener datos respecto a los salarios, horas y otras condiciones y prácticas de empleo. Tendrán acceso a los establecimientos y podrán inspeccionar la propiedad y los récords, hacer transcripciones de los récords y entrevistar a los trabajadores. Podrán investigar cualesquier datos, condiciones, prácticas o hechos que se consideren necesarios para determinar si alguna persona ha infringido alguna de las disposiciones de la Ley. Los investigadores de Horas y Salarios generalmente harán sugerencias con respecto a cambios que sean necesarios o deseables con respecto a nóminas, preparación de récords, y otras prácticas que puedan ayudar a lograr y a mantener el cumplimiento con la Ley. Las quejas, récords y otra información obtenida de los patronos y empleados son tratados en forma confidencial.

La Ley dispone los siguientes medios para el cobro de salarios dejados de pagar por concepto de jornal mínimo y/o pago por tiempo extra: (1) El Administrador de la División puede supervisar el pago de salarios atrasados que se adeuden y, en ciertas circunstancias (2) el Secretario de Trabajo puede entablar acción legal para recobrar salarios atrasados, a solicitud escrita del empleado. (3) El empleado puede entablar acción legal para recobrar salarios que se le adeuden, más una suma adicional igual a la cantidad de salarios atrasados por concepto de daños líquidos, más honorarios de abogado y gastos de pleito. (Ningún empleado podrá entablar acción legal si ha cobrado salarios atrasados bajo la supervisión del Administrador, o si el Secretario ha entablado acción legal para evitar que el patrono retenga los salarios adeudados a los empleados.) (4) El Secretario de Trabajo puede también obtener de la corte una orden de entredicho para impedir violaciones a la Ley por parte de un patrono, incluyendo la retención ilegal por el patrono de la compensación por concepto de salario mínimo y tiempo extra.

La Ley prohíbe que se despida a un empleado por presentar una queja o participar en una acción legal bajo la Ley.

Un patrono puede ser sometido a proceso criminal por violaciones intencionales y multado hasta \$10,000. Una segunda condena por tal violación puede resultar en encarcelamiento.

El cobro de salarios atrasados tiene un periodo de prescripción de dos años, excepto en el caso de violaciones intencionales, para el cual se fija un periodo de prescripción de 3 años.

### **SE PROVEE AYUDA**

El que un empleado esté cubierto por, o exento de, las disposiciones de la Ley de Normas Razonables de Trabajo depende de las circunstancias en cada caso. Si interesa usted información sobre la aplicabilidad de la Ley a cualquier trabajador, escriba a la oficina más

cercana de la División. Someta datos en cuanto a la clase de firma y la industria o negocio a que se dedica, con quien hace negocios, la naturaleza del trabajo envuelto, el sistema de pago, las horas de trabajo, y cualquier otra información que usted crea sea necesaria para poder contestar su consulta adecuadamente.

### DONDE SE PUEDE OBTENER INFORMACION

Las preguntas acerca de la Ley de Normas Razonables de Trabajo, la Ley Walsh-Healey de Contratos Públicos, la Ley McNamara-O'Hara de Contratos de Servicios, y la aplicabilidad de las mismas, serán contestadas por correo, por teléfono, o en entrevistas personales en la oficina más cercana de la División de Horas y Salarios y Contratos Públicos del Departamento de Trabajo de los Estados Unidos. Hay oficinas en Santurce y en Mayaguez, Puerto Rico. Estas oficinas también suplen publicaciones sin costo alguno.

Estado	Oficina Regional	Oficina de Distrito
Alabama	Birmingham	Birmingham, Mobile, Montgomery.
Alaska	San Francisco, Calif.	Anchorage.*
Arizona	San Francisco, Calif.	Phoenix.
Arkansas	Birmingham, Ala.	Little Rock.
California	San Francisco	Hollywood, Long Beach, Los Angeles, Oakland, Sacramento, San Francisco, Whittier.
Colorado	Kansas City, Mo.	Denver.
Connecticut	Boston, Mass.	Hartford.
Delaware	Chambersburg, Pa.	Philadelphia, Pa.
District of Columbia.	Chambersburg, Pa.	College Park, Md.
Florida	Atlanta, Ga.	Jacksonville, Miami, North Miami, Tampa.
Georgia	Atlanta	Atlanta, Columbus, Hapeville, Savannah.
Hawaii	San Francisco, Calif.	Honolulu.
Idaho	San Francisco, Calif.	Portland, Oreg.
Illinois	Chicago	Chicago, Springfield.
Indiana	Chicago, Ill.	Indianapolis, South Bend.
Iowa	Kansas City, Mo.	Des Moines.
Kansas	Kansas City, Mo.	Wichita.
Kentucky	Nashville, Tenn.	Lexington, Louisville.
Louisiana	Birmingham, Ala.	Baton Rouge, New Orleans, Shreveport.
Maine	Boston, Mass.	Portland.
Maryland	Chambersburg, Pa.	Baltimore, College Park.
Massachusetts	Boston	Boston, Springfield.
Michigan	Chicago, Ill.	Detroit, Grand Rapids.
Minnesota	Chicago, Ill.	Minneapolis.
Mississippi	Birmingham, Ala.	Jackson.
Missouri	Kansas City	Kansas City, St. Louis.
Montana	Kansas City, Mo.	Salt Lake City, Utah.
Nebraska	Kansas City, Mo.	Omaha.

Estado	Oficina Regional	Oficina de Distrito
Nevada.....	San Francisco, Calif.....	Sacramento, Calif.
New Hampshire.....	Boston, Mass.....	Manchester.
New Jersey.....	New York, N.Y.....	Newark, Paterson, Trenton.
New Mexico.....	Dallas, Tex.....	Albuquerque.
New York.....	New York.....	Bronx, Brooklyn, Buffalo, Hempstead, New York, Syracuse.
North Carolina.....	Atlanta, Ga.....	Charlotte, Greensboro, Raleigh.
North Dakota.....	Kansas City, Mo.....	Sioux Falls, S. Dak.
Ohio.....	Chicago, Ill.....	Cincinnati, Cleveland, Co- lumbus.
Oklahoma.....	Dallas, Tex.....	Oklahoma City, Tulsa.
Oregon.....	San Francisco, Calif.....	Portland.
Pennsylvania.....	Chambersburg.....	Harrisburg, Mc Keesport, Philadelphia, Pittsburgh, Wilkes-Barre.
Rhode Island.....	Boston, Mass.....	Providence.
South Carolina.....	Atlanta, Ga.....	Columbia.
South Dakota.....	Kansas City, Mo.....	Sioux Falls.
Tennessee.....	Nashville.....	Knoxville, Memphis, Nash- ville.
Texas.....	Dallas.....	Corpus Christi, Dallas, El Paso, Fort Worth, Hous- ton, San Antonio, Waco.
Utah.....	Kansas City, Mo.....	Salt Lake City.
Vermont.....	Boston, Mass.....	Springfield, Mass.
Virginia.....	Nashville, Tenn.....	Richmond, Roanoke.
Washington.....	San Francisco, Calif.....	Seattle.
West Virginia.....	Nashville, Tenn.....	Charleston, Clarksburg.
Wisconsin.....	Chicago, Ill.....	Madison, Milwaukee.
Wyoming.....	Kansas City, Mo.....	Salt Lake City, Utah.
<hr/>		
Canal Zone.....	Santurce, P.R.....	
Puerto Rico.....	Santurce.....	Santurce, Mayaguez.
Virgin Islands.....	Santurce, P.R.....	
Guam.....	San Francisco, Calif.....	Honolulu, Hawaii.
Wake Island.....	San Francisco, Calif.....	Honolulu, Hawaii.
American Samoa.....	San Francisco, Calif.....	

\*Field Station.

THE MIGRATORY FARM LABOR PROBLEM  
IN THE UNITED STATES

---

1967 REPORT

OF THE

COMMITTEE ON LABOR AND  
PUBLIC WELFARE

UNITED STATES SENATE

MADE BY ITS

SUBCOMMITTEE ON MIGRATORY LABOR

PURSUANT TO

S. Res. 188

(90th Cong., 1st Sess.)

A RESOLUTION AUTHORIZING A STUDY OF THE  
PROBLEMS OF MIGRATORY LABOR

TOGETHER WITH

INDIVIDUAL VIEWS



MARCH 15, 1967.—Ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1967

## COMMITTEE ON LABOR AND PUBLIC WELFARE

LISTER HILL, Alabama, *Chairman*

WAYNE MORSE, Oregon

RALPH YARBOROUGH, Texas

JOSEPH S. CLARK, Pennsylvania

JENNINGS RANDOLPH, West Virginia

HARRISON A. WILLIAMS, Jr., New Jersey

CLAIBORNE PELL, Rhode Island

EDWARD M. KENNEDY, Massachusetts

GAYLORD NELSON, Wisconsin

ROBERT F. KENNEDY, New York

JACOB K. JAVITS, New York

WINSTON L. PROUTY, Vermont

PETER H. DOMINICK, Colorado

GEORGE MURPHY, California

PAUL J. FANNIN, Arizona

ROBERT P. GRIFFIN, Michigan

STEWART E. MCCLURE, *Chief Clerk*

JOHN S. FORSYTHE, *General Counsel*

EUGENE MITTELMAN, *Minority Counsel*

ROBERT HARRIS, *Labor Counsel*

---

### SUBCOMMITTEE ON MIGRATORY LABOR

HARRISON A. WILLIAMS, Jr., New Jersey, *Chairman*

EDWARD M. KENNEDY, Massachusetts

GAYLORD NELSON, Wisconsin

ROBERT F. KENNEDY, New York

GEORGE MURPHY, California

PAUL J. FANNIN, Arizona

FREDERICK R. BLACKWELL, *Counsel*

## CONTENTS

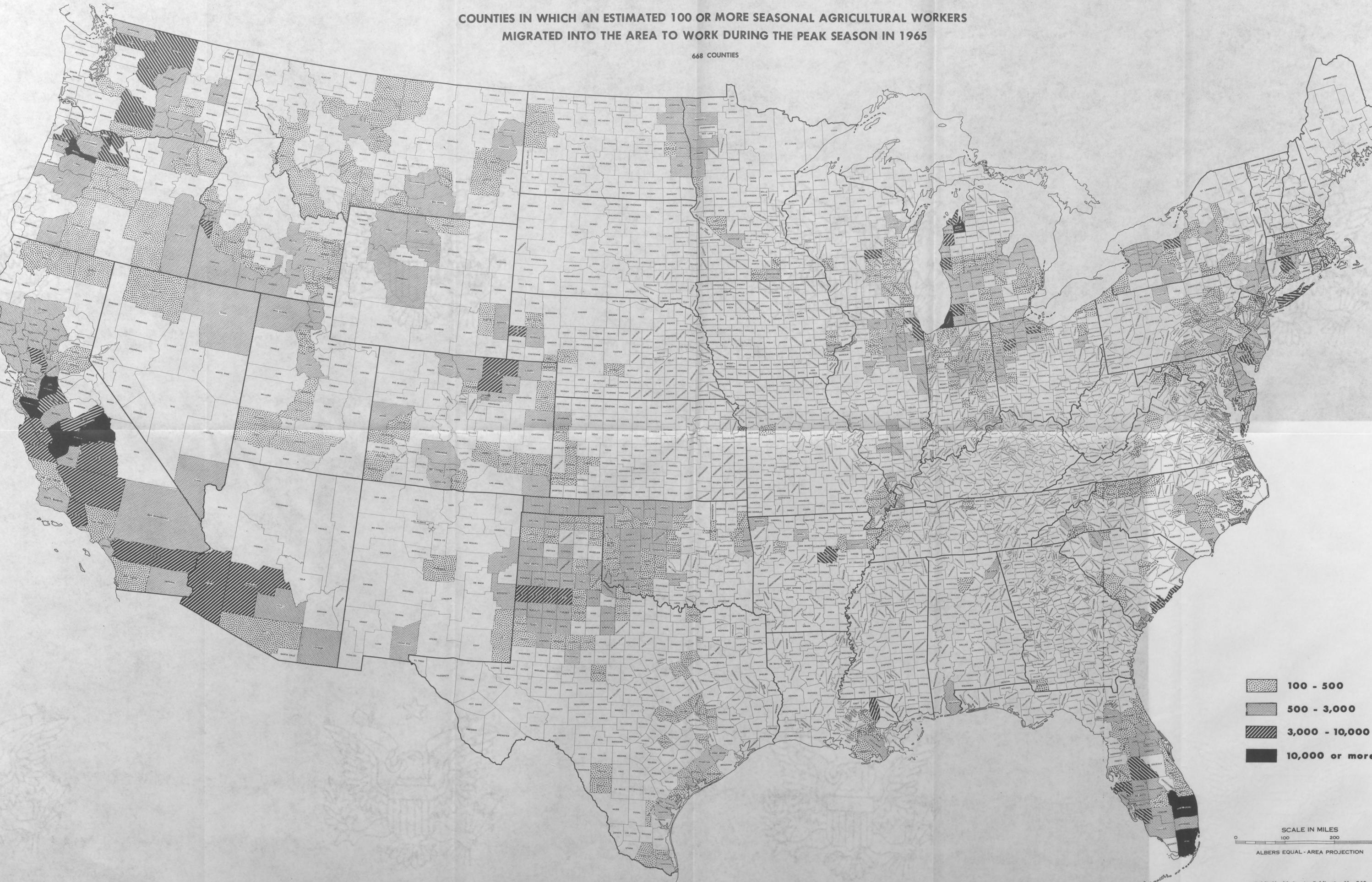
---

	<b>Page</b>
Background facts.....	1
Legislative accomplishments and continuing need.....	6
Wages.....	6
Continuing need.....	10
Child labor.....	15
Continuing need.....	15
Amendments to the Elementary and Secondary Education Act of 1965.....	17
Continuing need.....	19
Health.....	22
Continuing need.....	23
Economic Opportunity Act of 1964.....	24
Education.....	24
Day care for children.....	25
Housing and sanitation.....	25
VISTA volunteers.....	26
Farm Labor Contractor Registration Act.....	27
Housing Act of 1965.....	29
Problems calling for basic legislation.....	30
Collective bargaining.....	30
Voluntary farm employment service.....	33
National Advisory Council on Migratory Labor.....	35
Rapid tax amortization for construction of farm labor housing.....	36
Workmen's compensation.....	37
Unemployment insurance.....	39
Old-age, survivors, and disability insurance.....	40
Residence requirements.....	42
Appendix:	
A. Domestic agricultural migrants in the United States.....	45
B. Projects receiving migrant health project grant assistance.....	57
C. Fiscal year 1966 migrant grants—State distribution.....	67
<b>INDIVIDUAL VIEWS OF SENATORS MURPHY AND FANNIN</b>	
A. Minimum wage.....	69
B. Collective bargaining.....	69

# DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES

COUNTIES IN WHICH AN ESTIMATED 100 OR MORE SEASONAL AGRICULTURAL WORKERS  
MIGRATED INTO THE AREA TO WORK DURING THE PEAK SEASON IN 1965

668 COUNTIES



-  100 - 500
-  500 - 3,000
-  3,000 - 10,000
-  10,000 or more

SCALE IN MILES  
0 100 200  
ALBERS EQUAL - AREA PROJECTION

# THE MIGRATORY FARM LABOR PROBLEM IN THE UNITED STATES

---

MARCH 15, 1967.—Ordered to be printed

---

Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, submitted the following

## REPORT

together with

## INDIVIDUAL VIEWS

---

## BACKGROUND FACTS

The migratory farmworker plays a role of vital importance to American agriculture. Working mainly in the harvest of perishable fruits and vegetables, migrant farmworkers were employed in significant numbers in 46 States and 668 counties during the 1965 harvest season. All told, about 20 percent of our Nation's seasonal agricultural work was performed by migratory workers. This was an increase in migrant employment of 9 percent over that of 1964 as contrasted to an increase of less than 1 percent in nonmigrant farmworker employment. Increased migrant employment was due mainly to additional job opportunities for Americans which were made available by the termination of the importation of foreign workers for agricultural labor under Public Law 78. (See p. 46 of app. A for a computation of counties by State into which an estimated 100 or more agricultural workers migrated during the 1965 harvest season.)

Reliance on the migrant to harvest American agricultural products continued in 1966. While employment of all seasonal farmworkers declined by 12 percent in September 1966 from that of the same month in 1965, the decline in the number of migratory workers employed was less than 1 percent.

In States where large numbers of foreign workers had been employed in previous years, migrant employment increased. Of the 211,500 migrants employed in mid-September 1966, over three-fifths were employed in California, Michigan, New York, Ohio, New Jersey, Indiana, and Texas. The tomato harvest, which employed almost 40,000 foreign workers in 1964, was a major source of employment for American migratory workers in every one of these States except Texas. In Texas migrants worked in a variety of crops including cotton and fresh vegetables. In California migrants were active not only in

*Estimated employment of migratory agricultural workers, by State, United States, September 1966 and change from September 1965*

[In thousands of workers]

State	Migratory-worker employment Sept. 15	
	1966	Change from 1965
United States.....	211.5	-2.0
California.....	57.8	+4.2
Michigan.....	19.6	+1.9
New York.....	16.3	-3.2
Ohio.....	15.8	-0.5
New Jersey.....	10.4	+1.5
Indiana.....	8.6	+0.3
Texas.....	8.3	+1.0
All other States.....	74.8	-7.3

NOTE.—Due to rounding, figures may not add to totals.

Source: U.S. Department of Labor, Manpower Administration, Bureau of Employment Security, "Farm Labor Developments," October 1966, p. 5.

tomato picking but also in the harvest of many other crops such as grapes, peaches, figs, prunes, strawberries, and lettuce.

In New Jersey delays in tomato planting due to the weather conditions provided a longer harvesting season and longer work for migrants but in New York and Ohio, primarily because of smaller tomato production, there was lower employment of migratory workers. In Texas manpower requirements were lower for the State as a whole but not in the high rolling plains area where most of the migratory workers were employed. In this area prolonged rainy weather stimulated the growth of weeds and consequently extended the hoeing season. Also, the area's 1966 vegetable harvest was heavier than in previous years. California was able to accommodate more migrants this year as replacements for foreign workers. In Michigan and Indiana the rise in migratory worker employment was related to depleted supplies of local workers who found jobs in expanding industries.

Despite the migrant's vital function in our Nation's farm economy, his earnings are the lowest of our Nation's work force; his total employment is likewise low—122 days of farm employment during 1965.

Through the combination of low wages and serious unemployment and underemployment, his earnings for all of 1965 averaged only \$1,737 including approximately \$600 of earnings for an average of 36 nonfarmwork days.

Obviously, the migrants annual earnings were quite far below the \$3,000 income level below which families are commonly considered to be living in poverty.

Because of the low wages and the long periods of unemployment, no large group of migrants has ever remained permanently migratory—the best evidence that people are not migrants by choice but by stark economic necessity. Workers withdraw from the migratory stream as they find opportunities for steadier or better employment elsewhere or are retrained for jobs having better opportunity for economic advancement. In the past, newly arrived European migrants displaced Americans from Arkansas and Oklahoma. Today,

*Estimated employment of seasonal<sup>1</sup> hired farmworkers, domestic and foreign, in crops and States which used foreign workers, United States, Sept. 15, 1966, and change from Sept. 15, 1965*

[Thousands of workers]

State and crop	Seasonal-worker employment September 15					
	1966			Change from 1965		
	Total	Do- mestic	Foreign	Total	Do- mestic	Foreign
<b>ALL ACTIVITIES</b>						
U.S. total.....	857.3	846.1	11.2	-119.8	-115.3	-4.6
California.....	179.9	172.0	7.8	+1.8	+5.4	-3.5
Maine.....	13.5	10.9	2.6	-5.5	-5.4	-.2
Florida.....	24.3	23.8	.5	+1.2	+1.3	-.1
New York.....	26.8	26.7	.1	-3.7	-3.6	-.1
Rhode Island.....	.4	.3	.1	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )
New Hampshire.....	1.8	1.8	( <sup>1</sup> )	+ .1	+ .1	( <sup>1</sup> )
Massachusetts.....	10.5	10.4	( <sup>1</sup> )	-1.4	-1.2	-.3
Connecticut.....	5.2	5.2	0	-1.4	-1.0	-.4
Vermont.....	.5	.5	*0	-.7	-.7	( <sup>1</sup> )
All other States.....	594.5	594.5	0	-110.1	-110.1	0
<b>Tomatoes:</b>						
U.S. total.....	88.0	82.1	5.9	+ .7	+5.7	-5.0
California.....	31.6	25.6	5.9	+2.0	+7.0	-5.0
Other States.....	56.4	56.4	0	-1.3	-1.3	0
<b>Potatoes:</b>						
U.S. total.....	38.6	36.0	2.6	-7.8	-7.7	-.1
Maine.....	12.3	9.7	2.6	-5.6	-5.5	-.2
Rhode Island.....	.1	.1	( <sup>1</sup> )	+ .1	+ .1	( <sup>1</sup> )
Other States.....	26.2	26.2	0	-2.2	-2.2	0
<b>Strawberries:</b>						
U.S. total.....	3.8	2.7	1.1	-.3	-1.0	+ .7
California.....	2.6	1.5	1.1	+ .8	+ .1	+ .7
Other States.....	1.2	1.2	0	-1.2	-1.1	0
<b>Sugarcane:</b>						
U.S. total.....	3.6	3.1	.5	-.1	( <sup>1</sup> )	-.1
Florida.....	1.7	1.2	.5	-.6	-.6	-.1
Other States.....	1.8	1.8	0	+ .6	+ .6	0
<b>Apples:</b>						
U.S. total.....	27.1	26.9	.1	-9.6	-9.4	-.2
New York.....	3.4	3.3	.1	-1.8	-1.6	-.1
New Hampshire.....	.8	.8	( <sup>1</sup> )	0	( <sup>1</sup> )	( <sup>1</sup> )
Massachusetts.....	.6	.6	( <sup>1</sup> )	+ .6	+ .6	( <sup>1</sup> )
Rhode Island.....	.2	.2	( <sup>1</sup> )	-.1	-.1	( <sup>1</sup> )
Vermont.....	.3	.3	*0	-.6	-.6	( <sup>1</sup> )
Other States.....	21.7	21.7	0	-7.7	-7.7	0
<b>Tobacco:</b>						
U.S. total.....	119.6	119.6	0	+4.6	+5.1	-.5
Connecticut.....	5.0	5.0	0	-1.1	-.7	-.4
Massachusetts.....	2.7	2.7	0	-.2	( <sup>1</sup> )	-.1
Other States.....	111.9	111.9	0	+5.9	+5.9	0
All other crops: U.S. total.....	520.1	519.4	*.7	-107.5	-107.9	*+.4

NOTE: Due to rounding, figures may not add to totals.

<sup>1</sup> Less than 50 workers.

\* Within a few days after mid-September, foreign workers started to work in the Vermont apple harvest.

\* California Brussels sprouts.

Source: U.S. Department of Labor, Manpower Administration, Bureau of Employment Security "Farm Labor Developments" October 1966 pp. 9-10.

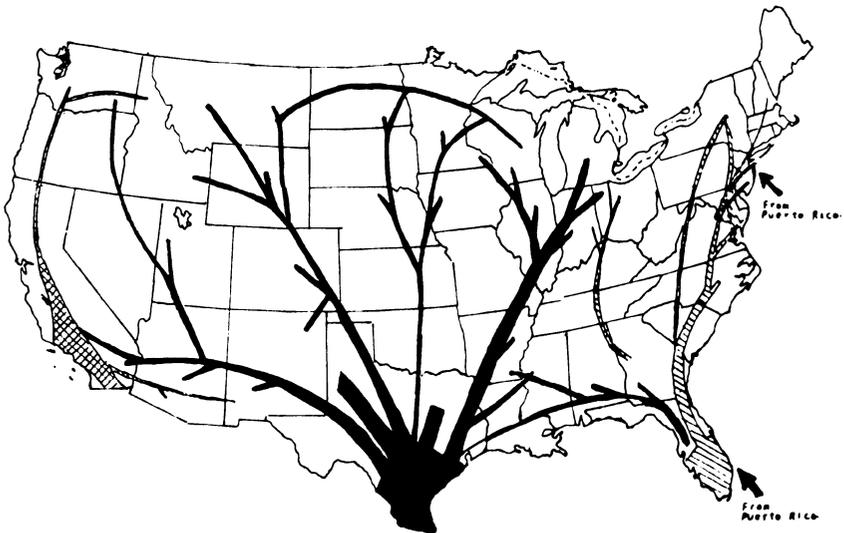
southern Negroes predominate among the agricultural migrants in the east coast States and Mexican American citizens are used in the southwest and western areas of the country. In addition, low income southern white families, Puerto Ricans, and Indians are found in the American agricultural migrant population.

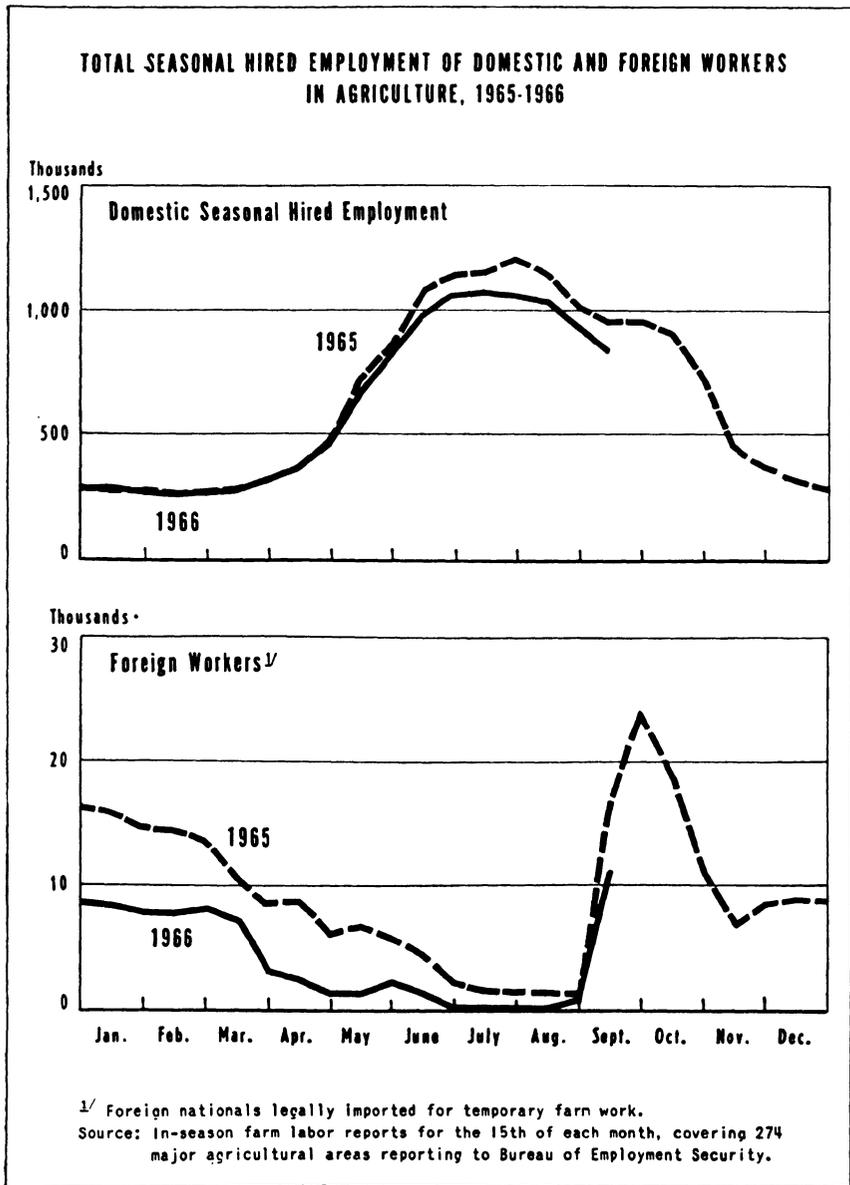
Three major routes of migration are followed by American workers. The first originates in southern Florida and continues along the Atlantic coast into New England. The second starts in southern Texas and branches off into the Rocky Mountains and North Central States. The third major stream, principally located in California, sends subsidiaries into the Pacific Northwest.

In addition to American migrants, large number of foreign nationals have for many years entered the United States on a temporary basis to do farmwork. The vast majority of these workers were Mexican braceros who were brought into the country under the authority of Public Law 78. (During 1964, they numbered 178,000.) This legislation was originally enacted in 1951 as a temporary, 2-year program but was extended at intervals over the last 13 years until it was finally permitted by Congress to expire on December 31, 1964.

Foreign farmworkers are still permitted to enter this country on a temporary basis under the provisions of Public Law 414. However, this law specifically provides that the importation of foreign farmworkers for temporary employment shall not have an adverse effect on the wages, working conditions, and job opportunities of American farm labor. In mid-September 1966, 11,200 foreign workers were employed in the United States as compared to 15,700 on the same date in 1965, 92,800 in September 1964 and an all-time September high of 233,000 in 1959. Employment of all foreign farmworkers decreased 29 percent between 1965 and 1966.

### TRAVEL PATTERNS OF SEASONAL MIGRATORY AGRICULTURAL WORKERS





The subcommittee has carefully studied the second year of transition from foreign farmworkers to a reliance on an American farm labor force and has found that the transition was not nearly as difficult as in 1965. Claims of crop losses due to labor shortages were fewer. Acreage reductions made in a few crops in 1965 because of fears of an inadequate labor supply were for the most part restored in 1966. Production of most crops was higher and farmers received higher prices for their products and workers received higher wages.

In California, for example, the highest foreign worker user State, the March 9, 1967, Wall Street Journal gave these comparative data. From \$3.67 billion in 1964, California's gross farm income climbed to \$3.75 billion in 1965 and \$3.95 billion in 1966. More importantly, net income, which dipped to \$922 million in 1965 from \$1.05 billion in 1964, rebounded to some \$1 billion last year.

Although a slight decline occurred in the employment of both American farmworkers during 1966, the need for large numbers of agricultural workers for short periods of time remains. This is especially true in the harvest of fresh fruits and vegetables which can be grown with the use of relatively little labor most of the season, but which, despite rapid advances in mechanization, require large numbers of workers during the harvest period.

Many of these crops are grown in sparsely populated areas where very little local labor is available. This, then, is the core of the migratory farmworker problem: Employers who bring in migrants to supplement the local labor force find they have created problems in the areas of health, education, sanitation, and housing which the community is not equipped to meet. In addition, an increased awareness by both the migrant and church and community leaders of the need for improved wages and for the extension of basic social and economic benefits such as National Labor Relations Act coverage, workman's compensation, and unemployment insurance from which farmworkers have long been excluded but which for three decades have benefited the rest of our Nation's work force have created problems impressive in scope and magnitude which must be resolved.

## LEGISLATIVE ACCOMPLISHMENTS AND CONTINUING NEED <sup>1</sup>

### WAGES

Public Law 89-601, enacted on September 23, 1966, amended the Fair Labor Standards Act to extend for the first time Federal minimum wage coverage to about 390,000 farmworkers. This action has finally brought into being the recommendation made by President Franklin Delano Roosevelt in his May 24, 1937, message to Congress proposing that a floor be placed under wages so as "further to help those who toil in factory and on farm."

Prior to the passage of Public Law 89-601, the Fair Labor Standards Act, which was originally passed by the Congress in 1938, had been amended several times to raise the applicable minimum wage and the standards of employee coverage. Until this year, however, "any employees employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a share crop basis, and which are used exclusively for supply and storing of water for agricul-

---

<sup>1</sup> The recommendations set forth herein reflect the view of the majority of the subcommittee and are not intended to reflect the views of individual committee members on particular legislative suggestions.

tural purposes," were exempt from the minimum wage coverage which the act provided for the rest of our Nation's work force.

The Fair Labor Standards Act Amendments of 1966 extends minimum wage coverage to certain agricultural workers employed on our larger farms. However, farmworkers remain exempt from the act's overtime payment provisions. Other workers covered by the act are generally required to be paid time-and-one-half their regular rate of pay for every hour which they work over 40 in a single week.

There are approximately 1.4 million hired farmworkers employed in agriculture. Of this total, 390,000 will be covered by the act's minimum wage provisions which apply to farms using more than "500 man days of agricultural labor during any calendar quarter of the preceding year"—roughly seven full-time workers. This has the effect of extending minimum wage coverage to about 30 percent of the Nation's farmworkers, but only to 33,000—or 1 percent—of the Nation's farms.

Covered agricultural employees will be paid no less than \$1 an hour effective February 1, 1967. One year later the applicable rate is \$1.15 an hour, and 2 years later and thereafter the rate is increased to \$1.30 an hour. The act also defines "wage" as including " \* \* \* the reasonable costs, as determined by the Secretary of Labor, to the employer of furnishing such employees with board, lodging, or other facilities \* \* \*", if they are customarily furnished by the employer to his employees.

Farmworkers covered under the act are those working for an employer who used more than 500 man-days of agricultural labor during any calendar quarter of the preceding year. A "man-day" is defined as "any day during which an employee performs any agricultural labor for not less than one hour." For the purposes of computing the 500 man-day test, members of the employer's immediate family are excluded. Also excluded are workers employed in hand harvest operations who (1) are paid on a piece-rate basis provided that this is the normal method of payment in the area of employment; (2) commute daily from their permanent residences to the farm on which they are employed; and (3) were employed in agriculture for less than 13 weeks during the preceding calendar year. These workers are not only excluded for the purpose of determining whether or not a farm meets the 500 man-day test, but are also totally exempted from minimum wage coverage. Employees engaged in the full-time attendance of range livestock are counted for determining the 500 man-day test but are exempt from minimum wage coverage. Counted for the purpose of determining coverage though not entitled to receive minimum wage payments are children under 16 years of age who are employed as hand harvest laborers on the same farm as their parents and who are paid on a piece-rate basis in an operation which has been and is customarily and generally recognized as having been paid on a piece-rate basis in the region of employment. However, these children must be paid at the same piece-rate as that paid to employees over 16 years of age who work on the same farm.

The statutory provisions of Public Law 89-601 affecting agricultural workers are as follows:

## THE FAIR LABOR STANDARDS AMENDMENTS OF 1966

(Public Law 89-601)

[89th Cong., H.R. 13712]

[September 23, 1966]

### TITLE I—DEFINITIONS

#### AGRICULTURAL EMPLOYEES

Section 3 as used in this Act—

\* \* \* \* \*

“(e) ‘Employee’ includes any individual employed by an employer, except that such term shall not, for the purposes of section 3(u) include—

“(1) any individual employed by an employer engaged in agriculture if such individual is the parent, spouse, child, or other member of the employer’s immediate family, or

“(2) any individual who is employed by an employer engaged in agriculture if such individual (A) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (B) commutes daily from his permanent residence to the farm on which he is so employed, and (C) has been employed in agriculture less than thirteen weeks during the preceding calendar year.”

\* \* \* \* \*

“(u) ‘Man-day’ means any day during which an employee performs any agricultural labor for not less than one hour.”

### TITLE II—REVISION OF EXEMPTIONS

#### AGRICULTURAL EMPLOYEES

Section 13(a). The provisions of sections 6 and 7 shall not apply with respect to—

\* \* \* \* \*

“(6) any employee employed in agriculture (A) if such employee is employed by an employer who did not, during any calendar quarter during the preceding calendar year, use more than five hundred man-days of agricultural labor, (B) if such employee is the parent, spouse, child, or other member of his employer’s immediate family, (C) if such employee (i) is employed as a hand harvest laborer and is paid on a piece rate basis in an operation which has been, and is customarily and gen-

erally recognized as having been, paid on a piece rate basis in the region of employment, (ii) commutes daily from his permanent residence to the farm on which he is so employed, and (iii) has been employed in agriculture less than thirteen weeks during the preceding calendar year, (D) if such employee (other than an employee described in clause (C) of this subsection) (i) is sixteen years of age or under and is employed as a hand harvest laborer is paid on a piece rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece rate basis in the region of employment, (ii) is employed on the same farm as his parent or person standing in the place of his parent, and (iii) is paid at the same piece rate as employees over age sixteen are paid on the same farm, or (E) if such employee is principally engaged in the range production of livestock; or”.

\* \* \* \* \*

“(12) any employee employed in agriculture or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, or operated on a sharecrop basis, and which are used exclusively for supply and storing of water for agricultural purposes; or

“(13) any employee with respect to his employment in agriculture by a farmer, notwithstanding other employment of such employee in connection with livestock auction operations in which such farmer is engaged as an adjunct to the raising of livestock, either on his own account or in conjunction with other farmers, if such employee (A) is primarily employed during his work-week in agriculture by such farmer, and (B) is paid for his employment in connection with such livestock auction operations at a wage rate not less than that prescribed by section 6(a)(1); or”.

\* \* \* \* \*

“(c)(1) Except as provided in paragraph (2), the provisions of section 12 relating to child labor shall not apply with respect to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed.

“(2) The provisions of section 12 relating to child labor shall apply to an employee below the age of sixteen employed in agriculture in an occupation that the Secretary of Labor finds and declares to be particularly hazardous for the employment of children below the age of sixteen, except where such employee is employed by his parent or by a person standing in the place of his parent on a farm owned or operated by such parent or person.

“(3) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions.”

## TITLE III—INCREASE IN MINIMUM WAGE

## AGRICULTURAL EMPLOYEES

Section 6(a) as used in this Act—

\*            \*            \*            \*            \*

“(5) if such employee is employed in agriculture, not less than \$1 an hour during the first year from the effective date of the Fair Labor Standards Amendments of 1966, not less than \$1.15 an hour during the second year from such date, and not less than \$1.30 an hour thereafter.”

The extension of minimum wage coverage to farmworkers is the first step in bringing to these citizens the same basic economic protections which we have been granted to our Nation's industrial work force for the past three decades. For most of these newly covered farmworkers this will be the first time they have been protected by a statutory minimum wage law. At present, only Hawaii, Michigan, and New Jersey provide such protection. Hawaii covers all agricultural workers employed on large farms with a minimum wage of \$1.25 an hour. Michigan's law requires a minimum of \$1.15 an hour but piece-rate workers are presently exempted pending a determination by that State's wage deviation board of the wage scales and piece-rate work which would provide earnings equivalent to the prescribed minimum wage. New Jersey has recently extended coverage to all farm workers at wages of not less than \$1.25 an hour effective January 1, 1967.

In terms of increased dollar earnings, minimum wage coverage for farmworkers is most meaningful. In 1965, 70 percent of our Nation's hired farmworkers earned less than \$1.25 an hour, 50 percent earned less than \$1 an hour, and 34 percent earned less than \$.75 an hour. Of the 390,000 newly covered farmworkers, 180,000 are currently paid less than \$1 an hour. For these farmworkers, many of whom are migrants (the exemptive provisions of the bill as described above affect mainly local and part-time employees), minimum wage coverage will mean substantial increases in family income.

## CONTINUING NEED

In spite of recent improvements in farm wage rates the farmworker still stands on the bottom rung of the economic ladder. While hourly wages paid to the average farm laborer have increased from \$1.09 an hour in October of 1965 to \$1.18 an hour in October 1966, there are still eight states in which wages paid to farmworkers average under \$1 an hour. Throughout the Nation farm wages still vary considerably from a low of 74 cents, hourly average, in South Carolina to a high of \$1.58, hourly average, in California.

Farmworkers still rank lowest in annual income of all of our Nation's occupational groups. In all sectors of the nonfarm economy and in every State the average hourly earnings of production workers are above farm wage rates. Even such a low-paid group as laundry workers averaged \$1.43 an hour, while workers earned \$2.03 an hour in wholesale and retail trade, \$2.61 in manufacturing, \$2.92 in mining, and \$3.69 in contract construction.

Average hourly farm wage rates, by States, 1965 and 1966 (without room or board)

	1965					1966			
	January	April	July	October	Annual average	January	April	July	October
United States.....	\$1.19	\$1.18	\$1.17	\$1.09	\$1.14	\$1.24	\$1.28	\$1.26	\$1.18
Alabama.....	.72	.74	.70	.77	.76	.80	.81	.76	.82
Arizona.....	1.10	1.11	1.17	1.14	1.14	1.17	1.18	1.19	1.20
Arkansas.....	.87	.88	.91	.93	.92	.96	.98	.97	1.00
California.....	1.36	1.39	1.40	1.45	1.42	1.47	1.50	1.54	1.58
Colorado.....	1.25	1.25	1.22	1.28	1.26	1.28	1.26	1.28	1.30
Connecticut.....	1.40	1.42	1.47	1.42	1.44	1.52	1.52	1.55	1.57
Delaware.....	1.09	1.10	1.15	1.16	1.15	1.19	1.22	1.21	1.20
Florida.....	1.00	.97	1.00	.96	.99	1.05	1.08	1.02	1.07
Georgia.....	.79	.81	.79	.82	.81	.84	.87	.87	.88
Idaho.....	1.30	1.32	1.33	1.35	1.34	1.35	1.38	1.38	1.40
Illinois.....	1.20	1.24	1.26	1.25	1.25	1.28	1.31	1.34	1.35
Indiana.....	1.17	1.15	1.19	1.20	1.19	1.21	1.24	1.27	1.27
Iowa.....	1.25	1.26	1.27	1.28	1.27	1.29	1.32	1.36	1.36
Kansas.....	1.22	1.24	1.27	1.27	1.27	1.27	1.27	1.31	1.33
Kentucky.....	.87	.91	.91	1.00	.98	.94	.96	1.00	1.21
Louisiana.....	.86	.81	.77	.82	.81	.86	.85	.88	.93
Maine.....	1.20	1.23	1.22	1.25	1.24	1.27	1.27	1.31	1.30
Maryland.....	1.10	1.10	1.15	1.16	1.15	1.15	1.16	1.22	1.22
Massachusetts.....	1.37	1.38	1.40	1.46	1.43	1.50	1.49	1.45	1.48
Michigan.....	1.16	1.18	1.20	1.21	1.20	1.29	1.29	1.29	1.35
Minnesota.....	1.18	1.19	1.22	1.23	1.22	1.20	1.25	1.26	1.30
Mississippi.....	.66	.66	.67	.70	.69	.70	.76	.67	.71
Missouri.....	1.10	1.10	1.14	1.15	1.14	1.15	1.19	1.21	1.21
Montana.....	1.23	1.23	1.27	1.29	1.28	1.32	1.25	1.32	1.30
Nebraska.....	1.23	1.22	1.24	1.26	1.24	1.25	1.28	1.29	1.26
Nevada.....	1.34	1.34	1.37	1.40	1.38	1.42	1.43	1.42	1.44
New Hampshire.....	1.27	1.26	1.25	1.28	1.27	1.34	1.36	1.33	1.35
New Jersey.....	1.30	1.30	1.37	1.38	1.37	1.35	1.38	1.41	1.41
New Mexico.....	1.00	.98	.98	1.00	1.00	1.04	1.02	1.04	1.00
New York.....	1.22	1.24	1.25	1.26	1.25	1.28	1.30	1.32	1.34
North Carolina.....	.83	.84	.84	.88	.86	.80	.91	.92	.97
North Dakota.....	1.11	1.12	1.17	1.20	1.18	1.13	1.16	1.23	1.28
Ohio.....	1.13	1.16	1.17	1.17	1.17	1.21	1.22	1.22	1.24
Oklahoma.....	1.09	1.10	1.12	1.11	1.11	1.15	1.18	1.19	1.18
Oregon.....	1.32	1.29	1.35	1.36	1.34	1.35	1.41	1.40	1.44
Pennsylvania.....	1.14	1.15	1.17	1.19	1.18	1.20	1.22	1.22	1.24
Rhode Island.....	1.37	1.38	1.40	1.42	1.41	1.48	1.48	1.50	1.54
South Carolina.....	.61	.62	.65	.65	.65	.71	.69	.74	.73
South Dakota.....	1.10	1.14	1.17	1.16	1.16	1.16	1.20	1.20	1.20
Tennessee.....	.76	.76	.77	.83	.82	.84	.83	.86	.93
Texas.....	.95	.85	.93	1.00	.98	1.02	1.02	.99	1.05
Utah.....	1.31	1.34	1.34	1.37	1.35	1.37	1.36	1.39	1.39
Vermont.....	1.24	1.27	1.30	1.25	1.27	1.31	1.32	1.34	1.40
Virginia.....	.93	.93	.91	.97	.94	.99	.98	.99	1.00
Washington.....	1.39	1.38	1.42	1.43	1.41	1.42	1.40	1.52	1.54
West Virginia.....	.86	.86	.88	.89	.88	.90	.92	.93	.95
Wisconsin.....	1.17	1.20	1.23	1.25	1.24	1.24	1.29	1.29	1.28
Wyoming.....	1.21	1.19	1.20	1.22	1.21	1.28	1.26	1.30	1.30

Source: U.S. Department of Agriculture.

The major reason for the low wages received by farmworkers is the weakness of their bargaining position. This weakness basically stems from an unfavorable supply-demand relationship as revealed by the unemployment rate. In 1965, all experienced wage and salary workers had an unemployment rate of 4.2 percent while those in agriculture averaged 7.3 percent. Farmworkers also often have trouble moving up to higher paying jobs because they have relatively little education, few skills, or are members of minority groups.

The gap between agricultural and nonagricultural earnings has continually widened during the post-World War II period. Between 1947 and 1964, hourly wages in agriculture increased only 64 percent while wages jumped 108 percent in retail trade, 107 percent in manufacturing, and 131 percent in contract construction. This differential has increased despite the fact that output per man-hour in agriculture was 2.7 times as great in 1964 as in 1947, while in nonagricultural

*Distribution of male and female farm and nonfarm residents aged 14 and over by income level, United States, 1965*

Total money income <sup>1</sup>	Males		Females	
	Farm	Nonfarm	Farm	Nonfarm
Persons aged 14 and over: <sup>2</sup>				
Total (thousands).....	4,360	60,276	4,133	66,858
With income (thousands).....	3,958	55,214	1,994	40,229
Income recipients:				
Percent distribution:				
Total.....	100.0	100.0	100.0	100.0
\$1 to \$499 or less.....	14.3	7.4	38.9	19.3
\$500 to \$999.....	9.2	5.7	22.0	17.1
\$1,000 to \$1,499.....	11.0	5.5	9.8	11.6
\$1,500 to \$1,999.....	8.2	4.3	5.5	7.5
\$2,000 to \$2,499.....	7.4	5.0	4.8	7.4
\$2,500 to \$2,999.....	5.6	4.0	4.2	5.4
\$3,000 to \$3,499.....	6.2	4.9	3.3	6.5
\$3,500 to \$3,999.....	5.3	3.9	2.8	4.7
\$4,000 to \$4,499.....	6.1	4.9	1.8	4.6
\$4,500 to \$4,999.....	4.0	4.1	2.1	3.5
\$5,000 and over.....	22.7	50.4	5.0	12.6
Median income.....	\$2,490	\$5,040	\$752	\$1,636

<sup>1</sup> From all sources, 1965.

<sup>2</sup> As of March 1966.

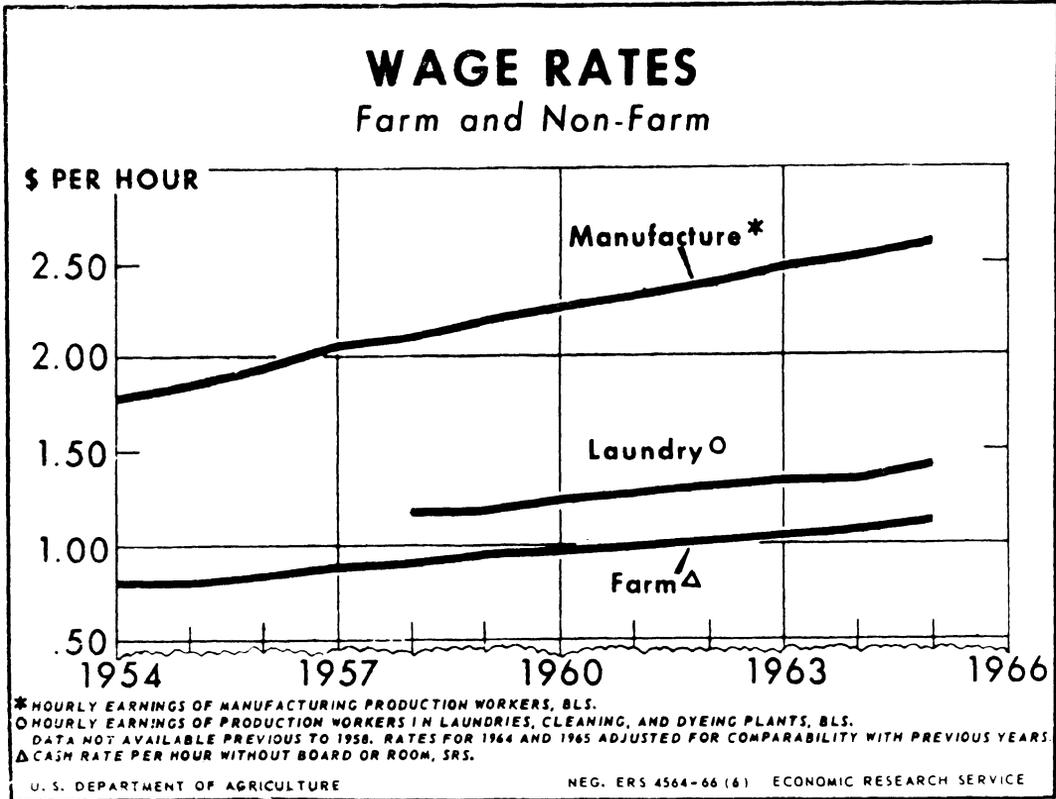
NOTE.—Due to rounding, figures may not add to totals.

Source: Median Income of Persons Up in 1965, Bureau of the Census, Current Population Reports, series P-60, No. 50, Aug. 26, 1966.

industries it was only 1.6 times as great. One American farmworker today feeds more than two and a half times the number of people he did 20 years ago. And the increased worker productivity of U.S. industry has been outstripped by agriculture by two and a half times. In addition, although total farm production expenses increased 4 percent between 1964 and 1965, outlays for hired farm labor decreased by 1 percent, or by about \$38 million. In 1965 hired farm labor expenses accounted for 9 percent of all farm production expenditures, for a total of \$2.8 billion, down 1 percent from 1964, even though farm wage rates increased 5.6 percent during the same period of time. Farm labor costs were more than offset by savings caused by increased mechanization and more effective use of manpower.

Agriculture is no longer the family farm operation that it was 25 years ago. Rapid mechanization and increased growth in the size of our Nation's farms has in many ways made agriculture similar to our Nation's other large industries. For example, between 1940 and 1965, the size of the average American farm increased from 175 acres to 342 acres. The value of assets used in agricultural production on the average farm has also increased from \$6,000 in 1949 to \$60,000 in 1965. Between 1940 and 1964, gross farm income increased from \$11.1 to \$42.2 billion. And since 1949 the average farmer has received a 40-percent gain in real income after allowing for the rise in the cost of living. Yet the average farmworker today still earns a daily wage of under \$9. No other segment of our population is so poorly paid yet contributes so much to our Nation's health and welfare.

The minimum wage bill extends coverage to approximately 33,000 of the three and a half million farms in the United States. States in which less than 100 farms are covered are: Alaska, Delaware, New Hampshire, Rhode Island, Vermont, and West Virginia.



States in which 100 to 500 farms are covered are: Connecticut, Hawaii, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Missouri, Montana, Nevada, New Jersey, North Dakota, Ohio, Oklahoma, South Dakota, and Tennessee.

States in which 500 to 1,000 farms are covered are: Alabama, Georgia, Idaho, Iowa, Louisiana, Michigan, Nebraska, New Mexico, New York, Oregon, Pennsylvania, South Carolina, Virginia, Washington, and Wisconsin.

States in which 1,000 or more farms are covered are: Arizona, Arkansas, California, Colorado, Florida, Mississippi, North Carolina, and Texas.

Due to this sparsity of coverage, consideration should be given to lowering the 500 man-day test contained in Public Law 89-601. A 300 man-day test would encompass only 67,000 farms and 572,000 workers. A 200 man-day test would set minimum wage standards for 110,000 or 3 percent of our Nation's farms and 667,000 or 46 percent of our Nation's farmwork force. Even a 100 man-day test would not mean total coverage since only 232,000 or 7 percent of our Nation's farms employing 867,000 or 60 percent of our Nation's farmworkers would be covered.

Consideration should also be given to eliminating the exemption from minimum wage coverage contained in Public Law 89-601 affecting those hand harvest workers who are paid on a piece-rate basis who commute daily from their permanent residence to the farm on which they are employed and who were employed in agriculture for less than 13 weeks during the preceding calendar year. The exemption for children under 16 who accompany their parents to the fields should also be eliminated. These exemptions make the task of the migrant worker in finding permanent farm employment even more difficult. By allowing lower wages to be paid to temporary farmworkers than those required to be paid to full-time workers, the minimum wage bill encourages discriminatory hiring practices by economy-minded employers. This exemption could thus cause even further unemployment among our Nation's migrants.

The provisions of Public Law 89-601 which exempt children under 16 who accompany their parents to the fields from minimum wage coverage may also have an adverse affect on the employment of adult migrant farmworkers. The possibility that a 14- or 15-year-old youth may be favored for employment because of the wage differential, could result in the taking of a much-needed job away from a family bread winner.

There may also exist a possibility of encouraging migrancy which might not occur without the exemption for youth accompanying a parent. For example, in home-based States such as Florida, Texas, and California, the exemption probably does not apply to a farm job to which the youth and parent commute daily from their home—inasmuch as they are not migrants in this context. The youth would receive the hourly minimum if greater than his piece-rate earnings, with the result that most employers would not hire him. If these individuals are working beyond daily commuting distance, however, they would be deemed migrants thereby making the youth exempt from the hourly minimum wage. In consequence, some families in these home-based States, feeling in dire need of extra earnings by

their children, might decide to migrate to increase the job opportunities of the younger age children.

The inclusion by the 89th Congress of some farmworkers under the Fair Labor Standards Act is an historic first step toward improving the economic conditions of our Nation's migrant farmworkers. Continued efforts should be given to—

(a) Providing a gradual increase in agricultural minimum wages over a period of years until the industrial minimum is reached;

(b) Expanding coverage under the act's provisions by gradually including those employees working on farms using more than 100 man-days of hired farm labor during a calendar quarter of the preceding year;

(c) Including under minimum wage coverage those employees who are paid on a piece-rate basis, commute daily from their permanent residence to the farm on which they are employed, and were employed in agriculture less than 13 weeks during the preceding calendar year;

(d) Including under minimum wage coverage children under 16 who are employed on the same farm as their parents.

### CHILD LABOR

In addition to extending Federal minimum wage coverage to farmworkers for the first time, the Fair Labor Standards Act Amendments of 1966 made some progress in regulating child labor in agriculture outside of school hours. Under the new provisions of the act the Secretary of Labor is authorized to permit full-time students to be employed in agriculture for not more than 20 hours while attending school at rates lower than the statutory minimums. The Secretary of Labor is also authorized to prohibit the employment of minors under the age of 16 in an occupation which he finds and declares to be particularly hazardous. This provision does not apply to a minor employed on a farm owned or operated by his parent.

The prohibition against hazardous child labor is of considerable importance in protecting the health and well being of our Nation's youth. Of the 20 States reporting injuries to farmworkers during 1964, 1,400 were to children under 18, employed in agriculture. The California Department of Industrial Relations reports that each year 500 children of school age in California suffer lost school time due to farm injuries. Of these children more than half are under 16.

### CONTINUING NEED

The harmful employment of children in agriculture is one of the most unfortunate aspects of our present farm labor situation. Federal and State provisions presently regulate the employment of children in agriculture during school hours; however, only 10 States<sup>2</sup> also provide a minimum age for their employment outside of school hours. Excepting particularly hazardous work, today a child of any age when

<sup>2</sup> Alaska, California, Colorado, Connecticut, Hawaii, Missouri, New Jersey, New York, Utah, and Wisconsin have laws regulating child labor in agriculture outside of school hours.

school is not in session may be employed in farmwork. This condition has all but disappeared from industry, yet approximately 375,000 children between the ages of 10 and 13 perform hired farm labor.

Migratory children, who comprise a significant segment of the children employed in agriculture, are the most seriously affected by the absence of a meaningful child labor law. The most common reason for their employment is the low wages paid to the family breadwinner which are not sufficient to meet minimum family expenses. Consequently, every available child works.

Unlimited, arduous farmwork is also harmful to the health of young children. Dr. Hanson, late head of Columbia University's School of Public Health, said, "Children in industry, whether indoors or out, show exaggerated form damage to growth." In 1951 a subcommittee of the American Medical Association urged that a general 14-year age minimum be set for employment. According to Dr. Charles Hendee Smith, professor of clinical diseases of children, College of Physicians and Surgeons, Columbia University, long hours of tiring work—as in factories or in beet or cotton fields—is harmful to children in two ways. First, a child early in life must grow and gain weight. Agricultural labor such as the thinning, pulling, and topping of beets, picking of strawberries and cotton, etc., requires constant bending and stooping and frequent lifting. This excessive muscular activity expends the child's energy which should be used in the natural process of growth. Consequently, children who engage in such arduous labor become undernourished and undersized. Second, chronic fatigue lowers a child's resistance to disease. Infections, which are everywhere lying in wait for the growing child, can find an easy victim in those who are overfatigued and undernourished. Agricultural labor is also detrimental to children when it interferes with their educational progress. Such interference occurs when children of tender years are compelled to work in the fields in the afternoons, during the regular school term, rather than engaging in recreational or study activities characteristic of a normal educational experience.

Worse still, migrant children are not always covered by State compulsory education laws since they are, in many instances, non-residents of the States in which they are employed. In addition, they have been found to already be seriously behind their proper grade level because of the transient nature of their lives. Only one of every three farm wage workers has completed more than 8 years of schooling and only one in six have graduated from high school. One-fourth of our farmworkers have either never attended school or have not completed more than 4 years of schooling.

Under present law, there is great inducement for children to work even during school hours. Secretary of Labor W. Willard Wirtz, testifying before the Migratory Labor Subcommittee in 1965, reported:

The degree of difficulty in this situation is, even under the school regulations which we have, investigations which have been made by the Wage and Hour Divisions of the Department of Labor last year covering 2,562 farms disclosed that 7,972 minors under 16 illegally were employed during school hours.

Twenty percent of that group, 1,578, were 9 years or younger. More than half, over 4,000, were 10 to 13 years of age.

**The present exemption from the Fair Labor Standards Act of agricultural child labor outside of school hours should be narrowed so as to prevent employment of children in work which is detrimental to their health and well-being. For this purpose, (1) all farm employment should be barred for the very young child; (2) the child of intermediate age should be permitted to work, with parental consent, within daily commuting distance of his permanent home; and (3) the child over 14 should be permitted to work without any distance limitation; and**

**No limitation, however, should be placed on the employment of children by their parents, or someone standing in the place of a parent, on the home farm.**

AMENDMENTS TO THE ELEMENTARY AND SECONDARY  
EDUCATION ACT OF 1965

Public Law 89-750, amendments to the Elementary and Secondary Education Act of 1965, for the first time provides Federal grants to the States for educational assistance and construction of school facilities for migrant children within the framework of our regular school systems. Under the act funds are available for the construction of school facilities, the hiring of extra teachers, the purchase of textbooks and for summer school programs in home-based States and along the migrant stream for the education of children of migratory farmworkers. The Commissioner of Education is authorized to make grants to State educational agencies in order to design special programs to meet the educational deficiencies which are now prevalent among migrant children. In the event that State educational agencies are unable or unwilling to carry out the programs authorized under the act, the Commissioner of Education is authorized to contract with public or nonprofit private organizations in order to carry out the programs which are authorized for the education of migrant children.

The provisions of Public Law 89-750 affecting migrant children are as follows:

AMENDMENTS TO THE ELEMENTARY AND SECONDARY  
EDUCATION ACT OF 1965

(Public Law 89-750)  
[89th Cong., H. R. 13161]  
[November 3, 1966]

PAYMENTS TO STATE EDUCATIONAL AGENCIES FOR ASSISTANCE  
IN EDUCATING MIGRATORY CHILDREN OF MIGRATORY  
AGRICULTURAL WORKERS

Section 203(a) as used in this Act—

\* \* \* \* \*

“(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year

under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph, the 'average per pupil expenditure' in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

Section 205 as used in this Act—

\* \* \* \* \*

"(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

"(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

"(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

"(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

“(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States.”

CONTINUING NEED

The educational deficiencies incurred because of the migratory way of life are clearly evidenced by available statistics. Over 30 percent of all migrant children have less than 8 years of education and 40 percent have less than 11 years. The median educational attainment of all farmworkers is 9.9 years as compared to 12.2 years for workers in all other occupations.

*Changes in the educational distribution of employed farmworkers and all employed workers, 18 years of age and over, October 1962 to March 1965*

	Farm occupations <sup>1</sup>		All occupations	
	October 1962 <sup>2</sup>	March 1965	October 1962 <sup>2</sup>	March 1965
Total employed (thousands) .....	6,320	3,457	58,910	67,760
Percent distributions by years of school completed:				
Total .....	100.0	100.0	100.0	100.0
Less than 8 years <sup>3</sup> .....	42.5	30.8	19.7	11.1
8 to 11 years .....	38.0	40.7	36.8	30.6
12 years .....	14.4	22.3	26.9	35.7
13-15 years .....	3.6	4.5	8.4	10.6
16 years or more .....	1.5	1.6	8.1	12.0
Median school years completed .....	8.8	9.9	11.3	12.2

<sup>1</sup> Includes farmers, farm managers, laborers, and foremen.  
<sup>2</sup> Excludes persons not reporting years of school completed.  
<sup>3</sup> Includes persons reporting no school years completed.

Source: Educational attainment of workers in March 1965, "Monthly Labor Review," Bureau of Labor Statistics, March 1966.

In enacting Public Law 89-750, the Congress authorized expenditure of over \$40 million in fiscal 1967 to upgrade the educational

achievements of migrant children. On a State by State basis allocations were to be as follows:

*Estimated cost of migratory children amendments <sup>1</sup>*

	<i>Amount</i>		<i>Amount</i>
United States and outlying areas.....	\$40,394,401	Missouri.....	\$417,471
	<hr/>	Montana.....	426,981
50 States and the Dis- trict of Columbia.....	40,394,401	Nebraska.....	138,365
	<hr/>	Nevada.....	31,144
Alabama.....	414,381	New Hampshire.....	4,279
Alaska.....	-----	New Jersey.....	986,859
Arizona.....	1,099,310	New Mexico.....	531,111
Arkansas.....	450,042	New York.....	1,179,428
California.....	5,894,288	North Carolina.....	844,452
Colorado.....	1,082,192	North Dakota.....	513,281
Connecticut.....	238,453	Ohio.....	746,504
Delaware.....	151,678	Oklahoma.....	563,206
Florida.....	4,796,642	Oregon.....	838,271
Georgia.....	430,309	Pennsylvania.....	340,681
Hawaii.....	-----	Rhode Island.....	-----
Idaho.....	504,960	South Carolina.....	371,112
Illinois.....	382,761	South Dakota.....	16,880
Indiana.....	299,077	Tennessee.....	133,610
Iowa.....	40,654	Texas.....	9,798,692
Kansas.....	468,348	Utah.....	119,821
Kentucky.....	313,341	Vermont.....	2,615
Louisiana.....	476,906	Virginia.....	422,464
Maine.....	3,328	Washington.....	1,006,591
Maryland.....	146,686	West Virginia.....	71,322
Massachusetts.....	133,610	Wisconsin.....	326,892
Michigan.....	2,170,328	Wyoming.....	369,923
Minnesota.....	150,965	District of Columbia.....	<hr/>
Mississippi.....	544,187	Outlying areas.....	<hr/>

<sup>1</sup> Estimated on the basis of estimated migratory children of migratory workers (FTE 1965) and 50 percent national average CE per pupil in ADA, 1964-65.

The Congress, however, appropriated only slightly over \$7 million for this purpose thus severely limiting the act's provisions for the improved education of migrant children. Estimated grants for migrant education in fiscal 1967 are as follows:

Source: Department of Health, Education, and Welfare, Office of Education, Elementary and Secondary Education Act of 1965, Public Law 89-10, as amended, Title I, Assistance for Educationally Deprived Children.

*Estimated State grants for fiscal year 1967*

	<i>Migratory children</i>	<i>Migratory children</i>
United States and outlying areas..	\$7, 058, 601	
50 States and District of Columbia.....	7, 058, 601	
Alabama.....	72, 410	Montana.....
Alaska.....		Nebraska.....
Arizona.....	192, 096	Nevada.....
Arkansas.....	78, 641	New Hampshire.....
California.....	1, 029, 980	New Jersey.....
Colorado.....	189, 104	New Mexico.....
Connecticut.....	41, 668	New York.....
Delaware.....	26, 504	North Carolina.....
Florida.....	838, 175	North Dakota.....
Georgia.....	75, 193	Ohio.....
Hawaii.....		Oklahoma.....
Idaho.....	88, 238	Oregon.....
Illinois.....	66, 884	Pennsylvania.....
Indiana.....	52, 261	Rhode Island.....
Iowa.....	7, 104	South Carolina.....
Kansas.....	81, 841	South Dakota.....
Kentucky.....	54, 754	Tennessee.....
Louisiana.....	83, 335	Texas.....
Maine.....	582	Utah.....
Maryland.....	25, 632	Vermont.....
Massachusetts.....	23, 347	Virginia.....
Michigan.....	379, 248	Washington.....
Minnesota.....	26, 380	West Virginia.....
Mississippi.....	95, 093	Wisconsin.....
Missouri.....	72, 949	Wyoming.....
		District of Columbia.....
		Outlying parts and Bureau of Indian Affairs.....

**Funds should be made available to carry out the congressional intent of Public Law 89-750 in providing adequate financial assistance to the States for the education of children of migratory agricultural workers.**

States and rural communities, with their already severely strained budgets, cannot be expected without adequate Federal help to construct school facilities and hire extra teachers for the education of migrant children. Especially for those who are only present in the area for short periods of time during the year. Yet adequate schooling for migrant children is even more important than it is to the average child; education being one of the major avenues through which poverty can be overcome. Not only does retardation reduce the possibility of social and psychological enrichment, but it also places significant limitations on occupational adjustment, job retraining and success in life. Unless adequate educational levels are achieved, one of the root causes of poverty will remain operational. For the migrant child even more than for his city counterpart education is the springboard to advancement and the opportunity for a better way of life. Without adequate educational opportunities these children will be faced with continued high incidents of poverty, unemployment, dissatisfaction for teenagers and adults and an extensive drain on our general economy and on community welfare and school programs in particular.

## HEALTH

The Migrant Health Act, currently in its fifth year of operation, was enacted in 1962 as Public Law 89-692 with an appropriation ceiling of \$3 million annually for a 3-year period. Because of its widely recognized success in upgrading the health of the migrant farm family, the act was extended by Public Law 89-109 for an additional 3 years with increasing authorizations. This extension carried the program through June 30, 1968, with authorizations of \$7 million for fiscal year 1966, \$8 million for fiscal year 1967, and \$9 million for fiscal year 1968.

During the past year, grants have been awarded to 25 new projects, bringing the total number of projects to 94. These projects are located in 36 States and Puerto Rico. In addition, the number of migrants having ready access to project services at some time during the crop season has increased from less than 100,000 during the first year of the act's existence to a current estimate of 250,000.

Projects funded under the act vary in nature and scope of service. They provide medical diagnosis and treatment, immunization, family planning, prenatal care, and other preventive and curative services. Nursing services in migrant family health service clinics, at day care centers, at schools where migrant children are in attendance, and in migrant labor camps, are also provided. In addition, nurses and nurses aids are used for fieldwork in early case finding, clinic referrals, and followup care. Sanitation services to upgrade the health and safety of the migrant in his living and working environment are available under the act. Health education programs and dental services are also provided for migrant workers and their families.

Programs under the act stress flexibility in the scheduling of services so as to make them available at times and places where migrants can effectively be reached. Night clinics are frequently held at points where migrant workers are concentrated and health aids work

in migrant labor camps in order to bring service to people ill-accustomed to seeking and using medical care. Through these projects the health status, the personal health practices, and the environment of migrant workers and their families have been greatly improved.

(See pp. 57 of app. B for a January 1, 1967, computation of migrant health projects, the services which they provide, and their directors listed by State.)

#### CONTINUING NEED

Estimates of the total migrant population range from 1 million to more than 3 million including workers and their families. The migrant family carries his health problems into 48 of the 50 States, or into nearly 1,000 of the nearly 3,000 counties in the United States. The health and available health care of these citizens is far below the national norm.

Traditionally rejected by the same communities which demand their services, migrants are further handicapped by financial impoverishment which makes them unable to pay for necessary medical attention. Legal restrictions against providing services to non-residents bar the migrant and his dependents from most of the health and welfare services offered to other citizens.

An important gap in services under the act is in dental care, especially for adults. Under present appropriations, services have been limited to examination and treatment of children with only emergency relief of pain available for adults. The failure to provide at least limited restorative care for adults means more and more emergency extractions.

Lack of appropriations has also caused a gap in geographical project coverage. At present, only an estimated one-fourth of the total migrant population has access to Migrant Health Act project services. Even for this portion of the migrant population, the care is intermittent and accessible only if the migrant happens to live and work in a county where a project is in operation. At present, only one-third of the counties with an influx of migrants at the peak of the crop season are covered by projects funded under the act.

In each year since the origination of the program, requests for assistance under the Migrant Health Act have exceeded available funds. The total appropriation during the first 4 years of the act's existence amounts to \$9,250,000 in contrast to the \$16 million authorized by the Congress. This lack of adequate funding has forced migrant projects to muster nearly 40 percent of their support from sources other than Migrant Health Act grants. Projects rely upon the resources of other Federal programs for services where migrant patients are eligible and upon local community resources for staff, special equipment, publicity, and other essential items.

**There is therefore urgent need for increased Federal appropriations if we are to provide for (1) the expansion of present project services to include hospitalization and other needed services. Such expansion will add to the value of diagnostic service now offered and will encourage the development of new projects where they are needed; and (2) an increased number of health projects both in home-base areas and in communities along the migrant stream so that the migrant family will have the opportunity for uninterrupted clinical service.**

## ECONOMIC OPPORTUNITY ACT OF 1964

The Economic Opportunity Act of 1964 (Public Law 88-452), in authorizing migratory labor programs in education, child day care, sanitation, and housing, carried out some of the earlier important recommendations of the Migratory Labor Subcommittee. It is important to note that outside of the Economic Opportunity Act there are virtually no alternative programs for migrant and seasonal farmworkers. Even within the Office of Economic Opportunity, resources available to migrant farmworkers are severely limited. Because of their mobility they do not, for instance, fit readily into the structures of existing community programs designed basically for residents or for the more easily reached urban poor.

The goals of the Office of Economic Opportunity's migrant programs are to bring some stability to the seasonal worker's life and to bring him inside the American society by providing educational programs leading to more skilled jobs, making his movement from unskilled farm labor into more skilled jobs possible; by providing continuity of educational services to migrant and seasonal farmworker children; by making it possible for migrant and seasonal farmworkers to settle in permanent, decent housing; and by providing community services otherwise unavailable to the farmworker.

During fiscal year 1966, 96 migrant projects were funded in 35 States serving 150,000 migrant farmworkers. In the first 6 months of fiscal year 1967, 11 additional projects in 10 States, serving 68,045 migrants, were put into operation. States receiving projects and the amounts awarded in fiscal year 1966 may be found in appendix C at page 67.

In fiscal year 1966 the Office of Economic Opportunity budgeted \$25,500,000 for migrant projects. However, because of the great need for expanded services, \$9,500,000 in additional funds was made available by the Director from his discretionary fund. During the first 6 months of fiscal year 1967, an additional \$11,174,500 was allocated for migrant projects.

Office of Economic Opportunity projects are not only meeting the needs of the migrant but have brought about a new awareness on the part of both public and private agencies of their responsibilities to this segment of our population. In many States cooperative planning between growers and workers has occurred for the first time. Wherever possible, migrants themselves have been drawn upon to give their point of view and in most projects migrants actively participate, being hired for a variety of subprofessional and community aid jobs.

## EDUCATION

Migrant and seasonal farmworkers are for the most part a family group and therefore many of the Office of Economic Opportunity's migrant projects include provisions for both adult and child education. These provisions include preschool programs to teach mothers about child development, remedial education, and elementary school work. Other programs provide training at the high school level and emphasize special work in English for those of non-English heritage. Programs are also available in vocational education so that farmworkers can seek and obtain alternative employment opportunities.

The educational deficiencies incurred because of the migratory way of life are clearly evidenced by the fact that only one of every three farm wageworkers has completed more than 8 years of schooling and only one in six has graduated from high school. One-fourth of our Nation's farmworkers have either never attended school or have not completed more than 4 years of schooling.

Many of the educational programs sponsored by the Migrant Branch of the Office of Economic Opportunity include educational training for adults. These programs cover citizenship and consumer education as well as basic education and skilled job training. Programs stress the use and understanding of language and arithmetic which are essential to increased job opportunities. Citizenship training is also an important phase of the adult education programs under OEO and include orientation to the community in which the migrant lives and works.

In addition, farmworker educational centers have been established in home-based States where agricultural workers experience serious unemployment during the off season. Such centers are also being established in States where workers are idle either because they are employed for only a few hours each day or are awaiting the ripening of the crops or the opening of canneries. These programs vary from simple language courses to those which prepare the worker to enter into vocational education programs including those conducted under the Manpower Development and Training Act. Subjects covered range from basic education in reading, writing, and arithmetic to child care, nutrition, rudiments of home repairing, homebuilding, homemaking, health, credit, and auto maintenance.

#### DAY CARE FOR CHILDREN

Day care and preschool programs accounted for 16 percent of the total expenditure of migrant program funds during fiscal year 1966 and are currently serving over 25,000 migrant children. These programs are specifically tailored to help the migrant child escape from the poverty which has handicapped his parents. Day care and preschool migrant programs are characterized by their special design to serve migrant needs and by their long-day schedules to enable continuous care of young children who would otherwise be unattended while their parents work in the fields. In addition to supervised child care these programs provide nourishing food for children and a program of medical examinations and health needs including appropriate immunization. The programs also provide many educational activities such as basic language skills in addition to supervised play and rest periods.

#### HOUSING AND SANITATION

One of the most critical needs of the agricultural worker and his family is that of decent housing and sanitation. The Senate Committee on Labor and Public Welfare in its report on the Economic Opportunity Amendments of 1966 (S. 2164) recognized this fact that inadequate attention had in the past been given to the development of permanent housing for migratory farmworkers who did not possess adequate financial resources to obtain loans for homes through other

public and private agencies. In its report the committee urged OEO to give some financial assistance to migrant farmworkers to at least enable them to qualify for such loans.

The committee report stated:

For example, a nonprofit corporation in California (Self-Help Enterprises, Inc.) which is assisting in the erection of ownership housing for seasonal farmworkers, has discovered that some of the workers, although gainfully employed, have a repayment expectation under Farmers Home Administration criteria to qualify for a \$5,500 loan when in fact they need a \$7,000 loan to acquire the land and construction materials to become a homeowner. In such cases, the director is authorized to make a grant to the worker to attain the needed \$7,000. The grant would not be made directly to the worker, but rather would be deposited in a building account supervised by the FHA. The committee expects that such grants should not exceed \$1,500 for any individual.

Self-help housing projects in addition to providing decent housing, gives the migrant the dignity and sense of belonging to the community as a homeowner. These projects have proven to be valuable aids to vocational retraining since the migrant in building his own home broadens his skill base and learns a new trade. The community also benefits from these projects by bringing the migrant onto its tax rolls and by having another citizen with a vital interest in the community's future and general welfare.

Sanitation projects funded by the Office of Economic Opportunity have stressed the employment of migrant aids to make other migrants living in labor camps aware of good sanitation practices and the provisions of local and State sanitary codes.

Grants have also been made to establish and expand rest stop facilities. At these facilities families find a place to stop during the day to clean up, rest, cook their meals, or to spend the night in comfortable surroundings instead of in cars. These projects provide a much-needed service for migrant families who travel long distances but cannot afford to pay for the accommodations used by most travelers.

#### VISTA VOLUNTEERS

A volunteer corps called VISTA has been established by another part of the Economic Opportunity Act. Like the migratory worker programs in the act, VISTA is based on legislation developed and recommended by the Subcommittee on Migratory Labor. These volunteers play an important role in the development and operation of OEO programs for migrant and seasonal agricultural workers by living and working in migrant labor camps. VISTA volunteers in this way bring much-needed help to the migrant in the fields of education, child care, sanitation and practical day-to-day assistance in everyday community living.

The war on poverty has made an admirable start in its efforts to improve the lives of migrant farmworkers. However, the amount of funds and trained personnel necessary to meet the problems presented are still lacking. For fiscal year 1967 only \$33 million has been

authorized for migrant worker projects as compared to \$35 million actually spent in fiscal year 1966. During the coming year, funds for migrant worker projects under the war on poverty should be at least doubled so that these programs of demonstrated value may be increased in scope and their benefits brought to a greater number of migrant farm families.

### FARM LABOR CONTRACTOR REGISTRATION ACT

Public Law 88-582, requiring Federal registration of farm labor contractors, is now in its second year of existence. Under this act, the crew leader or agricultural labor contractor, who for a fee either for himself or on behalf of another person, recruits, solicits, hires, furnishes, or transports 10 or more migrant workers at any one time during any calendar year for interstate agricultural employment, must apply for a certificate of registration through the Department of Labor's State Employment Service or, in certain States, at the offices of the State labor commissioner. As of October 31, 1966, 1,931 applications had been filed for registration under the act as compared to 1,870 registrations during the same period in 1965. Ultimately, the Department of Labor estimates that between 8,000 and 12,000 farm labor contractors will be registered.

The enforcement of the registration provisions of the act continues to be a serious problem due largely to the difficulty of finding and identifying the crew leader after he has departed from his State of residence, and because many crew leaders subject to the act endeavor to evade its registration provisions. This problem is further compounded by the field staff of the Labor Department's Farm Labor Contractor Registration Section being limited to five professional employees.

Under the act's provisions, the crew leader is required to submit (a) information concerning his conduct and method of operation as a farm labor contractor; (b) satisfactory assurances as to his coverage by public liability insurance on the vehicles he uses to transport migrant workers; and (c) a set of his fingerprints. The registration certificate may be rejected, revoked, or suspended if the crew leader fails to perform any of the above requirements or commits certain acts of malfeasance such as (a) knowingly giving false or misleading information to migrant workers concerning the terms, conditions, or existence of farm employment; (b) unjustifiably failing to carry out his agreements with farm operators or his working arrangements with migrant workers; (c) convictions of certain specified crimes.

Since January 1, 1966, 353 investigations have been made into suspected violations of the act's provisions. The largest percentage of these concerned crew leaders who were subject to the act but who had failed to register. Other frequent violations included the failure to provide and maintain insurance and to keep adequate payroll records. Investigations also indicated that some contractors had failed to disclose to workers at the time of their recruitment information concerning the area of employment, the crops and operations on which workers might be employed, the transportation and housing to be provided, and the wages to be paid workers for their services.

The Labor Department has thus far forwarded 54 cases to its Solicitor's office for consideration of legal action. Most of these cases involve the failure to register, the keeping of adequate payroll records and, in some instances, failure to make proper disclosures. Only two crew leaders have requested hearings. In one case the crew leader was charged with failure to have purchased the required insurance. The other involved the refusal of the Labor Department to issue a certificate of registration. Decisions in these cases are pending.

During the first year of the administration of the act, the major problem encountered was the inability of many farm labor contractors to obtain and pay for the required liability insurance because the standard commercial liability insurance policy excludes employees. Since many migrant workers are considered employees of the contractor, the standard liability insurance policy did not meet the insurance requirements of the act. This problem has been met by the development of a farm labor contractor liability endorsement and a farm labor contractor automobile liability certificate of insurance. An accident policy has also been developed to add flexibility to the insurance program.

At the present time, an applicant for registration has three alternatives in meeting the requirements of the act:

(1) The crew leader can purchase the basic automobile liability insurance with a farm labor contractor liability endorsement which covers the passengers. This alone is sufficient to meet the requirements of the act. The regional administrator of the Department of Labor has only to make certain that the farm labor contractor automobile liability certificate of insurance with the passenger hazard included has been submitted by the applicant.

(2) He can purchase the automobile liability insurance with the passenger hazard excluded, plus an accident policy. Again, he submits along with his other documents the Farm Labor Contractor Automobile Liability Certificate of Insurance, showing the passenger hazard excluded, and the Farm Labor Contractor Standard Accident Policy Certificate of Insurance.

(3) He can purchase a surety bond which assures payment of any liability up to \$50,000 for damage inflicted on persons or property arising out of an accident involving the farm labor contractor and his vehicle.

No certificate of registration authorizing transportation of migrant workers will be issued until the farm labor contractor has compiled with the financial responsibility or insurance requirements of the act.

During the past year, the Crew Leader Registration Act has caused a lessening of the abuses most frequently attributed to crew leaders which have been described above. Of equal importance is the fact that American farmworkers are for the first time receiving protection during their travels in the migrant stream by the comprehensive liability insurance coverage provided for by the provisions of the act.

**Continued efforts must be made to lessen the costs to the crew leader of the insurance provisions of the act. Additional staff must also be made available to the Labor Department in order to assure the registration of farm labor contractors when they are subject to the act's provisions.**

Special attention should be given to the act's provisions protecting migrant workers from exploitation and abuse by irresponsible crew leaders including collecting wages from employers and then abandoning workers without paying them, failing to pay agreed upon wages, making improper deductions from workers earnings, and failing to forward OADI and income tax deductions to the proper authorities.

### THE HOUSING ACT OF 1965

The Housing Act of 1965 (Public Law 89-117) was intended by the Congress as a major step in solving our Nation's farm labor problems. Section 1005 of the act increased from \$10 million to \$50 million the total appropriation authorized through 1969 for Federal assistance for the construction of low-rent housing for American farmworkers. Under the act, the Farmers Home Administration, an agency of the U.S. Department of Agriculture, is authorized to make grants of up to two-thirds of the cost of providing decent, safe, and sanitary low-rent housing for American farmworkers. These funds are to be used to pay the cost of building, buying, or repairing houses and related facilities. (Policies and procedures under this act are available upon request from the Farmers Home Administration.)

To be eligible for a grant, an applicant must—

- (1) Be a State or political subdivision or a public or broadly based nonprofit organization which intends to provide the housing as a community service;
- (2) Be unable to provide the necessary housing from its own resources or with credit from other resources, including a farm labor housing loan which is provided for under another section of the act;
- (3) Have initial operating capital and, after the project is completed, have the operating income necessary for a sound operation;
- (4) Possess the legal capacity to contract for the grant.

Rental charges under these grants must be approved by the Farmers Home Administration and must be within the farmworker's ability to pay. In determining eligibility for occupancy, the act provides that there will be no discrimination due to race, color, creed, or national origin. Housing constructed must be adequate but modest and may include single-family units, apartments, or dormitory-type structures. Related facilities such as community rooms, kitchens, dining areas, and child-care facilities may also be financed through these grants.

The improvement in farm labor housing and thus the fulfillment of the congressional intent to ease our Nation's farm labor problems by making farmwork more attractive, especially to migrant farmworkers has not been met. This failure is due to the fact that for fiscal 1965 and again in 1966 only \$3 million was appropriated for farm labor housing grants under the act. The need for appropriations many times over this amount is obvious.

The subcommittee during its field trips and hearings throughout the Nation has found that in many areas of the country American farmworkers, both single males and those with families, are reluctant to work in our Nation's fields because of the lack of adequate housing.

A survey made in Fresno, Calif. in April of 1963 showed that migrant workers, in seeking employment, felt that although high wages were of primary consideration, both single male and family workers felt that housing was the second most important consideration in seeking employment, coming ahead of length of the workday, quality of food provided, type of work, and so forth.

*Characteristics of a good place to work, migrant workers' opinions, by order of importance*

Order of preference	Single workers	Family men
1.....	Pay.....	Pay.
2.....	Housing.....	Housing.
3.....	Food.....	Length of workday.
4.....	Length of workday.....	Fairness.
5.....	Fairness.....	Foreman's interest.
6.....	Foreman's interest.....	Work period (weeks).
7.....	Work period (weeks).....	Kind of work.
8.....	Kind of work.....	Incentive pay.
9.....	Foreman's directions.....	Foreman's directions.
10.....	Incentive pay.....	Travel distance.
11.....	Travel distance.....	Food.
12.....	Spare time.....	Spare time.

Source: MacGillivray, John, "Motivation of Domestic Seasonal Farm Workers," Vegetable Crops Series 127, University of California, Davis, California, April 1963.

In its own interviews of farmworkers throughout the country, the subcommittee staff has found that numerous workers place housing even ahead of wages in making a job selection.

The lack of adequate housing for farmworkers has constituted an insurmountable barrier to both Federal and State recruitment programs. This is especially true in States such as California, Colorado, Texas, Florida, and Arizona, which prior to the expiration of Public Law 78 made extensive use of foreign farmworkers. Most foreign farmworkers traveled without their families and could be housed in barrack-type structures, dormitory style, which generally were not equipped with sanitation, cooking, and other facilities required by families. In most of these areas, existing family housing has been found to be deteriorated and without adequate sanitation facilities.

**Only in isolated instances has housing under Public Law 89-117 been constructed to meet minimum standards of health, safety, and sanitation. It is urgently recommended that Congress promptly appropriate adequate funds to carry out the low-rent housing program authorized by Public Law 89-117.**

## PROBLEMS CALLING FOR BASIC LEGISLATION

### COLLECTIVE BARGAINING

Neither Federal nor State laws provide meaningful collective-bargaining rights for agricultural workers. The National Labor Relations Act specifically exempts the agricultural worker from its provisions. However, the remainder of our Nation's work force, with the exception of domestics, are covered by the act.

The migratory worker, because of his brief periods of employment, is particularly hard hit by this exemption. His continuous mobility and the rapid fluctuations in demands for farm labor detrimentally

affect his bargaining position with prospective employers. The disadvantages to the farmworker which flow from this exemption are best illustrated by the fact that hourly earnings of manufacturing workers, who, in the main, are covered by the act's provisions, were \$2.61 an hour in 1965 while farmworkers received \$1.14 an hour. In almost every State, earnings of workers engaged in manufacturing were 100 percent higher than those employed in agriculture.

Until recently, efforts to unionize farmworkers have all failed and have in some cases been accompanied by considerable violence similar to that which accompanied attempts to unionize industrial workers before the enactment of the National Labor Relations Act.

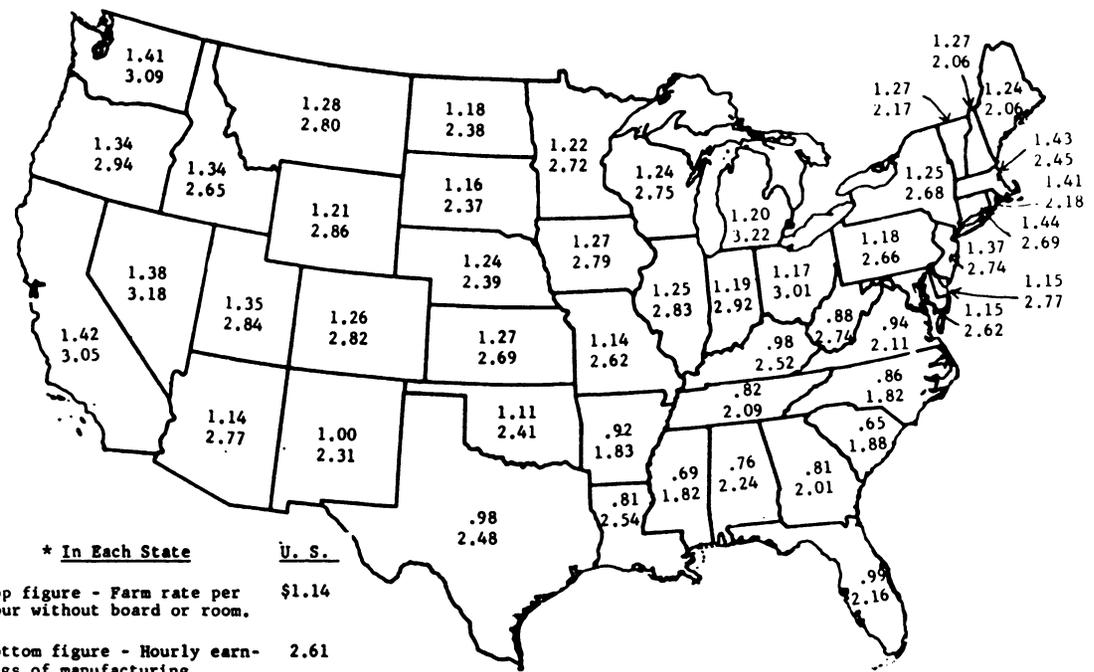
For example, in 1933 a strike of grape workers in Lodi, Calif., resulted in violence, community disorganization, and a crop that rotted on the vine. Last fall, 32 years later, grape workers again struck, this time in Delano, Calif., a few hundred miles away. The objectives of the workers were the same as in 1933, higher wages, union recognition, and better working conditions. The growers' position was also, at first, unchanged—a refusal to negotiate with the workers. The lack of orderly procedures, provided by the National Labor Relations Act which recognizes the rights of workers to organize and bargain collectively with their employers, has undoubtedly prolonged this labor dispute. This dispute now in its second year continues to cause community unrest and the loss of employment and worker productivity. On the other hand, if agricultural workers were not excluded from National Labor Relations Act coverage the issues of union recognition and the right of farmworkers to bargain collectively would have been immediately adjudicated by the National Labor Relations Board without the chaos, costly work stoppages and community frictions which have developed. At present some progress has been made resulting in a partial settlement of the Delano dispute with some of the larger growers, but only after a special mediator was brought into the picture by the Governor of California.

Between 1930 and 1948 there have been over 380 agricultural strikes in 33 States involving over 300,000 workers. California alone accounted for over half the strikes and nearly three-fourths of the strikers. Since 1948 numerous additional attempts have been made to organize farmworkers in order to gain increased wages and employer recognition of the union as the worker's agent for collective bargaining. Again, most of these efforts have failed, largely because of the chaotic structure of the farm labor market and because the low income of the farmworker and his short periods of employment make it of utmost importance for him not to lose even a single day's pay due to a work stoppage.

The exclusion of agricultural workers from National Labor Relations Act coverage contributed significantly to these failures. Without the act's protections employers are not compelled to deal with unions seeking recognition, hold representation elections, or submit to arbitration. Employers may, if they wish to do so, ignore the union and hire other workers.

With the successful unionization of some California farmworkers and the continued agricultural strikes in California, the Rio Grande

HOURLY WAGE RATES, 1965  
Farm and Manufacturing\*



\* In Each State U. S.  
 Top figure - Farm rate per hour without board or room. \$1.14  
 Bottom figure - Hourly earnings of manufacturing production workers. 2.61

Valley of Texas, Wisconsin, and Florida, the need for an orderly method of resolving labor disputes in agriculture has become a necessity. The procedures of the National Labor Relations Act which has provided for orderly settlements of labor disputes in other industries during the past 30 years and which has brought dignity to the working men and women of the United States, enabling them to deal with their employers as equals, should be extended to agriculture.

The bringing of agriculture under the National Labor Relations Act would affect only our Nation's largest farms. The rapid growth of modern industrialized agriculture makes this segment of our economy similar in many ways to our Nation's other large manufacturing industries. Agricultural workers should, therefore, have the same collective bargaining rights as those available to their fellow industrial workers.

Under current jurisdictional standards of the National Labor Relations Board only 3 percent of those farms whose interstate shipments amount to more than \$50,000 a year would be affected by such an extension. However, a significant portion of our hired farmworkers would benefit since over 30 percent of all expenditures for hired farm labor are made by the larger one-half of 1 percent of all of our Nation's farms.

The importance of agriculture as one of our Nation's major industries coupled with its critical effect on all of our lives further evidences the need for maintaining equitable and stable employee-employer relationships and for providing order in place of the chaos which now exists in California, Texas, and Florida.

**The benefits of the collective bargaining rights and procedures of the National Labor Relations Act should be extended to our citizens employed in agriculture. Consideration should be given to the possible desirability of new concepts which may be more suitable to a mobile, seasonal agricultural labor force than those afforded by the present Federal labor laws. For example, jurisdiction standards for the National Labor Relations Board could be revised to meet the special problems of agriculture. Furthermore, a thorough review of this subject may demonstrate the need for an accelerated election procedure as well as an administrative board which deals exclusively with collective bargaining rights in agriculture.**

### VOLUNTARY FARM EMPLOYMENT SERVICE

Recruiting a seasonal farm labor force at the beginning of each new harvest season is a difficult task at best, but it was further complicated this year by the extremely tight labor market situation which prevailed in most parts of the United States. The rate of unemployment for all workers did not rise above 5 percent in the first 10 months of 1966. At the peak of agricultural activity in September it was only 3.3 percent. In addition, increased mechanization has not overcome the need for large numbers of farmworkers for short periods of time. In some crop activities the need has been intensified. Thus the need for channeling migratory labor to the right place at the right time continues to be of utmost importance to our Nation's agricultural economy.

All too often during the past year there has been uncertainty as to whether enough workers would be available at the right place and at the right time to harvest our Nation's crops. In the case of highly perishable commodities, such as strawberries, a serious shortage of workers at harvest time for even a few days may result in great financial loss. On the other hand, the farmworker, and the migrant in particular, needs assurance that work will be available as soon as he arrives in a given area due to his limited financial resources.

Growers who are heavily dependent upon large numbers of seasonal workers to meet their peak harvest needs must in effect modernize their recruitment procedures. For the Nation as a whole this involves the expansion of seasonal employment for over 1 million workers, many of whom work in many different jobs for many different employers. Year-round job opportunities must be developed for these citizens. This might be achieved by either working out year-round employment for those workers who follow the migratory stream or by bringing certain types of industry into farm areas to supplement seasonal agricultural employment. The characteristics of farming and the resources of farm employers are such that they cannot by themselves provide for any semblance of a rational, orderly recruitment program of this magnitude.

The Federal Government through the Bureau of Employment Security of the Labor Department and affiliated State employment agencies has attempted with limited success to assist in alleviating this problem. Migrant workers receive schedule-planning assistance through the annual worker plan which arranges an itinerary for the migrant in advance of the harvest season by scheduling a succession of jobs. This plan has increased the number of days of work available for the migrant and at the same time has assured the farmer that workers will be available when needed.

One type of arrangement under the annual worker plan is the "pooled interview." This plan has been used in Florida and to a lesser extent in a few other States. Before the season begins, farm placement representatives from States which require large numbers of migrant farmworkers receive job orders from the farmer and then meet with crew leaders in the supply States in order to schedule a series of jobs for the entire harvest season. The crew leader is briefed on crop prospects, wage rates, working and living conditions, and other pertinent information. Interviewers in Florida during the past year represented 17 States and contacted 630 crew leaders. From these contacts 46,795 workers were referred to agricultural employment.

Another kind of migrant recruitment is accomplished through the extension of interstate clearance orders by demand States with the actual recruitment being left to representatives of the supply States. In Texas, the Nation's leading farm labor supply State, 77,000 workers were recruited in this manner.

While results under these plans are encouraging, they are still meager when compared to the total farm labor problem. Sufficient recruitment efforts are still not made in advance of the harvest season by interviewing and screening potential workers. Firm contracts should be entered into for fixed periods during the harvest season including commitments regarding transportation, compensation, housing, and food. Most importantly, however, as with other types

of employment, the basic responsibility for recruiting employees must rest with the farm employer himself.

However, for at least the present transitional period from foreign to American agricultural farmworkers a firm statutory base is needed to improve recruitment methods on a basis which will result in substantial year-round employment and a more stabilized labor supply.

The present farm placement system should be improved by providing better methods of recruiting, transporting, and otherwise making domestic farmworkers available to fulfill agricultural labor needs. Guarantees for the worker and assurances to the farmer of reliable workers should be utilized to improve the present situation. Farmworker training programs should be continued and expanded to the greatest practicable degree. State and private recruitment and placement procedures now operating satisfactorily should continue in their present form. Moreover, participating in and use of new methods should be entirely voluntary on the part of both the worker and the farmer.

The Secretary of Labor should also be authorized to undertake study and demonstration projects leading to fuller utilization of underemployed migratory farmworkers and to meeting the labor recruitment of farm employers including special job training, counseling, resettlement, community exchange services, and special placement services.

#### NATIONAL ADVISORY COUNCIL ON MIGRATORY LABOR

During the 89th Congress, legislation affecting the wages, health, education, and housing of migratory farmworkers was put into effect. These programs, as well as those previously enacted, are spread throughout various governmental departments and agencies, including the Departments of Labor, Agriculture, Health, Education, and Welfare, and the Office of Economic Opportunity. In addition, there are almost 30 different State migratory labor committees, plus almost as many private agencies and church groups.

All of these groups have undertaken many worthwhile projects. Yet despite this increased interest, there are still serious gaps and inadequacies in respect to the total range and intricacies of the problems facing our Nation's migrant farmworkers. On the State, Federal, and private levels, there is a lack of overall coordination and a broad overall picture of the problems facing the migrant. This has constituted a substantial impediment to the development of a logically organized network of national programs. One single body is needed to focus our Nation's systematic and sustained attention to the migratory labor problem in its national context.

A National Advisory Council on Migratory Labor would fulfill this presently existing need. The Council would not be a duplication of present groups but a logical, necessary extension and coordination of their purposes on the Federal level. It would perform a valuable function in pressing a representative and independent viewpoint on Federal policies and on their proper coordination to the President and to the Congress. The Council would also assist State and local agencies in providing a better understanding of the conditions, needs, and long-range solutions to the migratory labor problems which confront our Nation.

**A National Advisory Council on Migratory Labor should be established in order to provide better understanding of conditions, needs, and long-range problems relating to the migratory labor problem. Council members should be persons who are knowledgeable of the problems of migratory workers and representatives of farmers, workers, and other interested groups. The duties of the Council should include advising the President and Congress with respect to the operation of Federal laws and regulations and the coordination of programs and policies on migratory labor. The Council should also gather and evaluate information on migratory labor problems with a view to formulating and recommending appropriate plans, programs, and policies.**

### **RAPID TAX AMORTIZATION FOR CONSTRUCTION OF FARM LABOR HOUSING**

The farmer who employs American labor has a unique problem in that he generally must provide housing for his employees. This housing is in many instances an extra item of labor costs; it has no economic value to the farmer beyond enabling him to attract employees since in many cases it is only occupied for short periods of the year during the peak harvest season.

For individual farmers to construct housing which would meet minimum standards of comfort, health, safety, and sanitation the costs would be approximately \$5,000 per unit. Most farmers do not have financial means of their own to build the number of housing units necessary to house an adequate labor force. This is especially true if the farmer wishes to construct housing on his own land for his own employees. In addition, individual farmers are not eligible for grants under the Housing Act of 1965, such grants being limited to States or public broadly based nonprofit organizations which intend to provide the housing as a community service.

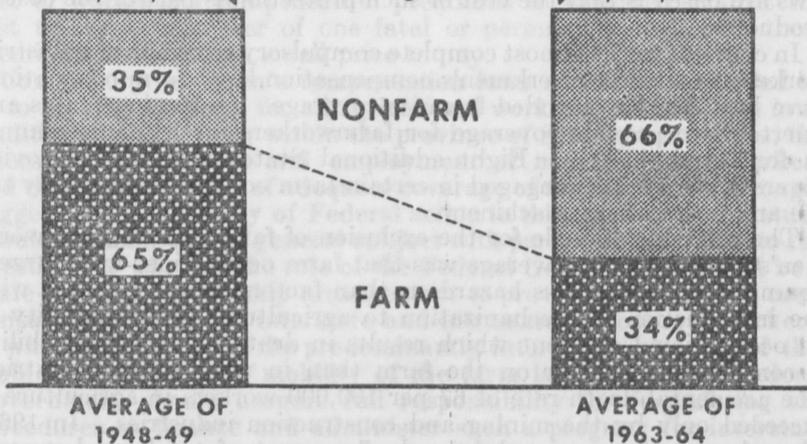
The lack of adequate on-the-farm housing has caused the place of residence of hired farmworkers to change significantly during the last 15 years. As late as 1948 to 1949, two-thirds of the people who did farm wage work lived on farms and the remainder lived in rural nonfarm or urban places. By 1964, this situation had been completely reversed; 66 percent of all hired farmworkers were nonfarm residents. This change in residence has undoubtedly contributed to our Nation's farm labor supply problem.

To increase the availability of adequate housing, an incentive in the form of a rapid tax amortization of the construction costs of farm labor housing should be made available to those individual farmers who wish to construct housing for their workers on their own farms. Under present law such construction costs are depreciated over the useful life of the housing facility, usually a minimum of 20 years in the case of farm labor housing. A rapid amortization over a 5-year period of time would be an added incentive to induce farmers to construct on-the-farm housing for their employees.

The subcommittee further recommends that this 5-year amortization be made available for the cost of alteration or remodeling of existing housing. To qualify the owner should (1) provide housing which is decent, safe, and sanitary; (2) if the housing is to be rented other than furnished to farmworkers rent free, the rental should be

## RESIDENCE OF HIRED FARM WORKERS\*

3,946,000 ← All farm wage workers → 3,484,000



\*RESIDENCE OF FARM WAGE WORKERS IN DECEMBER OF THE REFERENCE YEARS.  
DATA RELATE TO PERSONS 14 YEARS OLD AND OVER IN THE CIVILIAN NONINSTITUTIONAL  
POPULATION WHO HAD DONE SOME FARM WAGE WORK DURING THE SPECIFIED YEARS.

U. S. DEPARTMENT OF AGRICULTURE

REG. ERS 3781-65 (7) ECONOMIC RESEARCH SERVICE

reasonable in view of the probable income and earning capacity of the occupant; (3) during the 5-year amortization period make the housing available primarily for occupancy by American agricultural workers and maintain it in accordance with appropriate standards of safety and sanitation.

The loss of revenue to the Treasury from such a provision would not exceed \$2.5 million annually. This estimate is based on the Department of Agriculture's statistics on current spending for farm labor housing of \$32 million a year and the fact that farm labor housing generally has a useful life of less than 20 years.

The loss of revenue to the Treasury from such a provision is small indeed when compared to the existing need for adequate farm labor housing and the benefits such housing would confer on American migratory workers and their families who spend their lives in substandard housing which is often overcrowded and without adequate plumbing, refrigeration, or cooking facilities.

**Federal aid should be made applicable to the numerous and diverse problems of financing housing for American migratory farmworkers. Such aid should include provisions for a rapid tax amortization of investments in housing made by farmers and which is provided for the use of migratory farm families.**

### WORKMEN'S COMPENSATION

Workmen's compensation—the first type of social legislation to be afforded exclusively to the Nation's work force—was devised to assure that benefits would be paid to workers injured on the job promptly,

with a minimum of legal formality, and without the necessity of placing the blame for injury. At the same time, workmen's compensation protects the employer from lawsuits which might result in heavy damages. The principle on which workmen's compensation laws are based is that the cost of such protection is part of the cost of production.

In contrast to the almost complete compulsory coverage of industrial workers under State workmen's compensation laws, farm occupations have been largely excluded from its coverage. Only nine States and Puerto Rico provide coverage for farmworkers in the same manner as for other workers. Eight additional States specifically provide coverage for workers engaged in certain farm occupations, usually the use and operation of machinery.

The original rationale for the exclusion of farmworkers from workmen's compensation coverage was that farm occupations were largely nonmechanized and less hazardous than factory work. Today, with the introduction of mechanization to agriculture, the probability of an occupational accident which results in death or serious disability is considerably greater on the farm than in most other industries. The accidental death rate of 67 per 100,000 workers in agriculture is exceeded only by the mining and construction industries. In 1964, when farmwork accounted for only 7 percent of total employment, 13.2 percent of all disabling injuries and 22.5 percent of all fatalities from work accidents occurred in agriculture. Machinery is by far the most important cause of injury, causing nearly two-fifths of all farm accidents.

*Fatal accidents on farms and in all places, by cause of accidents, United States, 1964<sup>1</sup>*

Agency of accident	Farms		All places		Farms as percent of total
	Number	Percent	Number	Percent	
Total <sup>2</sup> .....	2,279	100.0	50,498	100.0	4.5
Machinery.....	875	38.4	1,945	3.9	45.0
Drownings.....	362	15.9	5,433	10.8	6.7
Firearms.....	238	10.4	2,275	4.5	10.5
Falls.....	135	5.9	18,941	37.5	0.7
Moving objects.....	160	7.0	1,517	3.0	10.5
Burns (hot substances).....	118	5.2	7,750	15.3	1.5
Electric current.....	88	3.9	989	2.0	8.9
Poisonings.....	31	1.4	3,460	6.9	0.9
Other causes.....	272	11.9	8,188	16.2	3.3

<sup>1</sup> July 1, 1963 to June 30, 1964.

<sup>2</sup> Excludes transportation accidents.

Source: Unpublished data from National Health Survey, National Center for Health Statistics, U.S. Department of Health, Education, and Welfare.

Injuries to farmworkers have an even greater economic impact than those to workers in other occupational groups due to the fact that farmworkers usually have less hospital and surgical insurance. A recent public health survey showed that only 42 percent of all farmworkers had hospitalization insurance and only 37 percent had surgical insurance. The proportion for workers in all other occupations was 76 and 71 percent respectively.

Some States provide for voluntary workmen's compensation coverage for farmworkers at the option of the employer. In these States, premium rates vary but most of them are within a range of about \$2 to

\$6 per \$100 of payroll. Experience in these States for the years 1955-60 showed that payments for fatalities averaged \$8,364. Permanent-total disability claim payments averaged \$45,430 and payments for permanent-partial injuries averaged \$3,205. When the cost of workmen's compensation premiums is measured against the cost to the farmworker of one fatal or permanent disability, these premiums seem to be a small price to pay.

**Compulsory workmen's compensation laws should be extended so as to provide coverage for all agricultural workers. While such laws traditionally have been within the province of State governments, the interstate recruitment and employment of migratory farmworkers and the continued lack of adequate coverage of the State level strongly suggest the desirability of Federal action in this area. Careful study should be made of this general subject with particular reference to the questions of whether the role of the Federal Government should be a State-Federal partnership arrangement to provide a workmen's compensation program for interstate and intrastate agricultural workers, or whether, because of the predominantly interstate character of this problem, and the high mobility of the farm labor force, the Federal Government should assume full responsibility for formulating the procedures to finance and administer such a program for interstate agricultural workers.**

## UNEMPLOYMENT INSURANCE

The purpose of unemployment insurance is to provide an orderly method of offsetting the effects of unemployment to the individual and the community. It enables nondeferable living expenses to be met without having the recipient rely on meager savings or community charity. Moreover, since benefits are paid by state unemployment agencies, the unemployment insurance system keeps the unemployed in touch with job opportunities. In addition, consumer purchasing power is preserved, as well as individual skills and earning power.

The migrant agricultural worker clearly needs the benefit of a program directed toward these objectives. Migrant workers are particularly vulnerable to intermittent employment, working less than 150 days during the year, and being among the lowest on our nation's income ladder. A high incident of poverty is their most common characteristic. Despite this great need, the agricultural worker is almost completely without the economic protection of unemployment insurance. Of all the 50 States, only Hawaii has expressly made its unemployment compensation program applicable to agricultural workers.

The traditional reason for the exclusion of agricultural workers was a belief that agriculture presented administrative and financial problems for a program of unemployment insurance, which was basically designed to meet the needs of a worker with continued attachment to an industrial labor force. With the consolidation and mechanization of American farms, however, agriculture has today come more closely to resemble industry.

In America today, there are about 2.5 million households with one or more persons totaling 3.4 million who do some hired farmwork during the year. Over half of these households have total family income from all sources of employment of less than \$3,000. Ap-

proximately 38 percent of those employed in farmwork also do non-farm wage work. However, in many instances their nonfarm wage work does not in itself make these workers eligible to qualify under current State standards for unemployment compensation insurance. Coverage of agricultural work would enable some of these workers to qualify on the basis of their combined farm and nonfarm work experience.

The extension of unemployment compensation coverage to all agricultural employees performing farm labor for employers who used more than 300 man days of hired farm labor in any one of the four preceding calendar quarters is currently under consideration. This would, in effect, extend benefits to farmworkers employed by farm enterprises using approximately four or five full-time employees during a calendar quarter. Under such a criteria, approximately 67,000 farms would be covered with unemployment compensation benefits extended to 572,000 farm employees. The average payroll tax incurred from such coverage would be about \$800 per farm. There would be no increase in costs to those small farms who mainly use the labor of the operator and his family members since they would be exempt from coverage. The increase in labor costs to those farms covered by this proposal would amount only to 0.2 percent of their total farm production expenses.

The limited extension of unemployment compensation to farmworkers employed on our Nation's largest farms would obviously have little impact on food prices or labor costs. However, the extension of unemployment compensation coverage to farmworkers would be a great step forward in providing small amounts of income for the migrant and his family during the periods of the year when employment is unavailable.

**Unemployment insurance laws or similar income security measures should be made available to migratory farmworkers. The interstate nature of the problem, together with the near failure of solution at the State level, gives rise to a responsibility on the Federal Government to assist the States in achieving this objective. Although the present system of unemployment insurance should be extended to farmworkers wherever feasible, alternative methods of meeting the problem should be considered. For example, Federal financial assistance could be made available to the States possibly on a matching basis, to supplement State unemployment compensation funds, or for general assistance for migrant workers on the condition that individuals in need shall not be denied aid because of residence requirements. In the latter case such aid, instead of being administered by welfare agencies, might be provided through State unemployment compensation agencies, thereby keeping the unemployed in touch with job opportunities.**

#### OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

Old-age, survivors, and disability insurance is the only major area of Federal social legislation from which agricultural migrants may receive even the slightest benefits. In this area, however, like all others, inadequate coverage increases the likelihood that the migrant, upon becoming too old to continue performing farmwork, will become a public charge.

Since 1956, farm employment has been covered for social security purposes if the worker receives cash wages amounting to at least \$150 from one employer during the year. Alternatively, a farmworker gains coverage if he works for one employer "on 20 days or more during \* \* \* [the] year for cash remuneration computed on a time basis." Since a great number of migratory workers are paid on a piece-rate basis, this latter provision has had limited practical effect and the \$150 cash minimum is most often controlling.

The migratory worker, due to his low rate of compensation and short periods of employment, does not even meet these meager requirements. Although the Social Security Administration reports that a total of 1,950,000 farmworkers were covered in 1963—not all farmworkers are covered by social security. The statistics compiled in the chart below identify a hired farmworker as a person receiving taxable wages for agricultural labor as defined by the Social Security Act. Many of these individuals do not perform work commonly thought of as agricultural labor. However, they are considered to be farmworkers under the Social Security Act's definition if a major part of their work is done on a farm. This may include such work as construction, ditch digging, irrigation work, etc., not commonly performed by the migrant.

*Distribution of farmworkers taxed under the old-age, survivors, disability, and health insurance program, by farm-wage level, United States, 1963*

Taxable farm wages from all employers (dollars)	Farmworkers	
	Number	Percent reported by more than 1 farm employer
Total.....	1,950,000	17
Under 50.....	30,000	(1)
50 to 99.....	40,000	(1)
100 to 199.....	205,000	2
200 to 299.....	225,000	4
300 to 399.....	170,000	8
400 to 1,000.....	555,000	21
1,000 to 1,999.....	365,000	29
2,000 to 2,999.....	175,000	27
3,000 to 3,999.....	100,000	19
4,000 to 4,799.....	40,000	19
4,800 or more.....	50,000	12
Median wage.....	730	-----

Source: Social Security Farm Statistics 1955-63, Social Security Administration, June 1966.

Under current statutory provisions the crew leader is treated as an employer unless there is a written contract to the contrary. This allows the employee working on several farms under a single crew leader to meet the annual requirement of \$150 or 20 days under one employer. Prior to the Farm Labor Contractor Registration Act (Public Law 88-582) this provision had become a screen for evasion through endless shifting of responsibility. Difficulties in keeping track of crew leaders for the purpose of enforcing their responsibilities was a serious problem. The registration provisions of the Farm Labor Contractor Registration Act (described earlier in this report) has aided in alleviating this problem and in implementing the enforcement of the OASDI provisions of the Social Security Act.

**Continued study should be given to the adequacy of the migrant farmworker's coverage under the old-age, survivors, and disability insurance provisions of the Social Security Act. Ideally, the existing law should be modified so that the responsibility for withholding and reporting wages rests on the actual employer, the farmer. Additionally, there should be major revision or elimination of the restrictive qualification provisions of \$150 or 20 days.**

### RESIDENCE REQUIREMENTS

Although the United States enjoys the highest standard of living in the world, millions of Americans possess resources inadequate to meet their essential needs. Most of these citizens are aided through federally and State financed welfare programs; however, one of America's lowest income groups, the domestic migratory farmworkers, too frequently do not share in such assistance. State residence requirements usually bar migrant workers from welfare assistance except in emergency situations.

Two types of assistance are available to persons in need, the federally supported public assistance programs and the State or locally financed general assistance programs. The Federal Government provides grants-in-aid to the States under the Social Security Act for the public assistance programs of old-age assistance, aid to the blind, aid to families with dependent children, aid to the permanently and totally disabled, and medical assistance for the aged. All States finance their own programs of general assistance. The general assistance programs vary from State to State, but the majority of States use their programs to meet any kind of need of an individual or family. These needs are met in some cases by provision of food, clothing, or shelter; cash payments also may be made. A few States provide emergency or short-term assistance only.

Most States impose residence requirements for aid under their own general assistance programs. To be eligible for general assistance in such States, the needy person must have resided there for periods ranging from 6 months to 6 years prior to application for aid. Since the migrant worker follows the crops and rarely remains in the same State for more than a few weeks or months, he cannot, in a typical situation, fulfill these requirements. Most of the States make some exceptions in their programs for nonresident persons; however, the assistance provided is usually very limited and is generally of an emergency nature.

The States also impose durational residence requirements that generally bar migrants from four of the five federally supported public assistance programs—all but medical assistance for the aged. Thirty-eight States require residence ranging from 1 to 5 of the preceding 9 years for all four of these programs. Only Connecticut, Hawaii, Kentucky, New York, and Rhode Island have no durational residence requirements for any of the four. Seven additional States will provide aid under one of the four programs without a residence requirement.

Although providing welfare assistance for the migrant worker is a complex problem, it is not an insoluble one. New York State, which has no durational residence requirements, has made great progress in assisting migrant workers. The experience of New York indicates

that, contrary to generally held opinion, lack of residence requirements does not attract a flood of welfare seekers. A 1958 New York study reported that only 1.6 percent of the recipients of assistance had been there less than 1 year. Among migrant farmworkers specifically, the percentage requiring assistance was 1.2 percent, as against 2.7 percent for the general population. Over 80 percent of the aid given migrants was used for hospitalization.

Residence requirements affect not only the migrants' eligibility to receive welfare assistance but also their eligibility to vote. For voting purposes, all States require both the establishment of residence and previous registration. Only in a minority of States is it possible for absent residents both to register and to vote by mail. Accordingly, migrancy is likely to disenfranchise the farmworker in his home State without conferring the right to vote elsewhere.

**Public welfare assistance should be made available to the migratory farm family on the basis of need without regard to the question of residence. Since the fact of nonresidence is permanently attached to the migratory farm family, new concepts or some practical adjustment of current programs must be developed to take care of their needs. Consideration should be given to the possibility of an interstate welfare compact to provide aid for all persons regardless of residence. Provision could be made for or by the Federal Government to assist such cooperation among the States by assuming a share of the costs incurred under the compact. Another possibility is the assumption of responsibility by the Federal Government for providing Federal grants-in-aid under the Social Security Act for use in present State general assistance programs. With such aid available for their general assistance programs, the States would be encouraged to eliminate their residence requirements respecting migrant workers. Similarly, national legislation could provide for the inclusion of migrant workers without regard to residence under the federally supported programs of the Social Security Act.**

The problem of voting eligibility of migrants should receive careful study. With respect to presidential and congressional elections, a Federal constitutional amendment should be adopted providing that a State may not abridge or deny the right to vote (a) on account of State residence requirements, if the voter is otherwise qualified and has resided in the State for at least 30 days or (b) on account of physical presence requirements, if the voter is otherwise qualified but is absent, for good cause, from the jurisdiction. In the latter case, provision for absentee balloting would have to be made.

## APPENDIX A

### DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES

*Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965*

[668 counties]

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Alabama</b>				
(3 counties)				
Baldwin.....	1,099	1,525	6/1	5/12-7/1
Cullman.....	125	175	5/10	4/25-6/1
De Kalb.....	622	871	7/18	7/1-8/20
<b>Arizona</b>				
(5 counties)				
Cochise.....	730	2,190	6/15	1/1-12/31
Maricopa.....	2,125	6,375	11/30	1/1-12/31
Pima.....	125	375	11/15	1/1-12/31
Pinal.....	820	2,460	11/30	1/1-12/31
Yuma.....	2,411	7,233	6/15	1/1-12/31
<b>Arkansas</b>				
(7 counties)				
Benton.....	425	638	8/31	5/1-9/30
Jackson.....	150	225	7/15	5/15-11/15
Johnson.....	225	338	7/15	7/1-7/31
Mississippi.....	200	300	9/30	9/15-11/15
Poinsett.....	450	675	9/30	5/15-11/15
Searcy.....	550	825	5/10	4/20-5/25
White.....	2,800	4,200	5/10	4/20-5/25
<b>California</b>				
(41 counties)				
Alameda.....	830	1,037	10/16	1/1-12/31
Butte.....	1,450	1,812	8/28	1/1-12/31
Colusa.....	730	912	9/11	1/1-12/31
Contra Costa.....	1,000	1,250	10/16	1/1-12/31
El Dorado.....	140	175	8/28	7/26-2/21
Fresno.....	22,000	27,500	9/4	7/26-2/21
Glenn.....	610	762	9/4	7/26-2/21
Imperial.....	1,850	2,312	1/30	7/26-2/21
Kern.....	2,400	3,000	6/26	7/26-2/21
Kings.....	1,000	1,250	5/22	7/26-2/21
Lake.....	1,000	1,250	8/21	7/26-2/21
Los Angeles.....	350	438	4/24	7/26-2/21
Madera.....	2,600	3,250	9/11	7/26-2/21
Mendocino.....	650	812	8/28	7/26-2/21
Merced.....	1,400	1,750	8/28	1/1-12/31
Modoc.....	250	312	10/16	1/1-12/31
Monterey.....	5,400	6,750	7/24	1/1-12/31
Napa.....	600	750	8/21	1/1-12/31
Orange.....	1,320	1,650	6/12	1/1-12/31
Placer.....	360	450	8/7	4/10-2/20
Riverside.....	5,960	6,810	7/24	1/1-12/31
Sacramento.....	800	1,000	7/31	1/1-12/31
San Benito.....	3,750	4,688	7/24	1/1-12/31
San Bernardino.....	860	1,075	3/27	1/1-12/31
San Diego.....	280	350	7/17	1/1-12/31
San Joaquin.....	9,000	11,250	6/12	1/1-12/31
San Luis Obispo.....	320	400	7/24	1/1-12/31
San Mateo.....	390	488	11/27	1/1-12/31
Santa Barbara.....	1,360	1,700	6/26	1/1-12/31
Santa Clara.....	8,200	10,250	8/21	1/1-12/31
Santa Cruz.....	1,910	2,388	10/9	1/1-12/31
Sliskiyou.....	270	338	10/23	1/1-12/31
Solano.....	1,800	2,250	9/11	1/1-12/31
Sonoma.....	1,600	2,000	8/28	1/1-12/31
Stanislaus.....	2,400	3,000	8/14	4/26-11/20
Sutter.....	1,200	1,500	8/28	1/1-12/31
Tehama.....	750	938	10/23	1/18-12/31
Tulare.....	5,800	7,250	5/22	1/18-12/31
Ventura.....	4,350	5,438	6/26	1/1-12/31
Yolo.....	6,930	8,662	9/4	1/1-12/31
Yuba.....	1,200	1,500	8/7	1/1-12/31

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Colorado</b>				
(25 counties)				
Adams.....	429	656	8/15	4/30-11/15
Alamosa.....	350	535	10/15	4/15-11/15
Baca.....	975	1,492	10/1	5/15-10/31
Bent.....	102	153	8/31	5/15-10/15
Boulder.....	165	251	6/30	5/15-10/15
Conejos.....	675	1,066	10/15	4/15-11/15
Costilla.....	160	242	10/15	4/15-11/15
Delta.....	225	344	7/30	5/28-10/29
Dolores.....	200	306	7/30	7/15-10/15
Jackson.....	350	536	8/15	7/20-10/1
Kit Carson.....	400	612	6/15	5/10-7/30
Larimer.....	650	996	6/15	5/1-9/30
Logan.....	380	582	6/15	5/1-7/30
Mesa.....	1,600	2,449	9/7	5/15-10/28
Montezuma.....	150	230	7/30	7/15-10/15
Montrose.....	143	218	6/15	5/15-7/15
Morgan.....	1,185	1,812	6/1	5/1-11/1
Otero.....	292	447	8/20	4/30-10/31
Prowers.....	175	268	6/1	5/15-9/30
Pueblo.....	130	198	9/15	5/15-9/30
Rio Grande.....	1,200	1,874	10/1	6/1-10/20
Saguache.....	1,100	1,683	10/1	6/1-10/20
Sedgewick.....	312	477	6/15	5/1-7/30
Weld.....	3,975	6,065	6/15	5/1-10/31
Yuma.....	135	232	6/1	5/1-11/1
<b>Connecticut</b>				
(4 counties)				
Hartford.....	5,500	5,500	8/1	3/1-10/1
Middlesex.....	600	600	8/1	3/1-10/1
New Haven.....	200	200	8/1	3/1-9/30
Tolland.....	500	500	8/1	3/1-10/1
<b>Delaware</b>				
(3 counties)				
Kent.....	1,375	1,650	7/31	4/31-10/31
Newcastle.....	1,050	1,260	5/31	4/31-10/31
Sussex.....	659	791	7/31	4/31-10/31
<b>Florida</b>				
(30 counties)				
Alachua.....	710	1,185	5/31	4/15-7/15
Brevard.....	245	409	12/15	10/15-5/31
Broward.....	1,596	2,660	2/28	1/1-12/31
Charlotte.....	562	938	4/30	1/1-12/31
Collier.....	844	1,409	4/30	1/1-12/31
Dade.....	7,540	12,580	1/31	1/1-12/31
DeSoto.....	506	844	5/15	10/1-5/31
Flagler.....	153	255	5/31	10/30-5/31
Glades.....	200	334	2/28	1/1-12/31
Hardee.....	1,008	1,681	1/31	10/1-7/31
Hendry.....	1,397	2,330	2/28	1/1-12/31
Highlands.....	452	754	1/31	10/1-7/31
Hillsborough.....	255	434	1/31	10/1-4/30
Indian River.....	181	302	1/31	10/1-6/15
Lake.....	1,026	1,710	12/31	10/1-8/31
Lee.....	2,107	3,567	4/30	1/1-12/31
Manatee.....	3,680	6,144	5/15	10/1-5/31
Marion.....	100	167	4/30	4/1-6/30
Martin.....	100	167	1/31	10/1-6/15
Orange.....	1,419	2,365	2/15	1/1-12/31
Palm Beach.....	16,757	27,928	2/28	1/1-7/15
Polk.....	2,015	3,369	1/31	10/1-7/31
Putnam.....	131	218	5/31	10/30-5/31
St. Johns.....	166	277	5/31	10/30-5/31
St. Lucie.....	117	195	1/31	10/1-6/15
Sarasota.....	414	691	5/15	10/1-5/31
Seminole.....	766	1,258	5/31	10/1-7/15
Sumter.....	114	190	12/31	10/1-8/31
Union.....	114	190	5/31	4/15-7/15
Volusia.....	864	1,483	5/31	10/1-7/15
<b>Georgia</b>				
(1 county)				
Decatur.....	100	110	6/15	5/15-10/15

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

*Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued*

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Hawaii</b> (1 county)				
Maui.....	475	475	7/1	5/1-12/31
<b>Idaho</b> (23 counties)				
Ada.....	133	146	8/17	6/1-10/1
Bannock.....	225	383	6/15	5/1-10/30
Bingham.....	650	845	10/15	5/20-1/30
Bonneville.....	450	495	6/10	5/15-10/25
Butte.....	400	560	10/15	5/20-10/30
Canyon.....	1,832	3,481	5/18	4/1-12/1
Caribou.....	300	390	6/20	5/15-10/30
Cassia.....	1,250	1,750	10/15	5/12-11/10
Elmore.....	370	444	8/17	4/10-11/1
Franklin.....	450	675	6/20	5/15-9/7
Gem.....	1,200	1,560	6/25	6/20-11/1
Gooding.....	113	192	5/15	5/1-6/16
Jefferson.....	450	495	6/10	5/15-10/25
Jerome.....	285	485	6/28	5/15-11/1
Madison.....	158	237	7/7	5/15-7/1
Minidoka.....	1,800	2,700	6/16	5/15-10/30
Nez Perce.....	211	211	7/21	6/16-8/15
Owyhee.....	352	634	5/18	2/15-10/30
Payette.....	450	630	9/25	8/1-10/1
Power.....	325	520	6/15	5/1-10/30
Teton.....	125	175	8/25	8/11-9/3
Twin Falls.....	900	1,440	5/26	5/10-11/1
Washington.....	300	420	9/20	5/1-10/1
<b>Illinois</b> (23 counties)				
Boone.....	440	660	8/30	8/10-10/4
Bureau.....	197	295	5/31	5/17-7/4
Cook.....	2,175	3,262	8/31	8/10-9/30
Crawford.....	300	450	5/31	5/10-5/31
De Kalb.....	375	562	8/31	5/15-10/4
Fayette.....	350	525	5/31	5/10-5/31
Grundy.....	340	510	8/31	8/10-10/4
Iroquois.....	780	1,170	7/15	5/1-9/15
Jefferson.....	800	1,200	5/31	5/10-5/31
Kane.....	318	487	9/30	8/10-10/4
Kendall.....	517	775	9/30	8/10-10/4
La Salle.....	550	825	7/15	5/15-10/4
Lee.....	243	364	8/28	8/10-10/4
Livingston.....	802	1,203	8/31	8/10-10/4
Marion.....	800	1,200	5/31	5/10-5/31
McHenry.....	175	263	8/31	8/10-10/4
Ogle.....	440	660	8/31	5/15-10/4
Peoria.....	343	514	6/30	6/28-11/15
Rock Island.....	350	525	8/31	8/10-10/1
Union.....	1,000	1,500	8/15	8/1-9/1
Vermilion.....	761	1,142	5/31	4/30-10/5
Washington.....	500	750	5/31	5/10-5/31
Will.....	425	638	8/31	8/10-9/30
<b>Indiana</b> (36 counties)				
Adams.....	360	435	9/3	5/1-10/15
Allen.....	140	177	9/3	5/1-10/15
Benton.....	70	125	9/3	5/1-10/15
Blackford.....	185	222	9/17	5/1-10/15
Boone.....	120	193	9/10	5/1-10/15
Carroll.....	190	251	9/3	5/1-10/15
Cass.....	258	316	8/27	5/1-10/15
Clinton.....	486	620	9/3	5/1-10/15
Delaware.....	187	256	9/10	5/1-10/15
Floyd.....	152	200	6/4	5/15-6/10
Grant.....	1,529	1,945	9/17	5/1-10/15
Hancock.....	110	140	9/10	5/1-10/15
Henry.....	649	964	9/3	5/1-10/15
Howard.....	491	702	9/10	5/1-10/15
Huntington.....	430	509	9/3	5/1-10/15
Jackson.....	90	102	9/3	5/1-10/15
Jasper.....	214	261	7/23	3/1-11/15
Joy.....	424	515	9/10	5/1-10/15
Johnson.....	100	130	9/10	5/1-10/15
Knox.....	84	113	6/4	5/20-6/10
Kosciusko.....	133	167	9/3	5/1-10/15

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Indiana—Continued</b>				
Lake.....	312	462	9/10	4/15-10/30
La Porte.....	243	361	8/6	4/15-10/30
Madison.....	344	514	9/10	5/1-10/15
Marshall.....	813	1,235	7/23	5/15-10/15
Miami.....	686	1,026	9/10	5/1-10/15
Noble.....	191	253	9/3	5/1-10/15
Pulaski.....	109	133	7/23	4/1-10/30
Randolph.....	215	348	9/10	5/1-10/5
Ripley.....	200	296	9/10	8/1-9/30
Rush.....	35	105	9/10	8/10-10/15
St. Joseph.....	161	229	8/6	4/1-10/15
Scott.....	102	150	9/3	5/1-10/15
Tipton.....	495	851	9/10	5/1-10/15
Wabash.....	315	359	9/17	5/1-10/15
Wells.....	356	419	9/3	5/1-10/15
<b>Iowa</b>				
(3 counties)				
Cedar.....	180	270	8/1-30	5/1-9/30
Louisa.....	150	225	8/1-30	5/1-9/30
Muscatine.....	350	525	8/1-30	4/15-9/30
<b>Kansas</b>				
(8 counties)				
Finney.....	150	169	7/1	5/16-8/31
Grant.....	160	234	6/28	5/15-8/29
Kearny.....	225	328	7/1	5/15-8/30
Sherman.....	350	511	7/7	5/20-9/1
Stanton.....	225	328	6/29	5/10-8/20
Wallace.....	225	328	7/6	5/20-9/1
Wichita.....	275	402	7/3	5/17-8/25
Wyandotte.....	100	146	6/15	5/1-10/30
<b>Kentucky</b>				
(3 counties)				
Carlisle.....	400	480	5/25	5/10-6/10
Hickman.....	700	840	5/25	5/10-6/10
Trimble.....	100	120	7/15	6/1-7/15
<b>Louisiana</b>				
(8 counties)				
Assumption.....	275	346	11/1	9/5-12/31
La Fourche.....	400	504	11/1	8/25-12/31
Livingston.....	325	410	4/15	4/1-5/13
St. Charles.....	100	126	11/1	9/15-12/31
St. James.....	300	378	11/1	9/15-1/7
St. John The Baptist.....	150	189	11/1	9/15-12/31
Tangipahoa.....	2,675	3,370	4/15	4/1-5/13
Terrebonne.....	250	315	11/1	8/20-12/31
<b>Maryland</b>				
(9 counties)				
Caroline.....	400	480	8/15	6/15-9/15
Dorchester.....	1,200	1,440	7/31	4/18-11/20
Frederick.....	125	150	7/31	3/15-10/31
Kent.....	275	330	5/15	3/15-11/30
Somerset.....	700	840	7/15	6/1-11/1
Talbot.....	250	300	7/31	4/15-9/30
Washington.....	350	420	10/15	6/15-11/15
Wicomico.....	300	360	7/15	5/15-11/15
Worcester.....	650	780	8/15	6/15-10/31
<b>Massachusetts</b>				
(8 counties)				
Bristol.....	120	120	7/15	4/8-10/31
Essex.....	135	135	8/15	4/1-11/15
Franklin.....	243	243	8/16	6/1-11/15
Hampshire.....	623	623	7/31	5/1-9/15
Hampden.....	759	759	7/31	5/1-9/15
Middlesex.....	315	315	8/15	4/1-11/30
Plymouth.....	275	275	9/30	3/30-11/15
Worcester.....	150	150	10/1	5/15-10/15
<b>Michigan</b>				
(40 counties)				
Allegan.....	2,560	2,880	8/31	5/15-11/5
Alpena.....	800	900	7/15	6/20-8/15
Antrim.....	1,700	1,912	8/10	6/20-8/30
Arenac.....	155	174	7/31	7/15-8/25
Bay.....	1,300	1,460	7/31	5/20-9/20
Benzie.....	2,500	2,810	7/25	6/15-11/5

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Michigan—Continued</b>				
Berrien.....	11,100	12,500	6/15	5/10-11/5
Cass.....	1,360	1,530	6/15	5/10-9/30
Eaton.....	220	248	8/31	7/20-9/15
Grand Traverse.....	9,100	10,230	7/25	6/20-10/31
Gratiot.....	340	382	7/31	6/5-9/15
Huron.....	860	968	6/30	5/20-8/10
Ingham.....	485	546	7/31	6/15-11/5
Ionia.....	810	912	8/15	6/30-11/5
Isabella.....	275	310	8/15	7/20-9/15
Jackson.....	125	141	8/10	7/30-8/31
Kalamazoo.....	240	270	6/30	6/10-7/20
Kent.....	885	966	9/30	7/10-11/5
Lapeer.....	240	270	9/15	6/20-10/31
Leelanau.....	6,500	7,310	7/31	6/20-10/25
Lenawee.....	560	630	9/30	8/15-10/20
Macomb.....	300	338	9/15	8/15-11/5
Manistee.....	3,300	3,715	7/25	6/1-11/5
Mason.....	2,600	2,925	7/25	6/5-10/25
Mecosta.....	200	225	7/31	7/20-8/10
Midland.....	250	282	7/31	7/15-9/15
Monroe.....	1,450	1,630	9/15	5/15-11/5
Montcalm.....	960	1,080	8/15	6/20-11/5
Muskegon.....	635	715	8/15	7/15-10/25
Newaygo.....	195	219	8/31	7/10-10/10
Oakland.....	200	225	9/30	8/15-11/5
Oceana.....	4,900	5,510	7/25	5/15-10/31
Ottawa.....	2,030	2,285	8/31	6/20-11/5
Saginaw.....	875	985	6/15	5/20-9/20
St. Clair.....	270	304	7/31	6/10-9/15
St. Joseph.....	515	580	6/15	6/1-7/20
Sauilac.....	1,125	1,265	7/31	5/20-9/30
Shiawassee.....	100	112	8/31	8/5-9/10
Tuscola.....	1,150	1,287	6/15	5/20-9/25
Van Buren.....	7,435	8,360	6/15	5/10-11/15
<b>Minnesota</b>				
(12 counties)				
Chippewa.....	232	348	6/25	5/31-7/26
Clay.....	1,127	1,690	6/25	6/7-10/25
Fairbault.....	226	339	6/25	5/31-7/26
Freeborn.....	627	941	6/11	5/10-10/25
Kittson.....	426	639	6/25	6/7-7/26
Marshall.....	704	1,056	6/25	6/7-10/25
Norman.....	353	530	6/25	6/7-10/25
Polk.....	1,561	2,342	6/25	6/7-10/25
Renville.....	443	664	6/25	5/31-7/26
Steele.....	220	330	6/25	5/10-7/12
Swift.....	271	406	6/25	5/31-7/26
Wilkin.....	101	152	6/25	6/7-7/26
<b>Missouri</b>				
(6 counties)				
Dunklin.....	200	228	6/15	5/1-7/15
Lafayette.....	248	282	9/15	8/20-10/10
Mississippi.....	300	342	10/15	5/15-11/15
New Madrid.....	500	570	6/15	5/15-11/15
Scott.....	200	228	6/15	5/15-11/15
Stoddard.....	400	456	10/15	5/15-11/15
<b>Montana</b>				
(20 counties)				
Beaverhead.....	100	150	7/15	7/1-8/15
Bighorn.....	613	920	6/15	5/15-8/15
Blaine.....	100	150	6/20	6/1-8/15
Broadwater.....	100	150	6/15	6/1-8/1
Carbon.....	200	300	6/15	5/15-8/1
Cascade.....	425	638	8/15	7/1-8/25
Chateau.....	225	338	8/15	7/1-8/25
Custer.....	275	412	7/15	5/15-8/15
Dawson.....	395	592	6/23	4/1-9/1
Gallatin.....	100	150	7/15	7/1-8/15
Hill.....	100	150	6/20	6/1-8/15
Judith Basin.....	200	300	8/15	7/1-8/25
Missoula.....	170	256	6/15	5/16-7/15
Park.....	100	150	7/15	7/1-8/15
Prairie.....	185	278	7/15	5/15-8/15

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>MONTANA—Continued</b>				
Ravalli.....	140	210	6/15	5/15-7/15
Richland.....	1,450	2,175	6/15	5/15-7/15
Treasure.....	150	225	6/15	5/15-8/1
Teton.....	200	300	8/15	7/1-8/25
Yellowstone.....	550	825	6/15	5/15-8/1
<b>Nebraska</b>				
(6 counties)				
Box Butte.....	271	461	6/15	5/15-7/31
Dawson.....	113	192	6/15	5/15-7/31
Deuel.....	86	146	6/15	5/15-7/31
Keith.....	112	190	6/15	5/15-7/31
Morrill.....	600	1,020	6/10	5/15-7/31
Scottsbluff.....	2,704	4,590	6/10	5/15-7/31
<b>Nevada</b>				
(3 counties)				
Clark.....	445	660	3/31	2/1-6/5
Elko.....	500	510	8/8	7/1-10/10
Humboldt.....	200	204	8/10	7/1-10/10
<b>New Hampshire</b>				
(1 county)				
Rockingham.....	101	104	9/15	9/1-10/15
<b>New Jersey</b>				
(14 counties)				
Atlantic.....	2,150	2,193	7/15	4/1-11/15
Bergen.....	300	306	8/31	4/1-11/1
Burlington.....	1,310	1,336	7/27	4/15-11/25
Camden.....	1,200	1,224	8/31	4/15-11/15
Cape May.....	170	173	8/31	5/28-11/15
Cumberland.....	3,250	3,315	8/15	3/1-11/15
Gloucester.....	3,600	3,672	8/31	4/15-11/15
Mercer.....	285	270	8/20	3/1-11/25
Middlesex.....	500	510	8/20	3/1-11/25
Monmouth.....	1,445	1,474	8/20	3/1-11/25
Morris.....	207	209	9/10	4/15-11/1
Passaic.....	200	204	8/31	4/1-11/1
Salem.....	1,980	2,020	8/31	3/1-11/15
Warren.....	213	217	9/10	4/15-11/1
<b>New Mexico</b>				
(5 counties)				
Dona Ana.....	800	1,080	6/15	5/24-12/15
Lea.....	200	270	7/15	1/1-12/31
Quay.....	745	1,006	9/15	6/1-11/10
Roosevelt.....	550	742	9/15	6/15-12/12
Torrance.....	200	270	10/14	9/10-10/25
<b>New York</b>				
(24 counties)				
Broome.....	108	126	10/27	9/29-10/27
Cayuga.....	515	602	8/25	6/18-10/27
Chautauqua.....	300	351	9/1	6/23-10/27
Columbia.....	945	1,106	9/29	6/18-10/27
Delaware.....	90	105	9/8	7/15-10/15
Dutchess.....	700	819	9/29	7/7-10/27
Erie.....	965	1,128	6/30	6/5-10/15
Genesee.....	505	591	8/4	6/10-10/27
Herkimer.....	120	141	9/1	7/15-10/15
Livingston.....	460	538	9/29	6/20-10/27
Monroe.....	700	819	9/15	5/15-10/27
Niagara.....	450	572	9/8	6/30-10/27
Oneida.....	1,225	1,433	8/11	6/15-10/15
Ontario.....	190	222	9/1	6/15-10/15
Orange.....	933	1,092	9/8	5/15-10/27
Orleans.....	1,950	2,281	9/5	5/15-11/15
Oswego.....	350	409	8/25	5/1-11/1
Rockland.....	113	132	9/8	5/15-10/27
Steuben.....	1,863	2,180	9/29	8/1-11/1
Suffolk.....	3,500	4,000	10/13	1/1-12/31
Ulster.....	1,870	2,187	9/29	5/15-11/1
Wayne.....	3,224	3,775	8/4	5/15-11/15
Wyoming.....	700	819	10/6	8/15-10/15
Yates.....	210	260	9/1	6/15-10/15

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—Con.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>North Carolina</b>				
(35 counties)				
Allegheny.....	180	192	8/20	7/15-9/15
Ashe.....	185	197	8/20	7/15-9/15
Beaufort.....	400	426	6/20	6/1-7/15
Camden.....	465	496	6/30	6/10-12/15
Carteret.....	470	501	5/25	5/1-7/10
Caswell.....	245	261	8/25	6/15-10/1
Currituck.....	450	480	6/15	5/15-11/10
Duplin.....	400	426	6/28	4/20-8/15
Forsythe.....	105	112	8/20	7/20-9/15
Greene.....	800	853	7/15	7/1-8/20
Guilford.....	315	336	8/20	5/10-10/12
Harnett.....	200	213	7/1	7/1-11/15
Haywood.....	500	533	8/15	5/1-11/1
Henderson.....	2,040	2,178	8/15	5/1-11/1
Johnston.....	1,500	1,599	7/25	7/1-10/31
Jones.....	325	346	7/15	7/1-8/20
Lenoir.....	400	426	7/15	7/1-8/20
New Hanover.....	250	267	6/15	5/1-7/10
Familco.....	300	320	6/20	6/1-7/20
Fasquotank.....	600	639	6/30	6/10-12/10
Fender.....	600	639	6/15	5/1-7/10
Pitt.....	650	683	7/15	7/1-8/20
Polk.....	300	320	9/15	5/1-10/30
Rockingham.....	430	458	8/25	4/15-10/15
Sampson.....	900	959	6/15	6/1-11/30
Stokes.....	330	352	8/25	5/22-10/5
Surry.....	345	368	8/27	6/15-11/1
Transylvania.....	250	266	7/15	6/1-10/30
Tyrrell.....	130	139	9/25	9/10-10/25
Wake.....	500	533	7/25	7/1-8/25
Watauga.....	185	197	8/20	7/15-9/15
Wayne.....	400	426	5/25	4/20-8/15
Wilkes.....	290	309	9/24	7/15-11/15
Wilson.....	300	320	9/20	9/1-11/1
Yadkin.....	390	416	8/27	6/15-11/1
<b>North Dakota</b>				
(8 counties)				
Cass.....	400	600	6/10-15	6/1-7/25
Grand Forks.....	1,020	1,530	10/10-20	6/1-11/1
McKenzie.....	145	218	6/10-25	6/1-7/1
Pembina.....	675	1,012	7/10-23	6/1-10/30
Steele.....	150	225	10/10-20	9/10-10/27
Traill.....	500	750	6/15-7/14	6/1-7/25
Walsh.....	490	600	7/8-23	6/1-10/29
Williams.....	200	300	6/10-25	6/1-7/1
<b>Ohio</b>				
(24 counties)				
Allen.....	100	167	9/15	5/1-10/31
Auglaize.....	350	584	9/15	5/1-10/31
Ashtabula.....	200	334	10/31	5/1-10/31
Darke.....	1,350	2,250	9/15	5/1-10/31
Defiance.....	100	167	9/15	5/1-10/31
Erie.....	200	334	9/15	5/1-10/31
Fulton.....	1,250	2,083	9/15	5/1-10/31
Hancock.....	875	1,488	9/15	5/1-10/31
Henry.....	1,350	2,250	9/15	5/1-10/31
Huron.....	150	250	9/15	5/1-10/31
Lake.....	120	180	6/15	5/1-10/31
Lucas.....	750	1,258	9/15	5/1-10/31
Mercer.....	700	1,175	9/15	5/1-10/31
Miami.....	125	208	9/15	5/1-10/31
Ottawa.....	1,700	2,835	9/15	5/1-10/31
Paulding.....	100	167	9/15	5/1-10/31
Portage.....	200	334	9/30	5/1-10/31
Putnam.....	2,300	3,835	9/15	5/1-10/31
Sandusky.....	1,800	3,000	9/15	5/1-10/31
Seneca.....	625	1,049	9/15	5/1-10/31
Starke.....	475	792	9/30	5/1-10/31
Van Wert.....	300	500	9/15	5/1-10/31
Williams.....	500	834	9/15	5/1-10/31
Wood.....	600	1,000	9/15	5/1-10/31

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—Con.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Oklahoma</b>				
(38 counties)				
Adair.....	1,700	2,091	5/15	5/1-5/25
Alfalfa.....	603	741	6/15	6/6-6/29
Beaver.....	726	892	6/19	6/9-7/1
Beckham.....	160	197	6/11	6/1-6/24
Blaine.....	576	707	6/12	6/3-6/26
Caddo.....	328	404	6/10	6/1-6/23
Canadian.....	504	620	6/11	6/2-6/25
Cherokee.....	100	123	5/15	5/1-5/25
Cimarron.....	750	872	10/10	6/10-11/5
Comanche.....	200	246	6/3	5/27-6/21
Cotton.....	372	457	6/1	5/25-6/20
Custer.....	588	723	6/11	6/2-6/25
Delaware.....	100	123	5/15	5/1-5/25
Dewey.....	408	502	6/14	6/5-6/27
Ellis.....	432	531	6/16	6/7-6/28
Garfield.....	1,000	1,230	6/14	6/5-6/28
Garvin.....	700	861	7/25	7/5-9/1
Grady.....	172	210	6/10	6/1-8/20
Grant.....	756	930	6/15	6/7-6/29
Greer.....	300	369	10/10	5/27-11/30
Harmon.....	750	923	10/10	5/27-12/15
Harper.....	483	590	6/18	6/8-6/30
Jackson.....	1,250	1,575	10/15	5/25-12/20
Kay.....	513	631	6/15	6/7-6/29
Kingfisher.....	748	944	6/12	6/3-6/26
Kiowa.....	680	836	6/7	5/27-6/22
Logan.....	260	320	6/12	6/3-6/26
Major.....	371	456	6/14	6/5-6/27
Noble.....	303	373	6/14	6/5-6/27
Oklahoma.....	100	123	6/10	6/2-6/25
Roger Mills.....	188	231	6/14	6/5-6/27
Sequoyah.....	700	861	5/15	5/1-5/25
Texas.....	1,089	1,377	6/20	6/10-7/1
Tillman.....	612	752	6/1	5/25-11/20
Tulsa.....	220	270	6/20	4/20-7/31
Washita.....	580	713	6/10	6/1-6/24
Woods.....	483	594	6/15	6/8-6/30
Woodward.....	372	457	6/17	6/8-6/30
<b>Oregon</b>				
(20 counties)				
Clackamas.....	1,080	1,540	7/15	5/20-9/10
Crook.....	120	171	10/31	7/1-11/10
Deschutes.....	100	142	10/31	10/10-11/1
Harney.....	175	248	7/31	7/1-1/10
Hood River.....	2,495	3,555	9/30	3/10-10/25
Jackson.....	1,155	1,645	8/31	6/5-10/10
Jefferson.....	250	356	10/15	4/25-11/10
Klamath.....	165	235	9/30	5/10-10/25
Lane.....	785	1,140	8/15	6/10-9/5
Lincoln.....	1,290	1,838	7/31	5/20-9/20
Malheur.....	1,900	2,705	6/15	4/20-10/31
Marion.....	7,500	10,700	8/15	3/10-10/20
Multnomah.....	125	178	8/15	6/20-8/25
Poik.....	2,000	2,850	6/30	3/20-10/15
Umatilla.....	915	1,305	6/15	4/10-9/30
Union.....	350	498	7/31	7/5-8/10
Wallowa.....	200	285	7/31	6/20-8/10
Wasco.....	4,460	6,350	6/30	3/10-8/20
Washington.....	1,760	2,509	6/30	5/20-9/20
Yamhill.....	2,285	3,580	6/30	6/5-9/10
<b>Pennsylvania</b>				
(20 counties)				
Adams.....	1,200	1,380	10/15	6/10-11/15
Berks.....	365	420	8/31	6/10-11/10
Bucks.....	140	161	8/31	6/1-11/15
Chester.....	100	115	8/31	8/1-10/31
Columbia.....	420	482	8/31	6/1-10/31
Cumberland.....	135	155	8/31	8/1-10/31
Erie.....	220	252	9/30	8/19-10/31
Franklin.....	1,000	1,150	8/31	6/10-11/15
Lackawanna.....	250	288	9/15	8/1-11/10
Lancaster.....	475	546	8/31	6/1-10/31
Lehigh.....	495	569	9/20	8/1-11/10
Luzerne.....	235	270	9/15	7/20-10/15
Lycoming.....	135	155	8/31	8/1-10/31

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—Con.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Pennsylvania—Continued</b>				
(20 counties)				
Montour	290	333	8/31	8/1-10/31
Northumberland	345	396	8/31	8/1-10/31
Potter	545	626	9/15	6/20-10/20
Schuylkill	285	328	8/31	8/1-10/31
Snyder	125	144	8/31	8/1-10/15
Wyoming	205	236	9/15	8/1-10/15
York	245	282	8/31	7/25-10/31
<b>Rhode Island</b>				
(3 counties)				
Newport	70	70	9/30	9/11-11/30
Providence	160	160	9/30	9/11-10/30
Washington	205	205	9/30	8/1-11/30
<b>South Carolina</b>				
(10 counties)				
Aiken	150	158	7/30	6/15-7/30
Allendale	100	105	6/30	6/15-7/15
Barnwell	150	158	6/30	5/31-7/31
Beaufort	2,050	2,152	6/30	5/15-10/15
Charleston	2,950	3,098	6/30	5/15-6/30
Cherokee	200	210	6/30	5/15-7/30
Edgefield	400	420	7/15	6/15-7/30
Horry	2,150	2,268	8/15	5/31-10/31
Spartanburg	1,500	1,575	8/31	2/15-8/31
Sumter	150	158	6/30	6/15-7/15
<b>Tennessee</b>				
(4 counties)				
Dyer	166	249	10/11	9/24-11/4
Gibson	129	194	5/28	5/3-11/18
Lauderdale	136	214	10/14	9/17-11/30
Sumner	209	314	5/26	5/1-6/10
<b>Texas</b>				
(73 counties)				
Armstrong	500	750	6/20	6/5-7/15
Austin	150	225	8/20	8/1-9/1
Bailey	2,100	3,150	7/25	6/25-12/1
Baylor	100	150	10/1	9/10-11/15
Borden	100	150	7/20	6/20-12/1
Brazos	125	188	8/25	8/10-9/10
Briscoe	500	750	11/15	6/25-12/1
Caldwell	300	450	9/5	8/10-9/20
Calhoun	400	600	8/15	7/25-8/20
Cameron	400	600	8/15	7/1-8/1
Carson	600	900	6/20	6/5-7/15
Castro	1,500	2,250	7/25	6/25-12/1
Childress	200	300	11/1	6/15-11/30
Cochran	600	900	7/20	6/20-12/15
Collingworth	600	900	11/10	6/15-11/30
Cottle	500	750	11/1	6/15-11/30
Crosby	600	900	7/16	6/15-12/15
Dallam	400	600	6/25	6/15-7/15
Dawson	600	900	7/20	6/20-12/1
Deaf Smith	1,000	1,500	7/20	5/15-12/15
Dickens	100	150	7/16	6/15-12/15
Dimmit	200	300	5/15	4/15-11/30
Donley	100	150	11/10	6/15-11/30
Ellis	200	300	9/20	9/1-10/10
Fisher	300	450	11/1	9/15-12/15
Floyd	3,000	4,500	11/1	9/25-8/15
Fort Bend	600	900	8/10	8/1-8/31
Gaines	250	375	7/25	6/25-12/1
Garza	400	600	7/16	9/20-12/15
Grayson	150	225	9/15	9/1-10/1
Grimes	125	188	8/25	8/10-9/10
Hale	5,000	7,500	11/1	6/25-12/1
Hall	1,000	1,500	11/1	6/15-12/15
Hansford	100	150	6/30	6/10-7/15
Hardeman	400	600	10/1	9/10-11/30
Hartley	200	300	6/25	6/15-7/15
Haskell	400	600	10/1	6/10-12/15
Hemphill	100	150	6/30	6/10-7/15
Hidalgo	300	450	8/15	7/1-8/1
Hill	200	300	9/5	8/20-9/30
Hockley	1,000	1,500	7/20	6/20-12/15
Jackson	200	300	8/20	8/1-8/20

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—CON.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>Texas—Continued</b>				
Jim Wells.....	100	150	7/30	7/20-8/15
Knox.....	500	750	10/1	6/10-12/15
Lamb.....	2,800	4,200	7/20	6/25-12/1
Lipscomb.....	100	150	7/1	6/15-7/20
Lubbock.....	1,200	1,800	7/16	6/15-12/15
Lynn.....	600	900	7/16	6/15-12/15
Matagorda.....	100	150	8/15	7/28-8/20
Milam.....	100	150	8/31	8/15-9/15
Mitchell.....	500	750	11/1	9/15-12/15
Moore.....	300	450	6/20	6/5-7/15
Motley.....	100	150	11/1	6/15-11/30
Nueces.....	600	900	7/30	7/20-8/15
Ochiltree.....	300	450	7/1	6/15-7/20
Oldham.....	600	900	6/20	6/10-7/15
Parmer.....	1,500	2,250	7/25	6/25-12/1
Randall.....	500	750	6/20	6/10-7/15
Refugio.....	200	300	7/30	7/20-8/15
Robertson.....	100	150	8/25	8/10-9/15
Runnels.....	100	150	10/16	8/25-11/30
San Patricio.....	600	900	7/30	7/20-8/15
Scurry.....	200	300	11/1	9/15-12/15
Sherman.....	400	600	6/25	6/5-7/15
Swisher.....	800	1,200	11/15	6/25-12/1
Terry.....	850	1,275	7/16	6/15-12/15
Victoria.....	200	300	8/20	8/1-8/20
Wharton.....	500	750	8/20	5/10-8/20
Wilbarger.....	100	150	10/1	9/10-12/1
Willacy.....	200	300	8/15	7/5-8/1
Williamson.....	300	450	8/31	5/20-9/15
Yoakum.....	300	450	7/20	6/20-12/15
Zavala.....	200	300	5/15	4/15-11/30
<b>Utah</b>				
(11 counties)				
Beaver.....	165	200	10/15	5/10-10/31
Box Elder.....	640	774	8/20	5/5-10/10
Cache.....	540	653	8/20	5/10-9/20
Davis.....	370	447	8/20	5/10-10/10
Garfield.....	120	145	10/10	9/15-10/31
Iron.....	160	194	10/15	5/15-10/31
Salt Lake.....	260	314	6/1	5/5-10/15
Sanpete.....	140	169	6/1	5/15-10/15
Sevier.....	140	169	6/1	5/15-10/15
Utah.....	625	756	7/10	5/5-10/31
Weber.....	506	611	8/15	5/5-10/15
<b>Virginia</b>				
(10 counties)				
Accomack.....	2,500	2,950	7/30	4/1-11/15
Augusta.....	100	120	10/15	8/15-11/1
Botetourt.....	120	144	9/30	7/30-11/1
Chesapeake.....	210	252	5/31	5/1-8/13
Clarke.....	220	264	9/30	6/30-11/15
Frederick.....	270	323	9/30	6/30-11/15
Northampton.....	2,900	3,470	7/30	4/1-11/15
Rappahannock.....	215	258	9/30	7/30-11/15
Roanoke.....	100	120	9/30	7/30-11/1
Virginia Beach.....	250	295	7/15	5/1-11/1
<b>Washington</b>				
(16 counties)				
Adams.....	330	462	5/15	4/1-10/31
Benton.....	1,300	1,820	5/15	3/1-10/31
Chelan.....	3,400	4,780	9/30	6/10-10/31
Columbia.....	700	980	6/15	4/15-7/31
Douglas.....	1,100	1,540	9/30	6/10-10/31
Franklin.....	650	910	6/15	4/1-10/31
Grant.....	1,100	1,540	5/15	4/1-10/31
Kitsap.....	200	280	6/30	6/1-7/15
Klickituit.....	250	350	9/15	8/25-10/10
Okanogan.....	3,000	4,200	9/30	6/1-10/31
Pierce.....	300	420	7/15	6/15-10/1
Skagit.....	3,900	5,460	7/15	6/1-8/15
Spokane.....	500	700	9/15	6/15-10/15
Walla Walla.....	600	840	6/15	4/15-7/31
Whatcom.....	750	1,050	7/15	7/1-9/15
Yakima.....	2,700	3,775	5/15	3/1-10/31

See footnote at end of table.

## DOMESTIC AGRICULTURAL MIGRANTS IN THE UNITED STATES—Con.

Counties in which an estimated 100 or more seasonal agricultural workers migrated into the area to work during the peak season in 1965—Continued

State and county	Estimated peak population		Date of peak	Estimated span of crop season
	Workers	Persons <sup>1</sup>		
<b>West Virginia</b>				
(3 counties)				
Berkeley.....	275	336	10/1	6/1-11/15
Hampshire.....	265	323	10/15	8/15-10/30
Jefferson.....	225	274	10/1	7/20-11/15
<b>Wisconsin</b>				
(14 counties)				
Columbia.....	100	134	8/15	5/1-10/31
Dodge.....	230	308	7/15	6/15-7/31
Door.....	2,060	2,780	7/31	5/1-10/31
Fond du Lac.....	130	174	6/30	5/1-9/30
Jefferson.....	145	194	7/15	5/1-10/31
Kenosha.....	125	167	6/30	5/1-10/31
La Crosse.....	115	154	8/15	7/15-8/31
Marquette.....	135	181	6/30	5/1-9/30
Oconto.....	485	650	8/31	5/1-10/31
Outagamie.....	200	288	8/15	7/1-8/31
Racine.....	215	288	8/15	5/1-10/31
Waukesha.....	165	221	7/15	6/15-10/15
Wausara.....	4,880	6,500	8/15	5/1-10/31
Winnebago.....	280	335	8/15	5/1-10/31
<b>Wyoming</b>				
(7 counties)				
Big Horn.....	425	722	6/15	5/10-7/20
Fremont.....	590	1,000	6/15	5/10-7/20
Goshen.....	1,050	1,785	6/15	5/10-7/20
Park.....	400	680	6/15	5/10-7/20
Platte.....	100	170	6/15	5/10-7/20
Sheridan.....	70	119	6/15	5/10-7/20
Washakie.....	575	978	6/15	5/10-7/20

<sup>1</sup> Includes both workers and nonworking dependents who travel with them.

Source: From HEW and Labor Department Public Health Service Publication 540.

## APPENDIX B

### PROJECTS RECEIVING MIGRANT HEALTH PROJECT GRANT ASSISTANCE

January 1, 1967

[From the Department of Health, Education, and Welfare]

- NOTE.—A *Personal health services* usually include medical, nursing, health education and, in many cases, at least limited dental or other services.  
B *Sanitation services* include housing, camp and field inspection and follow-up; plus work with owners and occupants of housing to improve maintenance of the general environment.  
C *Statewide consultation* includes general assistance in program planning, development, and coordination.

*Service code*

#### ARIZONA

- A, B----- Catherine C. Le Seney, M.D., Director, Pinal County Migrant Health Project (MG-94), Pinal County Health Department, Post Office Box 807, Florence, Arizona.
- C—Statewide consultation; personal health and sanitation services in counties without county-level projects. Robert C. Martens, Director, Arizona State Migrant Health Program (MG-111), State Department of Health, 1624 West Adams Street, Phoenix, Arizona 85007.
- A, B----- S. F. Farnsworth, M.D., Director, Maricopa County Migrant Family Health Clinic Project (MG-29), Maricopa County Health Department, 1825 East Roosevelt, Phoenix, Arizona 85006.
- A, B----- Frederick J. Brady, M.D., Director, Assistance to Pima County Migrants (MG-49), Pima County Health Department, 161 West Alameda Street, Tucson, Arizona.
- A, B----- Joseph Pinto, M.D., Director, Yuma County Migrant Family Health Clinic (MG-66), Yuma County Health Department, 145 Third Avenue, Yuma, Arizona.

#### ARKANSAS

- A, B----- Richard J. Brightwell, M.D., Director, Northwest Arkansas Migrant Committee Project, Washington County Public Health Center (MG-50), 34 West North Street, Fayetteville, Arkansas.

#### CALIFORNIA

- Statewide consultation; personal health and sanitation services through county-level subprojects in co-operating counties. Robert Day, M.D., Director, Health Program for Farm Workers' Families, State Department of Public Health, 2151 Berkeley Way, Berkeley, California.

#### COLORADO

- Statewide consultation and services to supplement those at county-level; personal health services through county-level subprojects in co-operating counties. Dr. Robert A. Downs, D.D.S., Director, State Migrant Plan for Public Health Service (MG-09), Colorado Department of Public Health, 4210 East 11th Avenue, Denver, Colorado 80220.

## CONNECTICUT

- Service code*  
 B----- Marvin L. Smith, Director, Improved Migrant Farm Labor Sanitation Program (MG-82), State Department of Health, Hartford, Connecticut 06115.

## DELAWARE

- A----- Rev. Samuel A. Snyder, Jr., Director, Delaware Migrant Health Project (MG-83), Delaware State Council of Churches, 217 North Bradford Street, Dover, Delaware.

## FLORIDA

- Statewide consultation; personal health and sanitation services through county-level subprojects in co-operating counties.  
 A, B----- James E. Fulghum, M.D., Acting Director, State-wide Program of Health Services for (MG-18) Migrant Farm Workers and their Dependents, Florida State Board of Health, Post Office Box 210, Jacksonville, Florida 32201.
- A, B----- T. E. Cato, M.D., Director, Comprehensive Health Care Project for Migrant Farm Workers (MG-34), Dade County Health Department, 1350 Northwest 14th Street, Miami, Florida.
- A, B----- Donald N. Logsdon, M.D., Director, Improvement of Personal Health and Environmental Sanitation (MG-11), Palm Beach County Health Department, 826 Evernia Street, West Palm Beach, Florida.

## IDAHO

- B (primary focus)----- F. O. Graeber, M.D., Director, Idaho's Migrant Health Services (MG-124), Idaho Department of Health, Statehouse, Boise, Idaho 83701.

## ILLINOIS

- Statewide consultation; personal health services in process of development in 3 counties.  
 Donaldson F. Rawlings, M.D., Director, An Action Program for Agricultural Migrant Workers and their Families (MG-105), Illinois Department of Public Health, Division of Preventive Medicine, Springfield, Illinois.

## INDIANA

- Statewide consultation; personal health and sanitation services in cooperating counties.  
 Verne K. Harvey, Jr., M.D., Director, Health Services for Agricultural Migrant Workers and Families (MG-20), Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana.

## IOWA

- A----- Mrs. Richard E. Sandage, Director, Health Services for Migrant Families in the North Iowa Area (MG-116), Migrant Action Program, Inc., Box 717, Mason City, Iowa 50401.
- A, B----- Mr. Jerry Lange, Director, Muscatine Area Migrant Families Health Service (MG-23), Muscatine Migrant Committee, Post Office Box 683, Muscatine, Iowa 52761.

## KANSAS

- Service code*
- A, B----- N. G. Walker, M.D., M.P.H., Director, Plan to Provide Health Services to Migrants, Kansas City-Wyandotte County Health Department (MG-74), 619 Ann Avenue, Kansas City, Kansas.
- A, B----- Patricia Schloesser, M.D., Director, Public Health Services to Kansas Migrants (MG-64), Kansas State Department of Health, Topeka, Kansas

## KENTUCKY

- A, B----- Jorge Deju, M.D., Director, Migrant Worker Health Project (MG-77), Kentucky State Department of Health, 275 East Main Street, Frankfort, Kentucky 40601.

## LOUISIANA

- A----- Mr. Milburn Fletcher, Director, New and Improved Medical, Dental and Nursing Services to Migratory Workers and Families (MG-54), Health Subcommittee, Tangipahoa Migrant Committee, Box 257—Route 2, Ponchatoula, Louisiana.

## MARYLAND

- A----- The Reverend Carroll L. Boyer, Director, Frederick County Migrant Health Project (MG-80), Frederick County Migrant Health Council, Inc., 1415 W. Seventh Street, Frederick, Maryland 21701.

## MASSACHUSETTS

- A----- Leon Sternfeld, M.D., Director, Massachusetts Migrant Health Project (MG-68), Massachusetts Health Research Institute, Inc., 8 Ashburton Place, Boston, Massachusetts 02108.

## MICHIGAN

- B----- Robert L. Maddex, Director, Improving Seasonal Labor Facilities to Benefit Migrant Health and Welfare (MG-76), Agricultural Engineering Department, Michigan State University, East Lansing, Michigan.
- A (see MG-91)----- Ralph Ten Have, M.D., Director, Cooperative Migrant Project (MG-31), Ottawa County Health Department, Grand Haven, Michigan.
- B—Serves all counties in State housing migrants but lacking local sanitation project services.  
Statewide consultation----- John E. Vogt, Director, Environmental Health Camp Sanitation Project For Migrant Worker and his Family (MG-91), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.
- Douglas H. Fryer, M.D., Director, Improvement and Expansion of Health Services to Migrant Agricultural Workers, and their Families (MG-30), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.
- A, B----- Gladys J. Kleinschmidt, M.D., Director, Migrant Family Health Clinic and Hospital Program (MG-131), Manistee-Mason District Health Department, 401 East Ludington Avenue, Ludington, Michigan 49431.
- A, B----- C. D. Barrett, Sr., M.D., M.P.H., Director, Migrant Family Health Services, Nursing, Sanitation and Dental (MG-79), Monroe County Health Department, Monroe, Michigan 48161.

## MICHIGAN—Continued

- Service code*  
 A, B----- Robert P. Locey, M.D., Director, Migrant Health Program (MG-107), Tri-County Associated Health Departments, 505 Pleasant Street, St. Joseph, Michigan.

## MINNESOTA

- A, B (in cooperating counties)—Statewide consultation. D.S. Fleming, M.D., Director, Migrant Labor Environmental Health, and Nursing Service and Health Education Project (MG-67) Minnesota Department of Health, University Campus Minneapolis, Minnesota 55440.

## MISSOURI

- A (limited)----- David Ragan, Director, Family Health Education Services for Home Based Migrants (MG-104), Delmo Housing Corporation, Lilbourn, Missouri.

## NEBRASKA

- A, B (in one area of State)-- T. R. Dappen, Director, Plan to Provide Health Education and Other Public Health Services for Migrant Families (MG-88), Nebraska State Department of Health, Capital Building, Post Office Box 94757, Lincoln, Nebraska 68509.

## NEW JERSEY

- A, B (in cooperating counties)—Statewide consultation. Thomas Gilbert, M.P.H., Director, Health Services for Migrant Agricultural Workers (MG-08), New Jersey State Department of Health, 129 East Hanover Street, Trenton, New Jersey 08625.  
 A, B----- William P. Doherty, Director, Migrant Health Services, Cumberland County (MG-118), Board of Chosen Freeholders of Cumberland County, Cumberland County Court House, Bridgeton, New Jersey.

## NEW MEXICO

- A, B----- Paul C. Cox, Director, Las Cruces Migrant Health Project (MG-15), Las Cruces Committee on Migrant Ministry, 1904 Idaho Avenue, Las Cruces, New Mexico.  
 A, B----- Marion Hotopp, M.D., and Marion S. Morse, M.D., Codirectors, Migrant Health Project-Health Districts 1 and 5 (MG-134), New Mexico Department of Public Health, 408 Galisteo Street, Sante Fe, New Mexico 87501.

## NEW YORK

- A, B----- G. Harold Warnock, M.D., M.P.H., Director, Cayuga County Migrant Health Services Program, Cayuga County Health Department (MG-106), 5 James Street, Box 219, Auburn, New York.  
 A, B----- Bernard S. Bernstein, Director, Orange County Migrant Health Project (MG-135), Orange County Council of Community Services, Box 178, Goshen, New York.  
 A, B----- Vernon B. Link, M.D., Director, New Platz Migrant Health Project (MG-125), Ulster County Department of Health, 244 Fair Street, Kingston, New York 12401.

NEW YORK—Continued

- Service code*
- A, B----- Michael D. Buscemi, M.D., Director, Suffolk County Migrant Health Project (MG-60), Suffolk County Department of Health, Suffolk County Center, Riverhead, Long Island, New York.
  - A----- John A. Radebaugh, M.D., Director, Monroe County Migrant Project (MG-103), University of Rochester, River Campus Station, Rochester, New York 14627.
  - A, B----- Evelyn F. H. Rogers, M.D., M.P.H., Director, Family Service Clinics (MG-38), Utica County Department of Health, Utica District Office, 1512 Genessee Street, Utica, New York 13502.

NEVADA

- A----- Otto Ravenholt, M.D., Director, Moapa Valley Migrant Health Program (MG-133), Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada 89106.

NORTH CAROLINA

- A----- Caroline H. Callison, M.D., Director, Sampson Migrant Health Service Project (MG-122), Community Action Council, Inc., Clinton, North Carolina.
- A, B----- Isa C. Grant, M.D., Director, Albermarle Migrant Health Service Project (MG-57), District Health Service Project (MG-57), District Health Department, Elizabeth City, North Carolina.
- A, B----- Mrs. Frank R. Burson, Director, Henderson County Migrant Family Health Service (MG-28), Henderson County Migrant Council, Inc., 218 Fari-ground Avenue, Hendersonville, North Carolina.
- A----- Reverend Mr. Charles L. Kirby, Director, Carteret County Mobile Migrant Clinic (MG-27), Carteret County Migrant Committee, c/o First Pres-byterian Church, Morehead City, North Carolina.
- Statewide consultation; sanitation services in counties without sanitation services through local projects. W. Burns Jones, M.D., Director, Migrant Health Project (MG-56), North Carolina State Board of Health, Post Office Box 2091, Raleigh, North Carolina.

OHIO

- A----- Mrs. Ralph McFadden, Director, Migrant Health Study Project and Dental Care Program (MG-263), Hartville Migrant Council, 1812 Frazier Avenue Northwest, Canton, Ohio 44709.
- B (Statewide to supplement services of county-level projects). Ray B. Watts, Director, Environmental Health Project (Migrants), Ohio Department of Health, 450 East Town Street, Post Office Box 118, Columbus, Ohio.
- Statewide consultation; direct services to supplement those through county-level projects. Miss Helen Massengale, Director, Health Aide, Nursing and Nutrition Consultation Project (MG-36), Ohio Department of Health, 450 East Town Street, Post Office Box 118 Columbus, Ohio.
- A (through cooperating county-level projects). William L. Babeaux, D.D.S., Director, A Program for Provision of Dental Services to Migrants (MG-86), Ohio Department of Health, 65 South Front Street, Columbus 15, Ohio.

## OHIO—Continued

- Service code*
- A, B----- William J. Boswell, M.D., Director, Migrant Health Clinics, Nursing and Sanitation Service Program (MG-21), Sandusky County-Fremont City General Health District, Fremont, Ohio.
- A, B----- Giles Wolverton, M.D., Director, Migrant Health Clinic and Nursing Services Project (MG-78), Darke County General Health District, Courthouse, Greenville, Ohio.
- A----- Rev. Robert Lamantia, Director, Ottawa County Migrant Family Health Service Clinic, Ottawa County Ministry to Migrants, 159 North Church Street, Oak Harbor, Ohio.
- A----- Milo B. Rice, M.D., Project Director, Migrant Labor Family Care Program (MG-61), Putnam County General Health District, Courthouse, Ottawa, Ohio.
- A, B----- Dorothy M. Van Ausdal, M.D., Director, Family Health Education Project for Migrants (MG-35), Lucas County Health Department, 416 North Erie Street, Toledo, Ohio 43624.

## OKLAHOMA

- A, B----- Joan K. Leavitt, M.D., Director, Project To Improve Health Conditions and Health Services to the Domestic Agricultural Migrants (MG-59), State Department of Health, 3400 North Eastern, Oklahoma City, Oklahoma.

## OREGON

- A, B----- H. Grant Skinner, M.D., Director, Yamhill County Migrant Health Project (MG-63), Yamhill County Health Department, Courthouse, McMinnville, Oregon.
- Statewide consultation;  
direct personal health  
and sanitation services  
and services through  
contacts in cooperating  
counties. Ralph R. Sullivan, M.D., Director, Clinic Care, Public Health Nursing and Sanitation Services to Migrant Farm Labor (MG-05), Oregon State Board of Health, 1400 Southwest Fifth Avenue, Portland, Oregon 97201.

## PENNSYLVANIA

- Statewide consultation;  
direct personal health  
and sanitation services in  
cooperating counties. A. L. Chapman, M.D., Director, Health and Medical Services for Migrants (MG-33), Pennsylvania Department of Health, Post Office Box 90, Harrisburg, Pennsylvania.

## PUERTO RICO

- A, B----- Ruben Nazario, M.D., Director, Health Needs of Migrant Workers Project (MG-58), University of Puerto Rico, School of Medicine, San Juan, Puerto Rico 00905.

## SOUTH CAROLINA

- A, B----- H. Parker Jones, M.D., Director, Comprehensive Health Program for Agricultural Migrants—Beaufort County (MG-121), Post Office Box 408,<sup>1</sup> Beaufort, South Carolina 29903.

<sup>1</sup> Address of the project director is as shown. However, the sponsor in each case is South Carolina State Board of Health, J. Marlon Sims Building, Columbia, South Carolina 29201.

## SOUTH CAROLINA—Continued

- Service code*  
 A, B----- E. Kenneth Aycock, M.D., Director, Health Services for Migratory Agricultural Workers and Their Families—Charleston County (MG-26), 334 Calhoun Street,<sup>1</sup> Charleston, South Carolina 29401.

## TEXAS

- A, B----- Gonzalo V. Trevino, Director, Jim Wells County Migrant Health Project (MG-99), Jim Wells County Commissioners Court, Jim Wells County Court House, 200 North Almond Street, Alice, Texas 78332.
- Statewide consultation provision of technical and professional assistance to special local projects in establishing and maintaining their migrant programs. Carl F. Moore, Jr., M.D., Director, Technical Assistance in Approaches to Health Problems Associated with Migratory Labor (MG-03), Texas State Department of Health, 1100 West 49th Street, Austin, Texas.
- A, B----- Jack F. Fox, M.D., and Harold R. Stevenson, M.D., Co-Directors, Greenbelt Medical Society Migrant Health Project (Childress and Hall Counties) (MG-109), Greenbelt Medical Society, 306 Third Northeast, Childress, Texas.
- A, B----- J. M. Barton, M.D., Director, La Salle County Migrant Health Project (MG-120), La Salle Court House, Center at Stewart Street, Cotulla, Texas 78014.
- A, B----- T. J. Taylor, Director, Crosby County Migrant Health Service Project (MG-108), Crosbyton Clinic Hospital, Post Office Box 248, Crosbyton, Texas.
- A, B----- B. Oliver Lewis, M.D., Director, Del Rio-Val Verde County Health Department Migrant Health Project (MG-128), Municipal Building, Del Rio, Texas.
- A, B----- R. D. Newman, Director, Castro County Migratory Health Project (MG-143), Castro County Commissioner's Court, Courthouse, Dimmitt, Texas.
- A, B----- Dr. John R. Copenhaver, M.D., Director, Hidalgo County Migrant Health Project (MG-117), Hidalgo County Health Department, Room 427, Courthouse, Edinburg, Texas.
- A, B----- L. W. Chilton, Jr., M.D., Director, Goliad County (Texas) Migrant Health Project (MG-114), Goliad Project for Handicapped Children, Box 53, Goliad, Texas 77963.
- A, B----- D. M. Shelby, M.D., Director, Gonzales County Migrant Health Project (MG-115), Gonzales County Medical Society, Gonzales, Texas 78629.
- A, B----- Jose L. Gonzalez, Director, Laredo-Webb County Migrant Family Health Project (MG-42), Laredo-Webb County Health Department, 400 Arkansas Avenue, Laredo, Texas.
- A, B----- David M. Cowgill, M.D., Director, Technical Assistance in Developing Techniques and Approaches to Health Problems Associated with Seasonal Farm Labor in Public Health Education, Sanitation, and Public Health Nursing, Countywide (MG-46), Lubbock City-County Health Department, 1202 Jarvis, Lubbock, Texas.
- A, B----- Carl P. Weidenbach, M.D., Director, Hale County Migrant Health Service (MG-37), Plainview-Hale County Health Department, 10th and Ash Streets, Plainview, Texas.

## TEXAS—Continued

<i>Service code</i>	
A-----	Mrs. Helen V. McMahan, Director, Yoakum County Migrant Health Service Project (MG-113), Yoakum County Commissioners, Yoakum County Courthouse, Box 456, Plains, Texas 79355.
A, B-----	Roy G. Reed, M.D., Director, Calhoun County Migrant Health Services Program (MG-95), Port Lavaca-Calhoun County Health Unit, 131 Hospital Street, Port Lavaca, Texas.
A, B-----	Dr. John R. Copenhaver, M.D., Director, Cameron County Migrant Health Project (MG-97), Cameron County Health Department, 186 North Sam Houston Boulevard, San Benito, Texas 78586.
A, B-----	Hon. Tom H. Neely, Director, Hudspeth County-Dell City Migrant, Hudspeth County Commissioners' Court, Hudspeth County Court House, Sierra Blanca, Texas.
A, B-----	H. A. Rickels, Director, Spur-Dickens County Health Service Project (MG-110), Spur City Aldermen, City Hall, Post Office Box 356, Spur, Texas.
A, B-----	B. Oliver Lewis, M.D., Director, Southwestern Texas Health Department Migrant Project (MG-44), Southwestern Texas Health Department, Headquarters, Post Office Box 517, Uvalde, Texas.
A, B-----	Pedro Ramirez, Jr., Director, Zapata County Migrant Health Project (MG-100), Zapata County Commissioners' Court, Post Office Box 272, Zapata, Texas.

## UTAH

A, B-----	Robert W. Sherwood, M.D., Director, Utah Migrant Health Service (MG-98), Utah State State Department of Health, 44 Medical Drive, Salt Lake City, Utah 84113.
-----------	---

## VIRGINIA

A, B-----	J. B. Kenley, M.D., Director, Migrant Health Project—Virginia (MG-41), Division of Local Health Services, State Department of Health, Richmond, Virginia.
-----------	---

## WASHINGTON

A, B-----	Dr. Phillip Jones, Director, Whatcom County Migrant Health Program (MG-132), Bellingham-Whatcom County District Health Department, 509 Girard Street, Bellingham, Washington 98225.
A, B-----	Ernest Kredel, M.D., Director, Health Services for Migrant Workers in Puyallup-Stuck Valley (MG-19), Tacoma-Pierce County Health Department, 649 County-City Building, Tacoma, Washington 98402.

## WEST VIRGINIA

A, B-----	R. C. Hood, M.D., Director, Migrant Health Project (MG-123), Berkeley-Morgan County Health Department, 209 East King Street, Martinsburg, West Virginia.
-----------	--

## WISCONSIN

*Service code*

- A, B----- Mrs. Clayton S. Mills, Director, Migrant Medical Aid Program (MG-75), Catholic Diocese of Madison, Guadalupe House, Elm Acre, Endeavor, Wisconsin 53939.
- A----- Mrs. Al Lambrecht, Director, St. Joseph Migrant Family Health Clinic (MG-129), St. Joseph Hospital, 707 South University Avenue, Beaver Dam, Wisconsin 53916.
- A----- Mrs. Mary Ann Minorik, Director, Waushara County (Wisconsin) Migrant Health Clinic (MG-130), Waushara County Committee for Economic Opportunity, Box 310, Wautoma, Wisconsin.

## APPENDIX C

### FISCAL YEAR 1966 MIGRANT GRANTS—STATE DISTRIBUTION

[Includes grants funded from title III-B funds and from sec. 205 discretionary funds]

State	Number of grantees	Total dollar amount	State	Number of grantees	Total dollar amount
Alabama.....	4	\$1,977,480	Nevada.....	1	147,950
Arizona.....	2	807,782	New Jersey.....	2	975,888
Arkansas.....	1	63,479	New Mexico.....	1	1,399,509
California.....	12	6,688,733	New York.....	4	797,183
Colorado.....	2	171,139	North Carolina.....	2	477,269
Delaware.....	1	116,469	Ohio.....	1	16,714
Florida.....	5	2,718,643	Oklahoma.....	1	247,230
Georgia.....	1	458,293	Oregon.....	2	1,540,428
Idaho.....	1	222,980	Pennsylvania.....	4	150,842
Illinois.....	1	806,354	South Carolina.....	2	582,359
Indiana.....	2	865,096	Tennessee.....	1	109,546
Iowa.....	2	96,548	Texas.....	3	7,425,256
Kansas.....	2	77,968	Utah.....	2	87,051
Louisiana.....	3	347,084	Washington.....	3	1,073,702
Maryland.....	3	87,360	Wisconsin.....	1	1,010,361
Massachusetts.....	1	152,362			
Michigan.....	1	578,848	Total (35 States).....	77	34,777,228
Minnesota.....	1	233,084			
Mississippi.....	2	2,165,077	Public agencies.....		15,893,115
Nebraska.....	1	96,159	Private agencies.....		18,884,113

NOTE.—Breakdown of approximately \$35,000,000 into categories: Education, \$27,000,000; day care, \$5,000,000; housing and sanitation, \$3,000,000.

Source: Office of Economic Opportunity.

## INDIVIDUAL VIEWS OF SENATORS MURPHY AND FANNIN

We disagree with many of the suggestions, implications, and proposals of the Majority Report.

As an abstract proposition, anyone would agree that the goals toward which these proposals aim are meritorious. As is so often the case, however, we must watch lest in practice the proposals result not in the meritorious goals but in hindering an industry and so lessening the benefits which workers can obtain from that industry.

### A. MINIMUM WAGE

It has been only a few months since the Congress applied minimum wage legislation to farm workers. It seems to the undersigned that it might be helpful and proper to observe the operation and results of this application before embarking on a program, as suggested by the majority, to extend the coverage.

The existing legislation does provide for a gradual increase in agricultural minimum wages, and it would seem inappropriate and unnecessary to make any changes in that regard now.

The enactment of a flat minimum wage without any provision for the piece rate system, which now predominates in agricultural labor, would almost inevitably insure that the minimum would become the maximum, and would thereby penalize the efficient workers and kill the initiative which is so important in our system.

There is little doubt that the average farm worker much prefers the piece rate system, provided the piece rate is high enough. But if the minimum were to supplant the piece rate, and if the minimum wage, in turn, were to be substantially below the average piece rate income which farm workers now earn, we fail to see how such a change would be an improvement.

The piece rate system provides an incentive. If a man can earn just as much sitting in the shade under an apple tree as he can earn by picking the apples off it, then a minimum wage will simply place a premium on sitting in the shade.

If, on the other hand, the piece rate system is effectively incorporated into the minimum wage system, we can have a means of increasing both income and productivity. It is our hope that the law, as last year applied to farm workers, will have that effect.

### B. COLLECTIVE BARGAINING

The principle of collective bargaining is the heart and soul of American labor relations, and it is a principle which I have fully endorsed for many years.

In discussions of these matters, we often hear it stated that agricultural workers should be treated like workers in industry. This analysis does not stand up, because it overlooks vital differences between the industrial and agricultural segments of our economy, some of which are inherent in the nature of business and some of which have developed as custom and tradition.

The economic situation both of the farmer and of the farmworker differs greatly from that of the employer and worker in industry.

For instance, the farmworker generally has a much lower cost of living than does his counterpart in industry. Land values are lower in agricultural areas than in cities, so rent is lower, if indeed the worker needs to pay rent, since often he is provided housing by his farmer-employer.

Food prices are naturally less in rural areas, as is transportation and the general way of life followed in farm communities. Meals are often provided the farmworker by his employer.

The economic situation of a farmer is far different from that of an industrial employer. The entire year's product of the farmer is at stake when harvesttime arrives. If he cannot get harvest labor during these crucial weeks, then his entire year's income, and the interest on his investment, will surely be lost. To give his employees the ability to strike, and shut off his labor supply during harvesttime, is to put into the hands of those workers a far greater club than is possessed by any industrial union.

What is at stake in the proposal being considered by this committee, moreover, is much more than the "garden variety" collective-bargaining rights which the average layman now takes for granted but which, unfortunately, have been denied to this one important segment of American labor. For the proposal before the committee would grant to agriculture not only the rights guaranteed to other workers generally but would grant to agricultural unions rights far in excess of ordinary collective-bargaining rights—rights which now are enjoyed only by construction unions.

The bill before the committee would provide that unions in agriculture—like construction unions but unlike any other unions—could enter into labor agreements despite the fact that no majority support had yet been established, and even despite the fact that no employees had even been hired; and such agreements would be legal even if they contained a "union shop" clause requiring union membership after only 7 days (as contrasted with the 30-day period of grace otherwise required under the National Labor Relations Act).

The result could be recognition of a union representing absolutely nobody, which in turn could then impose upon new employees not even hired when the contract was signed a requirement that after only 7 days they would have to pay dues or be discharged.

This type of contract—known as a prehire agreement—was made lawful only for construction unions by the 1959 amendments to the NLRA. The construction industry proviso, however, only works if the union can force the employer to sign prehire agreements. In construction that is a simple matter, but in agriculture the inability of farm labor unions to cut off the labor supply by a strike is already apparent in most cases.

The bases for the 1959 construction industry amendment, moreover, do not seem to be applicable to agriculture—at least at the present time. These bases were twofold: First, because of the extent to which construction tradesmen are already organized, an employer using the available pool of skilled construction tradesmen in his community would inevitably end up with a union majority on his job—indeed, unless the contractor relied upon the union hiring hall to supply skilled labor directly to his construction site, which might be miles out of town, the contractor would have no labor

supply at all. (See S. Rept. 187 on S. 1555, 86th Cong., 1st sess., 424 (1959) (1 Leg. Hist. LMRDA 424).) And second, it was important that the employer be able to recognize construction craft unions voluntarily, and before any election was held (or even before any employees were hired) because a rigid definition of the bargaining unit represented by each construction union would have interfered with the machinery set up by the contractors and the construction unions to settle jurisdictional disputes.

In agriculture, on the other hand, it can hardly be suggested that, if one goes out into the community and hires those people with experience in the field, one will automatically end up with a majority of union members.

Nor is it true in agriculture, as the Congress found it to be true in construction, that if we allow prehire agreements without any certification by the NLRB, we can have confidence that there is a national joint board which will successfully resolve all jurisdictional disputes which may arise between unions representing or seeking to represent agricultural employees.

In the last analysis, however, section 8(f) does not require the employer to recognize a union without an election—it merely permits the employer to do so. In the construction industry, that is enough, because if the employer refuses, the union can cut off the labor supply. But in agriculture, the unions could not compel an employer to sign a prehire union contract unless the unions could cut off the labor supply of farmworkers—which, as yet, they do not seem to be able to do.

Assuming that a farm-labor union cannot cut off the labor supply and force recognition—and thus assuming that a farmer will not willingly sign, and cannot be forced to sign, a construction-type prehire agreement—the key problem arises in the election context. And this question will be the same whether the NLRA is applied to farm labor in the usual manner, or whether the construction industry provision is made applicable. In either event, farm-labor unions will probably have to win elections to achieve recognition, and elections are governed by the same section of the act (sec. 9), whether the construction industry provisions apply or not.

The main problems in the election context are defining the “appropriate bargaining unit” (including the more general problem of multi-employer bargaining), deciding when to hold the election, and deciding who is eligible to vote.

Section 9(a) of the NLRA provides:

9(a). Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect of rates of pay, wages, hours of employment, or other conditions of employment \* \* \*.

Section 9(b), in turn, provides:

9(b). The Board shall decide in each case whether, in order to assure the employees the fullest freedom in exercising the rights guaranteed by this act, the unit appropriate for the

purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof \* \* \*.

Despite the failure to mention "multiemployer units," there is no doubt that the Board can—and on many occasions does—certify multiemployer bargaining units as appropriate for purposes of holding elections and—if the union wins—for purposes of multiemployer bargaining.

Until last year, moreover, a certified or otherwise established multiemployer bargaining unit could be broken up only by the employers themselves: as long as the employers stuck together, the union was forced to bargain with them as a group.

On September 24, 1965, however, in a decision which augurs a complete upheaval in multiemployer bargaining, the Board held, in *Evening News Association*, 154 N.L.R.B. No. 121 (1965), that a union may "withdraw" from an established multiemployer bargaining unit on the same basis that an employer could withdraw from such a unit.

Whether the *Evening News* rule can stand up on judicial review remains to be seen. Member Brown, dissenting, spotted what may be the key logical weakness of the Board's decision:

It is apparent that an employer's right to withdraw its participation in, and negotiation through, an association or group is entirely different from the asserted right to require an employer to withdraw. In fact, the term "union withdrawal" is misleading, for a union does not withdraw unilaterally, but compels an employer to forego group action and pursue an independent course. Thus, when a union withdraws, it remains unaffected as an entity while requiring a change in the very identity, nature, and composition of the employer with whom bargaining is to be conducted.

The impact of *Evening News*, if it is sustained in the courts, could be far-reaching indeed, particularly for agricultural employers if they are to be covered by the NLRA. In lockout cases, it has long been assumed that an employer-member of a multiemployer bargaining unit could lockout defensively against a whipsaw strike, on the theory that the whipsaw was in derogation of the established bargaining unit. But if the union need only withdraw from the unit in timely fashion, such a justification for a defensive lockout may well evaporate. But aside from the less frequent lockout situation, employers in established multiemployer units have long believed that they could insist upon bargaining through a common representative for uniform association-wide terms. Yet the Board has already held, in *Hearst Consolidated Publications*, 156 N.L.R.B. No. 16 (1965), that employers violate the act by refusing to bargain with a union in separate units, notwithstanding the employers' contention that a long history of bargaining on a multiemployer basis renders separate units inappropriate, provided the union gives timely and unequivocal notice of its desire to withdraw and bargain with each employer individually.

It seems fundamental to me that agricultural employers should have the right to insist upon multiemployer bargaining, provided they have a community of interest, and that if agriculture is to be covered, some specific language should be inserted in section 9 to insure that in any case in which a group of agricultural employers express a desire to bargain through a group representing employers in competition with

each other in the sale of their product and using a common pool of labor, or a labor supply which overlaps to any substantial degree, the multiemployer unit should be considered the appropriate unit, regardless of the wishes of the union.

Finally, there is a perplexing question concerning the eligibility of voters in farm labor elections under the NLRA. In a factory-type situation, the Board has usually refused to conduct elections except when a "representative number of employees" are eligible to vote. A newly opened factory ordinarily is immune from elections until after a substantial percentage of employees has been hired.

In agriculture, on the other hand, it is difficult if not impossible to decide what is a "representative number" of the employees. At harvest peak, the full work force may be 10 times the size of the work force during the rest of the year. If the election is held at harvest peak, however, the great bulk of the employees will be temporary in the strictest sense—they will have only a fleeting interest in the employer's wages and working conditions. On the other hand, if the election is held in a nonpeak season, only a few employees may be voting on a question which will affect the future of a much greater number of employees later on. Either way, there is bound to be an injustice, depending on one's point of view.

These questions are not insoluble. I have no doubt that the Congress, once alerted to the complexities of the situation, could provide workable guidelines for collective bargaining by farmworkers while at the same time preserving freedom of choice and equality of bargaining power. But the situation calls for careful analysis and good judgment, and not a headlong rush to apply to agriculture a legislative scheme which needs special tailoring to avoid a misfit which would be more of a hindrance than a help.

GEORGE MURPHY.  
PAUL J. FANNIN.

