POVERTY IN A LAND OF PLENTY: THE SEASONAL FARM WORKER IN NEW JERSEY

Report of

The Governor's Task Force

on

Migrant Farm Labor

1968

GOVERNOR'S TASK FORCE
ON MIGRANT FARM LABOR

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June 1968

Hon. Richard J. Hughes
Governor of New Jersey
Trenton, New Jersey

Dear Governor Hughes:

On 6 December 1966 you announced the appointment of a Task Force for the purpose of studying the seasonal farm labor situation in New Jersey.

Six months later, we sent you an interim report which contained our short range policy recommendations. At that time, we indicated to you that we desired to study further the future manpower needs in agriculture, the impact of farm mechanization and other related problems. In order to obtain the necessary data and projections, we hired a consulting firm with previous experience in the area of seasonal farm labor. We received their report on April 3, 1968. Based on their findings, and our own personal investigations, we have completed the second phase of our study. We are transmitting herewith the final results of our work.

Once again, we thank you for the opportunity to serve New Jersey and for your support of our efforts. We look forward to discussing the report with you and with other interested citizens and groups.

Respectfully,

J. Stanley Husid
Chairman

FOREWORD

Food is man's fuel. Without it he simply cannot exist or function. As a consumer item, food is one of the best bargains on the market. But an exhorbitant social cost is exacted as part of the bargain. This is the cost of human misery suffered by the migratory farm workers who plant, cultivate, harvest and process our seasonal crops. Each year the operators of the farms, orchards, nursuries and cranberry bogs in the state vitally depend upon these "nameless and faceless" people to perform the arduous tasks of agricultural work.

New Jersey has been a leader for at least twenty-five years in the field of migrant farm labor policy, both in law and in practice. Yet, the situation today is not satisfactory. In the face of agricultural plenty and an increasingly affluent society, both farmers and migratory farm workers are caught on the horns of an economic and sociological dilemma. A combination of factors related to market forces and technological change have created an unhealthy labor climate down on the farm.

The problems are multiple. And the solutions are by no means easy. What is done about these matters must of necessity be done in large measure through government. Our work in preparing this report, however, has led us to express our unqualified belief that a state's care of its people in trouble also requires active citizen participation. If New Jersey is truly to alleviate the needless suffering by seasonal farm workers, the combined efforts of leaders in government, agriculture, labor, medicine, churches and civic organizations are needed. Only in this way, will we be able to achieve a viable and lasting solution.

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PART I INTRODUCTION

Many people see things as they are and ask, "Why"?
I dream of things that never have been and ask, "Why not"?

Robert F. Kennedy

A. PURPOSE AND PROCEDURE

On 6 December 1967, Governor Richard J. Hughes announced the appointment of a Task Force comprised of twelve citizens whom he asked to examine the entire seasonal farm labor situation in New Jersey and to report as to how it could be measurably improved. Subsequently, four other members were appointed to the study group. A copy of the Governor's statement appointing the Task Force asking that this study be made appears in Appendix B

From the outset, the Task Force's basic purpose was to enable New Jersey to discharge more fully its responsibilities and obligations to insure a fair measure of social justice in the treatment of those seasonal farm workers who contribute so much to the state's economic development through their hard toil in the field. The Task Force was expected to consider such topics as coordination of governmental activities concerning farm workers, centralized housing, surplus food distribution, welfare residency requirements, and the possible revision of the existing migrant labor code and the regulations promulgated under it. In addition, we were specifically asked to consider to what extent the regulations of the Alcoholic Beverage Control Commission were being violated on farm labor

camps, whether farm laborers were being charged exorbitant prices for food and other necessary household items, and if so, how they might be protected.

In order to obtain the necessary preliminary orientation, the Task Force attended several meetings with the Commissioner of Labor and Industry and his principal staff members. Thereafter, the Task Force met with the Governor and with the heads of the departments, divisions and bureaus of the executive branch of the State Government which have working relations with the Bureau of Migrant Labor. This included special meetings with the Secretary of Agriculture, the Commissioner of Community Affairs and the Commissioner of Education. Separate interviews were also held with various departmental staff members, public health nurses and teachers who were affiliated with the state's migrant summer school program.

The chairman and staff director of the Task Force also met with the Secretary of Labor from the Commonwealth of Puerto Rico and with other members of the Migration Division suggested by him to discuss pertinent issues. These discussions produced some interesting insights regarding the procedures of contract negotiations, and other matters such as illegal recruitment, transportation, collection of back pay, workmen's compensation claims, and the pre-employment training that is given to the workers prior to their journey to the mainland. While in Puerto Rico, they also visited training and recruitment centers and talked with representatives of the Garden State Association which is the organization that does most of the recruiting of the island workers for New Jersey growers under the [redacted] Puerto Rican Contract.

On May 1, 1967, the Task Force took a field trip to southern New Jersey and visited several migrant labor camps. There we saw the housing conditions that prevailed in camps ranging from very good to very bad. This trip also afforded the members an opportunity to talk with the workers and their families as well as with individual growers. The Task Force also held two formal public hearings at which some 45 witnesses testified. Verbatim transcripts of the testimony were taken. The first open meeting occurred in Bridgeton on June 8, the second in Freehold on August 21. Added evening sessions were scheduled for both of these public hearings in order to enable the workers to appear on their free time and so as not to interfere with their earnings or employment. The evening meetings took place in a church building and anti-poverty agency headquaters in order to provide more friendly surroundings.

A wide range of individual workers and representatives from a large number of interested organizations in New Jersey either provided information to and/or met with the Task Force as did officials of other States and the federal government. These included representatives from the Consumers League of New Jersey, the Cumberland County Board of Agriculture, the Glassboro Service Association, the New Jersey Farm Bureau, Garden State Association, the anti-poverty agencies, such as the Southwest Citizens Organization for Poverty Elimination (SCOPE) and other community and family service agencies which operate in the migrant-user areas of central and southern New Jersey. A list of those heard is in Appendix C.

Mindful of the Governor's charge to report to him as soon as possible, the Task Force submitted an interim report on June 16, 1967. This report contained

a list of proposals and short range recommendations that were matters for administrative action rather than legislation. Only a few of these proposals have been put into effect, others have not been implemented. A copy of the interim report will be found in Appendix D.

The Task Force played an instrumental role in getting the inspection staff of the Bureau of Migrant Labor substantially enlarged. Moreover, we met with farm leaders in an effort to encourage them to adopt a voluntary contract program for Southern Negro workers. This venture, however, did not prove very successful, since only two growers subscribed to the voluntary effort.

The Task Force soon realized it had inadequate information concerning seasonal farm labor problems, and as it heard a flow of rumor, claim, and counterclaim, it became apparent that more substantial information was needed. Accordingly, we sought several kinds of information: facts on the conditions of the worker's labor and life, attitudes of workers, growers and community leaders, and data concerning New Jersey's agricultural industry. As a result, the Task Force contracted with the Consulting Services Corporation of Seattle, Washington to obtain the necessary valid survey data. This firm was hired primarily because it had done a similar study for the State of Washington, and it was also prepared to undertake the job upon relatively short notice.

The New Jersey study was financed by a grant of $149,000 made to the Task Force in July, 1967 by the federal Office of Economic Opportunity. Thanks to

this generous assitance, it has been possible to employ the CSC firm as an independent consultant and to defray necessary expenses. In the course of its study, the CSC consultants received the helpful cooperation of various state agencies, the New Jersey Farm Bureau, and the agricultural Cooperative Extension Service at Rutgers, the State University. The CSC report was submitted to the Task Force on April 3, 1968. This report documented New Jersey's present agricultural position, the impact of technological change and urbanization on its farm economy, and the probable ability to deal successfully with current and future manpower problems in the light of present and future trends in agriculture. Equally important, it also specified the crucial needs of the workers, which encompassed employment and travel patterns, their income and expenditures, their health characteristics, and their education and child care requirements. Based on this comprehensive study, the Task Force has been better able to map out public policy objectives and recommendations that are predicated on a long-range forecast.

While the CSC study was underway during the summer of 1967, the Task Force continued to conduct its business on a regular bi-weekly basis. Visits were also made by two or more members and staff of the Task Force to migrant labor camps in South Jersey as well as to witness early-morning day-haul "shape-up" operations in Camden and Philadelphia. Some camps were visited several times. One informal visit coincided with an evening meeting of seasonal farm workers in Millville. Furthermore, every migrant summer school and child care center in the state was visited. Field administration of public health services to migrants was also observed.

After camp visitations in mid-August by members of the Task Force, the Migrant Labor Bureau was requested to investigate certain migrant camps considered as "unfit for human habitation." Five of the camps investigated by Bureau inspectors were put on notice to correct numerous major violations. Members of the Task Force then visited the five camps and found what they considered to be continuing gross violations of the Code. At this juncture, the Task Force met with the Governor, the Commissioner of Labor and Industry and his staff on September 11 to discuss the situation. Arising from this meeting were five major suggestions for legislative action: (1) mandatory pre-certification of camps 60 days prior to opening; (2) doubling of the living space requirements under the Code; (3) elimination of privies and installation of toilets by January, 1970; (4) increased civil and criminal penalties for violation of the Code; and (5) allowance of tax exemptions for the installation of toilets and water borne sewage equipment.

It is a tribute to the responsiveness and enlightened leadership within the New Jersey Legislature that these suggestions have already been enacted into law. We only hope that our final recommendations will receive equally favorable treatment.

There are many people who contributed to the making of this report. Of course, itwould be impossible to single out everyone. We do owe a special debt of gratitude to Professor Richard A. Hogarty of Rider College whose services as staff director we were most fortunate in securing. His knowledge of the field of public administration, and his skill and first-hand familiarity with migrant labor

problems were of great value in the preparation of this report. We were also greatly helped by Mrs. Janet Moravec whose typing ability and secretarial experience aided us throughout the course of the study. A word of thanks is also due to Howard Elliot, a graduate student at Princeton University, who prepared for us a valuable research paper on the economics of seasonal farm labor.

Any undertaking of this type is bound to create some diversity of opinion for the reason that many of the issues discussed are deeply controversial. Moreover, there are also bound to be basic philosophical differences of viewpoint, because we all tend to see things in different perspective. Nonetheless, we believe that this report represents a consensus judgment of the Task Force on the major issues involved. A statement of dissent by a few members on certain aspects is found at the end. Despite these differences, we feel satisfied that through the give and take of our deliberations we have been able to achieve a commonality of agreement. It is within this context that we present the report.

B. A BRIEF HISTORY OF THE STATE'S MIGRANT LABOR ACTIVITIES

An assessment of migrant farm labor in New Jersey must begin with a brief examination of the history of providing for the people who toil laboriously in our fields often from sun-up to sun-down, and who live in remote farm labor camps.

The development of a public policy toward seasonal farm laborers began in 1927 when considerable criticism was directed at the living quarters of migrant families and the employment of young children in agriculture.[1] At that time, the migrant labor force was comprised largely of Italian immigrants and their families who left their winter residences in Camden and Philadelphia to work on the vegetable truck farms in southern New Jersey. When the Bureau for Women and Children was created in 1929, extensive efforts were made by its director, Isabelle M. Summers, to obtain some kind of regulatory legislation.[2]

In 1930, Governor Morgan F. Larson appointed the Summers Commission to investigate the employment of migratory children in agriculture. The principal recommendation of the Summers Commission was that all children under 16 years of age be prohibited from working on the farm during the regular school year.[3] A few years later, this policy proposal was enacted into law. The study group also recommended that the Commissioner of Labor be given the authority to enforce a housing code designed to safeguard the health of migrant families.[4] No legislative action, however, was taken on this latter proposal.

During the depression period of the early 1930's, the Southern Negro migrant appeared on the scene. Many of them initially worked at harvesting oysters in the Port Norris-Shellpile area of Commercial Township, Cumberland County. Before World War II, the Southern Negro migrants were prominent but not the major component of the seasonal farm labor force. As the Italian laborers were absorbed into the military services and war plants, the Southern Negro workers gradually took up the slack in the system.[5] Moreover, the federal government under international agreements brought Jamaicans and Mexicans as well as Prisoners of War into the state for both agriculture and railroad work. In addition, the federal government established central camps to house these workers. At the end of the war, the workers returned to the private camps which were unprepared to receive them.[6] It was not until 1956 that the contract Puerto Rican workers began coming to New Jersey.

In any event, as private citizens came into contact with the migrant labor colonies scattered throughout the farming areas of the state, they realized the extent of the deplorable and wretched conditions which the workers faced. Several county grand juries rendered strong condemnations of camp conditions. In 1944, the Consumers League of New Jersey along with various other civic and religious groups submitted a brief to Governor Walter E. Edge that documented the acuteness of the problem and called for state control of farm labor camps.[7] After a survey and public hearing, the Commission on Post-War Economic Welfare recommended the creation of a state agency to regulate the problem. Upon this recommendation, the Legislature in 1945 passed the state's first migrant labor law.

The Economic Welfare Commission also favored the establishment of st owned and operated central camps, but this proposal was never implemen

Under the 1945 law establishing an inspection and enforcement system a. setting up an independent regulatory commission known as the Migrant Labor Board, New Jersey quickly became one of the leading states in the fields of migrant housing regulation, health care, and education. The MLB was originally comprised of twelve members, which included seven department heads serving ex officio and five lay members appointed by the Governor. Under the existing law, two of the lay members had to be selected from among farmers and one from organized labor.[8] At the time of its passage, the New Jersey migrant labor law was considered a very progressive measure and indeed, an almost revolutiona step forward. Frances Perkins, then U. S. Secretary of Labor, referred to it as the "Magna Charta for Migrants." The MLB was responsible for making policy and approving regulations which were enforced by its administrative arm, the Bureau of Migrant Labor.[9] This Bureau is currently lodged in the Department of Labor and Industry.

Jay C. Garrison served as the first chairman of the MLB from 1945 to 1955, and John M. Seabrook succeeded him as the second chairman, serving in that capacity for about twelve years (1955-1967). Notable among the MLB's accomplishments during this period were: (1) the codification of a workable housing and sanitation code; (2) the establishment of migrant summer schools; (3) the inauguration of a state crew leader registration program; (4) the promulgation of heat and hot water regulations; and (5) the initiation

of a portable field privy program. These latter two achievements resulted in better living and working conditions that in turn enabled the farmers to attract and to keep more responsible workers. There were also advances made in vocational training with the inception of a special tractor driving program. Originally conceived as a demonstration project, the responsibility for operating the summer migrant schools was shifted from Labor and Industry to the Department of Education in 1962.[10] During this same period, the State Health Department did pioneering work in setting up migrant health clinics. In 1965-66, the Bureau of Children's Services in the Department of Institutions and Agencies started a program of child day-care centers operating from mobile trailers in southern New Jersey. The day-care operation has now been assumed by the local anti-poverty agency in the area.

During the twenty-two years of the MLB's existence, most of its difficulties could be traced to an unaggressive enforcement policy and a relatively docile outlook by its membership. Furthermore, the bureau inspection force suffered from insufficient personnel and low rates of pay that made it difficult to hold the best qualified inspectors. A storm of protest arose over the MLB's promulgation of the hot water requirement in 1959. In the wake of this controversy, some farm elements wanted more representation and a stronger policy voice on the MLB.[11] A legislative struggle on this issue ensued and it was fought to a standoff. In 1963, a compromise solution was finally worked out. The number of lay members to be appointed to the MLB was increased from five to seven:

the farm bloc and organized labor each gained one additional representative.

As a result of alleged inflammatory statements and activities of certain members, the MLB came under heavy newspaper and political attack in the late summer of 1966.[12] After a complete investigation, Governor Richard J. Hughes recommended the abolition of the MLB because of what he considered "a built-in potential for a conflict of interest" by its membership under the existing law. At the same time, the Governor announced the appointment of the Task Force to study the entire seasonal farm labor situation. Accordingly, the Legislature enacted a statute in 1967 abolishing the MLB and vesting its functions and powers in the Commissioner of Labor and Industry.[13] At present, there is no replacement agency for the now defunct MLB.

C. THE NATURE OF THE PROBLEM

Migratory farm workers are people in trouble: they seek out crops to harvest because more stable, better paid employment is unavailable to them. They are marginal workers who, because they do not have saleable skills, must accept substandard conditions. Farmers, under the pressure of ruthless competition, conserve their resources by providing often the most limited facilities and minimal wages. The consequences of this cycle are starkly apparent on the farms of New Jersey: the life conditions of seasonal farm workers--white, Negro, and Puerto Rican--are hardly consonant with the public policy of a state which professes respect for human dignity and concern for the health and well-being of all its citizens. Very simply put, New Jersey migrant families earn on the average an annual income of less than $1800 and their general living conditions are often those of abject poverty.

It is well to keep in mind that the so-called migrant problem is multifaceted. That is to say, it is a series of interrelated problems, not a single one. Poverty, illiteracy, poor housing, ill-health, community rejection and the lack of alternative economic opportunities are all a part of the migrant's life. These several factors combine to make the plight of the worker virtually self-perpetuating. Moreover, a technological revolution is presently taking place that is not yet completely realized in the agricultural realm. Automation and mechanical harvesters are putting out of employment thousands of people who are willing to work. This fact is not peculiar to the agricultural industry, but it is one

trenchantly felt there because of the farmers peculiar vulnerability to the economic forces of the market place. Indeed, the economic displacement already underway is slowly eliminating the need for even cheap labor.

The migrant problem is one of fairly large dimensions in New Jersey. Although it has been virtually impossible to obtain a complete picture and an accurate census of all workers, nevertheless, the scope of the problem can be seen from the estimates compiled by various state and farm agencies. In 1967 the New Jersey Employment Service estimated that there was a "peak employment" of 22,600 seasonal farm workers.[14] It should be noted that this estimate is based on a predetermined "normal working day" during a two week period at the end of July. Throughout the entire 1967 harvest season, however, which began in early April and ended sometime in late fall, our consultants estimated that a total of 26,250 farm workers found employment in the Garden State.[15] Of this total labor force, 7,500 were Puerto Ricans working under contracts negotiated by the Commonwealth government; 5,500 were non-contract Puerto Ricans who had arranged their own employment; and 2,350 were Negro interstate laborers who had migrated (many in family units) from the South and who worked under a crew leader. In addition, there were approximately 10,800 so-called day haul and local laborers recruited mainly from the cities of Camden, Philadelphia and Trenton. The day haul workers are transported on a daily basis to nearby farms in central and southern New Jersey. With the exception of the day haul and local workers, the majority of the others live in private housing provided by their farm employer. In 1967, there were some 1,777 registered farm labor

camps scattered throughout New Jersey.

A brief synopsis of the characteristics of the various groups found in the seasonal farm labor pool is in order. According to the data gathered by our consultants, we find:

A. Puerto Rican: Two types of Puerto Rican workers may be identified: (a) the Contract Worker who comes to New Jersey under contract to the Glassboro Service Association, and (b) the Non-Contract Worker who makes his own arrangements for employment. The typical Contract Worker is 30 years old and considers Puerto Rico to be his home. He is married and when he comes to New Jersey he leaves his family behind. The typical Non-Contract Worker is much the same age, 34, and he, too generally leaves his family in Puerto Rico. The Contract Worker is recruited through the Puerto Rican Department of Labor. When he travels to New Jersey he is likely to do so in a chartered airplane. Under the terms of the contract, the worker is assured four basic protections:

(1) a guarantee of 160 hours of work every 4 weeks

(2) a minimum wage of $1.35 an hour (the minimum wage under the 1968 contract is now $1.45).

(3) limited off-the-job medical, hospital and life insurance coverage

(4) workmen's compensation insurance coverage

Upon his arrival in New Jersey, the contract worker is assigned to a grower and generally works for the same employer all the time he is in New Jersey. The Non-Contract Worker arranges his own employment. Quite often he returns to a grower for whom he has previously worked. He generally travels directly to New Jersey in a commercial airplane. Both the Contract and the Non-Contract Worker stay in New Jersey about five months. The Contract and Non-Contract Workers have similar backgrounds. They have both completed the fourth grade and neither can speak English. The Contract Worker has been in seasonal farm work for about five years and the Non-Contract Worker for about six. They both became seasonal farm workers because they needed the money. While they are working in New Jersey they are paid by the hour and earn about $1.34 per hour. Over a year both workers earn between $1,600 and $1,700, which includes earnings from farm work and a little non-agricultural work in the winter. When the earnings of the whole family are included, the Contract Worker earns about $2,000 per year and the Non-Contract Worker about $1,900 per year.

B. Day-Haul and Local Worker: The typical Day-Haul and Local Worker is 39 years old and lives in Pennsylvania. He has a family but his family does not generally work in the fields with him. Seasonal farm work is not his major source of income; in fact, he only works in agriculture to supplement his income or when he cannot find any other employment. When he is working in agriculture, he travels from his home every day. For about half the farm work he does he is recruited by a crew leader. The remainder of the farm work he finds for himself. When he is working for a crew leader, he travels to work in a truck or bus. He has completed the sixth grade at school and has done some seasonal farm work for the past seven years. He became a seasonal farm worker because he did not have a job and needed the money. When he works on a farm he is usually paid by the piece and earns about $11.50 for his day's work. His annual income, including any earnings of his family, is about $2,000.

C. Negro Interstate Worker: The typical Negro Interstate Worker is 25 years old and calls Florida his home. He is married and has two children. His major source of income is farm work, and in order to earn a living he has to go where the work is available. Every year he leaves Florida and travels up the eastern seaboard to New Jersey where he works for four months. His wife and children accompany him. He generally travels with a crew leader in the crew leader's bus and he and his family live at whatever farm they happen to be working on at the time. He completed the sixth grade at school and has been a seasonal farm worker for seven years. He started working in seasonal agriculture because he did not have a job and needed some money. However, he does not like all the traveling he must do and hopes that eventually he will be able to obtain a year-round job. He is generally paid by the piece and earns about $12.00 a day. His annual income, including his non-farm earnings and the earnings of his wife and children, is about $2,300.[16]

But cold statistics only begin to tell a small part of the story. Against the background of an increasingly affluent and well-fed society, the seasonal farm worker stands out in sharp contrast as the unfortunate victim of rural poverty, technological change, economic exploitation, racial discrimination, and human neglect. Hopelessly locked in a cycle of oppressive poverty, the typical migrant faces formidable barriers in his struggle for survival. This is particularly true of the Southern Negro [illegible] worker. In the first

place, he is literally forced to follow the crops in order to eke out a meager subsistence, mainly because he has been unable to develop the necessary skills for other kinds of employment. Secondly, he has been systematically denied the legal protection and work benefits that are customarily afforded his industrial and non-farm counterparts. Thirdly, he simply lacks the economic and political capacity to assert and improve his bargaining position. As Paul Jacobs observes:

> Economically and politically unorganized, farm workers can do little on their own to help themselves. They possess neither the economic power to wrest better conditions from their employers nor the political influence to exert pressure upon legislators. They are the unorganized debris of an organizational society.[17]

Because most middle-class Americans live in nicely-kept single family unit dwellings located within pleasant surroundings, they have little comprehension of the degradation and despair that characterizes life on a farm labor camp. This prospect is made even more remote by the fact that most farm labor camps are usually either inaccessible or else secluded in a grove of trees and hidden from normal view. In any event many are far removed from major traffic arteries and knowledge of their whereabouts is not readily available. Unless one knows the territory and physically examines the camp environment and housing conditions, he is not likely to understand the unbearable hardships which the inhabitants of these squalid rural ghettos must endure. As psychiatrist Robert Coles of Harvard University points out:

> These people do not have comfortable lives, in comparison with the way most of us live. In large measure, they live in houses whose adequacy, let alone comfort, leave much to be desired. Often they are flimsy, rat infested, one-room hovels with improper

> sanitation. In them live large families, sleeping at close quarters on cots or on the floors... What most migrants share is the more than occasional exposure to poor housing, bad sanitation, a diet poor in vitamins and protein, inadequate medical care, continual movement and consequent lack of firm association with any particular community, very limited incomes and a lack of eligibility for a number of privileges many of us either take for granted or consider rights: the vote, a telephone, a library card, unemployment or welfare benefits, minimum wage protection.[18]

As a group the migrants are poor, uneducated, and relatively unskilled workers who often do not understand their legal rights. Indeed, it is their low level of education and lack of non-agricultural skills that tends to keep them bound to their present way of life. Looked upon as "foreigners" by local residents and as people with colored skin, migratory farm workers frequently can be the object of xenophobia and racial bigotry. "In a very real sense," says Robert Coles, "migrant farmers form a 'subculture' in this nation. They live apart from the rest of us in a number of ways. By definition they are on the move, regularly or irregularly living each year in several states and in the process managing usually to lose the many advantages of a permanent residence in any one of them."[19] Nor are migrants well received by the local communities in which they work and to whose economy they contribute. To quote Coles again:

> Migrants usually do not vote. They are rarely eligible for any local employment assistance. They may hardly see the towns whose nearby fields they harvest. Their rights to adequate schooling for their children, to police protection, to sanitary inspection and regulation of their homes, to enforcement of fire regulations for those same homes, are in many cases prejudiced.[20]

Moreover, the Puerto Rican worker faces an added problem of communication. Only a very few are fluent in English, and many have no understanding of the

language at all. Conversely, few if any New Jersey farmers employing these workers speak or understand Spanish with any ease. This linguistic problem also applies to law enforcement officials, hospital personnel, storekeepers, public health officials, clergymen and others who are likely to come into contact with the workers. The language barrier is often the cause of labor disputes and other misunderstandings regarding our strange customs and practices.

Until 1960, under New Jersey law a farmer did not have to provide hot water for his employees. But even this token gesture toward civilization was strongly resisted by some elements of the farm industry.[21] Indeed, the situation presented a classic example of the "self-fulfilling prophecy" of prejudice. On the one hand, the charge was sometimes made that Puerto Ricans and Negroes were dirty people, while on the other hand the farmers made a concerted effort to deny them the opportunity to stay clean. Fortunately, we have made considerable progress since 1960. Today, practically all farm labor camps have piped hot and cold water.

In the minds of many farm employers, the migrants are perceived as being indolent and often unjustly accused of being "lazy and good-for-nothing." The truth of the matter is that this stereotype characterization is more a myth than a reality. The mere fact that they are willing to perform back-breaking stoop labor for long periods, ranging anywhere from 50 to 60 hours a week, helps to refute this specious argument. Furthermore, as Coles indicates, the myth has been largely destroyed by recent psychological findings: "Other workers

workers may well be preferred by farm owners, but psychiatric observations do not support many of the claims frequently made about the laziness of farm hands. On the contrary, most of these people display an initiative and desire for work. Migrant farm workers, almost by definition, show a remarkable capacity and desire to travel far and wide in search of work."[22]

Another myth is that the migrants actually enjoy their work and nomadic existence. For example, some people say that they accept this kind of work as their "chosen vocation" and prefer to be outdoors in the sunshine. Others say that they like to travel and no one forces them into the migrant stream.[23] These commonly held viewpoints, however, do not provide an accurate picture. In order to find out how the worker himself feels, the Task Force asked this sort of question in its worker survey. The response turned out to be just the opposite. As our consultants indicate: "Contrary to popular opinion seasonal farm workers do not like to travel around from job to job. The vast majority of the workers would prefer to have a steady job and live in one place. Seasonal farm work is not generally the worker's chosen vocation. Most workers began doing seasonal farm jobs because it was the only way they could earn a living."[24]

It is our observation that a culture of poverty is associated with farm migrancy and that a system of exploitation consequently exists within some rural communities. The Task Force heard constant allegations of consumer fraud, pricehiking, the unlawful use of child labor and the profiteering by some unscrupulous crew leaders in food, liquor and other commodities and services.

These injustices and abuses are all part of the system. To be sure, it is an invidious system that in many ways amounts to a form of human bondage that in effect destroys the dignity and human worth of the individual. Viewed from this perspective, Norman Loewenthal has commented:

> There is a silent, a more secret, and a more insidious form of poverty in New Jersey which destroys human minds and human lives without producing any significant impact on the attention or the conscience of the public. This is the poverty of the state's farm laborers. . . The way the migrant is damaged psychologically--the incredible psychic damage done on New Jersey's farms--does not awaken the public as does the drama posed in Newark during the summer of 1967. But so isolated, so rootless, and so defeated is the migrant that his continued submission is an inherent feature, and a tragic element of the migratory system.[25]

Innumerable instances can be cited to document the substandard and at times inhumane living conditions that migrants must endure during their stay here in New Jersey. For example, converted chicken coops have been used on occasion to house migrants. Moreover, they have met with frequent discrimination. Undoubtedly one of the most tragic incidents occurred on November 27, 1967, when a farm labor housing unit containing five migrant children burnt to the ground. The fire resulted in the death of all five. There is no small irony in the fact that one of the children who died in the fire was observed by members of the Task Force on its May 1 field trip inspection to have already suffered burns from a previous fire. Another migrant worker's child died from insecticide poisoning during the summer of 1967. These tragic occurrences were made all the more pathetic by the uncharitable reluctance of the local communities to provide needed funds to bury the children.

Other ugly incidents have happened in the past. In 1939, the infamous Cranbury "terror case" occurred. This incident involved a group of white hoodlums who made a midnight raid and vicious assault upon a southern Negro camp, because its occupants had come into the center of town to buy their food supplies.[26] Another more recent incident involved an expectant migrant mother who was denied transportation to a hospital by a local volunteer ambulance squad when it discovered she was a migrant. Two years ago, this discrimination problem was brought to the attention of the former New Jersey Migrant Labor Board. At a public hearing in Trenton in 1966, a social worker testified that a local welfare director refused to provide funds for the burial of the dead child of an indigent Puerto Rican couple. The Newark News summarized the situation:

> The local welfare director refused to pay for the child's funeral, saying among other things that the couple should have enough money to pay themselves, that they were "Catholic and had too many children" and the father probably spent his money on drinks... the agent finally paid for the burial but then treated the child as solely a public concern and did not even notify the parents when the burial would be. They did not find out where their child was buried until five days later.[27]

It is almost impossible to translate such incidents into a suitable description of the overall migrant condition. But the Task Force feels that these cruel indignities cannot be permitted to slip by unnoticed. By calling attention to them in this report, we believe that the weight of public opinion will denounce such discriminatory practices for what they really are--a form of man's inhumanity to man.

This is not to say that the blame for the social ills connected with migrancy should be placed entirely on the growers or upon the farm community in general. Nor do we believe that New Jersey farmers are purposely exploiting the migrants. On the most emphatic contrary, we think that the farmer himself is caught in a serious financial squeeze which makes it extremely difficult for him to improve conditions to any measurable extent. However, we do believe that there is a collective responsibility for the migrant problem which the entire society must share. Within this context, the Task Force echoesand reaffirms the statement made by the New Jersey Advisory Committee to the U. S. Commission on Civil Rights in 1961: "We cannot fail to note that migrant workers are the people our affluent society have forgotten. Their problems and what might be called their exploitation apparently cannot be laid at the feet of the farmers, the Department of Labor or any segment. It lies with our total society."[28]

Suffice it to say that the pandemic nature of the migrant problem is such that no one--either rural, urban or suburban dweller--can be complacent or apathetic about it any longer. All of us benefit and indeed prosper by the fruits of their labor. Yet, the cost in terms of human misery is great. That the migrant's need for public assistance is acute is unquestioned. Unless the migrant worker receives some outside help, he cannot possibly hope to improve his situation by himself. To the extent that the migrant does exist in a world apart from the community in which he works, a concerted effort must be made on the part of society in order to place him on a better social and economic footing.

PART II THE ECONOMIC ASPECTS OF SEASONAL FARM LABOR

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A. BACKGROUND

An analysis of nearly any aspect of the complex problems of the seasonal farm worker inevitably turns to matters of economics. The problems of poverty, of providing adequate housing, of inexorable market forces, of taxation, of increased mechanization, of urbanization, of technological change, and dozens of other ancillary issues return ever to matters of the dollar. All of these factors inevitably come into play when one considers the totality of interests involved in the seasonal harvest market in New Jersey. There are no magic solutions or easy panaceas to offer in coping with the complex problems that migratory labor generates. Many seem almost intractable. Yet solutions must be found if we are to alleviate the grave social injustices and economic inequities involved.

In the first place, the worker is poverty stricken. For most of them poverty is a necessary goad that drives them to take such hard work at such low rates of pay. They earn what the overwhelming majority of Americans consider a below subsistence wage. On the average the workers interviewed for the Task Force earned a family income of only $1800 annually. Indeed almost half of the families of more than five persons earned less than $3000.[2] Often illiterate, untrained for

more demanding work, the migrant is caught in a cycle of poverty, however willing he is to work--as he clearly demonstrates by his readiness to work 50-60 hours a week when the work is available.

Nor can the average farmer be cited as among the rich. Average annual income is relatively low for New Jersey farmers. In 1965 the average net income per farm was only $5931.[3] In 1967, this figure amounted to $7,307. Moreover, farm operating costs are high and the risks the farmer runs with weather, insects, plant disease, and the inexorable vagaries of market prices are such that he may match an amateur gambler's risks. Certainly no professional gambler would ever take such odds! Yet there are distinct economic advantages for the New Jersey farmer. He has excellent land, special property tax assessment status under the New Jersey Constitution, normally ample rainfall, and proximity to retail markets that permits him to produce high pay-off crops with low transportation costs. Indeed, measured against the farmers of other states in the country New Jersey's farmers rank 13th in their index of living as reported by the U. S. Department of Agriculture in June 1967.[4] Connecticut and Delaware farmers among neighboring states ranked 10th and 12th respectively, but no other state in the northeast ranks even close to New Jersey's farm standard of living.

Nevertheless the farmer does face problems when he attempts to improve the lot of the worker in the field. His competitive squeeze induces him to the extent possible to pass on his disadvantages to the element in the economic equation least capable of resisting:, the disadvantaged worker. At the Task Force hearing in Bridgeton, Donald McAllister, a member of the Cumberland County Board of

Agriculture, described the competitive squeeze and the difficulties New Jersey farmers encounter as a result:

> When we get to the area of wages and economics, there are many factors to be considered. We realize that the wages of seasonal workers are low in comparison with that of most other groups.
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> However, we must realize also that any business that is operated for a profit cannot long pay wages to a man at $2.00 an hour when the man only produces $1.50.
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> One of the largest expenses of farmers is real estate taxes. Furthermore, the taxes in this state are the second highest in the United States, thus giving our competitors in neighboring states a distinct advantage tax-wise.
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Arthur West, president of the New Jersey Farm Bureau, testified along similar lines:

> You may wonder why farmers resist paying higher wages to workers. Some people evidently assume it is because of personal greed and hard-heartedness. The answer is simple: We are part of a highly competitive industry that is controlled in large part by the large corporate food chains. These chain buyers keep the pressure on the processors and other buyers of our fruits and vegetables; and these processors and buyers, in turn, keep the pressure on us to keep our prices low.
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> New Jersey has been losing farms at the rate of 1,000 a year for the past twelve years, and we can see little or no slowing down of this

of a portable field privy program. These latter two achievements resulted in better living and working conditions that in turn enabled the farmers to attract and to keep more responsible workers. There were also advances made in vocational training with the inception of a special tractor driving program. Originally conceived as a demonstration project, the responsibility for operating the summer migrant schools was shifted from Labor and Industry to the Department of Education in 1962.[10] During this same period, the State Health Department did pioneering work in setting up migrant health clinics. In 1965-66, the Bureau of Children's Services in the Department of Institutions and Agencies started a program of child day-care centers operating from mobile trailers in southern New Jersey. The day-care operation has now been assumed by the local anti-poverty agency in the area.

During the twenty-two years of the MLB's existence, most of its difficulties could be traced to an unaggressive enforcement policy and a relatively docile outlook by its membership. Furthermore, the bureau inspection force suffered from insufficient personnel and low rates of pay that made it difficult to hold the best qualified inspectors. A storm of protest arose over the MLB's promulgation of the hot water requirement in 1959. In the wake of this controversy, some farm elements wanted more representation and a stronger policy voice on the MLB.[11] A legislative struggle on this issue ensued and it was fought to a standoff. In 1963, a compromise solution was finally worked out. The number of lay members to be appointed to the MLB was increased from five to seven:

the farm bloc and organized labor each gained one additional representative.

As a result of alleged inflammatory statements and activities of certain members, the MLB came under heavy newspaper and political attack in the late summer of 1966.[12] After a complete investigation, Governor Richard J. Hughes recommended the abolition of the MLB because of what he considered "a built-in potential for a conflict of interest" by its membership under the existing law. At the same time, the Governor announced the appointment of the Task Force to study the entire seasonal farm labor situation. Accordingly, the Legislature enacted a statute in 1967 abolishing the MLB and vesting its functions and powers in the Commissioner of Labor and Industry.[13] At present, there is no replacement agency for the now defunct MLB.

C. THE NATURE OF THE PROBLEM

Migratory farm workers are people in trouble: they seek out crops to harvest because more stable, better paid employment is unavailable to them. They are marginal workers who, because they do not have saleable skills, must accept substandard conditions. Farmers, under the pressure of ruthless competition, conserve their resources by providing often the most limited facilities and minimal wages. The consequences of this cycle are starkly apparent on the farms of New Jersey: the life conditions of seasonal farm workers--white, Negro, and Puerto Rican--are hardly consonant with the public policy of a state which professes respect for human dignity and concern for the health and well-being of all its citizens. Very simply put, New Jersey migrant families earn on the average an annual income of less than $1800 and their general living conditions are often those of abject poverty.

It is well to keep in mind that the so-called migrant problem is multifaceted. That is to say, it is a series of interrelated problems, not a single one. Poverty, illiteracy, poor housing, ill-health, community rejection and the lack of alternative economic opportunities are all a part of the migrant's life. These several factors combine to make the plight of the worker virtually self-perpetuating. Moreover, a technological revolution is presently taking place that is not yet completely realized in the agricultural realm. Automation and mechanical harvesters are putting out of employment thousands of people who are willing to work. This fact is not peculiar to the agricultural industry, but it is one

trenchantly felt there because of the farmers peculiar vulnerability to the economic forces of the market place. Indeed, the economic displacement already underway is slowly eliminating the need for even cheap labor.

The migrant problem is one of fairly large dimensions in New Jersey. Although it has been virtually impossible to obtain a complete picture and an accurate census of all workers, nevertheless, the scope of the problem can be seen from the estimates compiled by various state and farm agencies. In 1967 the New Jersey Employment Service estimated that there was a "peak employment" of 22,600 seasonal farm workers.[14] It should be noted that this estimate is based on a predetermined "normal working day" during a two week period at the end of July. Throughout the entire 1967 harvest season, however, which began in early April and ended sometime in late fall, our consultants estimated that a total of 26,250 farm workers found employment in the Garden State.[15] Of this total labor force, 7,500 were Puerto Ricans working under contracts negotiated by the Commonwealth government; 5,500 were non-contract Puerto Ricans who had arranged their own employment; and 2,350 were Negro interstate laborers who had migrated (many in family units) from the South and who worked under a crew leader. In addition, there were approximately 10,800 so-called day haul and local laborers recruited mainly from the cities of Camden, Philadelphia and Trenton. The day haul workers are transported on a daily basis to nearby farms in central and southern New Jersey. With the exception of the day haul and local workers, the majority of the others live in private housing provided by their farm employer. In 1967, there were some 1,777 registered farm labor

camps scattered throughout New Jersey.

A brief synopsis of the characteristics of the various groups found in the seasonal farm labor pool is in order. According to the data gathered by our consultants, we find:

A. Puerto Rican: Two types of Puerto Rican workers may be identified: (a) the Contract Worker who comes to New Jersey under contract to the Glassboro Service Association, and (b) the Non-Contract Worker who makes his own arrangements for employment. The typical Contract Worker is 30 years old and considers Puerto Rico to be his home. He is married and when he comes to New Jersey he leaves his family behind. The typical Non-Contract Worker is much the same age, 34, and he, too generally leaves his family in Puerto Rico. The Contract Worker is recruited through the Puerto Rican Department of Labor. When he travels to New Jersey he is likely to do so in a chartered airplane. Under the terms of the contract, the worker is assured four basic protections:

(1) a guarantee of 160 hours of work every 4 weeks

(2) a minimum wage of $1.35 an hour (the minimum wage under the 1968 contract is now $1.45).

(3) limited off-the-job medical, hospital and life insurance coverage

(4) workmen's compensation insurance coverage

Upon his arrival in New Jersey, the contract worker is assigned to a grower and generally works for the same employer all the time he is in New Jersey. The Non-Contract Worker arranges his own employment. Quite often he returns to a grower for whom he has previously worked. He generally travels directly to New Jersey in a commercial airplane. Both the Contract and the Non-Contract Worker stay in New Jersey about five months. The Contract and Non-Contract Workers have similar backgrounds. They have both completed the fourth grade and neither can speak English. The Contract Worker has been in seasonal farm work for about five years and the Non-Contract Worker for about six. They both became seasonal farm workers because they needed the money. While they are working in New Jersey they are paid by the hour and earn about $1.34 per hour. Over a year both workers earn between $1,600 and $1,700, which includes earnings from farm work and a little non-agricultural work in the winter. When the earnings of the whole family are included, the Contract Worker earns about $2,000 per year and the Non-Contract Worker about $1,900 per year.

B. Day-Haul and Local Worker: The typical Day-Haul and Local Worker is 39 years old and lives in Pennsylvania. He has a family but his family does not generally work in the fields with him. Seasonal farm work is not his major source of income; in fact, he only works in agriculture to supplement his income or when he cannot find any other employment. When he is working in agriculture, he travels from his home every day. For about half the farm work he does he is recruited by a crew leader. The remainder of the farm work he finds for himself. When he is working for a crew leader, he travels to work in a truck or bus. He has completed the sixth grade at school and has done some seasonal farm work for the past seven years. He became a seasonal farm worker because he did not have a job and needed the money. When he works on a farm he is usually paid by the piece and earns about $11.50 for his day's work. His annual income, including any earnings of his family, is about $2,000.

C. Negro Interstate Worker: The typical Negro Interstate Worker is 25 years old and calls Florida his home. He is married and has two children. His major source of income is farm work, and in order to earn a living he has to go where the work is available. Every year he leaves Florida and travels up the eastern seaboard to New Jersey where he works for four months. His wife and children accompany him. He generally travels with a crew leader in the crew leader's bus and he and his family live at whatever farm they happen to be working on at the time. He completed the sixth grade at school and has been a seasonal farm worker for seven years. He started working in seasonal agriculture because he did not have a job and needed some money. However, he does not like all the traveling he must do and hopes that eventually he will be able to obtain a year-round job. He is generally paid by the piece and earns about $12.00 a day. His annual income, including his non-farm earnings and the earnings of his wife and children, is about $2,300.[16]

But cold statistics only begin to tell a small part of the story. Against the background of an increasingly affluent and well-fed society, the seasonal farm worker stands out in sharp contrast as the unfortunate victim of rural poverty, technological change, economic exploitation, racial discrimination, and human neglect. Hopelessly locked in a cycle of oppressive poverty, the typical migrant faces formidable barriers in his struggle for survival. This is particularly true of the Southern Negro [illegible] worker. In the first

place, he is literally forced to follow the crops in order to eke out a meager subsistence, mainly because he has been unable to develop the necessary skills for other kinds of employment. Secondly, he has been systematically denied the legal protection and work benefits that are customarily afforded his industrial and non-farm counterparts. Thirdly, he simply lacks the economic and political capacity to assert and improve his bargaining position. As Paul Jacobs observes:

> Economically and politically unorganized, farm workers can do little on their own to help themselves. They possess neither the economic power to wrest better conditions from their employers nor the political influence to exert pressure upon legislators. They are the unorganized debris of an organizational society.[17]

Because most middle-class Americans live in nicely-kept single family unit dwellings located within pleasant surroundings, they have little comprehension of the degradation and despair that characterizes life on a farm labor camp. This prospect is made even more remote by the fact that most farm labor camps are usually either inaccessible or else secluded in a grove of trees and hidden from normal view. In any event many are far removed from major traffic arteries and knowledge of their whereabouts is not readily available. Unless one knows the territory and physically examines the camp environment and housing conditions, he is not likely to understand the unbearable hardships which the inhabitants of these squalid rural ghettos must endure. As psychiatrist Robert Coles of Harvard University points out:

> These people do not have comfortable lives, in comparison with the way most of us live. In large measure, they live in houses whose adequacy, let alone comfort, leave much to be desired. Often they are flimsy, rat infested, one-room hovels with improper

> sanitation. In them live large families, sleeping at close quarters on cots or on the floors... What most migrants share is the more than occasional exposure to poor housing, bad sanitation, a diet poor in vitamins and protein, inadequate medical care, continual movement and consequent lack of firm association with any particular community, very limited incomes and a lack of eligibility for a number of privileges many of us either take for granted or consider rights: the vote, a telephone, a library card, unemployment or welfare benefits, minimum wage protection.[18]

As a group the migrants are poor, uneducated, and relatively unskilled workers who often do not understand their legal rights. Indeed, it is their low level of education and lack of non-agricultural skills that tends to keep them bound to their present way of life. Looked upon as "foreigners" by local residents and as people with colored skin, migratory farm workers frequently can be the object of xenophobia and racial bigotry. "In a very real sense," says Robert Coles, "migrant farmers form a 'subculture' in this nation. They live apart from the rest of us in a number of ways. By definition they are on the move, regularly or irregularly living each year in several states and in the process managing usually to lose the many advantages of a permanent residence in any one of them."[19] Nor are migrants well received by the local communities in which they work and to whose economy they contribute. To quote Coles again:

> Migrants usually do not vote. They are rarely eligible for any local employment assistance. They may hardly see the towns whose nearby fields they harvest. Their rights to adequate schooling for their children, to police protection, to sanitary inspection and regulation of their homes, to enforcement of fire regulations for those same homes, are in many cases prejudiced.[20]

Moreover, the Puerto Rican worker faces an added problem of communication. Only a very few are fluent in English, and many have no understanding of the

language at all. Conversely, few if any New Jersey farmers employing these workers speak or understand Spanish with any ease. This linguistic problem also applies to law enforcement officials, hospital personnel, storekeepers, public health officials, clergymen and others who are likely to come into contact with the workers. The language barrier is often the cause of labor disputes and other misunderstandings regarding our strange customs and practices.

Until 1960, under New Jersey law a farmer did not have to provide hot water for his employees. But even this token gesture toward civilization was strongly resisted by some elements of the farm industry.[21] Indeed, the situation presented a classic example of the "self-fulfilling prophecy" of prejudice. On the one hand, the charge was sometimes made that Puerto Ricans and Negroes were dirty people, while on the other hand the farmers made a concerted effort to deny them the opportunity to stay clean. Fortunately, we have made considerable progress since 1960. Today, practically all farm labor camps have piped hot and cold water.

In the minds of many farm employers, the migrants are perceived as being indolent and often unjustly accused of being "lazy and good-for-nothing." The truth of the matter is that this stereotype characterization is more a myth than a reality. The mere fact that they are willing to perform back-breaking stoop labor for long periods, ranging anywhere from 50 to 60 hours a week, helps to refute this specious argument. Furthermore, as Coles indicates, the myth has been largely destroyed by recent psychological findings: "Other workers

workers may well be preferred by farm owners, but psychiatric observations do not support many of the claims frequently made about the laziness of farm hands. On the contrary, most of these people display an initiative and desire for work. Migrant farm workers, almost by definition, show a remarkable capacity and desire to travel far and wide in search of work."[22]

Another myth is that the migrants actually enjoy their work and nomadic existence. For example, some people say that they accept this kind of work as their "chosen vocation" and prefer to be outdoors in the sunshine. Others say that they like to travel and no one forces them into the migrant stream.[23] These commonly held viewpoints, however, do not provide an accurate picture. In order to find out how the worker himself feels, the Task Force asked this sort of question in its worker survey. The response turned out to be just the opposite. As our consultants indicate: "Contrary to popular opinion seasonal farm workers do not like to travel around from job to job. The vast majority of the workers would prefer to have a steady job and live in one place. Seasonal farm work is not generally the worker's chosen vocation. Most workers began doing seasonal farm jobs because it was the only way they could earn a living."[24]

It is our observation that a culture of poverty is associated with farm migrancy and that a system of exploitation consequently exists within some rural communities. The Task Force heard constant allegations of consumer fraud, pricehiking, the unlawful use of child labor and the profiteering by some unscrupulous crew leaders in food, liquor and other commodities and services.

These injustices and abuses are all part of the system. To be sure, it is an invidious system that in many ways amounts to a form of human bondage that in effect destroys the dignity and human worth of the individual. Viewed from this perspective, Norman Loewenthal has commented:

> There is a silent, a more secret, and a more insidious form of poverty in New Jersey which destroys human minds and human lives without producing any significant impact on the attention or the conscience of the public. This is the poverty of the state's farm laborers. . . The way the migrant is damaged psychologically--the incredible psychic damage done on New Jersey's farms--does not awaken the public as does the drama posed in Newark during the summer of 1967. But so isolated, so rootless, and so defeated is the migrant that his continued submission is an inherent feature, and a tragic element of the migratory system.[25]

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> New Jersey has been losing farms at the rate of 1,000 a year for the past twelve years, and we can see little or no slowing down of this

trend. The cost of production in this state is precariously close to the breaking point in comparison with costs in other producing areas. If our producers are forced too far too quickly in terms of labor costs and further reductions in the farm labor force, we stand in real danger of forcing the fruit and vegetable industry out of New Jersey. If this happens, we will all miss New Jersey sweet corn, vine-ripened tomatoes, fresh blueberries, fresh asparagas, and the many other products of our Garden State. This is no idle threat. It is a reality. Hundreds of farmers each year are calling it quits -- unable to cope with the economic and political climate that faces them in this state.

This doesn't necessarily mean that the farmers are taking a beating. They are able to sell their land, for the most part, at attractive prices, and buy farmland in surrounding states at half or less the price, where they can continue their production with lower labor and other costs. The real losers are the non-farm residents of the state who suffer at the hands of the land speculators and the urban sprawldom that threatens to engulf much of the remaining open space.[6]

B. NEW JERSEY'S FARM ECONOMY

A brief thumbnail sketch of the state's farm economy is in order. New Jersey has the most intensive agricultural production of any state in the nation. Its cash receipts from farm marketing per acre exceed all other states. The Garden State's cash receipts from farm marketings in 1965 totaled $265 million. During the same year, the total value of farm land and buildings in New Jersey amounted to $739 million.[7] Among the fifty states, New Jersey in 1965 ranked fifth in gross income earned per farm and seventh in net income earned per farm. It is estimated that the physical volume of farm production in New Jersey is now 75 per cent higher than in the pre-World War II period from 1935 to 1939. This is surprising when one

considers the fact that the state's farm populace is less than two per cent of its entire population.

Significant changes, however, have taken place in farming in New Jersey during the past decade. From 1955 to 1965, the number of farms declined from about 21,000 to 11,000.[8] In other words, since 1955 New Jersey has lost farms at the rate of one thousand per year. Over the same period, the amount of land committed to farming declined from 1.6 million acres in 1955 to 1.25 million acres in 1965. This trend has been produced partially by the impact of technological change, partially by the pressures toward greater farm efficiency, and partially by increased urbanization and industrial development.[9] While New Jersey farmers are almost at the doorstep of the giant metropolitan centers of New York and Philadelphia and their tremendous markets, nevertheless, they are constantly challenged by other agricultural regions. Some of these are as far away as California and Michigan.

As a result of the changes explained above, agriculture credit needs have grown sharply. Indeed, total capital requirements have expanded substantially in recent years. Because New Jersey farmers need to raise their levels of productivity in order to achieve a better competitive position, it will obviously be necessary for them to raise capital funds to achieve these goals in the future. The U. S. Department of Agriculture in its 1967 Fact Book gave the following data for the farming industries of New Jersey and its neighboring states:

	Av. Farm Size	Farms as % of Area	Av. Net Income	Number of Farms
N. J.	105 acres	24%	$5931	11,000
Del.	157 acres	58%	$7966	4,700
Pa.	135 acres	39%	$3104	82,000
N. Y.	198 acres	43%	$4671	66,000
Md.	155 acres	55%	$4517	22,000

Source: U. S. Department of Agriculture, Fact Book (Washington, D. C. 1967).

It will be noted that New Jersey farms are fairly productive for their size, but in the future with transportation bringing in competitive produce from farther and farther away, the lowering of unit costs of production will become more important. New Jersey farms are the smallest in the country except for those in Rhode Island. Almost inevitably it will be necessary to have larger farms, partly to facilitate and maximize the use of complex and expensive farm machinery and partly for other economies of size. It should be noted that this is a process already underway: the average size of New Jersey farms has grown by 40 per cent in the past ten years. In terms of the future demand for seasonal farm labor, our consultants tell us:

> New Jersey's peak labor requirements appear to have been quite stable over the period 1958 through 1963. Over the past four years, however, peak labor requirements could be as low as 20,000 workers. Major reductions in harvest labor demands are expected to occur during the first half of the 1970's, and a further reduction of approximately 5,000 workers is expected to occur by 1975. By 1980, it is forecast that there will be fewer than 10,000 seasonal farm workers required at the peak of the summer season. 10

C. PAWNS IN AN ECONOMIC GAME

It is clear that both the farmer and the worker are pawns in an economic game over which they have little direct control. A few large wholesalers and processors of foods, because of their concentrated economic power, exert a tremendous influence on New Jersey agriculture. Although these economic giants compete with each other, their relative power is such that unorganized farmers are helpless to counter that power. Thus the wholesalers and processors greatly influence prices and thus tend to force farmers to accept high risks and reduced returns. The farmer as a consequence is limited in his ability to improve worker's wages or conditions of living.

Because of these risks, the farmer can pay only relatively low wages. His frustration is compounded by the fact that the economic losses he often suffers are for reasons beyond his control. The state also places regulations on the farmer concerning his workers which inevitably costs the farmer something. As noted previously, neighboring states may not provide as stringent regulations, thereby placing the New Jersey farmer at some competitive disadvantage. See the table below for comparisons of New Jersey and selected competing state's farm labor laws.

TABLE I
COMPARATIVE STATE FARM LABOR REGULATIONS
(1968)

	Min Wage	Wage Collection	Housing	Crew Leader	Transportation
N. J.	$1.40 (state)	yes	yes	yes	yes
Pa.	$1.15 (federal)	yes	yes	yes	yes
N. Y.	$1.15 "	yes	yes	yes	no
Del.	$1.15 "	yes	yes	no	no
Md.	$1.15 "	no	yes	no	no
Calif.	$1.15 "	yes	yes	no	yes
Mich.	$1.25 (state)	no	yes	yes	no

Source: U.S. Department of Labor, Status of Agricultural Workers Under State and Federal Laws (Washington, D. C. 1967).

The seasonal farm worker in New Jersey is caught in a combination of circumstances from which it is difficult to escape. Although some avenues of economic opportunity have opened for him in recent years (i. e. the state minimum wage law in 1966), many are still closed. For one thing, it is very difficult for workers to organize into labor unions to promote their interests. Organization for workers is important in a highly organized world but the isolation of workers in small groups, their migrancy, and low skill levels make it difficult to create unions. The policy problem here is a national one and not confined entirely to New Jersey. As one observer succinctly put it:

> In an age when there are labor unions for everyone from firemen to newspaper reporters, why should it be so difficult for farm workers to organize? The problem would be greatly eased if ten words--"shall not include any individual employed as an agricultural laborer"--were struck from one of the most powerful laws our nation has ever written. This revision would enable farm workers to join the millions of industrial workers who have the protection of the National Labor Relations Act guaranteeing their right to organize into unions to bargain collectively. 11

Although the financial risks encountered by the New Jersey farmer are at times great, it is nevertheless true that the migrant worker is far more of an economic underdog. As a permanent resident, even the most hard-pressed farmer can at least avail himself of certain organizational and institutional services. If a grower has a labor recruitment problem, he can call upon the state government to assist him. If he has a production or marketing problem, he can often rely upon the Rutgers University Cooperative Extension Service for advice and remedy. If he has other common agricultural problems, he is free to join the New Jersey Farm Bureau and to seek help that is often assured

from collectivity of numbers. Even against poor market conditions, a potato farmer, for example, can frequently store his crop in the expectation that the market price will become more advantageous. The farmers have alternatives, the worker has none.

While some migrant workers have risen above their living and working conditions by the force of their own talent and energy, the vast majority still remain economically depressed. Uncertainty of employment, especially among the Southern Negro workers, hovers as a constant threat. Many of them have never known the meaning or experienced the security of a steady, well-paid job. The economic insecurity which seasonal farm workers often experience was vividly portrayed in the following colloquy with a migrant couple at the Task Force hearing in Freehold:

> MR. HENRY DENBY: I live on a farm. The man that I work for is very nice. He is very nice to me, but he don't have the work to keep us working steady. Now today--this is a potato farm, and we loaded one trailerload of potatoes; and it takes at least one hour and a half or two hours to load those potatoes, and we haven't done any more all day.
>
> Our houses--we live in one room. We don't have a bath. Our bathroom is outdoors.
>
> I don't have no fault with the man that I'm working with because he cannot get the trucks to move his potatoes, he cannot give us work because he don't have nothing else for us to do. So, therefore, I'm not holding him responsible because any time that he got something for us to do extra, he gives us that work to do, and he pays us $1.25 an hour. I don't have no complaints against him. It is not his fault if he can't move his potatoes.
>
> DR. WILLIAMS: Mr. Denby, what happens when you don't work. You said you worked an hour and a half today. Do you get paid when you're not working?

MR. DENBY: I do not.

DR. WILLIAMS: How do you live?

MR. DENBY: Well, the way we live--we goes out and tries to find work in other places, we work other places. But I'm not--I can't depend on the man that I'm living on the place to take care of me. If he can't give me enough work, I have to goes out and try to find other work.

CHAIRMAN HUSID: You said that he couldn't move his potatoes because he couldn't get the trucks in?

MR. DENBY: That's right.

CHAIRMAN HUSID: Could you explain why he couldn't get them in?

MR. DENBY: I can't explain because I do not know. He was looking for trucks today. We were supposed to load three trailers today, but we wound up loading one. Now, I don't know anything different to tell you.

CHAIRMAN HUSID: On the average, what would you say you earned a week since you came up?

MR. DENBY: Well, I am going to tell you like it is: My wife and I, one week we made $52, but since then, we haven't.

CHAIRMAN HUSID: That is the highest you have made?

MR. DENBY: That is the highest we have made.

CHAIRMAN HUSID: What was the lowest?

MR. DENBY: The lowest was around about maybe twenty or twenty-five dollars.

MRS. LISS: Did you think that you were going to have enough employment on one farm?

MR. DENBY: That's right.

MRS. LISS: You thought you would have enough employment on this farm to earn a decent living?

MR. DENBY: That's right.

MRS. LISS: When you go look for other work, do you go with the aid of anyone else or do you go on your own?

MR. DENBY: We go on our own.

MRS. LISS: How do you know where to go?

MR. DENBY: Just walk up the road and look for it. That's all.

MRS. LISS: So, the farm housing that is given to you is, in effect, your residence--your central place from where you go out looking for fill-in employment; is that it?

MR. DENBY: That's right. When he ain't got nothing for us to do, he gives us the privilege to go out and try and find something for us to do.

MR. LYNCH: If you make $20 to $25 as your lowest and $52 a week as your highest, when the regular season is over, how do you exist; not that you can exist on this money. After the season is over, what happens to you and your wife?

MR. DENBY: I got to go out and look for work somewhere else.

MR. LYNCH: Is this what you did last year too?

MR. DENBY: That's what we did last year.

MR. LYNCH: Did you find any work last year?

MR. DENBY: We found work off and on because I'm the man, and I went out and found work off and on.

MR. LYNCH: What kind of work?

MR. DENBY: I went out and cleaned out chicken houses and done that kind of work.

MR. LYNCH: How much would you say you earned all last year of this year, you and your wife?

MR. DENBY: I can't tell you because I don't know.

CHAIRMAN HUSID: Mrs. Denby, do you have anything that you would like to say?

MRS. LILLY-MAE DENBY: Yes. I would like to have a decent place for a bathroom--a bathhouse to take a bath. We have a lot of water and everything like that, and we just have one little room to live in, the both of us together. You know it is not comfortable. When it is wintertime and the snow starts falling, we don't have nowhere to go and no food, and where are we going then? We have no job and we don't have nothing to do then. You know, you can't work when the snow is on the ground. If you're not making enough to save anything, what are you going to do? [12]

D. DISASSEMBLING A SOCIAL PROBLEM

This inexorable forces of technological change, mechanization and urbanization are producing a revolution in agriculture. Technological change is idling thousands of people who are willing to undertake back-breaking stoop labor. Technological unemployment reaches far beyond agriculture, of course, but it must be recognized that the production of perishable foods is one of the last industries to be affected by this change, resulting in the disemployment of a new group, hitherto relatively little affected by the technological revolution. Public policies that seek to improve the worker's lot have contributed in a degree to the change to machinery from human labor.

In his testimony, Arthur West, president of the New Jersey Farm Bureau, told the Task Force, "If present trends continue, the migrant problem will solve itself, since the need for such workers will be greatly reduced by mechanization." [13] We cannot agree completely with this view, but there is a certain element of truth in it. Despite the increase in mechanization over the past decade, we

cannot fail to note that the total seasonal work force has declined very slowly, though the composition of the work force has changed significantly. However, we believe that the dramatic impact will probably be felt during the next 15 years.

Hence consideration must be given to future labor demands and methods for meeting those demands. For a combination of reasons, it is expected that the proportion of southern Negro workers will decline significantly and the proportion of day-haul workers will increase. Basically, present and future wage increases will spur the economic incentive and development of feasible mechanical harvesters. Urbanization, technological change and employment opportunities in the supply states will greatly contribute to the economic displacement of the workers. According to our consultants: "It is very likely that the Negro interstate worker will virtually disappear from New Jersey agriculture over the next few years as more employment opportunities develop in the South. In the future the seasonal farm work force will probably be mainly composed of day-haul and some Puerto Rican contract workers." [14]

By 1980, our consultants predict over a 50 per cent reduction in the total seasonal farm labor demands for New Jersey. As previously noted, it is forecast that there will be fewer than 10,000 seasonal farm workers required at the peak of the harvest season. Given these expectations, our consultants conclude:

> The use of Day-Haul Workers from the urban areas in and around New Jersey will require the adoption of new institutions in seasonal farm work. These will probably have to include increased provision for transportation of workers, improved working conditions in the fields (for example, sanitary toilets, drinking water, and mid-day

breaks), and a general upgrading of wage rates to levels roughly comparable to those received by unskilled labor in non-agricultural activities.

These changes, together with the decline of Negro Interstate Workers, imply a significant reduction in housing problems connected with seasonal farm work in the future, as well as, problems currently associated with family units traveling with the seasonal farm workers. On the other hand, it would appear that closer attention will have to be paid to future child labor regulation in agriculture, particularly in the area of children working around potentially hazardous machinery.

Finally, it will be necessary for farmers to actively upgrade the social and economic status of farm workers if they are going to attract urban Day-Haul Workers from New Jersey and surrounding states. This will require increased attention to many forms of non-wage renumeration and amenities currently found in industrial employment but generally excluded from agricultural employment packages. 15

In the process of disassembling one social problem, however, we will undoubtedly be creating others such as unemployment and the need for vocational retraining. These problems will be discussed under the health, education and welfare section of this report.

E. ECONOMIC RECOMMENDATIONS

Against this background, we make the following recommendations:

1. Union Organizing - Although the Task Force is divided on this question, nevertheless a majority proposes a statutory protection of the right of the farm worker to organize into labor unions for purposes of self protection of the worker's rights. We believe that not all the well meaning legislation or well meaning pleas of

those concerned with the worker's plight is going to affect basically his status. Only when he organizes for his own interests and becomes sufficiently conscious of and committed to collective effort to promote those interests will those interests be genuinely promoted. The Task Force is aware of the difficulties of organizing workers on scattered farms who are transients and often uninformed about collective action. We note, for example, that many workers are not even aware of statutory protection already provided for them. According to the results of our consultant's survey, one worker in five is unaware that he is covered by the state minimum wage law; and among southern migrants, a quarter of them were unaware of this protection. Still, difficult as it may be to organize for self protection, it ought to be the public policy of this state that workers shall be free from coercion if and when they attempt to form unions.

We note that there is no existing machinery for assisting employees in developing unions. Under neither New Jersey nor federal law is the farm worker given specific protection of a right to organize. Nevertheless, the Task Force believes that something should be done at the state level to facilitate the right of farm workers to organize for their own self-protection. It should not be forgotten that Article I Section 18 of the New Jersey Constitution provides that: "Persons in private employment shall have the right to organize and bargain collectively."

Several alternative solutions suggest themselves here: 1) assert that union organization would be an avenue for dealing with some of the worst problems; 2) call for a law to forbid any person from interfering with the lawful activities of persons trying to organize unions among farm workers, and call for the establishment of a state agency to provide machinery for elections, electing bargaining agents, mediating and to protect workers from discrimination after having joined a union; and 3) appeal for passage by Congress of the amendments under consideration to the National Labor Relations Act.

A majority of the Task Force believes that the second step offers the most meaningful solution. Admittedly this step raises some constitutional problems of pre-emptive federalism. Since agriculture is generally regarded as interstate commerce and because Congress is now considering (as it has unsuccessfully for years) an amendment to permit farm workers to come under NLRA, some legal observers doubt the constitutionality of a state "little Wagner Act" for farm labor. However, there are several states which do so protect farm workers and in the absence of federal action a state law to provide this aid is not very likely to be successfully challenged - challenged yes, but successfully no. Failing in this, we believe that legislation should be obtained prohibiting the interference of lawful activities to organize farm workers. It should be noted that the Task Force is already on record urging the Congress to amend the NLRA.

2. Contracts for Seasonal Farm Labor - One element of the program for bringing Puerto Rican farm workers to New Jersey favorably impresses the Task Force: the labor contract. Among other things, this contract guarantees the worker 160 hours of work for four weeks. In other words, there is an economic floor built into the contract. From the earliest stages of its deliberations the Task Force has pondered ways in which aspects of that contract could be applied to other seasonal farm labor camps. We recommend that the following steps be taken.

All seasonal farm labor should be based upon a written agreement between the farmer and the worker. These contracts should specify conditions of work, rates of pay, and other appropriate stipulations for the protection of both the employee and the employer.

(a) Contracts for long term seasonal workers (i. e., both the resident and interstate worker). There should be two aspects to the contract, one established by the Commissioner of Labor and Industry prior to the opening of a growing season and the other subject to agreement between the farmer and the worker. The first part of the contract, to be set by the Commissioner, would be established after a hearing where all interested parties would have the right to give testimony. That part of the contract should use the Puerto Rican Contract as a model, and it should specifically include a clause stating a minimum hours of work

guarantee. For years the Puerto Rican Contract has called for a minimum of 160 hours every four weeks, and evidence gathered by the Task Force indicates that this has posed no undue burden for the farmer; he has usually been able to find suitable work to provide that many hours per month, or failing that he has had two alternatives: either to absorb a loss for the advantage of having an assured work force when it is needed, or return men to Glassboro for reassignment to other jobs. A large proportion of New Jersey farmers use contract labor so the minimum hour guarantee is apparently workable. The farmer who uses southern migrants has never provided a minimum hour guarantee and even where a contract was experimented with in 1967 the minimum hour provision was omitted In part this has been because there is no equivalent to the Glassboro Service Center to which surplus southern interstate labor could be sent. But the problem of transfer of labor may not be insurmountable. We believe a 160 hour guarantee might be established for all long term seasonal workers if the state's farm labor recruiting arm steps up its activities in facilitating the transfer of surplus labor.

(b) No guarantee provisions should be required for workers 16 years of age or under. If a female worker does not want to work the full 160 hours the farmer would not be liable under

the guarantee clause on grounds that the worker was unwilling to meet the stipulation of a contract requiring willingness of the worker to work when employment was available.

(c) The short term or day haul worker contract. We suggest that a wholly separate contract be provided for the short term or day haul worker. The contract should cover wages, conditions of work, pay arrangements, and we think a minimum guarantee of perhaps three hours of minimum wage payment for the workers who are brought to the field under contract but are not given work to do because of weather or any other reason.

The Task Force inquired into the procedure followed at the Glassboro Center when there was a surplus of labor. It particularly wanted to know the farmer's contractual liability to the worker under such circumstances. Upon inquiry of this matter with Joseph Garafola, general manager, Glassboro Service Association, the Task Force learned that the farmer is not held liable to the worker. What happens is that the Glassboro Association takes the workers back and merely reassigns them elsewhere in New Jersey or else in some other neighboring state. The farmer is relieved of his contractual responsibility once he sends the workers back to the center for reassignment. The Glassboro Service Association then assumes liability until the worker is reassigned to another employer.

3. Health Insurance - The health of the worker poses problems dealt with in another section of this report, but one aspect of that with economic implications is the health insurance question. The Task Force believes that some sort of off-the-job health insurance program seems a necessity for workers earning wages below the federal poverty line level. At present, the hospitalization of migrants often causes serious economic difficulties for community hospitals.

The Task Force, therefore, urges that the State of New Jersey undertake through the Department of Labor and Industry or some other agency of state government to set up a program of group insurance similar to the one in the Puerto Rican Contract. A workable plan might take the form of a compulsory employer, employee and state contribution to a fund, administered by the state through hospitals which, local regulations to the contrary notwithstanding, would be required to accept patients participating in the plan.

The Task Force proposes that equal parts of the health insurance premium (one-third) be paid by the worker, the farmer, and the state. This is proposed because the costs would be onerous for the worker or the farmer to bear alone or jointly, but the state which benefits economically from the farm industry makes only a

small direct contribution to the worker's welfare. For the economic reasons explained above, it seems fair that part of the cost of providing the highly important health insurance be assumed by the state.

4. Workmen's Compensation - According to the New Jersey Bureau of Migrant Labor, over 90 per cent of the farmers take out some form of employer liability insurance. This coverage, however, is not as effective as the statistics might indicate. The insurance companies can be forced to pay only through lawsuits, and migrants are usually not sufficiently sophisticated to be more than vaguely aware of what such a procedure involves. Furthermore, even where the companies operate in good faith (and in the case of the Puerto Rican workers it is probably true that the language barrier is far more responsible for any injustices than deliberate efforts to avoid obligations), New Jersey companies reserve the right to delay payment of a claim for six weeks to allow a full investigation. This delay often means that the injured worker gets no compensation at all since by the expiration of this time he has returned to Puerto Rico or the South and is simply financially, physically, and intellectually unable to press for payment.

Although we understand that 90 per cent of the farmers in New Jersey carry workmen's compensation insurance, we think the dangers to the

workers employed on the remaining farms are serious enough to merit legislation requiring that all farmers carry insurance to protect the worker against serious personal injury losses that may be sustained on the farm of an uninsured employer. The cost of insurance is not high but the benefits to the worker would be considerable. We believe, therefore that every worker should have the protection of workmen's compensation insurance.

5. The Role of the Crew Leader - We find that the crew leader is often a very important person in the lives of many seasonal farm workers--both for good and ill. It probably is not feasible to eliminate the contractor or crew leader entirely for the Southern worker; tradition and habit have given him a large role in recruitment and handling of the worker. We do feel, however, that certain limitations should be placed upon his role. First we suggest that the contractor or crew leader not be permitted to be the paymaster for "his" workers; this often results, it is believed, in short payment to the worker and grossly inadequate record keeping, and it is also claimed it may result in his deductions not being paid to the federal government. Therefore, the law should state that the employing farmer or his supervising agent other than the crew leader should be the paying agent. It is also recommended that the crew leader not be paid percentages based upon the earnings of the workers. Instead we recommend that the farmer should pay the contractor or crew leader

a fee for various services provided. If the crew leader acts as a field supervisor, for example, he should be paid a straight hourly wage for services rendered; where savings result this would then permit the farmer to better recompense the worker for his labor.

6. Welfare - It is apparent that the reliance on day haul workers which has grown more important in recent years is going to become even more significant in the future. That being the case, not only because of the need to recruit part time help, but also to improve the lot of the day haul worker, we recommend that provisions be written into the state welfare law which will allow the worker, who is also on relief, not to have 100 per cent of his earnings deducted from his welfare payments. Inasmuch as the day haul worker is the poorest of the group of workers in our fields and because he is willing to labor hard to improve his situation it makes absolutely no sense at all to provide a ridiculous disincentive to work when he is able. We propose that at least 50 percent of his earnings, up to an income level of $3340 annually for a family of four (the officially recognized poverty line), be retained. This is, a weekly wage calculated according to the poverty formula which would establish the amount that could be earned without penalty, the amounts that would be progressively taxed up to 50 per cent of earnings when the individual had gone over the poverty line level.

7. Child Labor - The minimum age for farm work should be raised to 14 years, and farm workers between the ages of 14 and 16 should not work more than 40 hours per week, not the sixty hours provided in present law.

8. Farmer's Economic Position - The Task Force has made an effort to suggest ways of improving the capacity of the farmer to provide a better situation for the worker as well as to make specific proposals about the worker's problems. We realize that some of these recommendations will cost money, but there are things that can be done to improve that situation:

(a) Rapid Amortization of Housing - Farm labor housing has no economic value to the farmer beyond enabling him to attract employees, since in many cases it is only occupied for short periods during the peak harvest season. Most farmers do not have the financial means of their own to build the number of housing units necessary to house an adequate labor force.

To increase the availability of adequate housing, we believe 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 five year period would be an added incentive to induce farmers to construct on-the-farm housing for their employees. We further recommend that this five year amortization be made available in regard to the cost of alteration or remodeling of existing housing.

(b) Research for Seasonal Farm Labor - We believe that a research and development program on seasonal farm labor should be established at the College of Agriculture and Environmental Science at Rutgers, the State University. This program should encompass such problems as housing of such workers; ways of improving their efficiency through mechanization; and the upgrading of their skills. It should also include the development of planting, cultivation and harvesting practices conducive to mechanization as well as improving the managerial skills of farmers who employ seasonal agricultural workers.

(c) Check-off Dues - Because crop prices are usually set by the processor, the Task Force believes that some effort should be made to improve the farmer's bargaining position. Under existing law in New Jersey, only processors and handlers of milk are authorized to deduct certain service fees due to

co-operatives from the members of such associations. We propose that legislation should be obtained extending this authority to buyers, processors and handlers of all agricultural commoditions. Under such a law, deductions (or what is commonly referred to as "check-off" dues) would be made and paid direct to the agricultural marketing associations only when growers voluntarily sign membership contracts with such marketing co-operatives.

UNFINISHED BUSINESS UNDER INTERIM REPORT

It should be noted that there are still some interim proposals that have not as yet been carried out:

1. So far as the Task Force is aware there have not yet been worked out methods to insure the efficient delivery of last week wages for Puerto Rican workers. Specific procedures for facilitating this should be arranged by the Wage and Hour Bureau of the Department of Labor and Industry.

2. Arrangements should be made so that all workers would be eligible to receive medical care in their home states or territories for injuries sustained while working in New Jersey. This should be a conditional clause in the labor contract and a part of the workmen's compensation contract.

PART III HOUSING AND SANITATION

> We have about fifteen people living on the farm where I work. We have a shower, but I put it in myself. I went to Englishtown and bought a shower extension. I got the plumber there and I called him myself and I had him come and put the shower in. You work in all that dirt, and you can't wash it off in a tub.[1]
>
> Mrs. Marie Bronson

A. BACKGROUND

The problem of migrant housing involves more than mere physical shelter. Since the seasonal farm worker is both culturally and physically removed from the mainstream of American society, his housing is not only the center of family life but also the sole source of neighborhood ties and close associations with his fellow workers. In short, the farm labor camps is his community. When, as is often the case for migratory farm laborers, housing is dilapidated and run down, the situation is materially worsened. The minority group is to that extent further isolated from the larger community and its rewards and values. Furthermore, the remoteness of the camps increases the cultural isolation of the farmworkers and thereby reduces the ability of not only the current generation, but also of the next, to recognize and take advantage of the opportunities in which the dominant society takes pride.

The environment of camps where seasonal farm workers live in New Jersey is generally inadequate. The barrenness of camp life can be seen in even a quick cursory inspection. Recreation and social facilities are practically non-existent. Where such facilities do exist, they are often out-of-bounds for the

worker. At one camp, the owner's swimming pool was in close proximity; while at another, a make-shift basketball court was obstructed by garbage disposal cans. As one observer commented: "Migrant's homes have practically no printed matter. Many migrants are illiterate. They do not read newspapers. They do not even receive mail. Their children fast pick up their parent's words, but they come to school with little preparation for books, maps, or pictures. The walls of their homes are barren."[2]

Migrant farm labor camps in many respects represent one of the last vestiges of "company housing." Traditionally, it has been common in many American industries to provide employee housing when job locations are substantially removed from the worker's usual place of residence. Railroads for many years provided their construction gangs and maintenance crews with both temporary and permanent housing facilities for single men and for families. Moreover, construction companies have often erected temporary housing at remote building sites. For over a century, company towns have dotted the coal mining regions of the northeast. It is not surprising then that agricultural employers have furnished their workmen with dwellings.

By legally classifying agricultural farm labor camps in New Jersey as "temporary" shelter, they do not have to meet the more rigid standards of some local housing codes applicable to year-around housing. According to Donald McAllister of the Cumberland County Board of Agriculture: "Agriculture is the one industry that has seen fit to furnish housing for its employees. The

furnishing of this housing has created a great deal of controversy. If our foresight had been as good as our hindsight, agriculture would probably have followed the same procedure as some other industries and not provided housing for its employees."[3] In any event, the farmer's frustration is undoubtedly compounded by the fact that the housing which he provides rent-free is often either mistreated or destroyed by the workers themselves. To quote McAllister again:

> In regard to housing, it is very disturbing to the farmer to put his housing for seasonal workers in condition so that it will comply with the state regulations, and then later in the year be criticized for the condition of the camp and, in some cases, fined because the occupants of the housing had so misused it that it will no longer comply. It is our feeling that more farmers would be glad to furnish better housing if only the occupants would show their appreciation by the manner in which they care for and use the housing.[4]

To some degree, this aspect of the problem was met by legislation recently enacted into law at the recommendation of the Task Force. Under a 1967 statute, it is now a complete defense in a criminal proceeding for a farmer who can prove that a violation of the state Migrant Code is the result of the willful destruction by the occupants of the camp. But this law by no means solves the more basic and deep-seated problem. As Robert Coles points out:

> Some may call such behavior "accidental," but many farmers are correct in sensing the barely submerged hostility and resentment at work in these people. The migrants don't specifically intend to damage property, but are aware of feeling overworked and underpaid, and carry those feelings around with them fairly constantly.[5]

On balance, the Task Force believes that a provision should be included in the migrant labor law which will require the occupants to share in the responsibility for migrant housing violations caused by them. For example, the State Housing Code contains various provisions related to occupant responsibility. We think that similar provisions should be added to the migrant labor law.

In addition, we recommend the establishment of an educational program to increase the seasonal worker's knowledge of housing management and sanitation. Such a program should also include many aspects of home management. We believe such a program, perhaps under the auspices of the Cooperative Extension Service of the College of Agriculture and Environmental Science, Rutgers University, with assistance from relevant State Departments, local and county agencies and anti-poverty organizations, would go far in resolving the interrelated problems of housing, sanitation, home management and health.

B. THE ENFORCEMENT ISSUE

The key factor in any good migrant housing program is sound enforcement. Under New Jersey law, a farm employer who houses seasonal laborers on his premises is required to make sure that:

> Every camp shall provide sleeping places in reasonably good structural condition, including adequate provision against fire hazards, so as to shelter the occupants against the elements and to exclude ground dampness. Sleeping places shall be kept clean and free from vermin and matter of an infectious or contagious nature. The grounds around sleeping places shall be properly drained and shall be kept clean and free from accumulation of dirt, filth, garbage and deleterious matter.[6]
>
> Any camp which does not conform to this article shall be deemed a public nuisance and if not made to conform within five days or within such longer period of time as may be allowed by the commissioner (of Labor & Industry) by written notice shall be abated by proper suit brought by the Attorney General upon request of the commissioner.[7]
>
> Any person, or the agent or officer thereof, who violates any provision of this article or of any rule or regulation duly issued under this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than $1,000 or imprisonment for not more than 1 year. It shall be a complete defense to any criminal proceeding pursuant to this section for the defendant to prove that the violation complained of is solely the result of the willful destruction by the occupants of any camp.[8]

In spite of these strong statutory prohibitives, the general housing and sanitary conditions of farm labor camps in New Jersey are far from satisfactory. Some housing is excellent. But often it ranges from poor to appalling. In its interim report, the Task Force listed five major deficiencies:

1) Overcrowding, insufficient floor space, and lack of privacy.

2) Improper food preparation and food handling.

3) Contaminated water supplies.

4) Faulty management of privy facilities that contributed to the contamination of surface waters.

5) Unsanitary garbage and refuse disposal.

Furthermore, we found that some migrant families were expected to prepare food, cook and wash dishes without the convenience of running water; that space for cooking and sleeping was inadequate; and that unclean bedding and household utensils were often furnished to seasonal farm workers. In order to correct these glaring deficiencies, the Task Force recommended that the state Migrant Labor Code be strictly enforced during the 1967 farming season. To attain this end, we appeared before the Joint Legislative Appropriations Committee and requested sufficient funds for the Bureau of Migrant Labor to hire five additional camp inspectors. This request was granted by the Legislature.

But either the Task Force's call for greater enforcement efforts went unheard or else it was completely ignored; because it is totally inexplicable that as late as September 8, 1967, the Task Force discovered these flagrant violations of the state Migrant Labor Code:

At one camp, the outdoor privy was filled with feces virtually to the ground level, whereas section 6:6 of the code states that a privy pit shall not be filled with excreta to nearer than one foot from the surface of the ground. The privy was not fly proof in violation of section 6:5, and the seats of the privy were soiled with feces in violation of section 6:8.

In addition, there was a stagnant drainage ditch immediately behind the farm labor camp that was green, slimy, motionless and littered with debris. The washroom drained into this ditch in violation of section 7:3, the trash cans were without covers and were blown with flies in violation of section 7:1, and the camp grounds were littered with debris and cans in violation of section 2:8.

Upon inquiry with the farm operator about the above mentioned deficiencies in his camp, the grower proceeded to place the onus upon the inspectors saying: "If the inspectors don't do their job that is your problem." He was then advised that the privy and the camp was his property and his responsibility. When asked how many persons resided in his camp, the farmer refused to answer and claimed later that he had no idea despite the clear requirement in section 1:5 that he maintain a register of all occupants of the camp.[9]

At another camp, the Task Force accompanied by state inspectors found:

An exceedingly dirty washroom where the drainage from a sink, intended apparently for clothes and dish washing, discharged in the very spot where a person would shower. There were particles of food and other debris in the bathing area. There was also an old fashioned washing machine filled with stagnant water.

The privy was about 8 feet from the closest migrant housing unit, which was not occupied at the time, but the Task Force members were told that it had been occupied earlier in the summer. The privy was not fly proof and the seats were soiled with feces.[10]

At a third camp, the Task Force inspection party found that:

One of the problems in this camp as observed in earlier visits was excessive overcrowding. The number of occupants in the camp greatly exceeded its legal capacity. The inspection party examined a housing unit occupied by a woman and her seven children ranging in ages from about one year to 13 years. One room was measured

and its dimensions were roughly 12x8 feet, equalling 96 square feet. Yet, two beds were jammed in this room and six children slept in the beds. This room was in obvious violation of section 2:4 of the code.

The privy in the front section of this camp had been cleaned, but it was not fly proof. The washroom was reasonably clean but waste water drained to an open ditch which contained stagnant water in violation of section 7:3. In the back section of the camp, there was a privy some 20 feet from the house. Its pit had been recently cleaned, but it was open in violation of sections 6:5 and 6:8."

It should be noted that just two days earlier these very same camps had been inspected by bureau officials and were approved.

These substandard conditions are due partly to economic factors, partly to apathetic circumstances, and partly to a listless inspection system. We are aware of the claim that in the past political interference often occurred when inspectors attempted to crack down. Despite these operational difficulties, the above mentioned conditions are clear-cut infractions under the code. The sad truth of the matter is that such infractions are permitted to exist with only minimal attempts at correction. The Task Force is still of the opinion that the migrant law and the regulations promulgated thereunder ought to be more strictly enforced. We are hopefully past the stage when an inspector can any longer "wink his eye" at such infractions. To repeat, the key to a good migrant housing program is sound enforcement.

C. THE CENTRAL CAMP DILEMMA

Among other things, the Task Force was charged with the responsibility to study the feasibility of centralized housing. This is not a new idea in New Jersey.

During World War II, the federal government established three central camps in Bridgeton, Swedesboro and Burlington. These camps were built in 1942 and successfully administered by the Farm Security Administration. According to one account: "They were welcomed by local agricultural interests, and not only provided adequate housing, but gave a convincing demonstration of the efficient operations of migrant camps that were clean, orderly and healthful."[12]

This experiment, however, was short-lived. In 1943, the three central camps were released to the War Food Administration for the housing of Jamaican workers and then later dismantled. But the idea of central housing has persisted. In 1945, the State Commission on Post-War Economic Welfare recommended the establishment of a system of state-owned and operated central camps for the housing of migrant workers in order to provide the necessary health services as part of the camp life.[13] Moreover, the New Jersey Legislature appropriated $25,000 for the planning, location and construction of such camps. Because of objections raised by farm interests, these funds were never used and no central camps have ever been built by the state. Nevertheless, the legal authority to do so still remains in the original statute.[14]

Many farmers opposed the idea of state-owned and centrally operated camps on the grounds that they were inconvenient and impractical in terms of having their workers readily available.[15] Others seemingly feared that such camps would provide a convenient means for labor organizing and union activity. Whatever their reasons, it is clear that the farmers themselves preferred the regulation of private camps rather than the alternative of state government run camps.

Since 1945, there have been several abortive attempts to establish centralized housing for migrants. In 1965, the New Jersey Office of Economic Opportunity attempted to obtain a federally-owned "Nike" missile site in Glouster County for such purposes. However, this effort failed to gain the support of the Glouster County Board of Chosen Freeholders. Another central housing project was planned for Vineland in 1966, but the city officials, because of opposition from local interests, sidetracked the proposal. The third abortive effort occurred as recently as 1968. This project was planned by a group of about 25 farmers in Salem County and it had the support of the Salem County Board of Agriculture. The central camp was to be located in Pilesgrove Township. It was designed to accomodate approximately 300 workers. The plans called for recreational facilities, a child day care center and an infirmary. Despite the substantial backing it had from the farm leadership in the area, the proposal was rejected by local officials in apparent response to community objections.

Thus it is apparent that the main obstacle to the establishment of central migrant housing is lack of local community acceptance. While the residents of Vineland and Pilesgrove do not actually want to see the migrants go without shelter; by the same token, neither do they want to see them camped on their front door step. Basically, local officials object to any sort of large concentration of migrants within their own political boundary lines. As our consultants indicate: "Although the community is not prepared to accept seasonal farm workers, it is prepared to support the provision of more facilities for the workers provided they are not located locally."[16]

views on the subject. In his testimony before the Task Force, Arthur West, president of the New Jersey Farm Bureau, warned:

> Some people evidently feel that central housing, either owned by groups of farmers or various types of non-profit public agencies, is the answer to the migrant housing problem. There may be a place for such central housing in some areas of the state; but for the most part, we have no reason to think that most farmers favor such housing or would make use of it. Most of them want their workers to live on their farms. It would be a mistake to think that farmers could be forced to make use of such central housing.[17]

Against this background, the Task Force is divided on the question of central housing. It sees both advantages and disadvantages. On the one hand, the central camp proposal offers an excellent prospect of dealing with migrant problems on a multi-functional and group unit basis. Under such a scheme, recreational activities, medical aid, child care, education, vocational training, and other services could be administered with much greater ease and efficiency. Attainment of this goal would probably mean the imposition of some sort of "tenant-landlord" relationship between the state government and the workers. On the other hand, the central camp idea is offset by certain drawbacks. Some members of the Task Force feel strongly that central camps; like many public housing developments, might easily degenerate into ghettos. Besides the adverse social consequences of ghetto life, it is also felt that such camps will only further isolate the migrant and his family from the rest of the community, which is not a wise policy. Others feel that the state government should not enter the business of being a landlord and become involved with the attendant problems of leases, rentals and eviction notices. For these reasons, the Task Force has not been able to reach a mutual accord on the issue, and therefore, it makes no recommendation with regard to central housing.

D. A RECEPTION CENTER

Instead of central housing, the Task Force favors the idea that a Reception Center be built and operated on a seasonal basis by the Farm Placement Bureau of the Department of Labor and Industry. As envisaged by the Task Force, the reception center proposal would have a twofold purpose: first, that of providing food and shelter for migrants and their families as they enter New Jersey; and second, that of distributing and reassigning surplus labor.

With regard to the first aspect, the reception center is envisaged as an answer to a long neglected need of extending some form of hospitality and lodging to the migratory workers as they arrive in the Garden State after their long journey northward. In essence, the center would serve as a staging area and temporary stopover for the workers before their actual assignment to a specific farm. Physical and medical examinations might be performed during the brief layover period. This function is presently performed at the Glassboro Service Center on a private basis for contract Puerto Rican workers. We note that the state of Ohio operates a reception center for migratory farm workers which might be profitably examined for specific details. Below is a short description of how it works:

> The purpose of the Reception Center is to furnish a place where migratory agricultural workers who come to Ohio may pause a while in their journey to rest and refresh themselves before proceeding to their work assignments in this or other areas. They may also secure up-to-date information from a Farm Placement Representative of the Ohio Bureau of Unemployment Compensation who is stationed at the Center. He can tell them where to buy groceries; the location of churches, hospitals, and physicians; and such other information regarding the local

> community as may be necessary. At the same time, members of the crew may take advantage of the various facilities available to park, rest and relax, launder clothing, prepare food, and maintain personal hygiene. Recreational facilities will be available to children and adults.[18]

Aside from Glassboro, there is no adequate mechanism currently available in New Jersey for transferring workers from farm to farm. Admittedly, it is not easy to move people about when surplus labor appears. The problem becomes even more complicated when the farmer is using contract labor and is forced to shut down his operation because of inclement weather or other acts of God. Anticipating such circumstances, we think that the Farm Placement Bureau should then be responsible for the placement of surplus workers that farmers cannot employ. Under such conditions, if a farmer wishes to rescind his obligation of using as many workers as he had contracted, the person to investigate and to judge the merit of the farmer's claim would be the Commissioner of Labor and Industry. In any event, the Task Force recommends that the state government embark upon a program of building a Reception Center to provide food and temporary shelter and to reassign surplus workers. This should be done with the understanding that these facilities would also be available to the worker's family.

E. RIGHT OF ACCESS

Since migrant camps are usually located on the farmer's private property, the ability to gain access to them by health officials, social workers and other volunteers has not always been easy. Due to adverse newspaper publicity, the growers in the state have been increasingly reluctant to admit anyone on to the

camp premises, except for the inspectors. Of course, the inspectors and the state police are legally permitted to enter the camp at any time. But as far as admitting anyone else, the farmers generally have taken a highly defensive attitude.

A not untypical example is the trouble which the VISTA workers experienced in southern New Jersey during the summer of 1966. As a result of a series of stirring indidents which newspapers gave front page coverage, these young volunteer workers were barred from several camps. To aggravate the situation, the New Jersey Farm Bureau in 1967 began an ill-advised campaign of selling "no tresspass" signs to its membership.[19] As part of this campaign, the individual farmer was asked to get his workers to sign an agreement whereby the latter would not receive any visitors in the camp unless he had the grower's written permission. Indeed, some Task Force members were not spared abusive treatment by one grower, who threatened to eject them from his camp site.

Moreover, another aspect to the access problem is even more serious. Several crew leaders have been reported to hold the workers on the camp against their will. On one notorious camp in Cranbury Township, an unscrupulous crew leader is known to have resorted to physical force and violence to detain his crew members. Fortunately, the Bureau of Migrant Labor has seen fit to revoke the license of the crew leader in question. There was also the incident during the summer of 1967 where a crew leader prohibited his workers from attending a SCOPE meeting in Millville. The Task Force submits that practices like these are tantamount to peonage.

We believe first and foremost that seasonal farm workers are freemen and deserve to be treated as such. Paternalism in the seventh decade of the twentieth century is a thing of the past. Yet, we realize that this sort of social phenomenon dies hard. This is especially true in rural areas. In our judgment, "no tresspass" signs represent the last dying remnants of paternalistic behavior.

In order to avoid the difficulties mentioned above, we recommend that New Jersey follow the lead set by the state of Massachusetts in 1967 and enact legislation to assure reasonable rights of visitation on farm labor camps. This protection should also include the right of the worker to enter and leave the camp on his own volition. We cite the relevant section of the Massachusetts law which provides that its officials:

> ... shall protect the right of the migrant worker to enter and leave the premises of the employer during the period of his employment, and shall include in its certificate of occupancy a notification to the worker that such rights exists, notwithstanding any contract provisions to the contrary. A worker living in quarters apart from the living quarters of his employer shall be permitted to have reasonable rights of visitation in his living quarters outside of regular working hours, subject to regulations which shall be approved by the department of public health. [20]

Legislation alone, of course, cannot eliminate prejudice; but legislation can undermine prejudice by removing the moral and economic sanctions behind its exercise. By putting the state on record once again for progressive migrant labor measures, a "right of access" law will call attention to the housing problem and, if energetically enforced, will be of great assistance to the seasonal farm worker and to those who desire to help him.

F. HOUSING AND SANITATION RECOMMENDATIONS

The Task Force unequivocally states its recognition that most of New Jersey's farmers are not chronic violators of the migrant labor code or mistreaters of migrant workers. While a small minority commit the abuses, it is the farm community at large that receives the brunt of the criticism. We further recognize that the farm industry is an important and essential element of New Jersey's economy. This subject has been discussed in the previous section of the report. Notwithstanding the economic constraints involved, we believe that the situation of the migrant farm worker is so desperate that a concerted effort on the part of the farmers and state government alike is required.

There are many hopeful developments which demonstrate that such an effort could bring about excellent results. A case in point is the package of Task Force housing and sanitation recommendations which have already been enacted into law. Precertification of camps, the doubling of living space requirements, and the elimination of outdoor privies, we believe are all steps in the right direction.

Unfortunately, the housing data and information which the Task Force had hoped to obtain from its consultants has not been forthcoming. However, this has not been entirely their fault. We cannot help but express our disappointment and dissatisfaction with the Department of Labor and Industry for providing what amounted to totally unreliable housing data. As a result, we do not have the housing information that we expected. Despite this setback, we are prepared to rest our case on housing with the package of proposals which we recommended

in 1967 and which have been already enacted into law.

For the reasons we have given, we therefore strongly recommend that:

1. The present migrant labor law and the regulations promulgated thereunder be strictly enforced.

2. Provisions for occupant responsibility should be incorporated into the present migrant labor legislation. This should require the occupants to be responsible for migrant housing violations caused by them.

3. The owners of seasonal farm housing, with the assistance of the Migrant Labor Bureau, should develop and post appropriate occupant rules for the use of seasonal housing and related facilities.

4. An educational program should be established in order to increase the seasonal farm worker's knowledge of housing management and sanitation.

5. Chapter 259 requires that plans and specifications for new or altered housing be submitted for approval by the Commissioner of Labor and Industry. We agree with the general concept that an administrative procedure is desirable to assume compliance of new or altered housing with the law. However, we recommend that plans obtained from public agencies, such as units of the United States Department of Agriculture, should be acceptable for review in order to determine their compliance with the law.

6. Field sanitation facilities are needed and should be provided for in the Migrant Labor Code.

7. Instead of a state sponsored central housing program, a seasonal farm worker reception center should be established by the Farm Placement Bureau for the dual purpose of receiving and reassigning workers.

8. A "right of access" statute should be enacted into law which would provide reasonable visitation rights to migrant farm labor camps.

PART IV HEALTH, EDUCATION AND WELFARE

> Migrant farmers live a kind of life that asserts itself upon their infants and children, and emerges once again in adults able to live with its demands. The extreme poverty, the cultural deprivation and social fragmentation, in sum the uprootedness which characterizes their lives, falls not suddenly upon them (as it does upon the observer who tries to comprehend their manner of survival) but is a constant fact of life from birth to death, summoning therefore a whole style of life, a full range of adaptive maneuvers.[1]
>
> Robert Coles

A. BACKGROUND

The above statement describes the lifestyle of the southern Negro migrant in particular, but it is still relevant to the harsh and compelling exigencies of life which most seasonal farm workers must endure as they follow the crops along the eastern seaboard. Out of economic destitution, many are driven into the migrant stream. Rather than going on welfare, they choose to work and thereby assert in their own way a certain independence and self-reliance. Uneducated and ill-equipped to compete in an urban society, they use their constitutionally-protected right to migrate from one state to another in order to avoid starvation. But many of them arrive in New Jersey virtually pennyless and already suffering from sickness, disease and malnutrition. As a result, they place tremendous burdens upon our rural communities some of which are themselves heavily shaded by poverty.

We believe that the most acute health, education and welfare problems in New Jersey involve that segment of the migrant labor force which is declining

most rapidly: the interstate southern Negro family unit. These families, concentrated in a few areas of the state, require a saturation of health, education and welfare services. However, we find that the dispersal of services is often based on dubious estimates of how many workers are expected and which segment of the migrant population is in greatest need of service. This results in poor programming and lack of adequate coverage of those in need.

Of the approximately 26,000 seasonal farm workers who were employed in the Garden State in 1967, there were, according to best possible estimates, fewer than 800 southern Negro families. Yet, these are the people who are known to live in the worst housing, earn the lowest per capita income, and require the greatest amount of attention in terms of social services. Their needs cover a broad spectrum which includes day care, adult education, retraining, medical care, public health services, social work, counseling and welfare assistance. Informal complaints about abuses and exploitation presented to the Task Force were far more numerous among southern Negro workers than among the Puerto Rican or day-haul laborers. This is partially explained by the fact that the contract Puerto Rican workers are protected in large measure by their commonwealth government officials who are assigned to New Jersey for expressly that purpose. If there are any serious violations of the contract, their representatives can and do remove the workers from the farm where they are employed. Moreover, the day-haul employees are only tangentially involved in seasonal agricultural work and frequently resort to it merely as a way of supplementing their other yearly income. But the southern Negro families are totally attached to the farm for

which they have been recruited. In many instances, they are completely

> Of the 16 per cent of the seasonal farm worker families who reported an illness during the last year, 82 per cent obtained some kind of medical help. Nearly half of the families who reported illnesses went to a hospital for medical help (43 per cent), and the others either went to a doctor's office (34 per cent) or had a doctor come to their home (13 per cent). The main reasons given by the 18 per cent of the families who did not seek medical help when a family member was ill were that the person was not sick enough and that the family did not know where to go to find medical help. However, most seasonal farm workers did know of local medical facilities in New Jersey. When they were asked whether or not there was a local source of medical help, 73 per cent indicated that medical services were available.[3]

A second problem concerns off-the-job protection against sickness and injury. Contract Puerto Rican workers are given some measure of protection against sickness by a group health insurance plan. Under this plan, the contract worker receives off-the-job hospitalization coverage; a life insurance policy of $2,000 for natural death; and an accidental death benefit of $2,000 with a double indemnity clause included. Other workers, however, to our knowledge do not carry health insurance; and in most instances they are dependent upon their own meager resources or on public charity, if any. The latter remedy is frequently inadequate because of the heavy financial burden it places on local community hospitals. Ralph Vennozzi, Administrator of the Bridgeton Hospital, told the Task Force:

> Over the years, I have gotten the general impression that many of the migrants came to our hospital shortly after their arrival and that they required treatment for conditions which have been neglected in the places where they originate. I could not make a specific charge against any other state or area, but these conditions have been found often enough to confirm my suspicions.
>
> There have been many instances where women have come to the hospital for delivery within hours of their arrival in Bridgeton, without any pre-natal care coming from other States. In addition

> to those patients identified clearly as migrants, there are other problems associated with those who remain in the area.
>
> There is no question of their right to come here, if they wish, but without public provision for their care, the hospital is faced with an unfair burden.[4]

Both the state and federal government, along with private medical associations, have stepped in to help bridge the gap in the cost of medical care for migrants. The New Jersey Migrant Health Program conducted by the State Department of Public Health in 1967 reported that: "Through a long-standing agreement with the New Jersey Hospital Association, member hospitals continue to admit migrant workers for emergency care. In fulfilling this community service, these hospitals have accepted reimbursement in partial payment of their charges. Each year a limited state appropriation was prorated to cover in-patient bills and in the current year the federal migrant program increased the contribution toward costs of care. During the calendar year 1967, fifteen hospitals in nine counties reported 103 admissions for migrant workers who received 837 days of care valued at $44,140. Bills processed for migrants eligible under the federal program provided a reimbursement of about $12,000 under the interim medicare cost formula. State appropriations totalling $10,000 were made available for the remaining cost. The 103 admissions and 837 days of care presented above indicate a marked reduction from 175 admissions and 1778 days of care in 1966. The average stay of 8.1 days compares with 10.3 during the previous five year experience of the project. Both admissions and patient days of care in 1967 are the lowest in five years."[5] This therefore seems to sustain our argument for the health insurance program which

we recommend under the economics section of this report.

A third problem complicating the prompt resolution of these health problems has been the overall inadequacy and low standards of the health and medical facilities in many sparsely populated rural and semi-rural areas of New Jersey. Philip Burch in his study entitled Service Areas for Public Health, underscores the functional and service area problems involved:

> ... Fully 90 per cent of the health departments in suburban New Jersey and almost 98 per cent of all such units in rural areas are ill-suited, because of their limited size, to serve as effective administrative mechanisms in the realm of public health. Thus it is quite easy to see why so many local units have failed to employ full-time personnel or, for that matter, an adequate number of part-time officials. In one respect this makes good economic sense and responsible authorities should perhaps be commended, for to hire a regular staff under these conditions would probably lead to a frightful waste or misuse of the taxpayer's dollar. However, there is yet another side to this governmental problem, what might be called the debit side of the ledger. In the process of not employing enough qualified personnel, many public health needs in New Jersey have gone unmet, this toll in human misery and misfortune being difficult to calculate or even estimate. [6]

Confronted with this problem, the inadequacy of migrant public health care is understandable. But the prospects for the future are encouraging. Promotional activities on the part of the State Department of Health have resulted in increasing regionalization in the performance of public health services. During the past three years, there has been a marked rise in the number of county health departments from only four in 1964 to eleven today; three others are authorized in the planning stages.

Many of the people employed in the seasonal farm labor force are known to a variety of public and private agencies in the community and represent "multiproblem" families. There has long been a serious lack of consistent, coordinated planning by these agencies which resulted both in service gaps and in unnecessary duplication of effort. Fortunately, this problem has been substantially rectified during the past few years mainly through the efforts of the State Department of Health. Now much greater coordination of individual referrals and out-patient care is realized through a contractual arrangement with various family service agencies and community organizations.

Table 2

INDIVIDUAL MIGRANT REFERRALS
(1967)

County	Total	Number of Referrals to					
		Hospital	Public Welfare	Social Service	Migrant Clinic	Physician's Office	Other Specify
All	2678	436	6	55	916	880	385
Burlington	151	55	-	10	5	15	66
Cumberland	1036	112	2	33	90	618	181
Gloucester	37	7	-	-	21	7	2
Mercer	73	38	2	-	7	1	25
Middlesex	108	25	-	1	47	-	35
Monmouth	700	79	-	2	501	98	20
Salem	573	120	2	9	245	141	56

Source: N. J. State Department of Health, 1967 Annual Report, New Jersey Migrant Health Program, p. 78.

The fourth problem is the lack of health knowledge and physical hygiene on the part of the migrant himself. Medical care is usually sought by seasonal farm workers only in emergency situations. Less severe ailments, which can have damaging consequences, are often ignored. Frequently when emergency care is rendered, adequate follow-up is not possible.

In a survey of migrant worker health attitudes conducted by the New Jersey State Department of Health in 1963, it was shown that the workers were not acquainted with the symptoms of serious illness.[7] A large proportion of them were unable to answer questions about types and symptoms of illness. Of those who did answer the questions, many did not properly recognize the symptoms of illness or know when to seek medical care. For example, very few of the migrant workers knew the symptoms of tuberculosis or venereal diseases, yet both tuberculosis and venereal diseases have frequently been discovered among migrant workers. Although the study indicated that migrant workers had little fear of going to a doctor or a hospital when they were ill, most of the workers reported that they sought medical help only when they "felt bad." It was pain or discomfort which caused the worker to consult a physician and not specific symptoms of illness.

In summary, the existing health problems of seasonal farm workers, their lack of ability to meet these problems themselves, and the inadequacy of public agencies in supplying the personal services where they are needed has led us to

conclude that a greater effort must be made. In its interim report, the Task Force found that diagnosis, treatment and preventive health care for seasonal farm workers was spotty and in need of intensification. It also recommended that medical services be provided on a priority basis to the children of seasonal workers, to migrant family groups and lastly to single male workers. The New Jersey State Department of Health has prepared and submitted to the Bureau of the Budget a request for increased financial support to meet the recommendations of the Task Force. We concur with the objectives stated in the 1968-69 budget requests by the State Health Department:

1. Strengthen, extend and coordinate preventive health care and social services in migrant field clinics and in migrant camps.

2. Provide therapeutic medical care and social services in relation to family clinics, child health clinics, pre-natal clinics, hospital out-patient services and local physicians' offices.

3. Improve and extend the program of nursing care and health education for the migrant worker and his family so as to raise the level of individual practice of health and hygiene.

4. Strengthen and extend the program of short-term, out-reaching social services in order to improve the functioning of the migrant as an employee and as a parent.

5. Obtain increased participation of volunteers who will receive orientation and training in the purpose and methods of rendering social health services to migrant workers and their families.

6. Obtain the participation of existing community resources through the development of community awareness of the problems of the migrant family.

7. Provide the hospital out-patient and laboratory services necessary to support these health objectives.

8. Coordinate the services in the county with those of other areas within the state and with those in other states and in Puerto Rico.

C. ADULT EDUCATION AND VOCATIONAL RETRAINING

The complex of social and economic problems facing many people who are employed as seasonal farm help are not the farmer's alone to mitigate. We believe that the seasonal farm worker himself has the greatest responsibility in efforts to better his life. Moreover, the local community in which he is employed and to whose economy he contributes also has a great responsibility in this regard. Unquestionably, the chief means of accomplishing this end is through education.

Yet the migrant is very poorly educated; indeed seasonal farm workers (25 years and over) have a median of only 5.1 years of education. Data from the worker survey conducted by our consultants indicates that 12 per cent had no formal schooling whatsoever.[8] Of those who did attend school, 9 per cent had no more than 4 years of school; 28 per cent had less than 6 years of school; and 19 per cent had seven through eight years. Only a scant 2 per cent finished high school.

The educational problem of the seasonal farm hand can be simply stated: without the knowledge or marketable skill to improve his lot the worker finds himself trapped in the system of migrancy. Any avenue of escape must inevitably come through education. As our consultants point out:

> One of the major factors restricting seasonal farm workers to a state of poverty is their limited education. The seasonal farm worker's educational level is well below the average citizen's. Unfortunately, the educational deficiency is seldom offset by

> vocational training. The shortage of education ties seasonal farm workers to their present way of life. They lack the job skills necessary to move out of agriculture, and few of them take the steps necessary to acquire non-agricultural skills. The educational pattern of adult seasonal farm workers is followed by the majority of the children. In terms of school attendance, school enrollment, and grade placement, the child of a seasonal farm worker falls behind his contemporaries.[9]

Closely connected with adult education is the matter of vocational retraining Some effort along these lines was made in Vineland in 1966 by the New Jersey Office of Economic Opportunity. This program involved some 142 workers who received a course in basic adult education and vocational training in food preparation, carpentry, auto mechanics, institutional maintenance, meat cutting, and glass making.

While we find that the need for adult education and retraining of seasonal farm workers exists and is generally recognized; nevertheless, we realize that there are inherent difficulties in lauching and sustaining a training program for migrants. First of all, the workers are simply not available in the daytime hours during the planting and harvesting seasons. Secondly, an evening program is ruled out for all practical purposes, because it is extremely difficult to generate interest after the workers have spent the entire day laboring in the fields. Thirdly, it is hard to find or put together any sort of sustained periods that are necessary for such training. The ideal time would be during the winter months, but the workers are not here. Given this situation, we believe that the most effective training program can best be undertaken by the home states.

Our consultants survey showed that only four per cent of the adult seasonal farm laborers received any sort of vocational education.[10] Of this small percentage, most were day-haul and local workers who were retrained as craftsmen. The CSC study further revealed that the small proportion of workers receiving vocational retraining was directly related to their limited amount of basic education. Since most vocational training programs require a minimum of an eighth grade education, the vast majority of the workers could not meet this requirement.

Retraining is already a crucial need for seasonal farm laborers who are currently being phased out of agricultural work through automation and mechanical harvesters. As a result, many of them are unprepared to get or retain jobs which require technical skills or a secondary education. Hence, retraining goes to the heart of the matter, if the workers are to be able to take advantage of other economic and job opportunities. This is especially true in light of the recent forecast made by Consulting Services Corporation that by 1980 there will be over a 50 per cent reduction in the total seasonal farm labor force in New Jersey. Some experts are already saying that this prediction may even be on the conservative side.

Given the projected technological displacement of seasonal farm workers in the decade ahead, it is obvious that vocational retraining will take on increasing importance. Admittedly, retraining in a vacuum would be wasteful. It would be extremely valuable, however, if the education were coordinated with the skills currently in demand as well as in conjunction with projected development of new industries and services.

Migrants who elect to remain the state should be encouraged to participate in a specially designed retraining program. The Task Force acknowledges that retraining will not be a panacea for all migrant troubles. But we believe that a well-conceived program might do a great deal of good, if it were run in conjunction with state employment agencies and the private sector of the economy. For example, the State Department of Education is currently sponsoring a migrant vocational education program in cooperation with the business, civic and educational leaders of South Brunswick Township in Middlesex County.

D. CHILD EDUCATION AND DAY CARE

New Jersey was one of the first states to recognize the educational problems of the children of seasonal farm workers and to do something about them. Some experimental work with a child care center was done in 1946 at a Swedesboro camp. The next year a more extensive educational program was initiated at Freehold with the opening of the first demonstration school for migrant children. This school was operated by the Bureau of Migrant Labor in cooperation with the

State Department of Education. Since 1947, the migrant summer school program has been greatly expanded. In 1967, there were some 13 schools in operation with an enrollment of approximately 1,500 children.

Studies have revealed that the educational problems of migrant children are as severe as those of their parents. Migrancy itself is perhaps the most serious deterrent to good education. The mobility of children accounts for irregular attendance and the loss of many days at school. These children tend to have low levels of achievement and most are retarded in several areas of schoolwork. Administratively, there is difficulty in obtaining transfers and records from schools previously attended. This difficulty, in turn, causes problems in accurately assessing achievement level and assigning the children to the proper class and grade. Differences in curriculum and in guidance techniques among schools also complicate this problem.

Furthermore, cultural differences and health and economic problems contribute to the educational difficulties of migrant children. Often their parents are indifferent to their school attendance. This attitude is reflected in the children and they show a lack of emotional stability, interest, and purpose and often exhibit low morale. Some parents want their children to work in order to supplement the family's income. Lack of proper food and minimally adequate clothing hinders many children in their adjustment to school. Children from homes were Spanish is the native tongue have special learning and adjustment problems. Additionally, poor housing and an overall background of cultural and social deprivation compound problems of learning. As our consultants point out:

> Sporadic school attendance during the regular school year is probably the central problem in the education of seasonal farm workers children. Their mobility results in late enrollment in the fall and early drop-out in the spring. However, the children of New Jersey seasonal farm workers, similar to other children in the eastern migrant stream, experience fewer changes of school than do migrant children in the central and western streams... The absenteeism frequently experienced by the seasonal farm worker's children is probably the prime reason for grade retardation.
>
> Summer school programs offer an opportunity for the seasonal farm worker's child to make up some of the ground lost during the regular school year. However, only 27 per cent of the children surveyed attended a summer school in 1967... The main reasons given by the workers for their children not attending a summer school were (a) that summer was the children's vacation and that regular school was enough (46 per cent of the responses) and (b) that the children were working in agriculture (26 per cent of the responses). For the Negro Interstate children, the respondents were more evenly divided: 29 per cent said regular school work was enough and 29 per cent said the children were working.[11]

In his appearance before the Task Force, Simon Marcson, Professor of Sociology at Rutgers University and co-author of a study entitled Elementary Summer Schooling of Migrant Children, presented the following testimony:

> We sampled 169 migrant children and worked mostly with those between the ages of 8 and 12. Of this group, the mean intelligence quotient was 79, but there were some children with an I. Q. as high as 139. Obviously, several children would be considered as college material. However, most of them suffer from a reading retardation of two years, and this deficiency increases with the age of the child. We also found that very few migrant children stay in school after the age of twelve because of the economic and social pressure to supplement the family income. This pressure was greatest in broken families. Moreover, there was a definite relationship between the child's achievement in school and the attitudes of his parents, especially a positive attitude on the part of the mother. If the child perceived that his parents were interested in his school achievement, then he was likely to do better than those less fortunate. We found that the mother's ceiling of ambition for her child was to complete the tenth grade. But on the whole the home and camp environment

are not conducive to school achievement.

> The young child matures very rapidly in the migrant subculture, mainly because he is often introduced at a very early age to adult experience. This is particularly true with regard to sex, drinking, gambling and working in the fields. In most cases, there is a complete absence of a teen age growth culture. Consequently, there is almost no period of adjustment between adolescence and adulthood. The situation is further compounded by the absence of a strong family authority. Hence, there are strong social and economic barriers which deter the migrant child from continuing his education.[12]

According to Professor Marcson and his colleagues, the migrant summer school program in New Jersey is largely a reflection of the state's public school system, and as such, it does not succeed in breaking through the migrant subculture. Other studies, such as the so-called Tumin Report, have been highly critical of the program, charging that it is unimaginative and amounts to nothing more than an elaborate baby-sitting scheme.[13] We submit that this latter charge is a harsh overstatement. This is not to say that we think the migrant summer school program is beyond criticism. On the contrary, we ourselves have criticized it in our interim report. But we do acknowledge certain facts of life:

(1) No summer school program, which is operated for only a period of six weeks, can ever hope to replace the normal school year curriculum.

(2) The New Jersey migrant summer school program was originally conceived of as an educational supplement.

(3) Although one may argue with the educational concepts and practices employed, nevertheless, the schools do provide a socially organized and sheltered environment that is relatively free from the risk of accident and injury.

(4) Furthermore, the migrant children are given at least one square meal a day which helps to take the stress off the family budget.

Despite the difficulties involved, we think that attempts should be made to develop constructive and imaginative approaches in teaching these children. In our interim report, we recommended educational allowance of $20 per week for each child between the ages of 12 to 16. This subsidy program was designed to encourage the children in this age group to attend school by augmenting the family's income for being taken out of the field. Admittedly, the program was highly controversial and it was introduced on an experimental crash basis in the middle of the season with a small group of workers in central New Jersey. We feel that the test was insufficient and it should be carried on another year before a final judgment is made as to the efficacy of the program. Some members believe that the program should be redesigned with a work-study concept incorporated.

Day-care centers undoubtedly provide a valuable service for seasonal farm workers, when one considers the fact that both the husband and wife usually work. Thus, the care of young children presents a problem when the mother is not able to care for the child at home. Day-care centers not only provide a safe place to leave the child while the mother works, but also presents an opportunity to provide the children with a cultural enrichment program such as Head Start.

Approximately 31 per cent of the migrant children (6 years of age and under) surveyed by our consultants attended day-care centers in New Jersey in 1967. 14 Most of the attendance was registered at day-care centers operated by SCOPE in Cumberland and Salem Counties. In our interim report we found that the pre-school age migrant children are frequently left in the care of their older brothers and sisters or in the care of aged and infirm persons. Our consultants confirm this finding:

> Children who did not attend a day-care center were mostly cared for by their mothers or other adults. However, nine per cent of the children not attending a day-care center were left in care of children in the 12-17 age group, and six per cent in the care of children under 12. About 36 per cent of the children not attending day-care centers were cared for in a way that was probably unsatisfactory from the point of view of the well-being of the child; that is, they were cared for in the fields, in a car, or by a child under 12. [15]

We believe that day-care facilities should be extended to every camp where pre-school age children are located. Cooperative efforts of the state departments of Community Affairs, Education, and Health as well as local Community Action programs and voluntary agencies serving in the migrant areas, have focused attention upon medical and health services available to the dependents of seasonal farm workers. However, it has been clearly spelled out that the day-care centers under the auspices of the New Jersey Office of Economic Opportunity are not funded for the provision of medical and health services. We think the day-care centers should be funded for such services in order:

(1) To assure that sanitary conditions be maintained within the environment of the day-care center.

(2) To see that preventive services be made available to the dependents of migrant workers.

(3) To make sure that medical care be rendered to those migrant children who are discovered to have illness or defects upon medical screening at the day-care center.

The 1968-69 budget submitted by the State Health Department envisions cooperative action along these guidelines. Again, we support the health services request for this phase of the program.

E. COMMUNITY REJECTION AND PUBLIC WELFARE

We have every right to be proud of much that New Jersey is doing in the field of seasonal farm labor. But we should be ashamed of the way in which the workers are rejected in some of our localities. The Task Force is fully aware that farm labor groups do not share an integral part of community life and do not have available to them community resources on the same basis as full-time residents. Undoubtedly, part of this is due to the minority group and non-resident status of many of these people. Part of the deficiency of services is due to inaccessibility. Part of the non-acceptance is due to the unfriendly, and at times, even hostile attitudes of the rural communities and their leadership. And part of the lack of community acceptance is due to the seasonal farm laborers themselves: their disinterest arising out of their despair and utter hopelessness; their woefully inadequate education; their frequent language barrier; their unsophistication in how to acquire denied community services; their indifference and apathy; and last but certainly not least, their impotency as a political pressure group.

Our consultants conducted an extensive attitudinal survey with a selected group of community leaders and citizens throughout New Jersey. On the basis of the responses to the questionnaire which was circulated, they tell us that "the community has indicated quite clearly that it does not really accept seasonal farm workers as neighbors." [16]

Failure of the community to accept the seasonal farm employee is perhaps best summed up in the testimony given by Charles Land, welfare director of Cumberland County, who told the Task Force:

> The harvesting of crops is a very important and essential industry in this county. It affects the economy very much. But too little concern has been given to the human machines that gather in the crops. Migrants are reluctant to go to the welfare office because they are made to feel like unwanted people. The City Halls are places where they are either fined or thrown into jail. Hospitals are reluctant to take them in because they can't pay. The truth of the matter is that they (the local residents) want the people to pick the crops and then get out. 17

Nowhere is the impact of community rejection brought home more painfully to the seasonal farm hand than in the area of public assistance. The migrant usually arrives at his destination without funds or food so that immediate assistance is necessary. Furthermore, in periods of inclement weather and agricultural inactivity, he does not have financial resources such as unemployment insurance to fall back on. His small and irregular income provides only the narrowest base of stable support. But the testimony we have heard seems to bear out the fact that the migrant often runs smack into a stone wall when he attempts to gain assistance at the local welfare office. That is, if any such office exists.

To our knowledge, there are no studies or reports which analyze the effects of the seasonal farm labor situation on the administration of public welfare services in New Jersey. In our interim report, we pointed out that:

> Of the 175 municipalities that do not participate in State Aid for General Assistance, 150 are expected to have migrant

> workers at some time during the growing season. Because of their non-participation, the New Jersey Division of Public Welfare operates on a case by case procedure to gain local assumption of responsibility for needy migrant families coming to its attention. The Task Force finds that the aforementioned administrative procedure is grossly inadequate to meet the kinds of acute problems associated with migrancy.[18]

Nothing has happened during the intervening year to alter this state of affairs or to make us change our minds. What we said a year ago is equally applicable today. We believe that the non-participating municipalities cannot be absolved of their responsibility in providing for the welfare of the harvesters of our food. Moreover, we regret that we have not heard from the New Jersey Division of Welfare since we asked it to devise a special means other than a case by case approach in providing relief funds for needy migrant families. By the same token, we applaud its efforts in launching a food stamp program to include the migrant.

Confronted with the problems of non-participation on the part of many rural localities; the inefficiency and moribund nature of the welfare bureaucracy; plus the grave crisis in which our cities are deeply engulfed, we support the idea that the state government take over the entire welfare function. By itself, this proposal would not be a panacea, but it might go a long way in rectifying human neglect. If the migrant is isolated from the rest of society, it is largely because the rest of society prefers to isolate itself from the migrant. Hence society has seen fit that the migrant remains at a comfortable distance from itself. As Coles aptly puts it: "We want to forget what amounts in sum to a vastly unpleasant and complicated state of affairs. We are made uncomfortable. We don't quite know what to do."[19]

F. HEW RECOMMENDATIONS

I Health

1. We believe that day-care is essential where families have pre-school children. The majority of this age group were found to be without any day care service. In addition to expanding the number of such facilities, site selection should include more space per child than has been found. Programs should include some cognitive development, to prepare them for pre-school programs. All locations should meet requirements of medical services, nursing care and well-balanced meals.

2. We find that the diagnosis treatment and preventive health care for seasonal farm workers is still not reaching the majority of workers, particularly families and needs intensification throughout the state. Medical services need to be extended to adults and children and made more accessible through transportation. The State Department of Health should increase the frequency and expand the number of family migrant health clinics, prenatal and obstetrical services, nursing care and short-term social services. Notification about clinic service should be widely disseminated in English and Spanish at all camps.

   For the moment this can be done by contracting with special services such as Visiting Nurses, Family Counseling Agencies and private physicians and dentists. This arrangement is necessary until such time as county public health programs are sufficiently developed to include seasonal farm workers.

3. Seasonal farm workers should be involved in developing all health and counseling programs and services to maximize utilization of services.

4. We believe that pre-employment physical examinations of the workers at the point of origin is highly desirable. This would save costs in returning the workers who have been found to have latent illnesses and it would relieve the burden of local hospitals.

5. Birth control information and materials were found to be desired but inadequately provided. Information and materials for family planning should be made readily available, accompanied by a vigorous health education program.

6. Summer programs for students from schools of medicine, dentistry, social work, nursing and education as well as, para-professionals should be fostered and expanded for work with migrants under close supervision of responsible state agencies.

7. Recreational programs should be set up in a demonstration center for rainy days, evening and weekend opportunities. Where such a center is set up, it should distribute simple sports equipment to surrounding camps. Migrants should also be introduced to state parks.

II Education

1. We think that a longer school day is essential in order to eliminate the depositing of migrant children back on the farms for several hours of unsupervised activity.

2. True migrants should be the first priority of all educational programs designed for migrant children. Greater numbers of migrant children are in summer schools today as compared with the past and yet survey data reveals that the majority of children entering the state did not receive summer education. We think that emphasis should be placed upon getting their children into schools.

3. The Task Force finds that the inability to locate migrant children for educational purposes continues to be a major problem. In view of this difficulty, we recommend the following procedures for immediate adoption:

   a. The Farm Placement Service should report to the Migrant Labor Bureau, as the coordinating agency, the approximate number of school-age and pre-school age children expected to accompany specific crew families recruited in the southern states. This information should be disseminated as soon as it can be obtained.

   b. The Migrant Summer School officials should be supplied by the Migrant Labor Bureau with a list of all farms having facilities to accomodate families.

   c. We recommend that the Summer School outreach officials should make periodic visits to farms where migrant families may live and ascertain from the growers information concerning the number of children then on camps or expected at various stages of the season.

4. Recruitment of school-age migrant children into the regular local school system should continue to be expanded in order to include them as early as possible after arrival, or prior to their departure from New Jersey in the fall. The Task Force believes that it is not sufficient merely to bring them into the local school. More special supportive personnel need to be made available to insure a reasonable educational experience for the short term before and after summer school. Emphasis also needs to be placed on developing the academic growth of the migrant child in both the regular and summer school programs. This is particularly true of the child's reading and speaking skills. Appropriate means for evaluating the effectiveness of the educational components of the program must be devised for this summer's program.

5. Based upon our visits to summer schools and interviews we have conducted, we believe a more extensive and intensive teacher orientation program is vital. This should be continued throughout the summer season and should draw upon the services of sociologists, psychologists, social workers and others familiar with the problems facing the education of migrant children. Development of new techniques, use of new equipment and methods for teaching and evaluating the progress of students is to be encouraged.

6. We believe that the $20 student stipend program which we recommended in our interim report was not given an adequate test in 1967, and therefore, it should be continued for another year.

7. We think that the early sexual maturation of migrant children and the broken family problem should be dealt with realistically in the schools.

8. Adequate attention should be given to English as a second language for Puerto Rican children and adults. It should be taught in a realistic manner enjoined with sensitivity to Puerto Rican traditions and needs.

9. Migrant school coordinators, teachers and migrant aides should work with parents using community organizational techniques to help them realize the advantages to be derived from education. That is to say, the educational staff should visit farm labor camps and encourage all parents to participate in group discussions of educational programs, problems and possible benefits. This parental guidance should stress the importance of regular school attendance for the 3-16 age group, and it should involve parents in the child's progress. Programs should be arranged at the school at suitable times for parental participation.

10. Increased coordination with home states, particularly Florida, is essential to develop meaningful curricula. Report cards and cumulative records should be obtained for each child, where possible.

11. In every stage possible, migrants and former migrants should be involved in planning and implementation of educational programs in summer schools, health programs and community relations. This might best be done through Advisory Committees at each school. Maximum use of migrant aides should be encouraged.

12. Data should be kept, analyzed and used as basis for new policy formulations on migrant student recruitment, effective teaching methods, usefulness of school programs relevant to migrant's life and other problems.

13. Universities and colleges in the state should be encouraged to participate in the development of more adequate education for migrant children.

14. Adult education should include programs brought to the camps dealing with citizenship, consumer economics, food preparation and community action in language comprehensible to the students involved.

15. Vocational education, according to survey data, has reached only 4 per cent of the seasonal farm workers in the state. Upgrading farm skills to meet growing technological demands should be encouraged and offered to all those desiring such retraining. In particular, stress should be placed on vocational training to allow workers to acquire skills necessary to operate and maintain the forthcoming automated machinery of agriculture, taking due account of native ability rather than formal education. Also since many agricultural workers will be displaced as mechanization continues, other vocational training programs should be provided.

Welfare

1. In view of Congress restricting federal funds to the states for ADC cases, the State should include in its assumption of financial responsibility for such cases, the responsibility for migrant children as well. The Task Force heard testimony that ADC was difficult to gain for migrant children due to excessive delay. The Task Force, therefore, urges administrative improvement to facilitate and greatly speed up the application process for ADC.

2. A new workable plan should be devised to offset the inequities and inadequacies of the current general assistance program in which rural communities may elect to be nonparticipants. A fund should be established by the Department of Institutions and Agencies to provide welfare assistance to needy migrant workers and their families. The state should take-over the welfare for migrant workers and their families.

3. We find that serious nutritional deficiencies exist among migrants, in large measure due to inadequate income and ability to pay for food at local stores. This exposes them to abuse and possible exploitation by crew leaders and others, who make purchases for the workers, reportedly at usurious rates. To ameliorate these problems, surplus foods programs need to be activated in every heavily migrant-populated county, based on "presumptive eligibility." Food stamp programs, geared to seasonal farm worker's special needs, would also relieve nutritional deficiencies.

PART V THE ROLE OF GOVERNMENT

> It is perhaps a triumph of bureaucracy over informed citizenry that with all the activity-establishment of commissions, studies, hearings, reports, legislation, administration--over at least a forty year period, so little of it has resulted in tangible benefits for the worker. It would appear that migrant living and working conditions in New Jersey, with notable exceptions on some farms, have not improved substantially for over 35 years. The seasonal farm worker has a poorer education, poorer pay and poorer housing than the average citizen by far.[1]
>
> Task Force Consultants

A. BACKGROUND

For many reasons governmental agencies are not at their best when dealing with problems of seasonal farm workers. The nature of the problem, of the clientele, and of the relevant agencies all contribute to the difficulty. The problems are primarily those of poverty. This is one area where the well-meaning efforts of government have been conspicuously unsuccessful. Nor does the fact of migrancy help the situation. Because the workers are not residents of New Jersey, are not organized, are poorly educated (and so on) they have no direct political influence at all, and because they appear in the labor force for only a few weeks or a few months their problems seem transient not permanent. It is true that migrancy and poverty are prime reasons why government should involve itself in this syndrome of human problems but that does not make government's role easier. For public officials involved with migrants are just that: public officials. They respond to public pressures and are responsible to elected representatives.

They consequently and inevitably have limited resources to work with, have to respond to political pressures that outweigh those generated by farm workers, and in general must organize bureaucratically which under the best of circumstances places limitations on effectiveness. By saying this the Task Force does not mean to condemn those in government who have struggled for decades to improve the workers' lot, but it does want to emphasize (1) that not all relevant agencies are equally zealous about correcting these problems, (2) that even those who are zealous face enormous difficulties, many of them not of their own making, and (3) that great improvement in government's role is possible.

The Task Force is disturbed by the fact that there has been very little response to some of its suggestions in its June 1967 Interim Report. We do not mean that our proposals were perfect and should at once have been adopted; we are not, that is, speaking from hurt pride. Indeed, in many instances we asked no more than that investigation of a possible alternative be undertaken. Most of these suggestions produced no information or other reports to the Task Force. In some other areas where specific proposals were implemented, these actions sometimes came only at the prodding of the Task Force. For example, the Task Force requested that a roster of all present programs concerning migrant labor be prepared but to our knowledge this has never been done. We suggested that a general program might be undertaken to improve the presentation to workers of information about their existing rights and opportunities, but, so far as we know, this too has not been done. This lack of response is symptomatic of the overall problem: preoccupied officials with often no more than a very marginal interest

in farm workers do not find time to deal adequately with those problems.

There is moreover an enormous problem of coordination among agencies and officials. This is a special aspect of the bureaucratic phenomenon. The specialist in, say, health is in the Health Department, and the wage and hours expert is in the Department of Labor and Industry, and county and local officers are not only in their departmental niches but also in a separate governmental entity. The Bureau of Migrant Labor cannot assume total authority over the interrelated tangle of farm worker problems, although it may be the one agency concerned with a wider range of those problems than any other agency. The inevitable consequence is that the left hand of government does not know what the right hand does. They may work at cross-purpose, they may drive a farmer to distraction by duplication of visits or requests for information, and they may be ineffectual by failure to pyramid their efforts.

Given these operational constraints, the Task Force nevertheless is still not satisfied that rigorous enforcement of existing laws and administrative codes has been regularly provided. As an example, the Task Force in September 1967 brought to public attention instances of clear failure by the Migrant Labor Bureau to enforce housing codes. A subcommittee of the Task Force at that time catalogued these failures in a memorandum to the Governor and partly as a consequence new legislation was enacted. But these and additional laws will be of no consequence without adequate inspection and impartial but rigorous enforcement. This will require rigorous leadership, more staff, adequate salaries to attract and hold capable employees, and continuing dedication to the task.

We also frankly criticize the Department of Labor and Industry for its failure to take account of the problems of the migrant worker in discussing him in reports of the Employment Security Division. For example, there is in the 1967 annual report no mention of the serious problems posed that year by the early arrival of the workers and the consequent hardships. Nor does the division give an accurate picture of the economics of the farm labor situation by singling out the case of the west coast teacher and his family who at the height of the season worked a few weeks at relatively high returns to help pay for a vacation.[2] Whether it was intended or not, newspapers picked the story up and made it appear that the opportunities for easy money in the stoop labor department were fabulous. We believe that this type of reporting by a state agency is grossly misleading and as such, it should not be condoned or incorporated into an official public document.

Although the Task Force is primarily concerned with state government, its general concern with the problem induces a comment on county and municipal government. There are exceptions, but the sad fact is that county and municipal agencies which should have been active in dealing with these problems have on the contrary simply ignored them. A suggestion of prevailing attitudes among officials is found in the community survey data provided for us by Consulting Services Corporation. No less than 36 per cent of the city officials responding called farm worker housing "adequate", and almost half thought farm wages were "about right".[3] Even in a state like New Jersey, which has a strong tradition of home rule, municipalities can no longer exist in this day and age as islands

unto themselves. If the cry for home rule is to remain meaningful, then creative localism and positive action will be required. In matters of health, sanitation, welfare, and education many local programs have been helpful, but considering the scope of the problem these successes stand out in a field of general neglect.

B. A REPLACEMENT BODY

Since the Migrant Labor Board was abolished in 1967, the Task Force believes that some alternative administrative arrangement should be provided in order to assure the continuing protection and oversight of seasonal farm labor problems. Before outlining our proposal, we shall briefly set forth the thinking which led to our conclusions.

It must be noted that among its other functions the former Migrant Labor Board was originally intended to perform a protective duty as far as the worker was concerned. However, this goal was never actually realized. The difficulties were attributable in part to (1) the inherent nature of the MLB's composition; (2) its split bureaucratic personality from a clientele standpoint; (3) the inadequate staff of the Bureau of Migrant Labor; and (4) the overlap of migrant jurisdictional boundaries within the executive branch of state government. Nor is this protective function adequately afforded the worker by the present arrangement.

In the years ahead, we believe that some sort of outside review or "ombudsman" protection will be vitally important to the worker. It is our conviction that lay

leadership is indispensable in this kind of work. This is particularly true in the migrant labor area where the persons affected cannot easily make their voices heard. The worker who may be tyrannized by his fellow crewleader; the crew members who may be the victims of consumer fraud; the parents who are denied welfare funds to bury their dead child; the laborer who feels that he has been cheated from wages properly due him--how can government insure that these people are protected against the small invisible brutalities?

To attain this end, the Task Force believes that some kind of new agency should be established outside of the Bureau of Migrant Labor. We recommend that the protective - oriented function be lodged with a governmental unit that will provide greater gubernatorial control. To determine the modifications in the structure of the replacement body is the central mandate of our Task Force.

We have considered three organizational alternatives: (1) an independent commission; (2) an interagency committee; and (3) the restoration of the old MLB. For a variety of reasons, the Task Force rejects all three. The first alternative would have the unhappy quality of being outside the domain of any Commissioner of the State, which in a governmental system where practically everyone else has some kind of overseer to protect them (especially at budget season--but not just then) would be ruinous. Nor is the interagency route any more desirable. This alternative has the inevitable tendency to disperse authority and to obscure responsibility. The functionaries who are supposed to oversee action via an interagency committee are otherwise occupied and do not have or

take the time to cover the activities of the special committee. Long experience in the federal and other governments well illustrates the hopelessness of this device. For example, President John F. Kennedy abolished dozens of such committees during his first few months in office. The President terminated them primarily because he felt that they did not carry out the task or function for which they were formulated. Therefore, he assigned the function to somebody who would be responsible to him to get it coordinated. Because of the conflict of interest inherent in the membership of the old MLB, we believe that the third alternative is out of the question. Something more than a mere recasting of the old order is definitely needed.

We therefore recommend the creation of a Governor's Council on Seasonal Farm Labor. This replacement body should be woven entirely out of new cloth. Administratively, we visualize the Council more as an advisory and investigatory unit, than strictly as an operational agency of state government. To be effective, we believe the Council should be assigned the overall responsibility and power to investigate and report on all aspects of seasonal farm labor. Among other activities, we envisage the Council carrying out the following tasks, arising out of the spirit and tenor of this report:

(1) Investigating irregularities of seasonal farm labor.

(2) Receiving worker grievances and complaints.

(3) Making administrative and legislative recommendations to the governor and all state agencies dealing with the migrant problem.

(4) Conducting public hearings (at least one annually).

(5) Participating as advisers in the annual budget process in order to give greater strength to migrant appeals in the competition for the state's fiscal resources.

(6) Initiating legal proceedings on behalf of the workers for job-related problems, and utilizing all state agencies necessary to solve these problems.

(7) Stimulating research opportunities through university, foundation and other interested groups.

(8) Having authority to receive grants and appropriations for research, study, and investigation.

(9) Meeting at least once a year with department heads to coordinate migrant labor activities.

(10) Publishing an annual report.

The recommendation included above is not for the purpose of taking away the rule-making and regulatory power presently vested in the Commissioner of Labor and Industry, or to duplicate the work of the Bureau of Migrant Labor. On the contrary, it is to enable the Council on Seasonal Farm Labor to have maximum opportunity for active citizen participation and flexibility of operation. Furthermore, the Task Force is cognizant of the constitutional prohibition against the establishment of temporary commissions within the executive branch. We do not believe that the Council as we envisage it would fall under this constitutional restraint.

We recommend that the Council be comprised of seven members to be appointed by the Governor. In order to avoid the past difficulties explained above, we think that the Council members should be chosen from the public at large without any restrictions as to their background affiliation. The manner and terms of appointment should be on a staggered basis: 3 members for 2 years; 3 members for 3 years; 1 member for 4 years. Thereafter, the term of appointment

should be for 4 years. We further recommend that the Council members be compensated for their service on a per diem basis of $50.00.

In order to assist the Council of Seasonal Farm Labor in the performance of its assigned tasks, we recommend that the Governor hire a full-time Executive Director and the necessary staff. We believe that the Executive Director should be paid an annual salary somewhere in the range between $14 and $15 thousand. We also recommend that he be given the following duties:

(1) To act as agent for the Council.

(2) To receive complaints and grievances.

(3) To initiate legal proceedings.

(4) To act as liason with all state agencies.

(5) To analyze trends of the agricultural industry.

(6) To compile information and reports for the Council.

C. GOVERNMENTAL RECOMMENDATIONS

The Task Force backs all the following recommendations, but it stresses that in the absence of a body (such as we have proposed) to provide continuing oversight of related governmental activities very little positive good may in the long run result from the Task Force's year and a half effort.

1. One of the major problems related to seasonal farm labor is the lack of adequate direct information with regard to the availability of public services. We think there is a dire need to provide the workers with basic educational

and informational material in a language and style that can be readily understood by the migrant. This material should inform him of the services that are presently available and how they can be obtained.

We believe that each and every agency connected with seasonal farm labor should prepare appropriate materials and devise methods so as to insure proper distribution of such information to the workers. Each agency should establish an operational program for the benefit of those workers who need such services. This recommendation should apply especially to the following state agencies:

(1) Migrant Labor Bureau

(2) Workmen's Compensation Division

(3) Division of Welfare

(4) Veterans Bureau

(5) Wage and Hour Bureau

2. We recommend that information meetings be held with the working staff of the Farm Placement Bureau, the Division of Workmen's Compensation, Vocational Rehabilitation and all rural Community Action Programs for the purpose of bringing to agricultural workers information and on the services provided by these agencies. The responsibility for initiating and coordinating such meetings should be assumed by the Migrant Labor Bureau.

3. We recommend that the Wage and Hour Bureau make a study of prevailing wages by crop. In our interim report, we asked the Wage and Hour Bureau

to make a study of piece rates in agriculture in order to arrive at equitable incentive rate. We reiterate our plea that such a study is still needed. We are frankly suspect of piece rate studies which do not scientifically arrive at equitable incentive levels.

4. We recommend that a program be initiated within the appropriate agency of the Department of Labor and Industry with regard to employer-employee relations. An administrative mechanism for handling grievance procedures should be set up, until such time as a replacement body for the former MLB is established. Then, this responsibility should be transferred to the new agency.

5. Our interim report recommended that the Civil Rights Division develop in its operations a program of community relations in localities where migrant farm laborers are employed. The report of hostile community response to a central housing proposal in the Woodstown area indicates to us the special need for educational work which could be undertaken by the Civil Rights Division. As yet, this state agency has not reacted to our interim recommendation as to whether it can or cannot undertake such a program.

6. We recommend that the Bureau of Migrant Labor inspectors begin a system of referring migrants to appropriate state agencies to handle their special welfare, medical and community problems. It is further recommended that the inspectors agressively seek out the problems of migrant workers. This function should be a part of their normal duties.

7. We recommend that the Department of Community Affairs make a study and general assessment of the overall problem of rural poverty in New Jersey. Based upon the outcome of this study, DCA should develop an appropriate program to deal with the problems of rural poverty.

8. In our interim report, we recommended that the Department of Agriculture assume responsibility for safety education of farm workers. The Task Force subsequently received information about present programs on safety from the department. We again recommend that a procedural, informational and educational program on safety should be worked out cooperatively between the department and the College of Agriculture and Environmental Science at Rutgers-the State University and other appropriate agencies.

9. On the subject of unemployment compensation, the Task Force is strongly divided. Given this division of opinion, we make no recommendation with regard to unemployment compensation for seasonal agricultural workers.

10. If the group insurance program which we are recommending cannot be promulgated, we then recommend that agricultural workers should be brought under the aegis of the state disability law. In our opinion, there is no valid distinction between agricultural and industrial workers who are disabled from a non-job-related injury.

11. Despite the existence of a specially designated bureau charged with preventing and eliminating blatant general abuses, no activities on either

a state or local level are presently addressed to alleviating by means of legal redress the plight of the individual migrant. Unquestionably, the migrant's need for legal redress is acute. His status as a poor Negro or Puerto Rican agricultural worker alien to the dominant culture subjects him to a complex of disadvantages which can take the form of noneligibility for welfare or disability payments, victimization in a consumer transaction, exploitation of child labor, and discrimination in the receipt of services or use of facilities.

From an awareness of the pandemic nature of these injustices, we recommend that all state and local governmental agencies extend legal aid services to migratory farm workers wherever possible. If our recommendation for a body to oversee migrant labor problems is implemented, then it would be appropriate to lodge such a function and responsibility in this new agency.

D. CONCLUSION

Before closing, it should be stated that the recommendations offered in this report fall more into a reform rather than a remedial category. The emphasis has been on changing the face and posture of out state's migrant labor policy. Indeed, the main thesis and thrust of this report has been that traditional measures do not meet the problems of the present and will not meet those of the future.

We believe that the adoption of the recommendations contained herein will not only bring New Jersey's system of dealing with the problems of seasonal

farm labor up-to-date, but it will also put us in the vanguard of enlightened public policy. However, one final caveat is in order. A "business as usual attitude" on the part of governmental officials will no longer suffice. Concerted action and perhaps most importantly the "will to do the job" are the crucial elements that are needed. Nonetheless, it is obvious that state government alone cannot do the entire job. Local community involvement and citizen participation are also required. Unless we have this combination of effort, we may be only aggravating a bad situation. In closing, we concur with the philosophy of Robert Coles, who says:

> Our migrant workers will respond to consistent and strong effort exerted their way from the many directions involved in replenishing the needy. Their children can be taught better. Their health can improve. Their water can be safer, their food more nourishing. Eventually, their actions can become more constructive and their spirits higher. Nor need they be enemies of their present employers, many of whom wish them well and are also caught in frustrating situations which are really part of the same social and agricultural problems afflicting the migrants. Whatever we do, then, we should mean. A few casual and half-hearted attempts are likely to result in frustration, anger, and finally, a sense of failure on both sides, theirs and ours.[4]

of the 1968 contract are as follows:

(1) Guarantee of 160 hours of work every 4 weeks.

(2) Minimum hourly rate of $1.45 for general workers; $1.50 for nursery workers.

(3) Transportation paid if the work length provision of the contract (28 weeks) is fulfilled.

(4) Limited off-the-job medical, hospital and life insurance coverage.

(5) Free housing for the workers.

(6) Employer must carry workmen's compensation insurance.

In 1967, the average worker earned $76. per week, plus free housing and other fringe benefits. On the basis of this weekly earnings and the number of weeks he was in New Jersey, he made about $1,500 cash, which was more than the annual income of the typical male worker in Puerto Rico in 1966. His median annual family income is about $2,000.

If the contract worker could earn a comparable weekly income on a year round basis, his average earnings would be over $3,700 per year.

Day-Haul and Local Workers. This group is comprised of male, female and youth workers who number an estimated 10,800. The workers come to the farms on a daily basis from their homes in the nearby population centers of New Jersey and Pennsylvania. About one-half of the workers are recruited and transported by crew leaders. Seasonal farm work is principally a method of supplementing income from other sources. The workers are usually paid on a piece rate basis for harvesting blueberries, tomatoes,

strawberries and lima beans. For his 7.2 hours per day, the worker averages $11.50. He works about 3.6 days per week because he is a part-time farm worker. The annual income of the day-haul worker and his family is about $2,000.

There is no pre-employment screening and anyone who shows up for work is initially employed. During the past few years, the number of day-haul workers on New Jersey farms has increased and is expected to do so in the future.

Non-Contract Puerto Rican. The estimated 5,500 male workers who make up this group have employment and income conditions very similar to the Contract Puerto Rican, except that employment is not predicated on a formal contract or agreement. Travel patterns, hours worked and income are very similar to the contract workers. Forty-two per cent of the workers return to the same farms where they worked the previous year, indicating some type of informal arrangement with their employers and, at least, some degree of satisfaction with working conditions. Very seldom do these workers travel with a crew leader.

The non-contract worker averages $1,500 earnings on New Jersey farms based upon his weekly earnings of $77., and the 20 week period he stays in New Jersey. However, his median annual family income is only about $1,900. Like his contract counterpart, if he could earn a comparable weekly income on a year round basis, his average earnings would be over $3,700 per year. As it is, his 20 week New Jersey cash earnings are also above the annual income of the typical male worker in Puerto Rico in 1966.

Negro Interstate. In 1967, approximately 2,350 Negro interstate workers were employed on New Jersey farms. Principally, they are in family groups and workers may be men, women and older youths. About 65 per cent of the workers are employed through crew leaders, who recruit, transport and arrange for their farm employment. Over the past 10 to 15 years, it is estimated that the number of Negro interstate workers have declined from a peak of 8,000 to 10,000 to the present level of just under 2,500 workers. And it is this group that is expected to diminish more rapidly than the other seasonal worker groups.

On the average, the Negro interstate worker earned only $55. per week, considerably less than his seasonal worker counterparts who also live on New Jersey farms. His rate of pay, per hour and by the piece, does not vary to any extent from that paid the other workers. It is the fewer hours per day and days per week that he works that caused the comparative difference in his weekly income. His median annual family income is $2,300 per year. Based on his average weekly income and the length of his stay, the average income per worker while in New Jersey is around $900. Heavy reliance is placed on family members working to add to family income. An indication of this is the data which show that the total income of a family of 2 to 5 persons averages $2,700 per year, while a family of over 5 persons makes an average income of about $3,700.

The fact that the Negro interstate group is basically a family and crew situation poses the real and potential social and economic needs and problems that are greater than those confronting the

other seasonal farm worker groups.

Summarizing, the purpose of presenting these data is to show the economic position of the seasonal farm worker while he is in New Jersey and to contrast this with his annual economic situation. Second, there are differences between the worker groups in terms of the character and number of factors surrounding the economic aspects of their employment that needed further analysis by the Task Force.

The data presented on employment for the various groups are not intended to judge the adequacy of the income derived, but to point out the facts that should have been included in assessing the economic position of the seasonal farm worker in New Jersey.

CONTRACTS

The Task Force recommends mandatory contracts for all seasonal farm workers as a condition for their employment on New Jersey farms. By some unspecified authorization, the Commissioner of Labor and Industry would, after a public hearing, establish a contract including wages, hours, working conditions and other employment requirements for all seasonal workers. Said contract should be at least comparable to the Puerto Rican contract.

Though we are in accord with efforts which will provide non-contract workers with economic advantages similar to those enjoyed by contract workers, we cannot agree with this recommendation.

On the surface, the idea of a contract seems to have considerable merit. However, one must understand the various elements and basis that are present and which make the Puerto Rican contract a workable program.

(1) First of all, the government of Puerto Rico assumes the responsibility for the contract on behalf of the worker. Negotiation of contracts is between the Commonwealth of Puerto Rico and the New Jersey growers' association.

(2) The workers, all male and full-time employees, are recruited and selected by the Commonwealth and the growers' association. The Commonwealth of Puerto Rico assumes a responsibility for providing needed workers.

(3) In New Jersey, there is a central organized method and service with facilities for allocating and reallocating workers among the farms as the work locations or job needs change.

(4) Employers need to have housing for male workers. The majority of New Jersey housing is not adapted for family workers. Also, the employer knows that employment of one worker means provision for housing for one person.

(5) Workers, if they request or if they are not satisfactory to the farmer, can be transferred individually if need be since they are not part of a crew or work group.

(6) The Commonwealth provides services for grievances and other assistance for both the worker and the employer.

(7) The workers have a choice whether they want to be employed under contract. In other words, the contract is available to all Puerto Rican workers. Many, however, move to work independently of the contract.

Thus, there are a number of vital factors that are an integral part of the contract program. And, unless these factors are satisfied, a contract program cannot be applied automatically to the other seasonal farm worker groups. Yet, if workers and an employer wish to agree to a contract specifying conditions of employment, this is certainly desirable.

In lieu of mandatory contracts, we propose the following recommendations:

(1) All crew leaders should be required to provide workers with full information on the type of work, hourly or piece rate payment, conditions of employment and charges by the crew leader for services to be rendered, prior to the workers departure for New Jersey. This might be accomplished under the Federal and State crew leader registration laws.

(2) All crews and family groups should register their arrival with the nearest Farm Placement office of the New Jersey State Employment Service in order that the Service can assist in keeping the groups as fully employed as possible.

(3) An off-the-job medical and hospital insurance program should be made available as recommended by the Task Force.

(4) As a minimum, all family groups should automatically qualify for, and have made available to them, the food stamp program.

(5) Continuing efforts should be made by the Glassboro Service Association to include other workers, where possible, under the contract program.

8

HOUSING AND SANITATION

Some of the basic Task Force recommendations on housing and sanitation were enacted into law in December, 1967. We concur with many of the provisions of Chapter 259, Laws of 1967, particularly the sections requiring pre-certification, increased sleeping space per person and items dealing with water supply. However, we disagree with other provisions of that law.

Penalties. Chapter 259 increased the maximum penalty which could be imposed by the Commissioner of Labor and Industry from "$200" to "$500" for any violation of the law. In addition, this new law increased the fine for a misdemeanor from "not more than $200" up to "not more than $1,000."

We recommend that the penalties for violations should be consistent with the penalty provisions found in Chapter 199, Laws of 1954, entitled "The Realty Improvement Sewerage and Facilities Act" and the penalty provisions of the "New Jersey State Housing Code." Violations, here, require a $200. penalty.

Privies. Chapter 259 requires water-carried sewerage disposal facilities in all new seasonal housing immediately, and in all other seasonal housing by January 1, 1970, with the exception of special areas limited by extreme natural conditions.

We certainly agree that waste disposal should not cause hazards to human health and well-being. However, we believe there should be more flexibility allowed in waste disposal. According to our information, there are types of privies that are of proved sanitary value. (See Rosenau-Preventative Medicine and Public Health, Kenneth F. Maxcy, Professor Emeritus

of Epidemiology, The Johns Hopkins University, School of Hygiene and Public Health, Eighth Edition, Pages 1239-1242. Appleton-Century-Crafts, Inc., New York, 1956.)

We, therefore, recommend that alternative methods of waste disposal, in addition to the water-borne method, be allowed under strict standards for construction and maintenance.

REPLACEMENT BODY

The Task Force recommends the creation of a Governor's Council on Seasonal Farm Labor and specifies its powers and duties.

We cannot agree with the recommendation.

We recommend the establishment of a Seasonal Farm Labor Advisory Committee in the Department of Labor and Industry. The Committee should be comprised of 17 members; 9 public members appointed by the Governor, along with 8 ex-officio non-voting members from the Departments of Labor and Industry, Education, Health, Community Affairs, Agriculture, Institutions and Agencies and Law and Public Safety. The other ex-officio member should represent the College of Agriculture and Environmental Science. The public members should include equal representation from the following three groups; workers (former, present or labor organizations), farmers and the general public. The members should serve without compensation but be reembursed for expenses incurred in the performance of their duties. The Chairman should be elected from the public members. The chief of the Migrant Labor Bureau should serve as Secretary to the Committee.

The functions of the Committee would be as follows:

(1) Advise the Commissioner of Labor and Industry on all matters related to the Migrant Labor Law.

(2) Oversee the coordination - at the State level - of all programs for seasonal farm workers.

(3) Periodically review all programs for seasonal farm workers. The Committee may request reports, studies and evaluations from any State agency responsible for programs related to seasonal farm workers.

(4) Advise and make recommendations to the Governor, the various State Departments and to the Legislature on administrative and legislative needs.

It is our belief this approach is sound and workable because it includes all interested parties; it keeps the program responsibilities on the shoulders of the agencies that administer the various programs; and it provides for needed oversight and coordination of the essential seasonal farm worker programs.

Footnotes

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PART III HOUSING AND SANITATION

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18. Governor's Task Force Interim Report, (June, 1967), p. 8.

19. R. Coles, op. cit., p. 31.

PART V THE ROLE OF GOVERNMENT

1. CSC Report, p. 1.

2. New Jersey Division of Employment Security, 1967 Annual Farm Labor Report, (Trenton, N. J.), p. 13.

3. CSC Report, Vol. II, Table 13 and Table 18.

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APPENDIX B

Office of the Governor December 6, 1966

STATEMENT BY GOVERNOR RICHARD J. HUGHES TO THE GOVERNOR'S TASK FORCE ON MIGRANT FARM LABOR

Late last summer I directed my legal staff to make a thorough investigation of reports concerning alleged statements and activities of certain members of the Migrant Labor Board. I have received both verbally and in writing an extensive and comprehensive report in this matter

Although the Migrant Labor Board has served a useful purpose in the past, present-day conditions of social justice, complicated by factors of conflict of interest and judgment based in the law itself, lead me to conclude that its continued existence is inadvisable and unnecessary.

Therefore, I will recommend legislation abolishing the existing Migrant Labor Board and vesting the functions exercised by it in the Department of Labor and Industry which would be responsible for promulgating and enforcing regulations relating to the safety, health and welfare of all seasonal farm workers. I believe that the seriousness of this problem deserves a specific changed mechanism within the department, probably including an expansion of the Migrant Labor Bureau and other improvement, on the detail of which I will hope to address the Legislature in January.

At the same time, recognizing that we must give full hearing to the views of all groups directly or indirectly involved with the problems of migrant workers, it is essential that an advisory council representing these interests be created

under the legislation which I will recommend.

Such a council would study farm labor problems, including agricultural economics, and make recommendations to the Department of Labor and Industry, which, in turn, would seek the advice of the council with regard to regulations to be promulgated. This council, however, would have no direct control over policy or over enforcement, which, indeed, in modern concept, it should not possess.

The legislation which I am recommending deals only with one aspect of a problem requiring a more comprehensive in-depth study of farm labor conditions. In recognition of this, I am appointing a task force to examine the entire farm labor situation in New Jersey and submit a report to me as soon as possible. The members of this group are:

Mr. J. Stanley Husid	Chairman, Commission on Civil Rights
Professor John W. Carncross	Professor Emeritus, Agriculture Economics, Rutgers University
Dr. William J. Dougherty	Director, Division of Preventable Diseases, New Jersey State Department of Health
Mr. Samuel Garrison	Executive Secretary, Rural Advisory Council, New Jersey State Department of Agriculture
Mr. Joel R. Jacobson	President, New Jersey State Industrial Union Council
Professor W. Duane Lockard	Professor of Politics and Public Affairs, Woodrow Wilson School
Mr. Ronald Perrin	Assistant Director, Rural Programs, Office of Economic Opportunity, Migrant Opportunity Program

Mr. John M. Seabrook	Chairman, Migrant Labor Board
Mr. William Schlechtweg, Sr.	Master, New Jersey State Grange
Mr. Chester Tyson	State Director, Farmers Home Administration
Paul Williams, M. D.	Member, Trenton Branch of the NAACP
Mrs. Susanna P. Zwemer	President, Consumers League of New Jersey

I have asked Mr. Husid to serve as chairman of this group and have directed all departments to lend their full cooperation.

Mr. Stanley C. Van Ness of my staff, who has already done a great deal of research for me in this area, will serve as secretary to the task force.

It is my hope that this task force would consider such areas as coordination of governmental activities concerning farm workers, centralized housing, surplus food distribution, welfare residency requirements, recommendations to revise the existing code and regulations under it, to what extent regulations of the Alcoholic Beverage Control Commission are being violated on farm labor camps, whether farm laborers are being charged exorbitant prices for food and other necessary items, and, if so, how they may be protected and a number of other subjects which deal with the protection and well-being of this disadvantaged class.

It is my hope that these proposals will enable New Jersey to discharge fully its responsibilities to insure a full measure of justice in the treatment of those who contribute so much to our economic development through their toil in the

field. Good and impartial enforcement is necessary, as well as a calm but determined resolution that New Jersey shall be a leading state in providing justice for these people.

APPENDIX C

List of persons with whom the Task Force met during its study.

I NEW JERSEY OFFICALS

Hon. Richard J. Hughes, Governor of New Jersey

New Jersey Department of Labor and Industry

Hon. Raymond F. Male, Commissioner
Mr. Leo Carlin, Special Assistant on Migrant Affairs
Mr. Samuel DiUbaldi, Deputy Commissioner
Mr. Charles Yersak, Chief, Bureau of Migrant Labor
Mr. William J. Clark, Director, Wage and Hour Bureau
Mr. Fred Watts, Chief, Bureau of Farm Placement

New Jersey Department of Agriculture

Hon. Phillip Alampi, Secretary

New Jersey Department of Institutions and Agencies

Mr. Irving J. Englemen, Director, Division of Public Welfare
Mr. Thomas G. Riti, Chief, Bureau of Children's Services

New Jersey Department of Education

Dr. Carl L. Marburger, Commissioner
Dr. Anne J. Hoppock, Director, Elementary Education
Mr. Westry Horne, Coordinator of Migrant Education
Mrs. Doris Weatherby, Principal, Indian Mills School
Mr. Robert C. Andrews, Principal, Manalapan-Englishtown Migrant School
Mr. Salvatore Tronco, Program Supervisor
Mr. Robert Pleasant, Recruitment Officer

New Jersey Department of Health

Dr. William J. Dougherty, Director, Local Health Services
Mr. Thomas Gilbert, Coordinator, Migrant Health Program
Mr. Alfred H. Fletcher, Director, Division of Environmental Health
Miss Rose Galaida, Social Work Consultant, Migrant Health Program
Mr. Raymond H. Barg, Public Health Eng., Potable Water Program
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APPENDIX D

AN INTERIM REPORT

prepared by

the Governor's Task Force

on

MIGRANT FARM LABOR

June 1967

June 16, 1967

His Excellency
Richard J. Hughes
Governor of New Jersey
Trenton, New Jersey

Dear Governor Hughes:

On 6 December 1966 you announced the appointment of a Task Force for the purpose of studying the seasonal farm labor situation in New Jersey.

We have completed the preliminary portion of this study, and are transmitting herewith the results of our work to date. This report consists of short range recommendations which we believe can be implemented without the necessity of legislation. At a later date, we shall report to you on future manpower needs in agriculture, the impact of farm mechanization and other related problems, which we wish to study further.

We thank-you for the opportunity to serve the State and for your support of our efforts. We look forward to discussing the report with you and with other interested citizens and groups.

Respectfully,

INTRODUCTION

Mindful of the Governor's charge to report to him as soon as possible, the report that follows was prepared by the Task Force with all deliberate speed and with the hope in mind that much of it might be implemented during the current farming season. This is a public policy document, not a research paper. It lacks the usual footnotes and bibliography, the long introductions and the detailed review of the literature. It is meant to be a starting point for the formulation of public policy. As such, it has been purposely cut to the bone and designed to present policy alternatives to the pressing social and economic problems facing both growers and seasonal farm workers in New Jersey.

It is obvious that the assignment given to the Task Force could have been approached in a variety of ways. However, after considerable deliberation, it was decided to concentrate on those problems that appeared to demand the most urgent attention. As a result, the Task Force concerned itself particularly with four major problem areas: (1) housing and sanitation; (2) health, education and welfare; (3) the economics of farm labor; and (4) the role of government.

The Task Force hastens to point out that the recommendations contained in this report are intended primarily as short range solutions. It has simply lacked the necessary social and economic data on which to make a sound assessment of the long range interests and projected manpower needs in agriculture. In the opinion of the Task Force, this will require additional study. It is anticipated that such a study will be forthcoming this summer.

HOUSING AND SANITATION

1. The Task Force finds that the statutory language prescribing the procedure for certifying migrant labor camps is unclear and ineffectual. Under the present arrangement, a camp can be and frequently is fully occupied before it actually has been certified. The Task Force is of the decided opinion that this administrative practice is poorly conceived and indeed self-defeating in its purpose. We strongly believe that no camp should be allowed to open at the beginning of the farming season without first being certified that it is fit for human habitation. The basic weakness in the certification procedure stems from the vague wording in Section 34:9A-20, which does not clearly give the Commissioner of Labor and Industry the authority to require certification prior to occupancy. We are also of the opinion that the regulations promulgated pursuant to the State Migrant Labor Code do not require prior certification as to the fitness for human habitation. The Task Force, therefore, recommends that the Commissioner act immediately to require certification before occupancy and to close camps determined unfit for human habitation. If the Commissioner cannot so act under the present law, we will recommend legislation that he be given such authority.

2. In spite of recent attempts to upgrade migrant housing standards, the Task Force finds that the general living conditions for too many seasonal farm workers in New Jersey is still far from satisfactory. Overcrowding, insufficient floor space, and lack of privacy are three major problem areas. This is particularly true of camps which house Southern Negro families. In order to correct this situation, we recommend that the State Migrant Labor Code be strictly enforced during the current growing season.

3. The Task Force believes some aspects of the present Migrant Code for seasonal housing are insufficient. We believe that families are entitled to a dwelling unit with no less than 2 rooms for each family composed of a husband, wife, and one or more children, 6 years of age or over. The Task Force recommends that the Commissioner of Labor and Industry undertake immediately an investigation to ascertain the need for revision of the regulation of housing in migrant labor camps. If this investigation demonstrates a need for revision, the standards of the code should be elevated under the provisions of Chapter 91 P. L. 1967.

4. The Task Force finds that in many instances migrant housing is being used on a year around basis. It is recommended that the Commissioner

of Labor and Industry undertake an investigation forthwith to ascertain the number of migrant labor camps used on a year around basis and the need for revising the regulation of such housing with the objective of elevating the standards pertaining thereto. It is suggested that in making his evaluation of this particular housing problem, the Commissioner take into consideration the standards of the State Housing Code.

5. The Task Force finds that in certain migrant labor camps food is prepared and offered for sale to workers within the camp by individual migrants who are essentially engaged in retail sale practices. The deficiencies in the food handling practices are such as to constitute a risk to the persons purchasing and consuming food obtained from such retail sale. It is recommended that the Commissioner of Labor and Industry conduct an investigation to determine the feasibility of incorporating within the State Migrant Labor Code the provisions of the New Jersey Retail Food Establishment Code approved by the State Department of Health. It is further recommended that the Commissioner seek the assistance of the existing local public health agencies in the enforcement of this code.

6. The Task Force's study of the health aspects involved in the use of migrant labor has yielded the distressing problem of water pollution. In 1966, fifty per cent of the migrant camps in the state were sampled for potable water. In 17 per cent of those sampled, contaminated water was discovered. Only one-third of the contaminated supplies were retested and half of these were still contaminated. The Task Force recognizes that this contamination imposes the risk of outbreaks of human diseases such as, typhoid fever, infectious hepatitis, and bacillary dysentery. It also finds that existing migrant labor law requires that each camp shall be provided with an adequate supply of potable water which is of safe and sanitary quality. In addition, standards for the construction of water supply systems have been promulgated under "Standards for the Construction of Water Supply Systems for Realty Improvement" under authority of Chapter 199, P. L. 1954, Revised 1966. It is recommended that Chapter 199, and all amendments thereto, be made immediately applicable to the new construction of migrant labor camps, and that the standards established by the law be made immediately applicable to existing migrant labor camps. Moreover, it is vital that there be intensified enforcement

of the code requirement that "sufficient potable water which is of safe, sanitary quality shall be furnished. . . for drinking and culinary purposes." No camp should be occupied before this approval is granted, and we recommend that occupied camps be closed if violations are not immediately corrected.

7. The Task Force finds that numerous migrant labor camps are provided with privies as a sanitary facility for sewerage disposal. It considers this primitive form of sewerage disposal to be outmoded in a densely populated State such as New Jersey. Moreover, it finds that the improper management of privy facilities contributes greatly to the contamination of the surface and surface waters of the State. In view of these conditions, we recommend that prior to the 1968 agricultural season, all migrant labor camps be equipped with adequate water borne sewerage disposal facilities based upon standards promulgated under the authority of Chapter 199, P. L. 1954, and that the enforcement of these standards be carried out by the local boards of health within their jurisdiction.

8. The Task Force has found evidence where garbage and refuse in migrant camps have been allowed to accumulate in the open without burial or other disposal. It has also discovered where garbage and refuse have been burned in the open. Both of these practices are contrary to the provisions of the existing State law relating to disposal of solid waste. The Task Force recommends that the provisions of the New Jersey State Sanitary Code, Chapter 8, and the New Jersey Air Pollution Control Code, Chapter 2 be incorporated in the regulations controlling migrant labor camps.

II HEALTH, EDUCATION AND WELFARE

1. The Task Force finds that in many instances adequate space for cooking and sleeping is not provided. It also finds that some families are expected to prepare food, cook, and wash dishes without the convenience of running water. Furthermore, it finds that unclean bedding and household utensils are often furnished to seasonal farm workers. As a result of these findings, the Task Force recommends that:

   a. Under the terms of the code, space allotted for sleeping should be considered apart from that devoted to cooking

facilities. (See Migrant Labor Code, Sections 2:1; 2:4; 4:3; and 4:4.)

b. Each migrant child should be accorded the full status of "occupant" as that term applies in the Code. Clean and sanitary mattresses, mattress covers, and clean blankets should be furnished at each new occupancy.

c. Units housing families and not meeting Code requirements should be immediately disapproved and occupied camps closed if the violations are not immediately corrected.

d. In housing units where families are expected to do their own cooking, running water should be provided for food preparation and dishwashing for health and convenience reasons. This should be part of the evaluation of the existing Code to be undertaken by the Commissioner under previous Task Force recommendations.

2. Although vastly improved over the past few years, the Task Force finds that diagnosis, treatment, and preventive health care for seasonal farm workers is still spotty and needs intensification throughout the state. Medical services need to be extended to adults and children and these services should be made more accessible to them. An off-the-job medical insurance program should be immediately developed and extended to all seasonal workers living on farms. The State Department of Health should continue to expand its family migrant health clinics, prenatal and obstetrical services, nursing care and short-term social services. For the moment, this can be done by contracting with special services such as Visiting Nurses, Family Counselling Agencies, and private physicians and dentists. This arrangement is necessary until such time as county public health programs are sufficiently developed to include seasonal farm workers.

In extending the above mentioned services, we recommend the following priorities: (1) the first priority should be placed on reaching all of the children of seasonal farm workers. Wherever possible, this should be done in cooperation with Day Care and summer school programs run by the State Department of Education, Community Action Programs, or other qualified agencies; (2) the second priority should be given to total migrant families; and last but not least, (3) the third priority should be assigned to single male workers.

The Task Force is aware that such a program for migrants outdistances some local health services. But by the same token, this program can be expected to act as a catalyst for generally improved rural health services. Such a salutory effect has already been observed in several areas.

3. The Task Force finds that the inability to locate migrant children for educational purposes continues to be a major problem. In view of this difficulty, we recommend the following procedures for immediate adoption:

   a. The Farm Placement Service should report to the Migrant Labor Bureau, as the coordinating agency, the approximate number of school-age and pre-school age children expected to accompany specific crew families recruited in the southern states. This information should be disseminated as soon as it can be obtained.

   b. The "occupant register" required to be kept by farmers operating migrant labor camps should list all children with their respective ages (See Migrant Labor Code Section 1:5). This register should be checked at each inspection by the Migrant Labor Bureau agent, and all newly arrived children should be reported to the Migrant Labor Bureau, and other related agencies.

   c. Immediately upon arrival at, and departure from any camps, notification by the farmer should be made of all workers and dependents to the Chief of the Migrant Labor Bureau. The latter in turn, shall notify the various relevant agencies, such as the Migrant Education Program.

4. The Task Force finds that pre-school age migrant children are frequently left in the care of their older brothers and sisters at the camps, or in the care of aged and infirm persons. In many instances, the infants are actually brought into the fields where their mothers are working. It also finds that in the case of the youngsters tended by their teenage relatives, the latter thereby, fail to receive the necessary supplementary schooling which the State provides. In order to correct this situation, the Task Force believes that it is imperative that proper care be provided for these infants. It therefore, recommends that:

A. The State of New Jersey should assume responsibility for the promotion and development of day care for migrant children. This can be provided through one of the following alternatives:

(1) Migrant summer schools operated by the State Department of Education.

(2) Mobile units run by the State OEO, local CAP's or the Bureau of Children's Services.

(3) Foster home day care provided under the supervision of the Bureau of Children's Services.

(4) Migrant-run centers (including training for personnel through public or private agencies and financed by the Department of Institutions and Agencies or the Department of Education).

Precautions need to be taken, however, to minimize the spread of communicable diseases and to obtain skilled supervisory personnel to work with the children and parents.

B. The education of migrant children should be integrated with local Head Start and enrichment programs where they exist or are being planned.

5. Recruitment of school-age migrant children into the regular local school system should continue to be expanded in order to include them as early as possible after arrival, or prior to their departure from New Jersey in the fall. The Task Force believes that it is not sufficient merely to bring them into the local school. More special supportive personnel need to be made available to insure a reasonable educational experience for the short term before and after summer school. Emphasis also needs to be placed on developing the academic growth of the migrant child in both the regular and summer school programs. This is particularly true of the child's reading and speaking skills. Appropriate means for evaluating the effectiveness of the educational components of the program must be devised for this summer's program.

Based upon our reading of reports on previous summer programs and interviews we have conducted, and in view of the fact that the

program is expanded for this year, we believe to be necessary a more extensive and intensive teacher orientation program than presently planned. We also believe the teacher orientation program should be continued throughout the summer season and should draw upon the services of sociologists, psychologists, social workers, and others familiar with the problems facing seasonal farm workers. Development of new techniques and methods for teaching and evaluating the progress of students is to be encouraged. An appraisal of these educational inovations should be made in the fall.

It is further recommended that the State Department of Education make contact with their educational counterparts in the home-base states for the specific purpose of requesting the report cards and cumulative records of the migrant children coming to New Jersey.

6. The Task Force finds that very few children 12 years of age and over attend summer schools. The majority of them are in the fields working alongside their parents to supplement the family income. In order to assist families to encourage their children in this age group to attend school, we propose that the State provide an educational allowance of $20 per week for each child between the ages of 12 to 16. It is further recommended that proof of age be required in order to qualify for such an allowance. We believe that this proposal will serve as a direct attack upon migrancy itself and as such, it should enable the children to escape from the cycle of poverty in which they are caught.

7. The Task Force finds that the kinds of lives led by these children frequently involves early sexual maturation, as well as, early assumption of responsibility. It therefore, believes that the educational material provided them should be relevant to their environment and daily existence. Migrant school coordinators should work with parents to help them realize the advantages to be derived in later years from education for their children. This parental guidance should stress the importance of attendance for the 12 to 16 age group, and the eagerness of the school staff to help them.

8. Data should be kept by school officials regarding recruitment efforts, effective teaching methods, the usefulness of the school program in relating to the migrant's life, and problems needing further analysis.

9. The Office of Adult Education in cooperation and conjunction with the Office of Elementary Education should implement an adult basic education program this summer.

10. The Task Force finds that of the 175 municipalities that do not participate in State Aid for General Assistance, 150 are expected to have migrant workers at some time during the growing season. Because of their non-participation, the New Jersey Division of Public Welfare operates on a case by case procedure to gain local assumption of responsibility for needy migrant families coming to its attention. The Task Force finds that the aforementioned administrative procedure is grossly inadequate to meet the kinds of acute problems associated with migrancy.

    We believe that some means should be devised by the Division of Public Welfare to obtain relief for needy migrant families in advance of individual cases which are brought to its attention. This should include relocation of occupants evicted from premises which are deemed unfit for human habitation. There is ample precedent for the State to foster the local assumption of welfare responsibility in the same way that preventive health services are being stimulated by the State or as local boards of education are encouraged by the State to assume greater responsibility. Specific contractual agreements should be made with responsible local agencies including County Boards of Welfare, CAP's, and other public or private groups. The non-participating municipalities cannot be absolved of their responsibility in providing for the welfare of the harvesters of our food. State directives to these municipalities stressing this responsibility should be made immediately.

Summary Statement

All of the above recommendations enumerated in this section are based on the premise which views migrants first and foremost as free men and human resources that ultimately are to be integrated into the totality of community services. Until there is greater community acceptance than presently exists, it is the consensus of the Task Force that special services are not only warranted, but also required as a matter of fundamental humanitarianism. In the final analysis, we believe seasonal farm workers should be eligible for all existing community services.

III THE ECONOMICS OF FARM LABOR

1. We recommend that some system be devised so that all seasonal farm workers should be able to take advantage of hospitals and doctors in other states or territories for occupational injuries covered by Workmen's Compensation and sustained here in New Jersey. This might be done by adding a rider to the Workmen's Compensation Agreement and/or the Health and Accident Contract. The rider incorporated in the Puerto Rican contract with the Michigan growers reads as follows:

   > The Workmen's Compensation Policy shall be placed with an Insurance Company having an agent or authorized representative in Puerto Rico and shall contain a clause or rider providing that any Puerto Rican agricultural worker covered by the Agreement who, after having been injured in Michigan returns to Puerto Rico, can continue medical treatment in this Commonwealth for the account of the Insurance Company.

   Similarly we urge that if off-the-job insurance is provided by employers like opportunity for using medical facilities in the home state or territories should be provided as part of the contract. In view of the fact that the worker is migratory and often has difficulties in filing claims after leaving the state, some orderly method for expediting these claims should be provided by the New Jersey Workmen's Compensation Division. This should include provisions for the taking of depositions and other details of the filing of claims when absent from the state.

2. In behalf of the farmer who may be pressed at peak seasons for labor he cannot find, it may be possible to utilize the services of an organization like Manpower, Inc., for recruitment. This possibility is currently being investigated by the Task Force and a subsequent report will be made on it.

3. Are the insurance provisions on buses and other means of transporting workers adequate? The Task Force has a copy of the relevant federal and state standards for such transportation, and in particular, the provisions concerning insurance coverage seem inadequate. We quote the relevant provision:

   > No person may use any motor vehicle, bus, truck, or

> semi-trailer for the purpose of transporting migrant workers to or from the place of employment, either from a migrant labor camp or on a "day haul" basis, unless the vehicle so used has been insured providing for payment of not less than $5000 to any one person obtaining a judgment, and not less than $20,000 on all judgments recovered... (Regulation 13:4-127 of Motor Vehicles Director, filed March 18, 1966; Item IV.)

This seems grossly inadequate - particularly the provision allowing a total of only $20,000 to be recoverable when dozens of passengers may be involved in an accident. It is our understanding that this rule was accepted originally to meet the same standards that a federal rule required, but this ought to be investigated at once and altered as soon as possible.

4. We feel that in the long run something has to be done about the overwhelming dependency of the migrant upon the crew leader, and in order to further this objective pilot programs to experiment with foremen and other methods of recruiting employees should be undertaken this summer. This can only be done, of course, in cooperation with the farmers themselves. We understand conversations have begun to investigate the feasibility of this tactic; we endorse the idea and urge its adoption.

5. By the same token, we feel that a system of guaranteed minimum hours provisions for long-term continental and Puerto Rican non-contract workers is necessary. If this has worked and indeed caused no difficulty where contract Puerto Rican workers are concerned, there would not seem to be any self-evident reason why it would not work for others. There are several devices that could be used to assure minimum income in seasons of bad weather or between-crops periods. Accordingly, experiments to see how this would work are needed. Once again, pilot programs should be proposed to farmers for this summer so that various alternatives can be tested for future use.

THE ROLE OF GOVERNMENT

1. The Task Force recommends that the Department of Community Affairs through the Office of Economic Opportunity communicate and disseminate to all seasonal farm workers information concerning

the various state services, rights and benefits to which they are entitled under state law, including greivance procedures. This information should be disseminated through the familiar communication media of radio, television, newspapers and in particular, through the Spanish-speaking outlets in the nearby metropolitan areas. In this same connection, it is further recommended:

a. That veterans, who are now agricultural workers, be informed that they have a right to free medical attention at veteran hospitals for sicknesses or injuries which are not service connected.

b. That the Workmen's Compensation Division assume the responsibility for developing information regarding seasonal farm laborers rights and benefits under the state workmen's compensation law.

c. That the Department of Institutions and Agencies assign a staff member for referral work on social problems of migrant workers and for field follow-up with public and private agencies; and that this individual make himself available to the workers through all potential points of contact.

d. That the Department of Community Affair's make an assessment of the overall problem of rural poverty in New Jersey and that it feed the question of seasonal farm labor into this assessment.

e. That the Department of Conservation and Economic Development assign someone to work with a representative from the Department of Agriculture and the New Jersey College of Agriculture at Rutgers on the question of mechanization and displacement of workers in agricultural employment in New Jersey.

f. That the Migrant Labor Bureau vigorously enforce the present housing, sanitation and transportation codes and also coordinate its work with other state agencies when relocation of evicted workers is necessary.

g. That the Wage and Hour Bureau made a comprehensive study of piece rates with the purpose of arriving at equitable

incentive rates by crop. The Task Force is not satisfied that the contract Puerto Rican piece rates are calculated on an incentive basis.

h. That the Department of Agriculture assume the responsibility for safety education on the job and that it bring such education to the workers. The Task Force notes that this department does not presently have any operating programs directly affecting or involved with seasonal farm workers.

2. The Task Force finds that migrants are generally considered foreigners by local residents; and as people with colored skin, they have frequently been the objects of xenophobia and racial bigotry. In view of this situation, the Task Force cannot help but be disturbed about the limited role the New Jersey Civil Rights Division has assumed with regard to migrants.

3. The Task Force recommends that the Wage and Hour Bureau immediately made available to all farm employers standardized forms for reporting hours worked and payrolls. Along the same lines, it is also recommended that the relevant state agencies start contacting employers to facilitate record keeping, including the possible purchase of time-clocks. The Task Force strongly endorses the principle of the worker receiving direct payment by the grower.

4. It is recommended that the New Jersey Employment Service establish a practice of employer relations in agriculture. This is currently done in other industries, whereby employer-relation representatives from the Employment Service assist employers in labor relations.

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