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UNITED STATES COMMISSION ON CIVIL RIGHTS

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MARYLAND ADVISORY COMMITTEE

- - -

PUBLIC FORUM

- - -

CONDITIONS OF MIGRANT LABOR CAMPS ON
EASTERN SHORE

- - -

August 4, 1982

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The Maryland Advisory Committee met, pursuant to Notice, at 7:00 p.m., at the Government Office Building, Room 106, North Division Street and Route 50, Salisbury, Maryland, Dr. Chester Wickwire, Chairperson, presiding.

PRESENT:

DR. CHESTER WICKWIRE, CHAIRPERSON

MS. SOL DEL ANDE EATON

MR. JOHN FERRON

DR. DE WAYNE WHITTINGTON

MS. GAIL WINSLOW

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Meet.
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1 ALSO PRESENT :

2

MR. ROBERT NEAL, CREW LEADER

3

MR. EDWIN LONG, JR., SOMERSET GROWERS ASSOC.

4

MR. KENNTH ATHEY, U.S. DEPT. OF LABOR

5

MS. SUSAN C. CANNING, DELMARVA RURAL MINISTRIES

6

MR. MOISES LOZA, HOUSING ASSISTANCE COUNCIL

7

MR. ROBERT OWENS, REGIONAL ATTORNEY

8

MR. EDWARD RUTLEDGE, REGIONAL DIRECTOR

9

MS. SUZANNE CROWELL, CIVIL RIGHTS ANALYST

10

MS. YVONNE SCHUMACHER, FIELD REPRESENTATIVE

11

MR. EDWARD DARDEN, FIELD REPRESENTATIVE

12

MS. WANDA HOFFMAN, FIELD REPRESENTATIVE

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CHAIRPERSON WICKWIRE: May we have your attention.

Let me say just a couple of things before we begin. We are not using a public address system and I trust that you will be able to hear us. This means also that as people speak here they are going to need to project so that you can hear us.

We are very delighted to see you here and I want to say good evening to you. I am Dr. Chester Wickwire, a member of the Maryland Advisory Committee to the United States Commission on Civil Rights and chairperson of its subcommittee on Migrant Workers.

To digress a little bit, the sign over here, please, no smoking, that is an aside, but the room is small and we don't have enough room to allow smoking.

Let me tell you a little bit about the United States Commission on Civil Rights. It is an independent, bi-partisan factfinding agency established by Congress under the Civil Rights Act of 1957, as amended. As required by law, the Commission has established advisory committees in each state and the District of Columbia to assist in factfinding, investigative and clearinghouse work.

The Maryland Advisory Committee of the U.S. Commission on Civil Rights is composed of citizens of this state who are familiar with local and state civil rights

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1 problems, and they serve without compensation. The Committee
2 is authorized to study developments constituting a denial
3 of equal protection of the laws under the Constitution
4 because of race, color, religion, sex, national origin,
5 age or handicap, or in the administrative of justice.

6 This forum is one of our committee's regular
7 public meetings.

8 The Maryland Advisory Committee is chaired by
9 Dr. Martha Church of Frederick, Maryland, president of Hood
10 College in Frederick. She is not able to be with us for
11 this froum; however, she has appointed me to chair our sub-
12 committee on Maryland's migratory and seasonal farmlabor.
13 Other members of this subcommittee here with me today are,
14 over on my right, Sol del Ande Eaton of Lanham, Maryland;
15 and on my far left, John Ferron of Baltimore; DeWayne
16 Whittington of Marion here on my right; and to my left,
17 Gail Winslow of Chevy Chase. I am from Towson, Maryland.
18 By the way, there is a member of the Virginia Advisory Com-
19 mittee with us this evening, Ms. Silva Pla. I am glad to
20 have you.

21 The names of all the members of the Maryland
22 Advisory Committee are available on the table at the entrance
23 to this room, and, along with other publications, you will
24 find a brochure with more information on both the U.S. Com-
25 mission on Civil Rights and its 51 advisory committees.

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1 Our committee receives staff support from the
 2 Commission's Mid-Atlantic Regional Office. Staff of the
 3 U.S. Commission on Civil Rights who are here today from
 4 the Mid-Atlantic Regional Office are, on my left here,
 5 Edward Rutledge, who is the Regional Director; and on my
 6 right, Robert Owens who is the Regional Attorney; and
 7 Suzanne Crowell, who is now coming down on the elevator,
 8 Civil Rights Analyst; and here in back, Yvonne Schmacher,
 9 who is the Field Representative to our Maryland Committee;
 10 and also in the room is Edward Darden, in the rear of the
 11 room, he is the Field Representative to the Delaware &
 12 D.C. Committees; and Wanda Hoffman, also here on my left,
 13 Field Representative to the Virginia and West Virginia
 14 Committees.

15 This forum on Conditions in Maryland's Migrant
 16 Labor Camps is being held tonight and tomorrow by our
 17 advisory committee for this purpose. It is being held to
 18 gather information from a variety of sources about the lives
 19 of the migrants in Maryland, and our purpose is to determine
 20 what standards have been set for migrant camps by federal,
 21 state and local authorities and to determine how well these
 22 standards are being enforced.

23 In addition, we are interested in learning about
 24 any other issues pertaining to the migrants that deserve
 25 further monitoring by our advisory committee. Finally,

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1 we are also curious to know the impact that new federalism
2 and cuts in federal funds may have on the provision of
3 services to migrants and the oversight of conditions in
4 the labor camps.

5 After this forum, the advisory committee will
6 compile a summary report based on the information that we
7 have learned here, and the report will be submitted to the
8 United States Commission on Civil Rights.

9 I think you will be interested in knowing that
10 this forum is one of three held this summer on the Delmarva
11 Peninsula. In June, the Delaware Advisory Committee held
12 a forum on migrant conditions in that state and the impact
13 of new federalism. Yesterday, I attended the forum convened
14 by the Virginia Advisory Committee to explore ideas for
15 the design and implementation of federal block grant pro-
16 grams to meet the needs of migrant and seasonal workers.

17 This advisory committee of the U.S. Commission
18 on Civil Rights has shared for some time a concern about
19 the working and living conditions of the migrant and sea-
20 sonal farmworkers in Maryland. We have been heartened by
21 renewed attention paid at the state level to the needs of
22 the migrants as demonstrated, for example, by the passage
23 during this past legislative session of a new Farm Labor
24 Contractor Registration Act, and we are encouraged by the
25 devotion of a significant amount of financial and other

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1 resources into the improvement of facilities at camps such
2 as Westover just south of here. This so that the lives
3 of the migrant families who dwell in those facilities may
4 be somewhat improved.

5 Although we had planned this hearing at least
6 six months ago, we were disturbed and horrified at the
7 tragic loss of the nine month old baby boy only two weeks
8 ago at Westover, and we were shocked at reports of a high
9 level of intestinal disease among migrant children and
10 infants in certain parts of this state, and we wonder whether
11 the death of the baby and the high rate of disease could
12 have been averted by better enforcement of the laws con-
13 cerning the health and living conditions of the migrant
14 workers and their families.

15 These proceedings will be recorded by a court
16 stenographer in order to ensure an accurate account of the
17 forum and to assist the Maryland Advisory Committee in its
18 preparation of its summary report to the U.S. Commission
19 on Civil Rights.

20 In order to determine the standards that do
21 exist for Maryland's migrant camps and how these standards
22 are being enforced, we have invited a number of persons
23 to address our committee and to answer our questions. Each
24 person is here voluntarily to share or his or her views
25 with us about the issues.

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1 Time permitting, we will also have an open mike
 2 session for anyone in the audience who wishes to share
 3 information and ideas with us, and we ask that you see
 4 Yvonne Schumacher of our staff to sign up if you wish to
 5 speak. This will be tomorrow afternoon at the conclusion
 6 of the meeting. So at the close of our meeting, if any
 7 of the invited participants in tonight's and tomorrow's
 8 sessions or any of the members of the audience who need
 9 further information should be brought to the attention of
 10 our advisory committee, we urge you to send the information
 11 to us at the Commission's Mid-Atlantic Regional Office or
 12 to call our staff office.

13 We are going to send around a sheet for persons
 14 to sign, to give addresses and agencies if you wish. We
 15 would like to know who is here. We would also like to have
 16 your names and addresses so that we can send to you a copy
 17 of the report that will come out of this meeting.

18 We are also asking that members of the press
 19 please sign the press register on the literature table out
 20 in the hall.

21 Before we begin with our first speaker, I am
 22 asking Mr. Robert Owens, the Regional Attorney of the Com-
 23 mission's Mid-Atlantic Regional Office, to describe our
 24 format in greater detail, along with certain legal
 25 restrictions that will govern our proceedings. May I

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1 introduce Mr. Owens.

2 MR. OWENS: Thank you, Dr. Wickwire. This forum
3 is being held pursuant to rules applicable to state advisory
4 committees and to administrative policies established the
5 U.S. Commission on Civil Rights.

6 Under the Privacy Act of 1974, the U.S. Commission
7 on Civil Rights is required to indicate to those from whom
8 it collects information of our statutory authority to do
9 so. The authority for the Commission to undertake the task
10 that we are about tonight is contained in 42 U.S.C. §1975.
11 The authority for the advisory committee is contained in
12 that same §1975 subsection B.

13 As Dr. Wickwire previously stated, the U.S. Com-
14 mission on Civil Rights, and thereby this committee, is
15 authorized to study and to collect information which may
16 tend to indicate either a discrimination based upon a denial
17 of equal protection based upon age, sex, religion, handicap,
18 or in the administration of justice.

19 This forum tonight is exactly that. It is a forum
20 and I don't want anyone to misconstrue. This is not a hear-
21 ing. While the Commission does have authority to provide
22 for the hearings, we at this time are not asking anyone
23 to appear before us pursuant to the Commission's subpoena
24 powers. All of those who will present statements tonight
25 are doing so voluntarily. Therefore, in the event that

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1 any presenter declines to give us full information or to
2 answer any questions, this Commission will not attempt to
3 impose any sanctions whatever.

4 I would like to point out also that the Commission
5 on Civil Rights takes extreme steps to try to avoid having
6 statements made on the record which would tend to defame
7 or to degrade any individual or group. Therefore, if
8 during the course of these proceedings I, in the capacity
9 of attorney, determine that such statements are being made,
10 I will call that to the attention of the speaker and ask
11 that he or she refrain from making such statements.

12 This meeting is obviously an open meeting, open
13 to the public as well as to the media. However, each person
14 presenting information here tonight has the right to
15 decline being reported or photographed or taped. If any
16 such presenter should invoke such declination, I will have
17 to ask the members of the media to comply with their request.

18 I would like also at this time to reiterate what
19 Dr. Wickwire stated earlier, and that is that for those
20 of you who wish an opportunity to address this forum, you
21 will be provided an opportunity if we have the time, and
22 I want to make that very clear, because oftentimes as these
23 proceedings get underway, while we would like very much
24 to afford everyone who has information to share with us
25 an opportunity to do so, time does not always permit it.

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1 So that for those of you who wish an opportunity to speak,
2 time permitting, you will be allowed to do so.

3 That is all that I would like to say about the
4 procedure and, Dr. Wickwire, thank you very much.

5 CHAIRPERSON WICKWIRE: Thank you, Mr. Owens.
6 All right, we are going to go ahead now. Let me say a
7 little bit about our format. What we are going to do as
8 speakers come up is invite them to sit over at the chair
9 on my right and, hopefully, we will be able to stay within
10 reasonable limits in terms of our speaking. Following
11 statements that will be made by persons who address us,
12 then we will ask members of the committee who are here to
13 question them as they wish to do, and then we will try to
14 keep within our time frame.

15 Our first speaker tonight to give us the migrant
16 worker's view of the camps is Mr. Maurice Turner, a former
17 migrant worker and member of the Governor's Commission on
18 Migratory and Seasonal Farm Labor. Is Mr. Turner -- not
19 here?

20 All right, let's move along then and -- I don't
21 know whether there are any other migrants here tonight who
22 had been invited to speak. Is there anybody here from
23 representatives of the migrants themselves who wanted to --
24 I think there were others who may have been invited.

25 VOICE: There is one here, sir.

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1 CHAIRPERSON WICKWIRE: Is that Mr. Neal?

2 VOICE: Yes, sir.

3 CHAIRPERSON WICKWIRE: All right, Mr. Neal is
4 a crew leader. Mr. Neal, come on up. We were going to
5 take you next anyway. I understand that you've had some
6 22 years experience, is that correct?

7 MR. NEAL: It sure is.

8 CHAIRPERSON WICKWIRE: As a crew leader. We are
9 pleased to have you here. Would you please go ahead and
10 speak to us and then we'll ask you some questions.

11 MR. NEAL: Okay, as far as the labor camp is con-
12 cerned, if they have concern about the labor camp and the
13 living conditions, I don't see any. I mean, as far as the
14 living conditions, they are just as great as some of the
15 people that I see myself that I got at home. As far as
16 anything else, I don't see nothing to cry about, you know.
17 I think it is great myself.

18 I have been working for Edwin Lee (phonetic) for
19 the last 20 years and they have made great improvements
20 on the camp. I can say that. Anybody can drive by and
21 see they have made great improvement. I live on one of
22 the greatest camps, right now I even lived in since I've
23 been on the season. I can say that myself. I'm grateful
24 for it myself. I don't see no objection about it myself.
25 I love it.

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1 If I have to quit, I don't know what I am going
2 to do.

3 CHAIRPERSON WICKWIRE: You ar a crew leader though,
4 is that corret?

5 MR. NEAL: This is true.

6 CHAIRPERSON WICKWIRE: You ar a crew leader.

7 MR. NEAL: Sure.

8 CHAIRPERSON WICKWIRE: Would you say that all
9 the people that work for you would say the same thing you
10 do?

11 MR. NEAL: And directly they will. That's right.

12 CHAIRPERSON WICKWIRE: All right, now, I don't
13 know whether you want to say other things to us now before
14 we might ask you a few questions, if that's agreeable.
15 John, or do the rest of you -- you are agreeable to taking
16 some questions?

17 MR. NEAL: Why sure.

18 CHAIRPERSON WICKWIRE: Fine.

19 MS. EATON: I have a questin.

20 CHAIRPERSON WICKWIRE: All right, Ms. Sol.

21 MS. EATON: Mr. Neal, you say that the improve-
22 ments are great. How were they before? Can you give us
23 a description of what kind of improvements have been made?

24 MR. NEAL: All right, I can say this right here.
25 About two years ago, I wasn't living in a new building.

1 I'm living in a brand new building now. I've been living
2 there for the last two years and everything in it when
3 I moved in was brand new, brand new stoves, a brand new
4 living condition as far as mattress and beds are concerned.
5 I just say it is just as great and I say my people'll say
6 it too if they were right here today, just as great right
7 now as it was as if I was at home.

8 MS. EATON: What are your duties as the crew
9 leader? What is it that you do?

10 MR. NEAL: I bring people up here to work, that's
11 all.

12 MS. EATON: When you say you bring people, you
13 go to southwest or what part of the country, or how do you
14 get these people?

15 MR. NEAL: I leave from Florida.

16 MS. EATON: You pick them up from Florida?

17 MR. NEAL: Right. Most of them I pick up in
18 Florida. Some I don't. Some come on their own. I go to
19 South Carolina --

20 MS. EATON: What nationality would you say is
21 most prevailing among these workers? Are they from outside
22 the United States? Are they from the south? Or what
23 ethnic origin are most of them?

24 MR. NEAL: What you mean, between the Haitian
25 and American people?

1 MS. EATON: I was just -- my next question was
2 if you bring Hispanics, how do you communicate with them?
3 Do they know the language well? Or do you just bring
4 Haitians?

5 MR. NEAL: Usually I bring Spanish people. If
6 I bring Spanish people, they know Spanish. I don't bring
7 nobody that don't speak Spanish. You know, speak English.
8 Understand what I mean?

9 MS. EATON: Do you speak Spanish?

10 MR. NEAL: No, I don't.

11 MS. EATON: So how do you all communicate? Do
12 they speak English?

13 MR. NEAL: Why sure.

14 MS. EATON: Oh, okay.

15 CHAIRPERSON WICKWIRE: Yeah, he said he doesn't
16 bring anybody who doesn't speak English.

17 MR. NEAL: That's right.

18 MS. EATON: Oh, okay, okay. Thank you.

19 CHAIRPERSON WICKWIRE: Mr. Neal, let me ask you
20 a couple of other questions now. Can you sort of describe
21 your duties as a crew leader? You recruit. You are
22 registered, are you?

23 MR. NEAL: Why sure.

24 CHAIRPERSON WICKWIRE: What are your duties? What
25 do you have to do for the people that you bring up?

1 MR. NEAL: Well, I mean, from Florida?

2 CHAIRPERSON WICKWIRE: Yes, sir, wherever you
3 get them. Do you get them only from Florida?

4 MR. NEAL: Not all of them. I say I bring some
5 20 to 21 to 22 people out of the State of Florida. Others
6 come up in cars and vans and what not. When I get here,
7 what I, you know, I have a pretty good sized crew. Really,
8 I just register them in the State of Florida the ones I
9 bring up, and the one comes from South Carolina I register
10 them and they comes up to the State of Maryland.

11 CHAIRPERSON WICKWIRE: When you recruit people,
12 do you give them an idea of what the working conditions
13 are, what their wages will be?

14 MR. NEAL: Yes indeed, sure I do.

15 CHAIRPERSON WICKWIRE: And what about recordkeep-
16 ing? Do you keep records for social security and that kind
17 of thing?

18 MR. NEAL: Definitely.

19 CHAIRPERSON WICKWIRE: And transportation.

20 MR. NEAL: Definitely.

21 CHAIRPERSON WICKWIRE: You transport them.

22 MR. NEAL: Sure.

23 CHAIRPERSON WICKWIRE: I see. Most of them are
24 dependent upon you for this.

25 MR. NEAL: Well, the ones got their own

1 transportation, I don't have anything to do with that, you
2 know. But the ones I transport my own, you know, they have
3 bus transportation, we have been inspected by the Federal
4 Government, not only the State of Florida, been inspected
5 by the Federal Government right here in the State of
6 Maryland in transportation.

7 MS. WINSLOW: Mr. Neal, what are the requirements
8 for your position? How do you get it and are you inspected
9 or in any way followed up by State or Federal people?

10 MR. NEAL: Oh, yes, sure. As far as the Federal
11 are concerned, we'll have been checked from each state where
12 we leave from.

13 MS. WINSLOW: In what way are you checked?

14 MR. NEAL: South Carolina.

15 MS. WINSLOW: No, no. I mean how, in what way
16 do they check up on what you do and your duties? Is there
17 a list of the specific things that you are supposed to do
18 for the workers and do they -- is there some checklist?

19 MR. NEAL: No, there's not no checklist. No,
20 I wouldn't say that. But we do have a form that we fill
21 out, agreement that the people, what they're supposed to
22 be making, and we make those agreements, you know, before
23 we leave the states and we post them on the vehicles. We
24 be driving -- as a matter of fact, they is posted on the
25 vehicles everyday what they is getting, what farmer they

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1 working for, and everything, and payrolls and everything
2 be checked against it.

3 MS. WINSLOW: And how are you paid? Are you paid
4 by --

5 MR. NEAL: I'm paid by the farmer.

6 MS. WINSLOW: The farmer.

7 MR. NEAL: Right.

8 MR. WHITTINGTON: Let me ask you a couple of ques-
9 tions, Mr. Neal. How much does the average -- how do you
10 pay the migrants themselves? How much do they earn?

11 MR. NEAL: Everybody mostly work on piece work.
12 And most everybodys do make minimum wages. I can say that
13 in my crew.

14 MR. WHITTINGTON: If you work on piece work, how
15 much do you pay them for the piece work? For instance,
16 right now you're working in tomatoes.

17 MR. NEAL: Right.

18 MR. WHITTINGTON: How much do you pay the worker
19 himself?

20 MR. NEAL: I pays 40 cents for 5/8 bucket for
21 pcking.

22 MS. EATON: For how much of a bucket?

23 MR. NEAL: Forty cents.

24 MR. WHITTINGTON: Forty cents a bucket. How much
25 does the average migrant work or make a day, can you

1 estimate that?

2 MR. NEAL: The average one in my crew, any day
3 in good picking, they can average a hundred bucks a day.

4 MR. WHITTINGTON: A hundred dollars a day?

5 MR. NEAL: I say a hundred buckets which is
6 forty dollars a day.

7 MR. WHITTINGTON: Oh, buckets.

8 MR. NEAL: Some of them can't average that, but
9 some of them can average the minimum wage.

10 MR. WHITTINGTON: Let's back up just a couple
11 of things to housing. Were do you live in Florida?

12 MR. NEAL: I live in Ft. Pierce.

13 MR. WHITTINGTON: Ft. Pierce.

14 MR. NEAL: Right.

15 MR. WHITTINGTON: How much space do you have in
16 your camp here?

17 MR. NEAL: I don't hae a -- oh, here?

18 MR. WHITTINGTON: Your living quarters, how much
19 space do you have here?

20 MR. NEAL: I have enough space in housing --

21 MR. WHITTINGTON: No, for yourself.

22 MR. NEAL: For myself?

23 MR. WHITTINGTON: Yes.

24 MR. NEAL: I have one room for myself.

25 MR. WHITTINGTON: And you said that in Florida

1 your living conditions are the same as they are here?

2 MR. NEAL: I would say, sure. I mean, as far
3 as work is concerned.

4 MR. WHITTINGTON: No, what I mean, I guess what
5 I'm saying is that you said you had as good a living condi-
6 tions here as you do at home.

7 MR. NEAL: I do.

8 MR. WHITTINGTON: Here you have one room. Do
9 you mean that that one room is as good as --

10 MR. NEAL: That one room is just as good as my
11 whole house in Florida. I have five rooms in my house in
12 Florida and when I work in Florida, I only come from back
13 and forth to work and take a bath and sleep, right? And
14 I've got a place to cook on the camp, I've got a place to
15 lay down and sleep, and it's just convenient for me at the
16 camp it is in my home.

17 MR. WHITTINGTON: How many people live with you
18 in your quarters in the camp?

19 MR. NEAL: I have 42 people.

20 MR. WHITTINGTON: No, how many people live in
21 the room that you have on campsite, just in that one room?

22 MR. NEAL: Oh, 32.

23 MR. WHITTINGTON: No, no. Can't be.

24 MR. NEAL: What you mean, in the room with me?
25 Oh, just me and my wife.

1 MR. WHITTINGTON: Okay.

2 MR. FERRON: Mr. Neal, did I understand you
3 correctly to say that you have been a migrant worker for
4 26 years, is that correct?

5 MR. NEAL: (No audible response)

6 MR. FERRON: Those 26 years, how long have you
7 been a crew leader?

8 MR. NEAL: I've been a crew leader for 26 years.

9 MR. FERRON: For 26 years.

10 MR. NEAL: Yes, sir.

11 MR. FERRON: You started out in this type of work
12 as a crew leader?

13 MR. NEAL: Sure.

14 MR. FERRON: Okay. Are you paid a percentage
15 for the number of workers you bring to the farm?

16 MR. NEAL: No.

17 MR. FERRON: You're not paid any percentage?

18 MR. NEAL: No.

19 MR. FERRON: In other words, if you bring no
20 workers, if you are unsuccessful in bringing workers, it
21 doesn't matter to the farmer you are under contract with?

22 MR. NEAL: That's right. See, I don't get
23 percentage off the workers. The workers get their own
24 money. I work on the basis --

25 MS. EATON: I don't think he understands the

1 question.

2 MR. NEAL: The workers -- if I pay 40 cent, or
3 50 cent, whatever I pay, agreement to pay, whatever the
4 farmer says he's going to pay, all right, the worker gets
5 that. In addition to that, in my trucking and everythings,
6 that's addition of what the labor would get. I don't have
7 anything to do with their pay.

8 MR. FERRON: Do the workers have to pay you for
9 transportation from Florida to Maryland?

10 MR. NEAL: No, sir.

11 MR. FERRON: There's no pay there?

12 MR. NEAL: Not definitely.

13 MR. FERRON: All right, if the workers have no
14 money when they arrive here at the farm or wherever you
15 may take them, how are they able to pay for food? Is there
16 a nut that they have to create where they are in a hole
17 and then pay you or the farmer for any food or clothing
18 or any other expenses if they start out with no money?

19 MR. NEAL: Most of them, you know, I advance some
20 of them money, sure.

21 MR. FERRON: Okay, and what --

22 MR. NEAL: If I advance some of them money, sure,
23 they pays me.

24 MR. FERRON: Okay, at what percentage must they
25 pay you back?

1 MR. NEAL: No percentage.

2 MR. FERRON: No interest?

3 MR. NEAL: No interest whatsoever, no. Never

4 have. Sometime partly don't even get that back.

5 CHAIRPERSON WICKWIRE: Let me ask you another
6 question or two. We've heard reports that on occasion crew
7 chiefs will go maybe to New York or Baltimore, Philadelphia
8 to recruit people and they are not always too careful about
9 who they recruit -- the alcoholics or people that are not
10 alert mentally and the like. Would you ever do that?

11 MR. NEAL: Well, the last past years I haven't
12 recruiting anybody. Most of my people I pick them up in
13 the State of Florida, I bring them up, and mostly I has
14 the same crew every year.

15 CHAIRPERSON WICKWIRE: Every year.

16 MR. NEAL: So I never go nowhere hunting no
17 people to work.

18 CHAIRPERSON WICKWIRE: Do some crew leaders do
19 what I said though?

20 MR. NEAL: I guess they do. I don't have any-
21 thing to do with nobody else, you know.

22 CHAIRPERSON WICKWIRE: Also it's said that on
23 occasion that the workers are plied with tobacco and
24 liquor by crew chiefs, is that -- that they're supplied
25 with it.

1 MR. NEAL: I don't know. I don't handle nothing
2 like that on the camp or nowhere else, you know.

3 MS. WINSLOW: But do you hear or do you agree
4 that this is something which we are hearing that perhaps
5 is carried on?

6 MR. NEAL: I wouldn't say. I wouldn't know.

7 CHAIRPERSON WICKWIRE: I think Mr. Owens has a
8 question.

9 MR. OWENS: Yes. Mr. Neal, just to follow up
10 what you said earlier, you said that on a good day, if I
11 understood you, that the migrants might make as much as
12 \$40. We have information that would cause us to believe
13 that on days when the migrants don't actually work, let's
14 say that it rains, that obviously they are not paid, is
15 that correct?

16 MR. NEAL: Come again?

17 MR. OWENS: If you are hiring migrants to do
18 piece work, if they are picking in the fields, I assume
19 that they do not pick if weather does not permit; on a
20 rainy day, do they pick?

21 MR. NEAL: Oh, yes, they pick if the weather,
22 you know, weather provides when they pick.

23 MR. OWENS: Does there ever come a point in time
24 when they are unable to pick because of the weather?

25 MR. NEAL: Well, if the weather not the occasion

1 to pick, we don't even go out.

2 MR. OWENS: All right. On days when the
3 migrants are not able to pick, who pays for their food?

4 MR. NEAL: They provide for themselves.

5 MR. OWENS: With money that has been advanced
6 by you or money they brought with them?

7 MR. NEAL: Well, most of the people that I bring
8 up, they always have money.

9 MR. OWENS: Let me ask this. You indicated that
10 you certainly do not get a commission from the number of
11 migrants that you bring to the camp.

12 MR. NEAL: I do not.

13 MR. OWENS: How then does the crew leader, your-
14 self, how do you get your money?

15 MR. NEAL: Well, just like I say up on the farm,
16 I have trucks that I haul -- the produce what I gather,
17 I have to haul it, right? Okay, and that's how I get paid.
18 I get paid from the produce that I haul from the people
19 what do picking. That's where my money -- my money comes
20 out the hauling.

21 MS. EATON: Do you get paid also by piece work
22 or by weight?

23 MR. NEAL: It's piece work but there's so much
24 percentage in what piece -- what the workers pay plus the
25 hauling.

1 MR. WHITTINGTON: That's the question we haven't
2 really gotten clear. (Someone else asked you earlier did
3 you get a percentage for the number of workers that you --

4 MR. NEAL: I do not.

5 MR. WHITTINGTON: Do you get a percentage for
6 the amount of work that they perform?

7 MR. NEAL: No, sir.

8 MS. WINSLOW: Then are you paid for the amount
9 that you haul?

10 MR. NEAL: I'm paid for the amount I haul 'cepted
11 from the payroll from the labor -- the payroll from the
12 labor what's supposed to be paid, like the workers. The
13 workers' money don't have anything to do with mine.

14 MR. WHITTINGTON: Do you get anything extra
15 besides just the amount of money that you get for hauling?

16 MR. NEAL: I do not.

17 MR. WHITTINGTON: Nothing. If you didn't have
18 any workers and somebody else had the workers and you
19 hauled, you would get the same amount of money?

20 MR. NEAL: Right.

21 MR. OWENS: Mr. Neal, may I ask one further ques-
22 tion. I'm assuming that you do not, but do you have any
23 information or have you had any experience wherein a crew
24 leader might as a favor to his crew provide either beer
25 or alcohol which they may not be otherwise able to get

1 because of poor transportation, et cetera? Would this in
2 your experience be something that a crew leader might on
3 occasion do?

4 MR. NEAL: See, I can't speak for other people.
5 I mean, what other people do, I ain't got nothing to do
6 with.

7 MR. OWENS: So then it has not been your experi-
8 ence that other people have ever done this?

9 MR. NEAL: Not to my knowing.

10 MR. OWENS: All right.

11 MR. NEAL: Maybe they have, but I mean -- of
12 course, other people's business is their business, right?

13 MR. WHITTINGTON: Do you bring any children with
14 you?

15 MR. NEAL: I have four children in the camp.

16 MR. WHITTINGTON: Only four in your crew?

17 MR. NEAL: Yes, sir.

18 MR. WHITTINGTON: What happens to those children
19 while the adults are working?

20 MR. NEAL: They've got schools for them, they
21 pick up schools on the camp, got buses come and pick them
22 up and bring them back, and they have places for them to
23 go everyday, small kids and the adults. I think they are
24 well taken care of. I don't see how any other place
25 could do it.

1 MS. WINSLOW: Mr. Neal, your period with your
2 people here is about six weeks, is it?

3 MR. NEAL: Six, 'tween six and seven weeks.

4 MS. WINSLOW: Pardon?

5 MR. NEAL: I say six weeks, sure.

6 MS. WINSLOW: About six weeks. Do you then take
7 these same crews or this same crew to other farms during
8 the year?

9 MR. NEAL: Directly.

10 MS. WINSLOW: You move up the coast or to New
11 Jersey, et cetera, et cetera?

12 MR. NEAL: I goes to New York State.

13 MS. WINSLOW: To New York State.

14 MR. NEAL: Yes.

15 MS. WINSLOW: And about what is the period
16 during the year where these crews are working? Fifty-two
17 weeks out of the year or half or about what?

18 MR. NEAL: I don't work -- I wouldn't say I work
19 52 weeks out of the year. I started out in the month of
20 May and I say I work from the 20th of May to the 20th of
21 September. That's not all working weeks. That's the
22 months I be in business, you know, and when I get back home
23 I don't do anything.

24 MS. WINSLOW: And what would you say happens to
25 the other -- to the crews in the off period? Do you have

1 any idea? Do they go and work for other crew chiefs?

2 MR. NEAL: All right, when get to New York State
3 some of them go in the apples, some of them leave and go
4 in other jobs like potatoes and what not, you know. What
5 I have to bring back to Florida, I brings them back. Some-
6 times I bring back 20-25 and the rest, they go to -- well,
7 this been happening for the last 10 or 12 years of my
8 crews. Most of the crew what go up with me, they work for
9 me until they get up to New York State 'til the apples
10 start, and then they go -- when I get through, they go to
11 apples, some are working in factories, and what sort,
12 potatoes and what not, and all them that don't want to
13 go, I bring them back to Florida.

14 MS. EATON: Mr. Neal, would you say -- how would
15 you compare the educational facilities of the State of
16 Maryland with other states? I mean, the educational
17 program that is devised for these children. Do they do the
18 same in other states when they go like say to New York or
19 whatever?

20 MR. NEAL: For the kids concerned?

21 MS. EATON: Yes, for the kids.

22 MR. NEAL: Not State of Maryland, not like the
23 State of Maryland, no.

24 MS. EATON: So you think we are in pretty good
25 shape?

1 MR. NEAL: I know it is. It's 100 percent, I
2 can say that.

3 MS. EATON: Okay, I'm glad to hear that. Now,
4 these children, is it compulsory that they go to school
5 or some of them will -- if the parents insist that they
6 work along with --

7 MR. NEAL: No, no --

8 MS. EATON: It's compulsory?

9 MR. NEAL: -- when school term starts, they have
10 to go to school.

11 MS. EATON: Okay. Who enforces that? You do
12 or from federal or state or local, or is it up to you or
13 do you have somebody that comes --

14 MR. NEAL: Well, it's not really up to me because
15 I've been in business long enough to know that I'm not sup-
16 posed to have school kids in the field during school time.
17 And so I know they have to go to school and they be in
18 school.

19 MS. EATON: But does somebody check to see if
20 they all go to school?

21 MR. NEAL: Oh, yes, sure.

22 MS. EATON: Who does that checking?

23 MR. NEAL: That's the Federal.

24 MS. EATON: The Federal?

25 MR. NEAL: Sure.

1 MS. EATON: Okay.

2 MR. WHITTINGTON: I want to make sure you under-
3 stand her question.

4 MR. NEAL: I understand what she means.

5 MR. WHITTINGTON: Yes, but you gave an answer
6 that's not quite right. She is asking you do the school
7 officials require the students to come to school. Your
8 answer was yes and it's not quite right. I understand
9 what you are saying is that you keep your children out of
10 the fields because you know it is against the Department
11 of Labor's laws and you don't want the children in the
12 field.

13 MR. NEAL: Right.

14 MR. WHITTINGTON: But no one would make those
15 children go to school if they didn't want to go. They
16 could stay home in the camp, that's what she's trying to
17 find out. Nobody makes them go unless it is their mother
18 or father or the crew leader says "it's good for you to
19 go to school rather than being around in the fields." And
20 they can't go in the field, we understand that. That was
21 the answer you were giving her, but I want to make sure
22 that it is clear that the school officials don't go around
23 saying "you have to go to school," is that true or not?

24 MR. NEAL: Yes, they does, too. Oh, yes, the
25 school officials, they comes around.

1 MR. WHITTINGTON: I know they come around, but
2 what do they say?

3 MR. NEAL: They check to make sure if they in
4 school or not.

5 MR. WHITTINGTON: Okay.

6 MR. NEAL: If they not in school, they come to
7 see where they are.

8 MR. WHITTINGTON: Okay, but that's different.

9 MR. NEAL: Okay.

10 MR. WHITTINGTON: Let me identify myself, Mr.
11 Neal. I live in Marion, I worked in Westover, and I was
12 in charge of the school program from 1965 until last summer
13 or this summer, and I am very familiar with you and have
14 talked with you and you don't remember me.

15 MR. NEAL: Oh, yes, I remember.

16 MR. WHITTINGTON: Okay.

17 MR. NEAL: I remember.

18 CHAIRPERSON WICKWIRE: I think there is another
19 question here from Gail.

20 MS. WINSLOW: I did want to know about what is
21 the work week, is it a seven-day work week during the
22 period where they work? And approximately how many hours
23 a day do they try to get in?

24 MR. NEAL: Well, on piece work you wouldn't say
25 how many hours you might get. In other words, you might

1 go out and work three hours, you might go out and work
2 eight hours. If it's by the hour, well, it's different,
3 you know. And you say seven days a week, you don't know
4 whether you're going to work seven days or not. You
5 might work tomorrow and the next day you don't work. But
6 it's not guaranteed to nobody that it's everyday work.
7 Really, you can't guarantee nobody everyday work. It's
8 impossible where I can see because if it rains, for
9 Christ's sake, you can't, you just can't, isn't that right?

10 But anyway, we have -- when we have work to do,
11 we have, you know, I'd say five days, we have five days
12 a week work, we'll work five days. If we have six days
13 a week to work, we'll work six days. The week where we
14 have seven days a week work, we'll work seven days.

15 CHAIRPERSON WICKWIRE: Mr. Neal, do people,
16 migrant workers, ever end up indebted to you or not making
17 the --

18 MR. NEAL: I wouldn't say no.

19 CHAIRPERSON WICKWIRE: What do you mean?

20 MR. NEAL: Why sure.

21 CHAIRPERSON WICKWIRE: They do?

22 MR. NEAL: Why sure. I don't think a contractor
23 nowhere would say that they wouldn't. I would say just
24 a loss or something like that, you know.

25 CHAIRPERSON WICKWIRE: I see. Could you identify

1 anymore what the loss might be? You mean that there'd
2 be too many rainy days that you had to feed them or what?

3 MR. NEAL: Well, you know, like somebody come
4 up and want to borrow some money and then if they don't
5 make it, they walk off. Ain't nothing you can do about
6 it. It's what I call just a loss, you know.

7 CHAIRPERSON WICKWIRE: One other thing. Can you
8 think of any improvements that ought to be made in
9 Westover Camp? Is there anything or is it really very
10 ideal? Anything that you think might be done to improve
11 it?

12 MR. NEAL: Where it is better, I don't see. I
13 don't see anything that should be, although I know the
14 camps say they're going to improve some of the buildings
15 for next year.

16 CHAIRPERSON WICKWIRE: Right.

17 MR. NEAL: But this year I think they did a
18 great deal improving the buildings. I think they did a
19 wonderful thing myself. I was grateful for it myself.

20 CHAIRPERSON WICKWIRE: Mr. Owens has a question,
21 I think. Mr. Owens.

22 MR. OWENS: Thank you. Mr. Neal, I hope you
23 don't think we are wearing you out.

24 MR. NEAL: That's okay.

25 MR. OWENS: We are very much interested in what

1 you as a crew leader have to say. I would just like to
2 go back just a moment. You mentioned earlier that when
3 you recruit the migrant in Florida that there is an agree-
4 ment that you fill out with the migrant, and I wonder if
5 you might explain to this committee in some detail some
6 of the things that are included in that agreement.

7 MR. NEAL: Okay. Before I leave the State of
8 Florida, I go to the Employment Office and they inform me
9 what I is going to pay, what my living conditions. These
10 have to be directed before I even get a license out of the
11 State of Florida. If this don't be directed before
12 Tallahassee, then I don't even get a license. I got the
13 permit, the places where they ae going to live at, what
14 the living condition, what the fee might be for housing,
15 for staying or something like that, and their transporta-
16 tion, and what I'm going to pay before I leave. That have
17 to be stated before I leave.

18 MS. EATON: That's the state law.

19 MR. NEAL: That's right.

20 MR. FERRON: Is that a contract only with the state,
21 or do you also enter into a contract with the workers you
22 bring?

23 MR. NEAL: It's not a contract with the state.
24 It's a contract with the federal.

25 MR. FERRON: Do you have any written contract

1 that the workers you bring up enter into with you before
2 they come up?

3 MR. NEAL: Not a written contract to each person.
4 I just issue a form out to each person what their living
5 conditions is, where they're going to live at, and what
6 they expect to pay, anything they have to pay for a little
7 pea or something like that, and where I'm going, what I'm
8 going to pay for working, hourly wages, minimum wage and
9 everything. It's no charge for going up the road or some-
10 thing like that.

11 MR. FERRON: So Mr. Neal, do you have available
12 for this committee a copy of that form that you make avail-
13 able to the workers?

14 MR. NEAL: Yes, sure, but I don't have it with
15 me.

16 MR. FERRON: Okay, and secondly, may the workers
17 leave your crew any time they want to?

18 MR. NEAL: Sure, definitely.

19 MR. FERRON: Okay, with no penalty?

20 MR. NEAL: No, definitely, sure.

21 MS. EATON: Mr. Neal, do you have to pay the
22 State of Florida or the State of Maryland anything when
23 you get your license or whatever? Or do the workers have
24 to pay to you and then you have to pay the State? Is
25 there any fee involved?

- 1 MR. NEAL: No.
- 2 MS. EATON: Not at all? In either state?
- 3 MR. NEAL: Not --
- 4 MS. EATON: Are some states more flexible in
5 their laws in getting the license than others?
- 6 MR. NEAL: In New York State, I do.
- 7 MS. EATON: In New York State, you do.
- 8 MR. NEAL: New York State requires for \$5 fee.
- 9 MS. EATON: But not Maryland or Florida?
- 10 MR. NEAL: No.
- 11 MS. EATON: Okay.
- 12 MR. NEAL: But Florida, it's a \$25 fee in Florida.
- 13 MS. EATON: Per worker or --
- 14 MR. NEAL: Oh, no, for me.
- 15 MS. EATON: For you.
- 16 MR. NEAL: Right.
- 17 MS. EATON: I just asked you. Why did you say
18 there was no fee.
- 19 MR. NEAL: I thought you meant for workers.
- 20 MS. EATON: I mean, you have to pay \$25 to get
21 the license.
- 22 MR. NEAL: Oh sure, definitely.
- 23 CHAIRPERSON WICKWIRE: Mr. Neal, can you suffer
24 with us for a little longer?
- 25 MR. NEAL: Sure.

1 CHAIRPERSON WICKWIRE: All right, I think that
2 we have probably almost exhausted you, but there are two
3 or three more questions, if you are willing. Mr. Owens,
4 you have one?

5 MR. OWENS: Yes, this will be my final question.
6 You have indicated that you would not say that migrants
7 don't end up indebted to you at the end of the season, is
8 that right?

9 MR. NEAL: Well, most of them doesn't, no.

10 MR. OWENS: Okay, here's my question. If they
11 in fact -- if a situation comes about where a migrant owes
12 money to you at the end of the season, do you, during the
13 course of that season, attempt to recover from that
14 migrant all that is owed to you before the season ends?

15 MR. NEAL: No.

16 MR. OWENS: You do not?

17 MR. NEAL: I do not, no. If he got the money
18 to pay it to me, it's all right. If he ain't got it, I
19 can't get it.

20 MR. OWENS: So you simply suffer the loss.

21 MR. NEAL: Sure.

22 MS. EATON: I would love to work for you.

23 MR. NEAL: I wish I had the money I had put out
24 for years back.

25 MR. WHITTINGTON: Let me tag on to his question.

1 If they don't pay you back, do you bring them back the
2 next year?

3 MR. NEAL: I bring them back if they want to
4 come.

5 MR. WHITTINGTON: Let me ask you another ques-
6 tion because you said that the average person could make
7 about \$40 a day if you worked five days a week --

8 MS. EATON: Some days.

9 MR. NEAL: I said if --

10 MR. WHITTINGTON: Okay, some.

11 MR. NEAL: Okay, sure. If it's good working
12 conditions, they can average \$40 a day.

13 MR. WHITTINGTON: So if the average person makes
14 \$40 a day and work five days, he has \$200; if he works
15 seven, he has almost \$300. And you go to work what time
16 in the morning? It varies, okay.

17 MR. NEAL: Really, we don't have no certain
18 time to go to work.

19 MR. WHITTINGTON: Right, I understand. I guess
20 what I am really trying to say is what can they -- where
21 can they and what can they do with the money that they
22 get in between working hours?

23 MR. NEAL: What can they do with it?

24 MR. WHITTINGTON: Yeah.

25 MR. NEAL: Oh boy! They can come to Salisbury

1 and spend it.

2 MR. WHITTINGTON: How do they get to Salisbury?

3 MR. NEAL: Well, I bring them to town. They
4 catch rides.

5 MR. WHITTINGTON: Is that a normal thing that
6 you take your workers to Salisbury periodically or every
7 other day or when you're just not working or what?

8 MR. NEAL: Usually on weekends, you know, like
9 most of the workers want to go to wash house or something
10 like that, some like to go to the stores or something.

11 MR. WHITTINGTON: Is that a part of your service
12 to them or do you --

13 MR. NEAL: It's my service myself.

14 MR. WHITTINGTON: They don't have to pay you for
15 that?

16 MR. NEAL: No, no.

17 MR. WHITTINGTON: How much do they have to pay
18 for living on camp? I don't know that. I've read it once,
19 see if that's the same thing.

20 MR. NEAL: We has a minimum that we don't even
21 call rent, it's just a service of \$5 per person.

22 MR. WHITTINGTON: And who is that paid to, the
23 crew leader or to --

24 MR. NEAL: It's paid to the camp.

25 MS. EATON: Five dollars for the whole 21 --

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MR. NEAL: It's \$5 per person -- \$5 per working person.

CHAIRPERSON WICKWIRE: That's for a week?

MR. NEAL: For one week.

MR. WHITTINGTON: And that's the minimum, you said.

MR. NEAL: That's the total.

MR. WHITTINGTON: That's the whole?

MR. NEAL: That's the total.

CHAIRPERSON WICKWIRE: Just one quick last thing. Who decides the length of the work day or the work week? Is it determined by the weather or just general conditions, the conditions of the crop and so on?

MR. NEAL: I don't quite get you.

CHAIRPERSON WICKWIRE: Well, who determines the length of the work day or of the work week, is it the condition of the crop and the weather and so on or what?

MR. NEAL: That's agreement between the crew leader and the farmer.

CHAIRPERSON WICKWIRE: The crew leader and the farmer.

MR. NEAL: Sure.

CHAIRPERSON WICKWIRE: I see.

MR. WHITTINGTON: Let me make sure you're answering his question right. I'm not sure you are.

1 just trying to make it clear. Who decides what time you
2 go to work in the morning and how long you work?

3 MR. NEAL: Oh, that's not agreement with the
4 farmer. That's agreement with me.

5 MR. WHITTINGTON: With you. Okay, that's the
6 other thing. Does the weather have anything to do with
7 whether or not you work?

8 MR. NEAL: Why sure, definitely.

9 CHAIRPERSON WICKWIRE: At the end of the season,
10 does each worker go away with a record of his pay, of his
11 hours, of his deductions, and so on? Does he have that?
12 Do you give him a copy of that?

13 MR. NEAL: Definitely.

14 CHAIRPERSON WICKWIRE: So ever worker --

15 MR. NEAL: As a matter of fact, he get a copy
16 every week.

17 CHAIRPERSON WICKWIRE: Every week from you that
18 you make it out.

19 MR. NEAL: What he makes.

20 CHAIRPERSON WICKWIRE: I don't know if there are
21 other questions. You have been very patient and we appre-
22 ciate your presence and response, Mr. Neal. Thank you.

23 MR. NEAL: Okay, thank you.

24 CHAIRPERSON WICKWIRE: All right, now we want
25 to get the grower's and camp owner's view of the camps

1 and ask Mr. Edwin Long, Jr., who is President of Somerset
2 Growers Association, to come up.

3 MR. LONG: I have a prepared statement and I was
4 told there were just five on the committee, so there are
5 five copies.

6 CHAIRPERSON WICKWIRE: As you sit down, would
7 you please state your name and position for our record.
8 We know who you are, but this is the formality that we --

9 MR. LONG: My name is Edwin D. Long, Jr. I am
10 a stockholder in Westover Labor Camp. I am also a tomato
11 grower and a tomato packer.

12 CHAIRPERSON WICKWIRE: Thank you.

13 MR. LONG: If you would like to follow me in my
14 prepared statement, why we will proceed. Mr. Chairperson,
15 members of the Committee, my name, I will repeat, my name
16 is Edwin D. Long, Jr., I am a vegetable grower and packer,
17 and a stockholder in a migrant camp in Maryland. I am also
18 a member of the Governor's Commission on Migratory Labor
19 by appointment of Governor Hughes. I would like to thank
20 you for the opportunity to speak to you this evening.

21 I hope to present accurate information on living
22 conditions of migrant workers, the standards that have been
23 established with respect to safety and health and the
24 enforcement of these standards by Federal, State and local
25 agencies.

1 As a grower, I am concerned about good work
2 performance of migrants. Safety and good health condi-
3 tions are a contributor to good production. At this camp,
4 efforts since 1977 have been made to improve conditions.
5 Negative reports have presented a poor image to the public.
6 Improvements in housing were made through 1981, with addi-
7 tional new housing being built.

8 I will go in detail later in my presentation of
9 what has been done to update this camp prior to opening
10 in June of 1982.

11 Permits are issued to operate the camp by the
12 State Department of Health. Remember, there is only one
13 State Department of Health and one set of regulations.
14 The camps are jointly inspected by Health Department
15 personnel, both State and local. Before the permit is
16 issued, housing, sanitation, and safety inspections must
17 meet all conditions as set forth by the State Department
18 of Health and mental hygiene.

19 After the permits are issued, a copy is sent by
20 the grower to the Rural Manpower Division at the Depart-
21 ment of Labor in Tallahassee Florida, or to the crew
22 leader. Upon receipt of these permits, a crew leader
23 is issued a card stating that housing is authorized. This
24 is just one of the four cards a crew leader is required
25 to have to transport and employ workers.

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1 The crew leader had been given a bad name some-
2 time in the past, but in recent years the crew leader
3 picture has improved tremendously. He has a large invest-
4 ment in insurance and equipment to transport the workers
5 and to haul the crops to packing houses to the canneries.
6 His pay records must be acceptable to the U.S. Department
7 of Labor, Wage and Hour Division. As an example, we have
8 some of the same crew leaders returning to us for over 15
9 years. This must prove something.

10 As stated earlier, housing conditions have
11 improved greatly in the past two years. In the fall of
12 1980, our small company planned a new unit of considerable
13 size for the crop year of 1981 and updated some of the
14 remaining housing. Some of the other growers updated
15 theirs also. Again, much negative news was presented
16 through the papers of camp conditions.

17 During the winter of 1981-1982, a 5-year plan
18 was drawn and agreed upon by the camp owners and the State
19 Department of Health. The agreement set up priorities as
20 follows: new sanitary facilities, new water supply, and
21 new waste disposal system must be completed before the
22 1982 harvest season.

23 In addition, certain building units were marked
24 to be destroyed and certain housing units to be rehabili-
25 tated to meet Health Department regulations. We are ahead

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1 of schedule in this five year program. To go in detail
 2 the following work was completed: four four-inch deep
 3 wells were driven at a depth of 238 feet each, producing
 4 a minimum of 13,500 gallons of water per hour under a
 5 maximum pressure of 60 pounds and a minimum pressure of
 6 40. New 3 and 5 horsepower submersible pumps were installed
 7 also. Three new pit type latrines with showers and laundry
 8 facilities were installed in excess of housing population.
 9 New waste disposal system installed. All construction was
 10 approved by the State Department of Health. The electrical
 11 system, at the cost of \$12,800, updated to meet the demand
 12 for electricity, and eight of the housing units rehabili-
 13 tated to meet safety and health requirements, two in
 14 excess of requirements for 1982. The total cost of up-
 15 grading the camp is \$250,000. These monies are all funded
 16 by the growers or stockholders of this camp. There is no
 17 Federal or State monies in this program. We intend to meet
 18 our agreement.

19 The migrant is furnished with a two-burner gas
 20 stove, or in case of central cooking, standards are met
 21 as same as commercial restaurants. In addition, the
 22 grower furnishes to the migrant a refrigerator, beds or
 23 cots, tables, chairs, sanitized mattresses, mattress covers
 24 and smoke detectors. All electrical wiring is approved
 25 by electrical inspectors and fire extinguishers and first

1 aid kits are placed in required places and numbers. A
2 reasonable utility fee is charged for water and electricity.
3 Gas for cooking is supplied free to the migrants in most
4 instances. Commercial garbage disposals are provided for
5 the entire season.

6 As a grower and a camp operator, I clearly want
7 the truth presented. Negative news reports have presented
8 a distorted picture. But, in spite of the news, some
9 humor always presents itself. In one newspaper recently
10 I was pictured as a retired infantry colonel and was now
11 a gray haired and sun-wrinkled farmer -- and that's the
12 truth!

13 Much publicity has been given to the denial of
14 access of certain outreach agencies and service groups.
15 I will take these instances in sequence.

16 Prior to the opening of the camp in June of 1982,
17 the corporation was forced to take a stand as to what
18 agency would have full access to the housing area of the
19 camp. Activities in the past of certain outreach and
20 advocacy groups forced this position upon us.

21 First, we will take the request of DEM, Delmarva
22 Rural Ministries, on health care to establish a health
23 clinic on the camp premises. The establishment of the
24 health clinic was denied and through negotiations a nurses
25 night once a week was agreed upon. Posters and signs were

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1 placed throughout the camp for information to the occupants.

2 At that time, there were 39 occupants in the camp. This
3 arrangement was not satisfactory to the nurse coordinator.

4 At her request, the corporation granted the access of
5 two nurses and interpreters from 5:00 p.m. to 10:00 p.m.
6 every night of the week. This date was July 13th as
7 recorded in the minutes of the corporation. On July 19th
8 permission was granted Delmarva Rural Ministries by phone
9 for five nurses. Our management personnel at the camp,
10 of which we have two gentlemen, one a school teacher --
11 in fact, they are both school teachers --at the camp,
12 even distributed appointment cards for them and called the
13 DRM clinic upon request of any camp occupant.

14 Prior to this, I met with the crew leaders,
15 explaining to them that there were health services avail-
16 able to them at the County Health Clinic one and a half
17 miles from the camp. Also, three unrestricted pay tele-
18 phones were made available 24 hours a day for emergency
19 calls for ambulance and hospitals or for personal calls.

20 The local health department advised me that
21 health and clinical services were available to all migrants
22 and this information was passed on to the crew leaders.

23 It has been classified that the camp is isolated
24 with no transportation. A survey was made for other
25 reasons and resulted in 231 vehicles such as autos, vans,

1 and pickups found on the camp, a ratio of about one vehicle
2 for every three persons.

3 The clergy was never denied access to the camp.
4 A building was provided with free electricity for
5 religious services to all faiths. I personally attended
6 an evening church service for the Haitians. I could not
7 understand the language but I enjoyed the hymn singing very
8 much.

9 Other outreach agencies requested access and the
10 camp management was advised to give full information on
11 any complaints or needs that might arise. And I believe
12 this has worked very satisfactorily. Entrance was not
13 denied if a good reason was given to the camp manager to
14 gain access to the housing area or to contact any indivi-
15 dual. Free access has been open to fruit, vegetable and
16 seafood hucksters as well as all local visitors and
17 friends.

18 The local television stations have been invited
19 in to present the proper image of the camp. The Governor's
20 Commission was given a tour of the camp also.

21 In one instance, the news media was denied
22 entrance to the camp because the family they wished to
23 contact had requested that camp management do not let
24 news people talk with them. At the same time, the
25 family requested legal advice and I personally called

1 the local Legal Aid Bureau and asked them to send someone.

2 As to education, especially for the children and
3 the Haitians, buses pick up the children at 7:00 a.m. for
4 day at school, and I will make a correction in this at the
5 end. The night school for Haitians is served by two
6 school buses, and I have been informed there were 42
7 attending classes.

8 Provided at the camp is a store selling food and
9 drinks, and that's soft drinks, and a recreation room with
10 pool tables and video games. The camp office is open
11 Monday through Friday from 7:00 a.m. to 5:00 p.m. or
12 later if the necessity requires it. Mail is delivered
13 from the office and information distributed to the migrants
14 on appointments to the Delmarva Rural Ministries Health
15 Clinic. Emergency medical calls are handled from the
16 office during these hours. And I know that full coopera-
17 tion has been given to outreach groups upon request by the
18 camp manager and his assistant.

19 In conclusion, I am proud to be a member and a
20 stockholder of the corporation operating the camp. Instead
21 of being a source of negative publicity for Maryland, we
22 have the opportunity to create a model camp. There is one
23 thing we must remember -- there are two sides to the coin.
24 Let's get down to business and keep our migrants from
25 being forced to live in the woods, fields, the river banks,

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1 and unlicensed housing.

2 I want to thank you.

3 Now, there is one correction as to education.

4 I called the school at Marion today and find that there
5 are 318 children enrolled in the school at Marion and they
6 are having an average attendance of 251. Is that correct,
7 Dr. Whittington?

8 MR. WHITTINGTON: Close enough.

9 MR. LONG: Okay, fine, I thank you.

10 CHAIRPERSON WICKWIRE: Thank you, Mr. Long.

11 Are you willing to answer some questions?

12 MR. LONG: Yes, sir.

13 MR. WHITTINGTON: There are 80 Haitians enrolled
14 in it though.

15 MR. LONG: Well, there were 42 at the last
16 information that I had.

17 MR. WHITTINGTON: I just wanted to give you some
18 more ammunition.

19 MR. LONG: Okay.

20 CHAIRPERSON WICKWIRE: Mr. Long, let me ask you
21 a couple of questions about the situation at the camp now.

22 Are we near the end of the season now pretty much?

23 MR. LONG: We're nearing the end of the season,
24 yes, sir.

25 CHAIRPERSON WICKWIRE: How many would be in the

1 camp at the moment?

2 MR. LONG: Well, the actual population, I would
3 say, was somewhere in the vicinity of 600, but this could
4 be plus 20 or less 20.

5 CHAIRPERSON WICKWIRE: Are there some things
6 that you ideally, if you had more money and the like,
7 would like to see yet to be done in the camp to make it
8 still better?

9 MR. LONG: Sir, we plan to follow our 5-year
10 program, which was agreed by each stockholder with the
11 State Department of Health. And this we -- unless
12 Reagonomics fail, we'll meet the obligation.

13 CHAIRPERSON WICKWIRE: Could you see more in the
14 area of recreation for your people? I know you've
15 indicated -- .

16 MR. LONG: We do have a recreation area there
17 and in the evenings there's no planned program. These
18 people get together. They have soccer games, and I can
19 say at times there are 200 people just observing a soccer
20 game. There are no recreation facilities for the small
21 children, no, because we do not have the money and we do
22 not have the space from a safety factor to establish
23 those.

24 CHAIRPERSON WICKWIRE: Do you think generally
25 that the relationships you have with agencies that are

1 trying to serve, let's say, other than governmental and
2 the like are good or which could maybe improve, do you think
3 that these are improving generally -- relationships and
4 communication with groups that are trying to serve in some
5 way?

6 MR. LONG: We have tried to cooperate fully, sir,
7 and we felt that having worked with migrants for many years
8 and employed them up to 200 that if there were serious needs,
9 the migrants would go to the crew leader or he would come
10 to the person who hired him. I think this, that really
11 there are too many agencies trying to outdo each other.
12 The migrant would like to be left alone.

13 He knows a lot more than people think he knows.
14 He's a pretty sharp boy. We do have some communication
15 problems with the Haitians, but yet you can always find one
16 in the group which will translate for you. They are great
17 domino players; they are happy people. You can go around
18 the camp area and find these people under a tree, domino
19 game, they're great domino players. Of course, you always
20 have a few gamblers, too, and, believe it or not, the poor
21 migrant, it is nothing to go -- I witnessed this a week
22 ago, nine 100 dollar bills laying on the ground in a little
23 dice game. I can't afford that myself.

24 CHAIRPERSON WICKWIRE: In terms of relationships
25 with the crew leaders, do you feel in any sense that you

1 leave too much responsibility to them and don't take
2 enough yourself? I know you have a great deal of responsi-
3 bility heading up the camp, but do you see in some measure
4 that maybe too much responsibility is left to crew leaders
5 that might be unscrupulous and take advantage of the people?

6 MR. LONG: Sir, the only question I can answer
7 that is the crew leaders that we work with and we work with
8 five, and they have been coming to us for at least 15 years.
9 I can say this, I mentioned one of the four cards that they
10 are required to have -- first they have to be a registered
11 crew leader with Federal, the Wage and Hour Division; they
12 have to have authorized transportation; they have to have
13 authorized housing. Before we even hire them, all this
14 equipment -- so they are pretty capable businessmen really,
15 they really are. They have all this equipment.

16 CHAIRPERSON WICKWIRE: Were you quite disturbed
17 by the death of the child the other day?

18 MR. LONG: Yes, sir, and I'll tell you what I
19 personally did. I mean, I have a business to try to run,
20 but I took time from that business and went to the quarters
21 of that family and I went in with a priest, a Catholic
22 priest from Pokomoke. He could not speak Spanish, neither
23 could I, but we found a lady next door who could. I
24 expressed my sympathies and I asked, I said, "In any way
25 do you think the camp has been negligent?" She says, "No,

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1 sir, I have other feelings. I will not name those now."
2 A few minutes later I was approached by the press. I
3 denied them the opportunity because the camp manager
4 went to this lady and said, "Do you want to speak to the
5 press?" She says, "I do not want to speak to the news
6 media because it will not bring my baby back." And so I
7 felt my responsibility to deny the press the right to go
8 in and see that lady, and after the camp closed at night
9 they did sneak in. I can't control that.

10 CHAIRPERSON WICKWIRE: Thank you. I am sure
11 there are other questions of you.

12 MR. LONG: Yes, ma'am?

13 MS. WINSLOW: I wonder why did you deny the
14 establishment of the health clinic?

15 MR. LONG: Why did I? You mean why did the
16 corporation?

17 MS. WINSLOW: Yeah, why the corporation decided
18 it did not need it.

19 MR. LONG: Ma'am, I have -- well, not of last
20 year but of previous years, there were things that happened
21 on the camp and statements made before a congressional
22 committee by the agency that handles the clinic, and I have
23 with me a copy of a letter stating, asking permission this
24 year and they admitted that they knew the mistakes of their
25 staff last year and they knew the situation, that's why

1 they were denied, because so many untrue things were said
2 about conditions in the camp.

3 MS. WINSLOW: But do you feel that it would be
4 helpful to the migrants if there was a health clinic?

5 MR. LONG: No, ma'am, I personally do not. I
6 think they have five nurses in the camp. They say they
7 are covering 100 occupants a night. There's only 600
8 people in the camp, so it only takes six nights to do this.
9 They have the county health clinic which gives them the
10 same as any resident of Somerset County. They have trans-
11 portation. The camp management is there if they need
12 emergency ambulance service if they don't want to use the
13 public telephone. They have all the services. And really,
14 I don't think a clinic is necessary. In fact, I know it
15 is the largest camp on the East Coast, but, you know, you
16 can give too much and I don't deny anyone health privi-
17 leges, but I think that there are health privileges that
18 are handed out that are not needed. Okay?

19 CHAIRPERSON WICKWIRE: John?

20 MR. FERRON: Would you elaborate on the nature
21 of the health privileges you feel are handed out that are
22 not needed? Would you elaborate on that? Explain it.

23 MR. LONG: I mean, I think this, that a migrant,
24 if he is sick, he'll ask for help. He don't have to be
25 say, "are you sick?" I am passing on secondhand

1 information here. Many of the migrants say to me, "Why
2 do we have to be bothered? If we're sick, we know where
3 to go." Okay?

4 CHAIRPERSON WICKWIRE: Dr. whittington?

5 DR. WHITTINGTON: Suppose a person got sick
6 after the visiting hours of the nurse, what would happen
7 to that person?

8 MR. LONG: They have a telephone right there to
9 call and they have posted through the camp the emergency
10 numbers. They know there are three pay telephones.

11 DR. WHITTINGTON: The emergency numbers to what?

12 MR. LONG: To any health service, Salisbury
13 Hospital, ambulance service, the health clinic in Princess
14 Anne, they are all posted, and they are posted throughout
15 the camp.

16 MS. EATON: In Spanish?

17 MR. LONG: In all three languages, yes, ma'am.
18 Spanish, Creole and English.

19 DR. WHITTINGTON: I guess what I am saying is
20 suppose that the migrant got sick and I don't know what
21 time the nurses --

22 MR. LONG: He'd probably call the police. The
23 health clinicians do not operate 24 hours on the camp.

24 DR. WHITTINGTON: I know they don't. That's the
25 point that I am trying to get at is if the health clinic

1 is not open, people really don't know when they are going
2 to get sick.

3 MR. LONG: Nobody does.

4 DR. WHITTINGTON: That's the point. And if the
5 health service had been denied them, I wonder how would
6 they get to the hospital or, if you say ambulance, who would
7 pay for for that ambulance service?

8 MR. LONG: I think the County Commissioner of
9 Somerset County, I see something in their budget every
10 year for ambulance fees to migrant camps.

11 DR. WHITTINGTON: It is?

12 MR. LONG: I think so. I could be incorrect
13 on that, I won't take an oath to that.

14 DR. WHITTINGTON: No, I just asked because
15 local people have problems with the ambulance even
16 responding to their calls.

17 MR. LONG: Remember, I said the ratio of one to
18 three persons. Now, the Spanish people are very close.
19 They're riding in \$10,000-\$12,000 vans, \$10,000 pickups,
20 Lincoln Continentals. They have friends. If they need
21 them, they'll say, "Will you take me to the hospital?"
22 And they would, I know they would. Wouldn't you? Wouldn't
23 you, Dr. Whittington, if you had a friend?

24 DR. WHITTINGTON: But they are not like me,
25 they are not in a position to --

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1 MR. LONG: Oh, yes, they are.

2 DR. WHITTINGTON: No, no.

3 MR. LONG: They're smarter than you think.

4 They're smarter than you think.

5 DR. WHITTINGTON: Let me get back to something
6 else that you said, Mr. Long, because I've read a lot of
7 this stuff in the newspapers and I want to know something.
8 You mentioned in your testimony here about store.

9 MR. LONG: About what?

10 DR. WHITTINGTON: Store, store.

11 MR. LONG: Yes.

12 DR. WHITTINGTON: Do the crew leaders operate
13 the store?

14 MR. LONG: There's an individual that operates
15 the store. He has no relation to the camp whatsoever.

16 DR. WHITTINGTON: It's not operated by --

17 MR. LONG: No, he's not a crew leader or anything
18 else, he's an individual that had it. Any fee for the
19 electricity or anything else in there and the equipment
20 he goes into his own pay. He doesn't pay the camp, but
21 he does supply a need to the migrant in the way of small
22 food items, bread, milk, soft drinks, pool tables, video
23 games.

24 DR. WHITTINGTON: Is he a local person?

25 MR. LONG: No, he's not a local person, no.

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1 But the same one has been coming for several years, I don't
2 know how many, the same individual.

3 DR. WHITTINGTON: Then Permanent Name (phonetic)
4 does not operate the store?

5 MR. LONG: No, Permanent does not operate the
6 store.

7 DR. WHITTINGTON: You don't know how long it has
8 been since Perm has stopped operating the store?

9 MR. LONG: I would not like to say, no.

10 MS. WINSLOW: Could you tell me how the prices
11 of the items in the store compare to the prices of similar
12 items say in Salisbury?

13 MR. LONG: No, I could not answer that question.

14 MS. WINSLOW: How about are there any profits
15 made at the store, do you know?

16 MR. LONG: I suppose that fellow makes a profit,
17 he wouldn't come back every year.

18 MS. WINSLOW: He individually makes a profit?

19 MR. LONG: Yes, I'm sure he does. What his
20 profit picture is I do not know, but I would say that any-
21 one would continue to come back would make a profit.

22 MS. WINSLOW: Do you if he forwards money to some
23 of the workers along the lines the way the crew leaders
24 do?

25 MR. LONG: No.

1 MS. WINSLOW: You don't know or they don't do
2 it?

3 MR. LONG: I don't know. In other words, we feel
4 it's a service to the individuals in the camp to have a
5 store there and they can walk back and forth. That's why
6 it's there.

7 CHAIRPERSON WICKWIRE: How does this person get
8 permission to operate a store, because the same person has
9 been operating it for years?

10 MR. LONG: Through the Association.

11 CHAIRPERSON WICKWIRE: Could anybody apply to
12 operate a store?

13 MR. LONG: Could anybody apply? I don't see why
14 not. You might not be denied, might not be given -- you
15 might be denied. In other words, we're going to give
16 preference to the person who has been there before, give
17 him the opportunity first because you haven't heard any-
18 thing -- I personally haven't heard anything about his
19 exorbitant prices. Most of the stuff he sells are items
20 that are already prepriced. I go in there myself. I go
21 to the camp twice a day, in the morning and in the evening,
22 sometimes I'm there at night, just for curiosity. I go
23 to the store, I buy a soda pop, a cake. I pay the prices
24 I pay anywhere else, because I used to run a store at one
25 time and I know you've got to run them for profit, that's

1 why I quit.

2 DR. WHITTINGTON: The Pedolas (phonetic), how
3 long have they been coming here, do you know that, Mr.
4 Long?

5 MR. LONG: No, I do not. I have no knowledge.

6 DR. WHITTINGTON: I mean, have they been here
7 two or three years or longer than that because I don't --

8 MR. LONG: I can't answer that question, Dr.
9 Whittington.

10 MS. EATON: I have a couple of questions.

11 MR. LONG: Yes, ma'am?

12 MS. EATON: Mr. Long, you say that unfortunately
13 there have been negative pictures --

14 MR. LONG: No, I didn't say pictures.

15 MS. EATON: -- I mean that have been portrayed
16 by the media. Are you referring to the media in this area
17 or what area, nationally, locally, what?

18 MR. LONG: Well, I will not designate the names
19 of any papers, but it's other than the State of Maryland.

20 MS. EATON: You say that most of these Hispanics
21 are really well off with Canidllacs and vans.

22 MR. LONG: They really are.

23 MS. EATON: I'm going to have to come to your
24 camp because I --

25 MR. LONG: Okay, I'll be glad to take you and

1 show you.

2 MS. EATON: -- just can't believe that. I would
3 would like to go and work in your camp if that's the kind
4 of money they make. But you say you are very understanding
5 about letting religious person come and service the
6 migrants in their spiritual needs and the Health Department
7 in their health needs and everything looks like it is fine
8 and dandy. We don't have any of your migrant workers here
9 tonight. We have not been able to get any to come and give
10 us a testimony. Would it be possible for me to come and
11 talk with the Hispanic folks in the camp?

12 MR. LONG: Yes, ma'am. We have two -- we have
13 a manager and an assistant manager, Mr. William Webster
14 is the manager, and Mr. George Todd is the assistant
15 manager. Mr. Webster teaches in the vocational school and
16 Mr. Todd is principal of an elementary school in the county.
17 They are both capable people. I think, if you contacted
18 either one of those men, they would be glad to take you
19 to the Hispanic section.

20 MS. EATON: Yes, because I really, you know, I'm
21 not trying to snoop in the camp, that's not the idea. I
22 think the idea of this forum is that you and your corpora-
23 tion can work together with the people that are here that
24 know the needs of the people and that there would be a
25 more cooperative effort to help the people.

1 I happen to know that some of these people,
2 perhaps the places that they come from, do not have jobs.
3 So they welcome coming back every year. So it will be nice
4 if we somehow could work together in making these things
5 much more pleasant or --

6 MR. LONG: Could you pinpoint when you say "make
7 things more pleasant"?

8 MS. EATON: More pleasant in the sense that we
9 get, like you say, the press that gives certain aspects
10 of the camp and I don't think they are going to invent
11 things unless they talked to people.

12 MR. LONG: Newspapers have to be sold. I have
13 with me a whole folder of all the media. I also have with
14 me, if the committee would like to look at, a series of
15 pictures of the camp, the interior. I'll be glad to show
16 them and distribute them. I'd like to have all the pic-
17 tures back, please.

18 Well, such instances as -- I'll keep quiet.

19 MS. EATON: I don't want you to think that this
20 forum is just to pick on you --

21 MR. LONG: No, I understand.

22 MS. EATON: -- because I have tried --

23 MR. LONG: I understand very well.

24 MS. EATON: -- if you would have not been here
25 tonight, I would have not been able to find out about

1 the fine educational program that these people get. I am
2 very proud of that myself. That these children are able

3 MR. LONG: I was accused, I was personally
4 accused, and I was contacted by phone by someone in the
5 educational program who went to a State Representative and
6 he contacted me and says, "I understand you've only got
7 four people in the educational program." So I began to
8 check. So I called this individual back and I said, "I
9 personally sat at the camp last night and counted an X
10 number of people coming off the bus," and there were two
11 buses, and I guess the reason there were two buses is
12 because one bus was filled, and they are both school
13 buses, one by Mr. Fulton Holden and one by Mr. Joseph
14 Ashley. I think Dr. Whittington is familiar with both of
15 those.

16 The thing is there are so many facts, so many
17 things floating in the air, but when you get right now with
18 the cold facts, and I do have the letters, I have the
19 pictures, I have the news, I've cut them all out, and I'm
20 not fighting them, I'm just asking for the truth.

21 MS. EATON: One more question. On this five year
22 plan and the \$250,000 that you are spending on this, is
23 this only -- who took part in this plan, only the owners
24 and the stockholders or --

25 MR. LONG: That's right.

1 MS. EATON: You didn't have any input from the
2 migrant workers or other services in the community?

3 MR. LONG: Our main interest has been to provide
4 safety, buildings that are safe, with fire protection, with
5 living conditions that meet Health Department requirements,
6 and I --

7 MS. EATON: When you say Health Department, that
8 is the State or local?

9 MR. LONG: The State -- oh, hell, there's only
10 one Health Department, as I said here, and that is the
11 State Health Department, there's only one, and there's only
12 one set of regulations. I have a copy of the regulations
13 with me, and you will see, you using yellow, I'm using
14 red to underscore each thing, and during the winter months
15 I made several visits to the Health Department, State
16 Health Department, and plans were worked and decided on
17 what must be done because this is all we had to do, and
18 we said, "Okay, we'll meet it or we'll close the camp."

19 MS. EATON: Are there any bilingual people in the
20 staff of the Health Department at all?

21 MR. LONG: Are there any what, ma'am?

22 MS. EATON: Bilingual, people that speak two
23 languages.

24 MR. LONG: I'm not aware of that, no.

25 MS. EATON: So how do they communicate with these

1 people?

2 MR. LONG: All right, as I said, I do not speak
3 Spanish or French. I can go in that camp and find -- "Say,
4 look, do you speak English?" "Yes, sir." And I'll say
5 translate. I don't know if they're telling me the truth
6 or not but I'm getting through to them. And I know I was
7 at the local health clinic, which is a mile and a half
8 from camp, the other morning. I had to go down on a little
9 matter, I wanted to talk to one of the sanitarians there.
10 And I looked and I'll say -- I didn't count, but there was
11 a sizeable percentage of Spanish ladies there with small
12 children and were expecting others very soon. So we might
13 have to build onto the camp to take care of that.

14 CHAIRPERSON WICKWIRE: Mr. Long --

15 MR. LONG: Yes, sir.

16 CHAIRPERSON WICKWIRE: -- there are still just
17 a couple questions to be asked.

18 MR. LONG: Yes, sir.

19 CHAIRPERSON WICKWIRE: Is it true that there was
20 a black American worker who also died in Westover Camp
21 this year, maybe a few weeks before the baby died, and this
22 wasn't reported, is that true?

23 MR. LONG: That is correct, yes, sir.

24 CHAIRPERSON WICKWIRE: Now, that was not reported.

25 MR. LONG: That was an adult, I think he was

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1 57 years of age. The camp management was notified that
2 a person was in one of the latrines and was bleeding pro-
3 fusely. The camp management called the police, called the --
4 I don't know who else, but I know the police were called.
5 They came in to make sure there was no foul play. And the
6 knowlege I have, the man died of a hemorrhage.

7 DR. WHITTINGTON: Was there any autopsy done on
8 that fellow?

9 MR. LONG: Dr. Whittington, I can't answer that
10 question either.

11 DR. WHITTINGTON: First I've heard of it.

12 MR. LONG: Yes. But, as I say, it was not
13 reported but, of course, a small baby -- I mean, I have
14 children and grandchildren, and I know when you speak of
15 small children it gets a little closer to you than it does
16 an adult.

17 CHAIRPERSON WICKWIRE: There are other deaths
18 that occasionally occur that are not reported then, I take
19 it, in the press, like the death of the baby?

20 MR. LONG: I think -- no, I'm not going to make
21 a statement, but I mean, I don't know whether the local
22 health department -- when I say local, I'm speaking of the
23 local area now -- were made aware of this or not. I am
24 not -- I'm sure -- I'm sure they were in some way because
25 they are in there inspecting everyday and I know that

1 news had to be transmitted to them. In other words, it
2 wasn't trying to be hidden, if that's what you're driving
3 at. Nobody was trying to hide it, no, sir.

4 CHAIRPERSON WICKWIRE: You mentioned inspections,
5 there are inspections almost everyday?

6 MR. LONG: Daily, yes, sir.

7 MS. WINSLOW: When this man was found hemorrhaging,
8 was he taken to a hospital or did he die in the
9 camp? I mean, what was done for him?

10 MR. LONG: Ma'am, he died and I did not go into
11 detail because I was working about 20 hours a day, and the
12 camp management handled it. I do know I went there and
13 the police were there and they said that they made an
14 investigation and the man did die from natural causes. Now,
15 this is all. I mean, that's as far as I went with it.

16 DR. WHITTINGTON: Was that during the day, Mr.
17 Long?

18 MR. LONG: Yes, it was during the day.

19 DR. WHITTINGTON: Was that during the hours when
20 the health nurses had access to the camp?

21 MR. LONG: I don't know --

22 DR. WHITTINGTON: See, that points up the
23 importance of what I was saying earlier, that it is neces-
24 sary that health people have access to the campsite other
25 than the few hours that they have been allowed.

1 MR. LONG: They're in there all day long now.

2 DR. WHITTINGTON: Okay, that's what I was -- all
3 right. Now, but at that time were they there all day?

4 MR. LONG: No.

5 CHAIRPERSON WICKWIRE: Mr. Rutledge, you had a
6 question.

7 MR. LONG: Yes, sir?

8 MR. RUTLEDGE: Mr. Long, I think you were
9 informed that I visited your camp --

10 MR. LONG: Yes, sir.

11 MR. RUTLEDGE: -- and I met Bill Webster.

12 MR. LONG: Yes, sir.

13 MR. RUTLEDGE: Because I stopped at the "No
14 Trespassing" sign.

15 MR. LONG: That's right, sir.

16 MR. RUTLEDGE: I was not driving a government
17 car, and I talked with him and he offered to take me
18 around and show me the place and I went with him in his
19 truck, but I told him I didn't want to stop and get into
20 conversations, that my staff had been out there with Dr.
21 Wickwire, actually, but that I'm the kind of person that
22 reacts physically by seeing the place as much as by
23 reading a report, a little more effectively.

24 I'd like to ask you a question -- maybe you and
25 I are about the same age, but I must tell you that I

1 was with the Farm Security Administration in 1941, I was
2 with the Tollen (phonetic) Committee when they were inves-
3 tigating migratory labor conditions. Frankly, I don't see
4 much improvement in different parts of the country, I'm
5 not referring to your place, forty years later.

6 In once sense, things seem to have deteriorated.
7 At that time, for example, the government was providing
8 migratory labor camps, safe, sanitized, well managed. You
9 made an observation just before that is a very serious one.
10 You said your five-year plan might work if you were not
11 affected financially.

12 MR. LONG: I made that statement in jest, sir.

13 MR. RUTLEDGE: I see. You think it would go on
14 regardless?

15 MR. LONG: If you don't have money, you can't --

16 MR. RUTLEDGE: That's the point.

17 MR. LONG: But, I mean, I did also make a state-
18 ment in here that we would meet our commitments.

19 MR. RUTLEDGE: Right, but do you think that in
20 terms of smaller growers or the total number of growers
21 that they can do it strictly on their own, is government
22 assistance a form of requirement now that would be helpful
23 both to those who grow the food as well as those who
24 harvest the food?

25 MR. LONG: In other words, you are asking me

1 are we denying government assistance?

2 MR. RUTLEDGE: No, no, I'm asking what your opin-
3 ion is. Do you feel as a grower that it would be helpful
4 for you to seek better housing for migratory labor, better
5 camp conditions, new housing? After all, the housing that
6 sits on your place is housing that, as I understand it,
7 was built during the war years.

8 MR. LONG: The housing has been rehabilitated
9 or renovated.

10 MR. RUTLEDGE: Right.

11 MR. LONG: We had a survey made of the camp.
12 Some agencies that made the survey have stated that they
13 did not think it was economically feasible to rehabilitate
14 the camp. As a bunch of farmers, growers, whatever you
15 want to classify, we felt that it could be done. So there
16 have been designated buildings rehabilitated in the year
17 '82 and so all designated to be and I will say they are
18 good housing and they meet all Health Department require-
19 ments. And you've heard one migrant here speak tonight,
20 or a crew leader, of his housing. He was tickled to
21 death and his people were tickled to death. I'm not
22 denying, but you can't, for a five or six week operation,
23 put in a million dollar establishment.

24 MR. RUTLEDGE: No, I raise the question in light
25 of the fact that you hopefully will have good economic

1 conditions --

2 MR. LONG: That is right.

3 MR. RUTLEDGE: -- so that you'll be able to
4 provide that. But suppose that doesn't happen?

5 MR. LONG: When that situation arises, I think
6 there is enough ingenuity, and I'm not being pert, please
7 believe me, among growers and farmers and we'll say a
8 bunch of eastern shoremen, let's put it that way, that
9 will get the job done.

10 MR. RUTLEDGE: Okay.

11 CHAIRPERSON WICKWIRE: Mr. Owens, you had a
12 question.

13 MR. OWENS: Yes. Somewhat related to Ed's
14 question. Mr. Long, I certainly do accept the veracity
15 of what you said earlier concerning the growers' interest
16 in the health and well-being of the migrants because that
17 way would help the production. Now, if in fact the growers
18 are vitally interested in the health of the migrants, why
19 did it take so long before the growers decided to change
20 the conditions, the living conditions of the migrants?

21 MR. LONG: It's been going on since 1977, that's
22 five years.

23 MR. OWENS: I noted that, and I also noted that
24 you were required to make expenditures in the amount of
25 \$250,000 --

1 MR. LONG: No, we weren't required. That is the
2 figure that it cost us to do it. We weren't required.
3 We tried to do a job.

4 MR. OWENS: Now, the job that you undertook to
5 do, were you at any time compelled to undertake that job
6 at the behest of the Maryland Department of Health and
7 Hygiene?

8 MR. LONG: Yes, because the camp had been closed
9 and we were told that in order to get the camp open we had
10 to meet certain requirements. We met those requirements
11 because we could not see in a depressed county a \$12.0
12 million industry to go.

13 MR. OWENS: All right, so are you saying then
14 that you feel that it would be necessary for an agency such
15 as the County Health Department to continue policing the
16 growers in order to ensure --

17 MR. LONG: No, no. We started in 1977 to
18 improve the housing, but due to the publicity, there was
19 a lot of pressure that got to the Governor of Maryland.

20 MR. OWENS: I see. All right.

21 MR. LONG: Okay?

22 MR. OWENS: All right.

23 MR. LONG: And I have news things here, looking
24 at it objectively, it would make you think that that is
25 a horrible place. I've lived in much worse.

1
2 MR. OWENS: All right. There is just one last
3 thing.

4 MR. LONG: Okay.

5 MR. OWENS: You stated earlier with regard to
6 when the press wanted to come in and talk to the family
7 concerning the child who died.

8 MR. LONG: Yes.

9 MR. OWENS: That you had spoken with your camp
10 manager and the camp manager had asked if they wanted to
11 speak with the press and the parents said, "No, we do not."

12 MR. LONG: That's right.

13 MR. OWENS: Your camp manager speaks Spanish,
14 is that right?

15 MR. LONG: No, he doesn't have to speak Spanish.

16 MR. OWENS: But you indicated, I thought, that

17 MR. LONG: I can even tell you the lady's name
18 that translated, a Mrs. Figuerero.

19 MR. OWENS: Okay, okay, thank you.

20 MR. LONG: Because she spoke with me. Yes,
21 ma'am?

22 MS. WINSLOW: Just one last question.

23 MR. LONG: Yes, ma'am?

24 MS. WINSLOW: During the period that the camp
25 was closed where --

MR. LONG: Closed?

1 MS. WINSLOW: You were talking about the fact
2 that some time ago the camp could not be opened until
3 certain things went on. I am anxious to know where did
4 the workers who came to the area live during that period?

5 MR. LONG: They were gone.

6 MS. WINSLOW: They weren't here?

7 MR. LONG: No, ma'am, no, they were gone.

8 MS. WINSLOW: So they were not just --

9 MR. LONG: No, no, ma'am, this was after the
10 season was over.

11 MS. WINSLOW: Okay, I see. It wasn't a whole
12 season it was closed?

13 MR. LONG: Oh, no, ma'am.

14 CHAIRPERSON WICKWIRE: Mr. Long, we thank you
15 for your patience and testimony. Those exhibits you
16 indicated, I think afterward we would be glad to look at
17 them.

18 MR. LONG: I'll be glad to show you the pictures
19 and I'd like to have every one of them back.

20 CHAIRPERSON WICKWIRE: We'll see that you get
21 them. Thank you.

22 I know we are running somewhat behind time, but
23 we would like now to present Mr. Kenneth Athey to talk about
24 the government's role in setting and enforcing standards
25 in the camps. He is with the U.S. Department of Labor

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1 and Wage and Hour Division. And will you please state your
2 name and position for the record.

3 MR. ATHEY: My name is Kenneth Athey, Jr. I am
4 a Farm Labor Specialist for the Wage and Hour Division of
5 the U.S. Department of Labor, and my office is right here
6 in Salisbury, Maryland.

7 Dr. Wickwire, members of the committee, thank
8 you for the opportunity for me to discuss at this forum
9 the responsibilities and activities of the Wage and Hour
10 Division with regard to the protections provided migrant
11 and seasonal farmworkers under the laws that we enforce.

12 The two Federal laws enforced by the Wage and
13 Hour Division which impact on migrant and seasonal farm-
14 workers are the Fair Labor Standards Act of 1938, as
15 amended, and the Farm Labor Contractor Registration Act
16 of 1963, as amended.

17 Under the FLSA, workers covered under the Act's
18 minimal wage requirement must be paid at least \$3.35 per
19 each hour that they work. Workers are covered under the
20 Act if their employer used more than 500 man-days of
21 agricultural labor in any calendar quarter of the previous
22 year. A man-day is any day during which an employee does
23 farm work for at least one hour.

24 Some employees are not subject to the minimum
25 wage if they meet the requirements of certain exemptions

1 under the law.

2 The child labor requirements under the Federal
3 law are contained in the Fair Labor Standards Act. The
4 requirements on child labor vary according to the age of
5 the minor and whether or not the farm is covered under the
6 law.

7 An employer of covered workers must keep
8 accurate records of earnings, hours and other information
9 required by the Wage and Hour Division. These records must
10 be available for inspection by Division representatives.
11 Employers who fail to pay the required minimal wage are
12 liable for payment of back wages. Serious violations may
13 result in civil or criminal action. Wages may be recovered
14 under the Secretary of Labor's supervision or through
15 court action brought by the Secretary or by the employees
16 themselves.

17 A civil money penalty of up to \$1,000 may be
18 assessed for each violation of the Federal Child Labor Pro-
19 vision.

20 The second law enforced by the Wage and Hour
21 Division is the Farm Labor Contractor Registration Act,
22 or FLCRA as it is known, was enacted in 1964 to protect
23 migrant agricultural workers employed under the farm
24 labor contracting system against abuse and exploitation
25 by farm labor contractors.

1 Under the farm labor contracting system, the
2 farm labor contractor acts as a middleman in recruiting
3 and supplying farm workers to farm operators. In addition
4 to recruiting them, the contractor may also transport them
5 long distances to the place of employment, supervise their
6 work, pay them and furnish their housing.

7 FLCRA requires the farm labor contractor to
8 register with the Department of Labor and to observe cer-
9 tain rules in dealing with farm workers. The Act requires
10 that workers be protected by liability insurance on the
11 vehicles used to transport them, that they receive advance
12 and continuing notice as to the wages to be paid and other
13 working conditions, and that housing and vehicles used for
14 them meet Federal and State safety and health standards.
15 They must also receive prompt pay.

16 The Wage and Hour Division conducts housing,
17 safety and health investigations under the FLCRA in those
18 situations where the farm labor contractors are found to
19 own or control the farm worker housing.

20 The Department of Labor has available a wide
21 range of remedies for enforcing the FLCRA including criminal
22 prosecution, civil injunctive action, civil money penalties
23 of up to \$1,000 for each violation, and denial of registra-
24 tion to operate as a farm labor contractor.

25 The Department has taken many administrative

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1 actions to deny certification to farm labor contractors
2 because of violations of the Act.

3 This statement is a short overview of the require-
4 ments of the law, and I'll be happy to answer any questions
5 that you have for me regarding this context.

6 CHAIRPERSON WICKWIRE: Sol, did you want to --

7 MS. EATON: I have a couple of questions.

8 CHAIRPERSON WICKWIRE: All right, but let me
9 raise a question first. Did I understand that you indi-
10 cated that there are a number of migrants, seasonal
11 farmworkers, that would not be eligible or subject to the
12 law? Can you explain that?

13 MR. ATHEY: Yes, there are two exemptions from
14 minimal wage, you're talking about?

15 CHAIRPERSON WICKWIRE: Right.

16 MR. ATHEY: All right, there are two exemptions
17 that could apply, and neither of those -- well, I'll give
18 you both exemptions. A local resident who commutes from
19 his permanent residence to the place of employment and is
20 working in a piece rate occupation and paid a piece rate
21 in an occupation that's normally in that area considered
22 piece rate job, and is exempt from the minimum wage
23 requirements if he works less than 13 weeks in agriculture,
24 so that it is possible for somebody, say, here in Salis-
25 bury that goes out and works three weeks in green beans

1 and four weeks in cucumbers and two weeks in tomatoes to
2 be exempt from that requirement.

3 The other exemption that I talk about is the
4 exemption with respect to minors under 16 are also exempt
5 from the minimum wage requirement if they are working in
6 a piece work occupation that is considered a piece work
7 occupation in the area that they are employed in, receive
8 the same amount of money per piece as adult workers in the
9 crew, would also be exempt from the requirement to receive
10 the minimum wage. That's under the provisions of the Fair
11 Labor Standards Act.

12 CHAIRPERSON WICKWIRE: In terms of checking wages
13 and hours, do you deal primarily with crew chiefs or with
14 the grower, owners, or who do you deal with primarily?

15 MR. ATHEY: Well, we talk with everybody involved
16 in the employment situation. Ordinarily, we contact the
17 grower to see who, you know, if he is operating in the
18 year, who he is operating with; if he's using a crew
19 leader, finding out who the crew leader is, ask him if he's
20 received the records, that the crew leader is required to
21 give under the law and look at the federal records that
22 he is required to keep as far as the user of the labor.

23 Normally then we would talk with the crew
24 leader, look at the crew leader's identification cards,
25 look at which vehicles he is authorized to use for

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1 transportation, see whether or not he is authorized to
2 house. We would look at his payroll records to see if in
3 fact the people are being paid the minimum wage and if he
4 is keeping the records, that he is required to keep under
5 the law. And then would, also in addition to that,
6 privately interview members of the crew to see what they
7 do, how many hours they work, and what their pay, and
8 whether or not the various requirements that the crew
9 leader had on him under the FLCRA, whether or not they
10 received the notices of terms and conditions of employment,
11 or housing, and so forth.

12 CHAIRPERSON WICKWIRE: Can you give us, before
13 you get away, copies of the forms that --

14 MR. ATHEY: I was going to make that offer. I
15 don't know what you have as far as information under the
16 farm labor law, but I'll make sure that you get copies of
17 all the acts and regulations as well as the forms. For
18 example, Mr. Neal, when you talked with him earlier,
19 talked about the notification he is required to get. The
20 Department of Labor has printed up a form that shows the
21 required information. The particular form that I have is
22 in English and Spanish and I will provide copies of that
23 to you.

24 CHAIRPERSON WICKWIRE: Are there enough of you
25 and your staff to really check up with all the crew chiefs

1 and the like, or are you behind in your -- are you able
2 to keep tabs on everybody.

3 MR. ATHEY: We don't have the staff to investi-
4 gate every crew leader. What we try to do is to use the
5 resources that we have available to make each investiga-
6 tion count. In other words, we try to target the investi-
7 gations to situations where we think there might be a
8 problem, somebody who has had a history of violations under
9 the Act, who've had violations in other areas of the
10 country, that type of thing. But we don't have the
11 facilities to contact every crew.

12 CHAIRPERSON WICKWIRE: What about the crew chiefs
13 bringing in people that may be not mentally alert or may
14 be alcoholics or something, do you run into this?

15 MR. ATHEY: I have run into it in the past.

16 CHAIRPERSON WICKWIRE: You have run into it.

17 MR. ATHEY: I haven't run into it this year, but
18 I have run into it in the past.

19 CHAIRPERSON WICKWIRE: Would you say on the whole
20 that most people, most crew chiefs do comply with the law?
21 Or do you have some problems? You are getting violators?

22 MR. ATHEY: Oh, yes, compliance has improved,
23 the compliance picture is a lot better than what it has
24 been. It is a long way from perfect and it is certainly
25 nowhere near 100 percent. We are averaging I'd say --

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1 you know, it's a little difficult to answer that question
2 because there are so many things that has to be done,
3 particularly under the FLCRA, in order to have full compli-
4 ance. Some of those things are more important than others.
5 Some of them the crew leaders are more apt to forget
6 than others. You are facing a difference of position or
7 level of seriousness with somebody who is transporting in
8 a bus that doesn't have insurance or safety inspection
9 on it than somebody who is not getting posted the sign
10 in the housing of what the rent is in the housing, what
11 the rules are, you know. There are different levels of
12 seriousness with these violations. A violation of any one
13 of them puts the crew leader out of compliance and leaves
14 him open to possible penalties, the various penalties under
15 the law.

16 CHAIRPERSON WICKWIRE: Do you bring many of them --
17 do many of them have to pay the penalties? Do you have
18 any now, right now, for instance, this summer?

19 MR. ATHEY: To my knowledge, to this, point, we
20 have assessed \$38,000 in civil money penalties so far
21 this year. I think we have collected somewhere near
22 \$37,000, but that represents some penalties that were
23 assessed in previous years that are just now being paid.
24 Our percentage on collection is not anywhere approaching
25 90 percent.

1 CHAIRPERSON WICKWIRE: I heard a lawyer yesterday
2 over in Virginia say that these two laws that you mentioned,
3 the Fair Labor Standards Act and the Labor Contractors
4 Registration Act, that at least one of these was being
5 gutted now or something, amended or so on.

6 MR. ATHEY: A proposed bill is before Congress.
7 What is in that proposed bill is anybody's guess as far
8 as I know. Certainly it has not been communicated to the
9 field at all. We won't know until Congress finishes their
10 deliberations what that -- there is some fear that that
11 will happen but I really couldn't comment on that.

12 CHAIRPERSON WICKWIRE: How many years have you
13 been in this business?

14 MR. ATHEY: I've been a compliance officer for
15 11 years. I've been involved with the enforcement of
16 the FLCRA, Farm Labor Contractor Registration Act, since
17 1973 when it was given to the Wage and Hour Division as
18 one of our responsibilities.

19 CHAIRPERSON WICKWIRE: Are things getting better?

20 MR. ATHEY: I've seen a great improvement over
21 the years

22 CHAIRPERSON WICKWIRE: In what sense?

23 MR. ATHEY: In the quality of the housing that
24 the workers have got, improvement in the level of compli-
25 ance of the crew leaders. I've seen crew leaders who

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1 were the type of people that the law was designed to put
2 out of the business put out of the business, no longer
3 bringing crews to the State of Maryland. And I think
4 we have been successful.

5 It is sometimes difficult with this, given the
6 nature of the employment, the relation here, to fully
7 judge the results that you have, but I have seen a great
8 improvement, yes.

9 CHAIRPERSON WICKWIRE: Sol, I think you had a
10 question.

11 MS. EATON: What percentage of this \$38,000 in
12 penalties would you say had been given because of
13 children working?

14 MR. ATHEY: The \$38,000 I'm talking about there
15 was with respect to violations of the FLCRA and not to --
16 both laws have a provision for \$1,000 civil money penalty
17 for violations, but they are two separate laws.

18 MS. EATON: Do you -- does your office take care
19 of both?

20 MR. ATHEY: Yes, when we make an investigation
21 of a crew leader in the field, we look at his total opera-
22 tions with respect to both laws.

23 MS. EATON: Okay, now, when you do these inspec-
24 tions or whatever, do you let them know that you are
25 coming?

1 MR. ATHEY: We show up. We do, when we go out
2 as I say, we normally contact the farmer to see who he is
3 employing, let him know who's on his property. But we don't
4 give any -- that's the day that we make the inspection and
5 we go from there right to the crew leader, but we don't
6 give any advance notice other than that.

7 MS. EATON: We keep getting reports, and I guess
8 these reports are substantiated. I don't know if in this
9 area, but I know that in other parts of the country like
10 Texas, you know, that children, very young children, are
11 putting to work. What is your opinion on this? It must
12 be very conflicting by knowing my heritage, by being
13 Hispanic the idea is that it is a family unit and we do
14 things together, and that if the parents insist that the
15 children should work and help the parents and then that
16 is a conflict for the crew leader or whatever to deal with
17 how these cultures operate which is so hard to understand
18 a family unit.

19 MR. ATHEY: I understand.

20 MS. EATON: Now, how do you deal with that? I
21 mean, if the parents say, "I want my 10 year old or my
22 12 year old to work in the field" --

23 MR. ATHEY: They can't. We simply say to them
24 that they cannot do it, that it is a violation of the law
25 and that they are subjected when they do, the crew leader

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1 and also the grower, to a fine of up to \$1,000.

2 MS. EATON: Who pays that?

3 MR. ATHEY: The individual that would be assessed
4 it, either the crew leader or the grower, whoever the
5 employer was, whatever circumstance. But it is a viola-
6 tion of the law for children under the minimum ages to
7 be employed regardless of whether the parents want them
8 to be employed or not. And I've been yelled at by many
9 parents who boast that I destroyed the -- you know, I had
10 to say that they had to take the children out of the
11 field. We really don't have any choice under the law.

12 Our position in Wage and Hour, you know, we
13 really properly cannot act as advocates for any one party
14 in this employment relationship. We have a duty and a
15 responsibility to enforce the law as it stands and to
16 respect the rights and responsibilities and the privileges
17 of all the parties that are involved in the employment
18 relationship and not to key on any one. So we have to walk
19 a very narrow line throughout our investigations to make
20 sure that the rights of everybody are being respected.

21 If the law says that children can't be employed,
22 then they cannot be employed.

23 MS. EATON: You say that the Fair Labor Standards
24 Act says that they should \$3.35 minimum wage. It is awfully
25 hard to -- I guess because I am not familiar with this,

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with this labor laws and things -- to understand how if you work seven hours for piece work if you are really averaging that \$3.35. Now, it was mentioned today by the crew leader, and I guess you heard him, that some of these workers can average so many bushels, I have the figure here, 100 bushels of 40 cents, I didn't have time to make the calculation but how do you deal with this?

MR. ATHEY: All right, the requirements --

MS. EATON: It is complicated to me. I don't know --

MR. ATHEY: The requirements for minimum wage is based on the work week. At the end of the work week, the employer, whoever it is, in order to determine whether or not the minimum wage has been paid to an individual, must divide the total pay received that week for work from all sources, whatever it would be, hourly rate, piece rate, whatever, divide that total pay by the total hours that the individual worked in that week, and if that division results in at least \$3.35 an hour for that individual in that week, then he has been paid in compliance. If it comes out to less than \$3.35, then the employer, whoever it is, has to make an additional payment to that worker to bring him up to \$3.35 an hour.

MS. EATON: Will this show in the forms that you --

1 MR. ATHEY: The records that the crew leader,
2 for example, is required to keep under both laws would
3 show the hours that the individual works, his total pay,
4 the deductions from pay, and the net pay that he would
5 receive. So that that computation could be made from
6 that information.

7 CHAIRPERSON WICKWIRE: Mr. Athey, I think we'll
8 take one more question for you and then we've got to move
9 on.

10 MS. WINSLOW: In your area you say that much
11 has been done to improve things. In the area of compliance
12 what would you say is still the weakest area?

13 MR. ATHEY: It really is very difficult for me
14 to answer that and I would prefer not to answer it because
15 you are asking really for a policy decision and for a
16 personal opinion about the law, and I don't think I should
17 be in a position to give personal opinions about what I
18 think should be in the law. What is in the law I can
19 talk about, but what I think should be in the law is some-
20 thing that I don't have the power to put in there. Unless
21 I had the power to put it in there, then I shouldn't --

22 CHAIRPERSON WICKWIRE: All right, Mr. Ferron,
23 you have the last question.

24 MR. FERRON: Mr. Athey, you said that you will
25 be presenting this committee with the laws and regulations

1 governing those, but until we get that, will you tell me
2 whether or not there are any laws governing migrants that
3 deal with workmen's compensation? For example, if a
4 migrant worker gets hurt in the performance of his or her
5 responsibilities at one of the camps, is there any obli-
6 gation of the camp to assume insurance or anything like
7 that as it relates to workmen's compensation?

8 MR. ATHEY: I really can't answer that because
9 the laws that we enforce don't include workmen's compen-
10 sation at all. Most of the workmen's compensation laws
11 are laws that are administered by the State so you would
12 properly have to talk to somebody from the State office
13 to see whether or not they have coverage over that type
14 of employment situation.

15 CHAIRPERSON WICKWIRE: Thank you, Mr. Athey, we
16 appreciate your presentation, thank you. I know that the
17 hour is late and we are running over. By the way, is Mr.
18 Turner here?

19 VOICE: He will not be here.

20 CHAIRPERSON WICKWIRE: All right. Now, as I say,
21 w are behind time but if Susan Canning, I think Susan is
22 here, and we would like now for a short period to have
23 views of service and advocacy organizations, and this will
24 be continued tomorrow afternoon. Susan Canning of the
25 Delmarva Rural Ministries, and will you please, for the

1 record, state your name and position.

2 MS. CANNING: Mr. Wickwire, nice to see you,
3 Rev. Wickwire. I'm Sue Canning and I'm the Executive
4 Director of Delmarva Rural Ministries, Incorporated. Our
5 organization was founded by the Council of Churches here
6 in Delaware and Maryland in 1974 and we began at that point
7 providing a limited scope of services to migrant farmworkers
8 and providing rural services to the Delmarva residents.

9 We receive at this point Federal funding for the
10 provision of what we call primary health care services to
11 migrant farmworkers in Delaware and on the Eastern Shore
12 of Maryland and the Eastern Shore of Virginia. We operate
13 five clinics for the farmworkers that arrive here from
14 April through November. We operate our clinics in what
15 we call the high impact areas of farmworkers--Dover,
16 Delaware; Milford, Federalsburg, Maryland; Princess Anne,
17 and Massawadox, Virginia.

18 We have approximately 16,000 visits per year at
19 all of our clinics. We operate a nursing outreach program
20 into the camps. About 40 percent of our staff is bilingual.
21 We try to have at least one Spanish-speaking and one
22 Creole-speaking individual at each of our clinic sites.
23 We recruit many of our nurses from third world type of
24 primary care experience, people coming out of HOPE and
25 CARE, people who have had that kind of experience are best

1 prepared for the kind of health care program that we are
2 operating.

3 There is a -- I think I should explain what
4 primary health care is because there is a difference in
5 what primary care health is and what local health depart-
6 ments provide. The primary care is identification and
7 treatment of illness and disease during acute and chronic
8 stages of illness.

9 Our migrant health program is a unique primary
10 health care program in that it is national in scope and
11 funded out of Washington. It is not one of the block
12 grants recently funded out of the administration, it was
13 preserved from the block grant because of the transitory
14 nature of migrant farmworkers.

15 We have a tracking system that is available to
16 our migrant health network in the high impact areas where
17 we can transfer on request medical records of many of our
18 patients thereby hoping to decrease the duplication of
19 laboratory tests and so forth for the farmworkers and
20 duplicate of physical examinations.

21 I served last year by appointment in the Carter
22 Administration during '81 as the Chairman of the National
23 Advisory Council on Migrant Health. Another component of
24 the migrant health program that is mandated by Congress
25 is that the hours and available services for the farmworker

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1 be available during hours, non-traditional health care
2 delivery hours, for the evening and on weekend call situa-
3 tion and that there be an outreach component and a trans-
4 portation component, if that is necessary.

5 These programs were basically funded -- since
6 1963, the migrant health program was the first piece of
7 anti-poverty legislation passed during the Kennedy Adminis-
8 tration.

9 I have some comments, kind of information, that
10 I would like to make tonight, and I also want to refer you
11 for the record to hearings that were published by the
12 Federal Subcommittee on Housing and Community Development
13 that Henry Gonzales had in this area last year. I think
14 it in scope presents many sides of this issue of farm labor
15 housing in particular in this area as the hearings were
16 held in Virginia in October of 1981 as well as Washington
17 and San Antonio. I think you will find it very interesting
18 if you haven't seen it already.

19 I would like to kind of go over some of the
20 problems, some of the areas where we think there are some
21 improvements, are organization sees that there are some
22 improvements, and I know many of you may have some ques-
23 tions about this summer. Some of the comments refer to
24 Delmarva and not specifically Maryland. I hope you'll
25 bear with me.

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1 Basically, some of the problems. I've been
2 operating as the director of the health program for about
3 seven years and I have been appointed Executive Director
4 of Rural Ministries in the last three years. Basically,
5 we see little increase in the wages of farmworkers since
6 the 1960's. Employment compensation, unemployment compen-
7 sation for farmworkers, if reported, is almost impossible
8 for the farmworkers to collect.

9 We see a lot of older farmworkers in the migrant
10 stream now who have been now coming up the road, as they
11 will say, for 20 or so years, who we cannot find traces
12 or very limited traces of social security payments. Some
13 of these people are now permanently disabled, and we find
14 it very, very difficult because no state claims them as
15 their resident, to place them in some type of custodial
16 care.

17 Farmworkers have little protection -- no pro-
18 tection against crop damage or failure. When they lose
19 time on the job because of weather or crop failure, they
20 are not paid.

21 We continue to see on Delmarva individuals who
22 are highjacked from the boweries of the City of Baltimore
23 and New York, Philadelphia. We also see occasionally
24 deinstitutionalized mental patients from the city who have
25 no business in farm labor and picked up by unscrupulous

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1 crew leaders.

2 We continue to see, among the all-male crews, in
3 particular, chronic alcoholism as a dominant health care
4 problem among these people.

5 Probably one of the most painful things also for
6 our organization and for other individuals who are con-
7 cerned about farmworkers is some of the prejudice that we
8 witness here. We hear comments from some state agencies,
9 "We have to take care of our residents first." Farmworkers
10 are not considered to be contributing to the local economy.
11 People don't think of them in that vein, although agri-
12 business, I understand, on the Delmarva peninsula, is
13 second only to tourism in terms of income.

14 Food stamps, for instance, I hear comments quite
15 often from some growers and some state agencies that if
16 you give the farmworker food stamps that he has no incentive
17 to work even though it has been well documented that farm-
18 workers are under poverty wages and they have every right
19 to this subsidy that is provided by the Federal Government.

20 There is in some counties resistance to opening
21 the food stamp offices in the evening so that farmworkers
22 will not miss days of work, so they can apply for the
23 food stamps. Recognize now any time farmworkers are
24 eligible for Federal and State benefits, they have to
25 apply in each state. Medical assistance is a good example.

1 If a farmworker is eligible for medical assistance for in-
2 patient hospitalization, they have to apply in every state.
3 If a translator is involved, it make take one whole day
4 just to do that, when services are not available in the
5 evening, in particular.

6 On the plus side, we have seen some initiatives
7 on the Delmarva Peninsula towards better utilization of
8 farm labor, some modest wage gains, some growers who have
9 chosen to employ farmworkers directly and develop
10 their own labor force, who have pooled their resources and
11 provided more full employment for the farmworkers, provided
12 less down time or idle time for the farmworkers.

13 We have seen increased numbers of growers who
14 are using the Federal clearance system for crew leaders,
15 and this affords farmworkers far better protection under
16 the law. We have seen some better communication between
17 the agricultural community and social agencies. State
18 government has in some instances been better able to
19 enforce protective laws for farmworkers.

20 We are real concerned now with cutbacks, parti-
21 cularly in the Department of Labor, for the Wage and Hour
22 enforcement and the FLCRA enforcement and the State Employ-
23 ment Service. The State Employment Service in Maryland
24 is woefully understaffed and it is very, very difficult
25 for these individuals during the summertime to keep track

1 of violations that are reported to them.

2 We have seen major initiatives in this area of
3 housing. I think we have to recognize, as Rural Ministries
4 has recognized, that improved housing requires a long range
5 plan and we cannot expect that overnight. We do not want
6 to see farm labor housing torn down. We need better enforce-
7 ment of the housing that exists in terms of inspections
8 by the local county health department. The Attorney
9 General's opinion about access is gratefully accepted. We
10 think this will go a long way towards the improvement of
11 services to farmworkers.

12 We are also very grateful to the commitment of
13 the Hughes Administration in staffing the Governor's
14 Commission on Migratory Labor. We think that much of the
15 improvement in terms of identification of need of farm-
16 workers in Maryland in particular, the negotiation for
17 improved housing, can be on the hands of the Governor's
18 Commission and we can see further improvement down the line.

19 We are also grateful to the State Legislature
20 in Maryland for the approval and passage of the crew leader
21 bill which I understand is the only one in this region
22 and several states now are looking to that crew leader bill
23 to see what applications might be beneficial to states
24 like Virginia.

25 Social and economic change does not come easily.

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1 It is easy to be concerned and outraged for a few minutes
2 or a few moments during the summer. The real work at
3 social change happens not only in July, but it happens in
4 January and in February and in November. Social change
5 does not mean the tearing down of farm labor housing here
6 on the Delmarva Peninsula. Already we have seen a trend
7 for freewheeling farmworkers who live in tenements in the
8 inner poverty areas of some of our small towns, in cars,
9 in buses, because no housing is available to them or camps
10 have closed. This is not in the best interests of the
11 farmworker.

12 Hundreds of these people live from day to day
13 on work that is offered to them without protection of the
14 federal laws so many of us worked hard to get in place and
15 enforceable. Solutions will only come with good coopera-
16 tion and hard work. We need to do more of that here in
17 Maryland.

18 I think that is about all.

19 CHAIRPERSON WICKWIRE: Thank you. Are there
20 some members of the Committee that have questions you
21 want to ask?

22 MS. EATON: I have a question.

23 CHAIRPERSON WICKWIRE: Okay, one question.

24 MS. EATON: Yes, how does your association or
25 group work with the State Health Department? Do you

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1 coordinate things?

2 MS. CANNING: The State Health Department, basically, we refer many of our patients who are eligible
3 for those services that are provided by the State Health
4 Department. The Health Department is rarely, in some
5 counties, is open in the evening. You've got to under-
6 stand that many of the farmworkers are here to work, that's
7 their primary reason to be here, and that if a problem is
8 not particularly an emergency to them or at least in their
9 perception, they are not willing to take off work during
10 the day to follow up on that problem. So sometimes it is
11 difficult to get those people in during the day. The
12 family planning services are offered by the Health Depart-
13 ment as well as prenatal services. We usually have little
14 problems, particularly for prenatal services and services
15 to children, in getting them in.

16 We can offer in our evening clinic, for instance,
17 family planning services as well as immunization so that
18 people do not lose work time. Occasionally, someone
19 might be ill that we would ask them to stay home from the
20 job so that we can get maybe a laboratory test done that
21 isn't available in the evening, but we really try not to
22 disrupt the work schedule.

23 MS. EATON: How many people on your staff?

24 MS. CANNING: We have in Maryland or
25

1 MS. EATON: You're talking about 16,000 visits
2 a year.

3 MS. CANNING: Yes.

4 MS. EATON: That requires a whole lot of --

5 MS. CANNING: We have about 64 people.

6 MS. EATON: Some of them are volunteers or --

7 MS. CANNING: Some of them are volunteers, yes.
8 We have about 24 of those people who are nurses. They are
9 augmented by physicians in the community who are under
10 contract by the National Home Service Corps or by Rural
11 Ministries.

12 CHAIRPERSON WICKWIRE: We have another question.

13 MS. WINSLOW: There's a high incidence of gastro-
14 intestinal disease among the infants and the toddler
15 group, is there any time that you spend helping mothers
16 with preparation of formula or anything, sanitary things
17 for the time when they are not being breast-fed?

18 MS. CANNING: Oh, yes. There's quite a bit of
19 time that the nurses spend on an individual basis with
20 -- a high priority in the program are the women and the
21 children. So when we do have the opportunity, and
22 usually that happens in the camp in the evening, when the
23 families are home, we try to do that. There is also, for
24 children under five, a WIC program that is operated out
25 of the State Health Department and they do that kind of

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1 education as well.

2 MS. WINSLOW: To what would you attribute the
3 high incidence of the gastrointestinal problem?

4 MS. CANNING: Well, greater minds than mine are
5 working on it right now. The State epidemiologist --

6 MS. WINSLOW: You don't see any particular
7 sanitary or hygiene problem?

8 MS. CANNING: No. We have a report from the
9 State Health Department that indicates that the conditions
10 on the camp are not the source of the problem that we are
11 experiencing among the children recently.

12 MR. FERRON: Would you say that the mothers who
13 are using formula are fairly well educated and knowledge-
14 able in terms of sanitary conditions as a result of the
15 efforts?

16 MS. CANNING: Some are and some are not. It can
17 go either way. Some of the women that we run into are
18 very well in understanding of the use of formula and use
19 of mixing the formula and others we find are not, may try
20 to dilute a little more than they should, that kind of
21 thing.

22 CHAIRPERSON WICKWIRE: Let me ask you one quick
23 thing, how do you feel about access now? Are you satis-
24 fied with the five evenings or afternoons?

25 MS. CANNING: We have full access at this time.

1 CHAIRPERSON WICKWIRE: You have full access.

2 MS. CANNING: We have access on the weekends,
3 in the evenings. We are very well satisfied and we are
4 getting very, very good cooperation. I have no complaints.

5 CHAIRPERSON WICKWIRE: Do you feel -- yesterday,
6 in Virginia, a Dr. Fears with the Health Department indi-
7 cated that it is really necessary to go to migrants to
8 serve them. Often it is a one-on-one. They are not neces-
9 sarily always going to come to you. Have you found that
10 to be the case?

11 MS. CANNING: Yes. The farmworkers are very,
12 very concerned about their children in particular, but they
13 are not always in a position to know where the resources
14 are. That is why the Migrant Health Program was designed.
15 First of all, it was to help provide some sense of con-
16 tinuity of health care for farmworkers so that they could
17 be followed by some type of health care system as they
18 traveled the stream. It is not the best system by any
19 means, but I found a real sense of commitment among
20 individuals that do work in the Migrant Health Program to
21 really follow those people to Erie, follow them to San
22 Antonio if that is where they are going to go, to make sure
23 the treatment is completed.

24 For an example, we are now doing a survey of all
25 of the infants and toddlers that have been under treatment

1 for the gastrointestinal disorder. We are informing the
2 Pennsylvania and New York area as well as areas of South
3 Carolina and North Carolina that these children are on
4 their way, they have completed treatment, but please moni-
5 tor them carefully.

6 CHAIRPERSON WICKWIRE: Thank you, we very much
7 appreciate -- yes, one question.

8 MS. SCHUMACHER: Sort of a wrap-up kind of ques-
9 tion. From your point of view, from your perspective,
10 which area of the laws and the regulations and standards
11 that apply to conditions in the camps is the weakest?
12 Where do you see the most improvement needed?

13 MS. CANNING: I would say in general safety on
14 the camps. Most of the -- well, we have a lot of disease
15 that we see in our clinics, most of the serious problems
16 that we see among children and adults are injuries on the
17 camp. I think health, that kind of safety, trauma, is a
18 real problem again, and then also it is contributed to by
19 the large amount of alcoholism we see among the farmworkers
20 as well, those kinds of problems related to violence. If
21 people are not working, then they start drinking, and then
22 there is fighting, et cetera, et cetera. And that con-
23 tributes to damage on the camp and sometimes injury and
24 illness at that point.

25 MR. FERRON: Can you answer my earlier question--

1 MS. CANNING: I'm sorry, I --

2 MR. FERRON: No, no, that I asked the previous
3 speaker -- regarding injury related to the performance of
4 the work on the camp. It doesn't appear that we have a
5 speaker that might be able to address that, and I would
6 like to know whether or not you know if there is workmen's
7 compensation laws covering that.

8 MS. CANNING: Yes, they do,

9 MR. FERRON: And how effectively are they
10 applied?

11 MS. CANNING: It takes a little tenacity to go
12 after it and get it, but we have on occasion helped farm-
13 workers secure workmen's compensation. Basically, because
14 the health project will usually -- I have a selfish moti-
15 vation as well in that we cover some expenses of farm-
16 workers in terms of health care and if I can get them on
17 workmen's compensation, that saves my money towards some-
18 thing else. So that, on the whole, I'd say we've had some
19 good luck in terms of getting workmen's compensation for
20 those individuals who are injured on the job.

21 MR. FERRON: Thank you.

22 CHAIRPERSON WICKWIRE: Thank you, Ms. Canning.
23 Now, we have one last person to speak to us, is Mr. Moises
24 Loza here? He's here. All right, from the Housing
25 Assistance Council. Sorry we are doing this at the end

1 of the day on you.

2 MR. LOZA: That's quite all right.

3 CHAIRPERSON WICKWIRE: Would you please state
4 your name and position for the record.

5 MR. LOZA: My name is Moises Loza. I'm with the
6 Housing Assistance Council out of Washington. If I might,
7 very quickly, just run you through the packet that I gave
8 you so you know what is in there and you can see that at
9 your own leisure.

10 I've gone ahead and written out a statement,
11 which I will not read, I will try to summarize it in the
12 interest of time. I have also included some new guidelines
13 for seasonal farm labor housing which just came out a
14 couple of weeks ago. I have a brochure that describes the
15 organization that I work for, the Housing Assistance
16 Council, and one of the booklets that we print, and then
17 all of you should have a piece that was written by a Mr.
18 Richard Margoles on the farm labor housing situation in
19 this country. So having introduced you to all of that,
20 I would like to highlight the statement that I have
21 prepared.

22 The organization I work for, the Housing Assis-
23 tance Council, is a national non-profit housing organiza-
24 tion. Our interest and our concern and the whole reason
25 for our existence is working towards developing housing

1 for rural communities, rural families. We work with farm-
2 workers around the country, with Indians, with black share-
3 croppers in the South, Appalachians, and some of the other
4 difficult to reach sort of families around the country.

5 The organization was established in 1971. We
6 have a seed money loan fund. We have several million
7 dollars that we have been able to turn over about eight
8 times over the course of our existence. Organizations,
9 municipalities, in some cases state governments, have used
10 our money to option property, to develop plants, to develop
11 housing, and any other sort of costs that are precursory
12 to the development of housing for rural low income
13 people.

14 We have a program of technical assistance,
15 program and policy analysis, research and demonstration,
16 training, information, and, as I said, we work with a
17 number of state agencies in assisting them to develop
18 their state programs in the development of housing for
19 rural low income people.

20 Our organization is governed by a 40-member
21 board of directors and a good number, I would say about
22 a quarter of our board, are people who in fact came out
23 of migrant streams or former farmworkers or represent
24 organizations that serve the farmworker population.

25 The Housing Assistance Council also chairs

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1 a farmworker housing coalition out of Washington. The
2 coalition, just for your information, is composed of the
3 Migrant Legal Action Program, the National Association of
4 Farmworker Organizations, the National Council of La Raza,
5 the National Housing Law Project, the National Low Income
6 Housing Coalition, the National Rural Housing Coalition,
7 Rural America, and, of course, the Housing Assistance
8 Council.

9 I suspect that through these hearings and
10 tomorrow you will hear about the conditions farmworkers
11 live in. We have worked with a number of organizations
12 across the country in the interest of developing housing
13 for farmworkers. There is a program in the Farmer's Home
14 Administration, if I can just quickly find that information
15 in here, that is intended to serve the housing needs of
16 farmworkers, Farm Labor Housing Program, commonly referred
17 to in the esoteric sections 514 and 516.

18 The thing we have found over the years is that,
19 since its inception in the 1960's, the program has been
20 used almost entirely, with the exception of Florida and
21 California, almost entirely for year-round housing. And
22 while farmworkers in their home base in fact experience
23 some very serious housing problems, all the studies show
24 that the migrants while they are traveling in the stream
25 experience an even worse set of housing problems.

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1 For a number of years, a number of organizations
2 have been meeting with the Farmer's Home Administration
3 trying to get the agency to redirect some of its farm
4 labor housing money to develop some of this housing for
5 the migrants while they are in the stream.

6 In 1979, the Congress in fact passed a law that
7 mandated that some of the housing built under its Farm
8 Labor Housing Program be built for the migrants. Farmer's
9 Home Administration proceeded to meet with organizations
10 across the country, at the time I worked for the Farmer's
11 Home Administration, and we traveled across the northwest,
12 the midwest, the southwest, the northeast, trying to get
13 some feedback on how you make a program that has a portion
14 of it as a loan to work, make it economically feasible to
15 serve those migrants, families who are in any given area
16 for only a few weeks or a few months.

17 During the discussions, a number of the organi-
18 zations that we spoke to expressed their real concern that
19 if any change in the standards were brought about, it would
20 open the door for abuse. One of the major points of dis-
21 cussion during these meetings was that because the Federal
22 Government requires minimum property standards in all the
23 housing that it develops, that in fact that makes the
24 housing very, very expensive.

25 One of the first items that was discussed in

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1 cutting down the cost and making the housing affordable
2 dealt with in fact diminishing, eliminating or somehow
3 lessening the minimum property standards.

4 The groups that expressed those concerns had
5 some valid points because even though the housing that is
6 funded by the Federal Government is supposed to meet
7 minimum property standards, we have seen a lot of housing
8 developed by the Federal Government that does not meet
9 minimum property standards. So a violation of the violation
10 I think is very valid.

11 As I say, finally, the Farmer's Home Administra-
12 tion just last June 29th in fact came out with new seasonal
13 standards, and the seasonal standards reflect much of the
14 concern that has been passed on to them from organizations
15 across the country. We applaud that move and we hope that
16 it will begin to develop housing for migrants. We do think
17 that the concerns raised by all these organizations across
18 the country are very valid and we feel that unless a very
19 close monitoring of the application of the new standards
20 takes place, that it is possible that migrants will con-
21 tinue to live in housing that does not meet their needs.

22 I think you are all aware, as we are all aware,
23 what the lack of monitoring and enforcement can do, the
24 sole purpose, at least I feel the most important purpose,
25 of coming before you is that I would like to respectfully

1 request that the Maryland Advisory Committee concern
2 itself with these new standards and help us, the Housing
3 Assistance Council and the Farmworker Housing Coalition,
4 to monitor their application to protect the interests of
5 migrants.

6 We would like to maintain with you an open line
7 of communication that allows us to exchange information
8 and concerns and support one another with data, ideas, and
9 technical advice. The Housing Assistance Council intends
10 to stay on top of the new standards and we hope that the
11 Advisory Committee will do the same.

12 HAC has proposed, and the Farmer's Home Adminis-
13 tration has agreed, to develop the project application that
14 demonstrates the applied use of the new seasonal standards.
15 What we are presently doing is traveling in the Delmarva
16 area, trying to identify a local sponsor, be it a housing
17 authority or a non-profit organization, that is willing
18 to give these new standards a try.

19 We are prepared to make our staff available to
20 work with them in the development of this housing. We are
21 also prepared to make our loan funds available to get the
22 housing started.

23 The Farmer's Home Administration has agreed to
24 set aside financing to build the housing, and has also
25 agreed to set aside rental assistance which will make the

1 rents, the cost to the actual migrants, affordable.

2 We have found some possibilities in the Eastern
3 Shore and in North Carolina and New York and Pennsylvania.

4 There seems to be a great deal of interest in moving forth
5 and demonstrating whether in fact these new standards will
6 work or not. We have yet to see how it works. We'd be
7 glad to keep you apprised.

8 Again, in the interests of time, I am being
9 brief. If there are questions, I'd be glad to answer them.

10 CHAIRPERSON WICKWIRE: Thank you, Mr. Loza. Are
11 there questions?

12 MR. RUTLEDGE: I'd just like to ask, have you
13 approached any of the growers in this connection?

14 MR. LOZA: Absolutely. One of the conditions --
15 Well, so far, no. So far, we have not been successful.
16 One of the conditions of the demonstration has been that
17 growers have to be involved. Now, we've developed, I would
18 say, thousands of units of farm labor housing across the
19 country, and we have found that if the growers in the area
20 do not support the development of the housing, the
21 problems that are generated thereof can be very significant
22 and in many cases can stop the program.

23 MR. RUTLEDGE: In terms of management?

24 MR. LOZA: In terms of a variety of things. The
25 growers have a real stake in who owns the housing that

1 their workers live in. As long as the workers have
2 ownership and control of the housing, they also have some
3 control over workers, they know where they are, they know
4 that the work for them, and it makes the management of
5 their harvest a lot easier.

6 When in fact a housing authority or another
7 organization owns the housing, the growers have to bid
8 and compete for those growers, so it makes the situation
9 more difficult.

10 Many growers in many parts of the country have
11 opted to let somebody else run the housing because in fact
12 for many of them it is a headache and it is too much of
13 a hassle and they would just as soon let some public body
14 handle the housing and they simply go with their crew
15 leader or directly and recruit from that housing. It
16 varies. It depends on the history in the area. But so
17 far, in this particular area, we have asked the authorities
18 and the organizations that we've approached about becoming
19 involved in the demonstration and so far the growers have
20 expressed some concerns. While it is not necessarily
21 opposition, I think they are asking a lot of legitimate
22 questions. And as long as they continue to ask those
23 questions, we can't move any further.

24 MS. EATON: I have a question. You say that the
25 HAC provides seed money, loans, technical assistance,

1 et cetera, et cetera, to public non-profit and private
2 organizations. Who are your major users, the public or

3 MR. LOZA: For farm labor housing, it is mostly
4 the public bodies. For all the other work we do, it is
5 mostly non-profit organizations.

6 MS. EATON: Would you say that -- and I know
7 that you just covered that, but would you say that private
8 organizations perhaps are leery of using your services
9 because then the Feds will come and inspect and it is more
10 trouble that way? I don't know, is that their bottom line
11 why they don't use your services, or are there other --

12 MR. LOZA: No, that's one of the reasons. As
13 a matter of fact, if I can generalize; which is never fair,
14 but there are parts of the country along the northeast
15 where the growers tend to just not get involved with the
16 federally assisted housing because of the hassles and
17 the interference of the Federal Government.

18 In the south, in Mississippi, for example, almost
19 all of the farm labor housing that has been built has been
20 sponsored by growers themselves. So, again, it will vary
21 with the different growers and with different parts of the
22 country.

23 MS. EATON: So would you say that these things
24 really --

25 MR. LOZA: I think after having spent about

1 four years working on that, we think that that is as good
2 a job as can be done without meeting minimum property
3 standards. Some of the things that --

4 MS. EATON: No, I don't refer to that. I have
5 not read them, but I mean in terms of if you don't have
6 the authority to enforce these things, how good are they?

7 MR. LOZA: I think anything that can't be
8 enforced is worthless. Yes, absolutely, absolutely.

9 MS. EATON: So you depend almost on volunteer
10 support or that kind of thing rather than -- you don't
11 have access to these profit organizations to come and
12 say, you know, these guidelines apply to you?

13 MR. LOZA: No, all we can do really is report.
14 When we have an outstanding loan with an organization, we
15 have some influence on the organization. But once those
16 loans are paid off to us, obviously, then it becomes an
17 enforcement issue and our involvement is minimal, if any
18 at all.

19 MS. EATON: Can I ask one last question, please.

20 CHAIRPERSON WICKWIRE: All right, we're pretty
21 late.

22 MS. EATON: Okay, no, go ahead.

23 CHAIRPERSON WICKWIRE: All right, Mr. Loza, we
24 thank you for your presentation. We want to invite you
25 to come back tomorrow. We will take a recess now and

1 come back tomorrow at 9:00 o'clock. Thank you.

2 (Whereupon, at 9:36 p.m., on Wednesday, August
3 4, 1982, the Advisory Committee meeting was recessed, to
4 reconvene the following day, August 5, 1982, at 9:00 a.m.)
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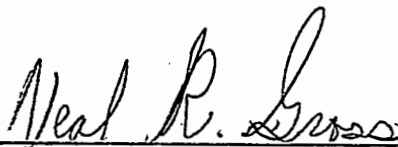
In the matter of: MARYLAND ADVISORY COMMITTEE
PUBLIC FORUM
CONDITIONS OF MIGRANT LABOR CAMPS ON
EASTERN SHORE

Before: Dr. Chester Wickwire
Chairperson

Date: August 4, 1982

Place: Government Office Building Room 106
North division street and Route 50
Salisbury Maryland

represents the full and complete proceedings of the
aforementioned matter, as reported and reduced to type-
writing.


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