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# The News Briefly

## WORK, INFORMALLY SPEAKING

Speaking out on NY's informal workforce

Four years ago, I sat in the kitchen of a crude, three-room house in an end-of-the-road town in rural Mexico. I was listening to my hostess, Maria, reminisce in Spanish while she cooked tortillas over a wood fire. With one of her twin sons, Manuel, balanced on her hip, she told me about his father, whom he'd never met. She talked about how her husband, the son of a farmer, left for the U.S. when he found out Maria was pregnant. He felt that working illegally in the U.S., where he could easily make seven times as much as at home, was the only way to guarantee his sons' futures. He'd been away for more than a year and a half.

This image came rushing back to me Monday night, as I sat in the grand old parlor of the Albert F. Laub house on Delaware, where several faith-based and outreach groups had called a meeting. The point of the meeting, the February Coffeehouse, was to discuss the rights of migrant farmworkers in New York State. At least two of the groups represented at the meeting, Rural & Migrant Ministry (RMM) and Centro Independiente de Trabajadores Agricolas (CITA), have been engaged for years in an ongoing campaign to help New York's migrant farmworkers, who they say comprise an underpaid underclass. The majority of migrant workers here are illegal aliens: the NYS Department of Labor says 85 to 90 percent; the Cornell Cooperative Extension says 60 percent. Either way, Maria's husband isn't alone.

Guest speaker Luis Torres, RMM's WNY director, outlined the recent history of the fair labor movement, but mostly the meeting was a brainstorming and networking session to lay out a plan for this year's campaign. He said that his group is fighting for overtime pay, a day of rest and the right to unionize for farm laborers—"the same rights the rest of the labor force enjoys," Torres said.

For 10 years the group has been trying to get Albany to pass the Farmworker Fair Labor Practices Act. Last year, after a march of more than 250 miles from Albion to Albany, Senator Joseph L. Bruno agreed to talk to RMM for the first time.

Then the Senate went into closed session, and the bill was heavily edited before it could go to a vote. "We knew when they went into a closed session that our voices were being stopped at the door," says Torres, "and the voice of agri-business was moving in." The only provision that remained was a day of rest—which would sometimes depend on the weather. There would be no overtime, there would be no unions. The same bill has been repeatedly introduced and passed in the Assembly, but Bruno hasn't let the Senate vote on it. This year, RMM needs a better plan.

Not everyone at the meeting was there to help. One elderly man, Donald Perry of Gasport, kept interrupting to argue points that were immaterial to the rest of the group. Some sample exchanges:

Torres: "Congress just passed a bill [H.R. 4437] that takes us into Draconian standards on immigration policies."

Perry: "Draconian standards? What do you mean, Draconian standards?"

Torres: "I mean a church that provides food and clothing for an undocumented person could be criminally charged."

Perry: "You mean aiding and abetting an undocumented person?"

Shocked audience members: "As an act of charity!"

And that's how it went, Perry bringing up the legality of workers, the crowd caring not about their legality but about their humanity...passionately.

There was a third, silent contingent represented at the meeting, too—farmers. Jim Bittner, a fruit farmer with a 600-acre farm in Appleton, introduced himself to me before the end of the meeting. "I'm just here as an observer," he said. "I'm not here to get into debates with them." Then he started denouncing some of the claims made in the meeting regarding the safety of farm labor.

Later the audience broke off into small focus groups. The meeting broke up at 9:15 or so.

The next morning I received an e-mail from an onion farmer named Chris Pawelski. Don Perry had contacted Pawelski, but in many cases, his views differed from those of Perry—in fact, he fought the "Draconian" immigration bill. Pawelski owns a 100-acre farm in Orange County and has long been involved in the debate over farmworkers' labor rights. He's motivated by what he sees as a threat to the sustainability of his business. For instance, regarding overtime pay, Pawelski says, "I can't afford it. I'm getting paid for my onions—not adjusted for inflation, but dollar for dollar—the same price I was getting paid over 20 years ago. While everything else has risen exponentially in that period—my pesticide costs, my seed costs, my taxes, my fuel and my labor—the price I receive hasn't changed. My margins are razor thin. If I have to pay overtime... I'll have to cut back their hours to 40 so I can afford it."

Indeed, agriculture is in trouble in this state, with family farms closing daily. In the past 20 years, New York has lost a quarter of its farms. There aren't many "corporate" operations in this state, either, and truthfully most family farms treat their employees well. The catch-22 is that the conditions that are hurting local farmers and causing them to look to migrants and illegals—the global economy and NAFTA—are the same conditions that are sending those migrants here to begin with.

—peter koch