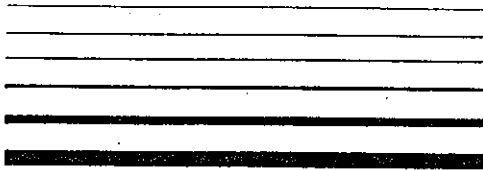


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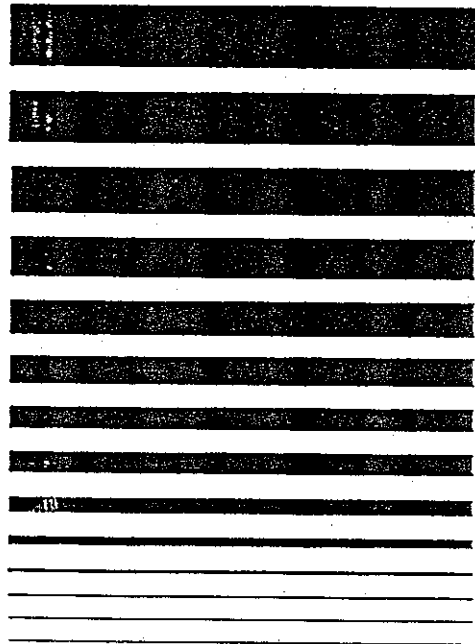
Homeless Farmworkers and Day Laborers Part 2:  
Recommendations

*February, 1992*



# Homeless Farmworkers and Day Laborers

## *Part 2: Recommendations*



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## Forward

*One year ago the Task Force completed its first study on this region's homeless farmworkers and day laborers. This report was significant in that: (1) it was our first comprehensive examination of the distribution and conditions of this region's documented workers who live outdoors, and; (2) it acknowledged that the level of homelessness in San Diego's rural areas is even more than that of the county's urban homeless population. Indeed, the study in effect more than tripled previous estimates of the total county's total homeless population.*

*The Task Force's 1991 report was broadly distributed throughout the county to elicit recommendations for improving the conditions of these impoverished homeless workers, and their impact on surrounding communities. Through the succeeding months, a wide range of thoughtful comments, suggestions, and concerns have been received and considered by our Community Resources Committee, which is responsible for creating this second report.*

*A substantial portion of this report was also drawn from another source of practical recommendations. The release of the Task Force's first report coincided with the "Multi-Jurisdictional Conference on the Farmworker and Day Laborer Housing Crisis," convened by San Diego City Councilmember Abbe Wolfsheimer in February, 1991. The conference brought together policy makers and resource persons from throughout the region. Many of the ideas created by the 185 participants of that productive conference are included here in these pages.*

*The purpose of this second report is to stimulate action, both individually at the local level, and collectively through regional, state, and national collaboration. While the value and feasibility of these specific recommendations needs to be ultimately decided by each local jurisdiction or group, this report is presented with the footnote that much effort has been made to secure a realistic assessment of local concerns and options.*

*The Task Force welcomes comments on these recommendations, and is prepared to assist in their implementation.*

February, 1992

## i. Overview

The February 1991 report of the Regional Task Force explored the characteristics and living conditions of homeless farmworkers and day laborers; their impact on the communities of North County and the northern region of San Diego city; and local efforts currently underway to improve conditions.

As the second phase, this report presents recommendations for addressing the key issues presented in the first report. Together, these recommendations are directed to 11 general objectives:

1. Crisis assistance through emergency services available to all homeless persons
2. Alternatives for meeting housing needs
  - a. General
  - b. Funding and land availability
  - c. Nonprofits
  - d. Planning, zoning and permit approval
  - e. Building codes
  - f. Code enforcement
  - g. Design
  - h. Rent assistance
  - i. Leaseholds
3. Increased response to health needs and to the need to protect the public's health.
4. Assistance with finding and retaining employment at a level sufficient for securing housing arrangements
  - a. Income
  - b. Obtaining employment
  - c. Job improvement
5. Support in assimilating workers into the local culture and granting them and their families access to education
6. Access to public transportation and other transportation assistance
7. A concerted and coordinated local effort to enlighten federal understanding and increase responsibility at all levels of government
8. A regional approach to resolving common community issues
9. Enlightened public perception and opinion
10. Improved camp conditions
11. Farmworker and day laborer participation in decision-making.

## Homeless Farmworker and Day Laborer Report

Some of the recommendations in this report are not new: they have been presented in one form or another in documents or statements from various representatives in the public and private sectors. In these cases, the original source recommendation is cited by footnote. *Appendix A* lists these numbers and responding sources.

### Purpose of Report

This second report has been created for the following reasons:

- ...Assist in efforts to secure public and private funding for programs addressing the needs and conditions of farmworkers and day laborers.
- ...Influence favorable public policy regarding farmworkers and day laborers.
- ...Factor complex issues into approachable alternatives.
- ...Help establish an accurate and useful body of knowledge regarding homeless farmworkers and day laborers; their conditions; and their impact on local communities and on the region.
- ...Encourage continued public dialogue on these issues.

### Geographical Scope of Report

In describing this population and its conditions, this report is necessarily general. Its statements contained in the *Background, Issues, Summary, and Recommendation* sections. While most of the conclusions and recommendations are appropriate when viewing the entire region as a whole, there may be numerous geographical exemptions to any single conclusion or recommendation. The report's assessments and recommended actions, therefore, must be ultimately judged for their relevance by each local jurisdiction. The homeless farmworker and day laborer population resides principally in the North County region. Specifically, camps are clustered

*North County West* - Oceanside, Carlsbad, San Dieguito, Encinitas and along the edge of Pendleton.

*North County East* - Escondido, San Marcos, Vista, Valley Center, Pauma, and Fallbrook.

*North City* - North City West/La Jolla Valley, Miramar, McGonigle Canyon, San Pasqual Valley, and Poway.

*East County* - Alpine, Laguna-Pine Valley, and Ramona

# CRISIS ASSISTANCE THROUGH EMERGENCY SERVICES AVAILABLE TO ALL HOMELESS PERSONS

# 1

## 1. Shelters

*Background:* In San Diego, shelters for homeless individuals and families range from a bed for the night to highly structured transitional programs which combine housing with supportive services. However, of the 1,929 spaces (1,002 for emergency lodging) in shelters throughout San Diego County, very few are occupied by farmworkers and day laborers. Serving the traditional homeless, shelters are overwhelmed in simply meeting the needs of 8,000 urban homeless persons.

Shelters are inaccessible to farmworkers and day laborers because of distance from fields; language barriers and cultural unfamiliarity; and, uncertainty regarding federal funding restrictions. Traditional case management plans don't apply to the migrant population. The effectiveness of traditional shelter programs depends upon following a case-managed plan directed to the goal of securing independent housing with a fairly limited time frame. For the farmworker and day laborer population, this is rarely considered an attainable objective.

Progress in developing permanent emergency shelters has been minimal. Two projects offer emergency shelter to farmworkers and day laborers: one sponsored by the City of Oceanside and the other by St. Vincent de Paul. The Oceanside program promises to be an economically feasible and acceptable solution for other areas as well. With space for 21 people, workers are able to stay up to six months. Another, St. Vincent de Paul's Ramona Shelter, welcomes singles and families and has a capacity for 50 people with a maximum stay of 60 days. The shelter's sponsors are attempting to locate a permanent facility for the shelter.

The region's third shelter is being developed in the Carlsbad area, sponsored by the "Caring Residents of Carlsbad" and Catholic Charities. The group has been approved for \$345,000 in State Emergency Shelter Grant (ESG) funds for developing a 50 to 60 bed facility, with a maximum 30 day stay. The shelter, whose operation will be partially financed with a \$25,000 federal grant channeled through the City of Carlsbad, is located near the city's hiring hall for day laborers. The City of Carlsbad is also assisting by deferring \$81,000 in development fees, and contributing a trailer for a resident manager.

Other shelter programs include inclement weather shelters. The County's inclement weather shelter program, serving North County homeless persons at the Vista Armory and East County residents at the El Cajon Armory, is available to nearby workers during times of cold, harsh weather.

The City of Escondido also provides continuous nightly shelter to families and single individuals during winter months, some of whom are farmworkers and day laborers. Single men are housed at the Escondido Armory, and families are provided vouchers for lodging at local hotels and motels.

In a report of Poway's Migrant Worker Relations Committee last year, a proposal for another inclement weather shelter program surfaced. The committee recommended that provisional shelter be located in church social halls, community centers and senior-citizen buildings, social, and fraternal organizations. Additionally, the City of

## Homeless Farmworker/Day Laborer Report

Encinitas Task Force on the Homeless has suggested that a 90-day inclement weather shelter housed in a public building, such as a municipal pool.

The expediency of shelters should not suggest that temporary solutions to emergency situations obviate the need for permanent affordable housing solutions. Efforts should not be fixed on temporary solutions, whether they be transitional emergency shelters or hotels with limited stays. These types of projects are cheaper, and less controversial than permanent housing, but the expediency of shelters should not suggest that these temporary solutions obviate the need for permanent affordable housing solutions.

### Issue Summary

*A very small portion of the region's emergency shelter beds and related services are available to farmworkers and day laborers. Existing shelters are at capacity for traditional homeless.*

*Shelters are inaccessible because of distance from fields, language barriers, cultural unfamiliarity, and uncertainty regarding federal funding restrictions.*

*There are very few client case management programs sensitive to the particular situations of farmworkers and day laborers.*

*Provisional shelter during inclement weather is limited to two areas near workers. Federal, State, local and private funding sources have not acknowledged the need among this population.*

*Even though it's critically needed by the farmworker population, and may be a more feasible objective than transitional or permanent housing, emergency shelter should be considered as only a temporary solution for housing.*

### It is recommended that

- ... Emergency shelters be available during inclement weather. Local codes and ordinances may have to be changed to permit siting and operation of these temporary shelters.*
- ... Service contracts with non-profit social service agencies include requirements for providing intake and referral information appropriate to the needs of farmworkers and day laborers.*
- ... Social service agencies make a concerted effort to extend their services to the workers in need or to help the workers get to the services. Because workers lack transportation, information about available services needs to get out to the workers at their job sites.<sup>1</sup>*
- ... County and local incorporated cities provide assistance in securing financial support and permit approval for bathing facilities, to encourage religious congregations and community groups to provide short-term shelter care.<sup>2</sup> Local*



## Regional Task Force on the Homeless

*church and nonprofit groups participate in a transitional housing program for workers and their families in need of temporary shelter. For an interim period, housing could be provided while workers are assisted in finding employment and permanent housing.*

...The County Community Action Partnership (CAP) provide a portion of funds allocated under CAP's emergency services program each year; these funds should be used specifically for establishing and maintaining emergency shelters for homeless farmworkers and day laborers.

...Allocations of locally-administered McKinney Homeless Assistance Emergency Shelter Grant (ESG), take into consideration the emergency shelter needs of farmworkers and day laborers. *ESG money could be used to convert buildings into shelters or to rehabilitate existing shelters. Social services and for operating costs of emergency shelters are also eligible expenses. In previous years, the County made two allocations of ESG funds to assist homeless farmworkers and day laborers, through the North County Chaplaincy and the Community Resources Center in Encinitas.*

...The Federal Emergency Management Agency (FEMA) Local Board recognize, in its planning and funding allocation decisions, the emergency shelter needs of workers. *The expenses of emergency shelters for workers, including those existing in legalized encampments, should be considered eligible for FEMA funding.*

...Support be given to the St. Vincent de Paul Center in locating a permanent site and securing necessary permits for their Ramona emergency shelter.

*The most pervasive problem facing farmworkers and day laborers is a lack of permanent housing. Despite a decade of unprecedented housing development, very little affordable housing is available at all, and particularly near farmworker and day laborer employment. Myriad factors affect the housing crisis, including the impact of the federal Immigration Reform and Control Act of 1986 (IRCA), which has changed migration patterns and housing needs; lack of regional and political leadership, lack of funding and land availability; the expense and red-tape of producing grower sponsored housing, few nonprofit farmworker housing groups; planning, zoning, and permit barriers; inflexible housing design standards; grower ambivalence; landowner reluctance to rent to farmworkers; and low wages with which to afford rent.*

## 2.0 General

*Background:* There is general political and public apathy concerning the lack of farmworker housing. This may in part be due to the ignorance most people have regarding the conditions under which those without housing must survive. The few efforts that are underway to produce housing are made extremely difficult by restrictions on housing design and placement, as well as by the lack of supportive services needed to accompany farmworker housing projects.

### Issue Summary

*Political opposition to housing often exists at different levels - elected officials, bureaucracies, and the targeted communities.*

*There's a reluctance to meet housing need through unconventional housing strategies.*

*Housing needs to be linked with social services.*

### It is recommended that

...More elected officials, public administrators, community service agencies, and the media visit farmworker and day laborer camps and become familiar with present conditions.

...All planning for housing homeless populations give equal consideration to all individuals, whether they be homeless farmworkers, day laborers, or urban homeless persons.

## Homeless Farmworker and Day Laborer Report

- ... San Diego Association of Governments (SANDAG) conduct a study on housing for farmworkers and day laborers, including assessing needs and costs, and the potential for federal and state rent subsidies. *The study should include a review of alternative designs for low-cost shelter such as prefabricated units or polymer housing units. Also included should be an analysis of the impact of existing restrictions on these designs, and suggestions for appropriate changes to be introduced as local or state legislative proposals. Farmworkers, day laborers, and growers should be consulted in the drafting and completion of this study.*
- ... Innovative approaches, many of which are already required or encouraged by the County, such as trailers or mobile homes used for farmworker housing, be encouraged and supported through state and local planning, zoning, and financial assistance.
- ... SANDAG request that state and local American Institute of Architects (AIA) chapters provide assistance in the development of a model housing project for homeless farmworkers.
- ... There be linkages between farmworker and day laborer housing and social services. *Some workers may require social service assistance. The delivery of these services, however, should not be the responsibility of property managers. Nor should the availability of social services be considered a substitute for good property management.*
- ... Developers be encouraged to include social service consideration in the design of housing for farmworkers and day laborers.

### 2.1 Funding and Land Availability

*Background:* There are several government programs which help provide farm and day laborer housing. At the federal level, the Farmers Home Administration (FmHA) makes loans and grants to finance the construction, rehabilitation, purchase of rental housing for farmworkers.

California's Farmworker Housing Grant Program (FWHG) provides matching of up to 50-percent for local government agencies and non-profit groups for development costs of new and rebuilt worker housing. The fund, intended as leverage for other funds, is available for both single and multi-family housing.

Another state resource for farmworker housing is the Office of Migrant Services (OMS) which operates within the California Department of Housing and Community Development and provides temporary housing and other services to migrant farmworkers. Counties and/or grower associations furnish land as in-kind contributions. With costs subsidized, families contribute 30-percent of their income towards rent.

There are also instances of federal Community Development Block Grant (CDBG) funds being made available for farmworker and day laborer housing throughout the state. Additionally, a San Pasqual project is being considered for development of a small, temporary campground of four to eight mobile home dormitory units, with a separate laundry, kitchen facility, dining facility, and recreation area. The City of San Diego Housing Commission is providing area plans, and the participating nursery will provide central bathroom and laundry facilities.

Although no farmworker housing project has been previously constructed through the San Diego County Department of Housing and Community Development (HCD), a project for 38 units of multi-family housing is being developed in the San Marcos area. In addition, the County's fee subsidization program has led to additional housing units for 133 workers within the 12-month period preceeding this report.

### Issue Summary

*Land costs prohibit farmworker housing projects.*

### It is recommended that

- ... Consideration be given to using revenue sources such as City of San Diego's Housing Trust Fund or Community Development Block Grant (CDBG) funds to pay impact fees associated with development of farmworker and day laborer housing.
- ... The potential for surplus federal land such as Miramar or old "Camp Elliot" be researched for providing temporary worker facilities. *Local agencies could run shuttle services to employment areas.*<sup>1</sup>
- ... At least one worker campground be developed as soon as possible, overcoming the land/location issue by using public land. *The camp should include: common restrooms/showers; trash removal and RV dump station; community fire ring and stoves; a covered area and table at each site; cooking facilities at each site; and site lighting.*
- ... A percentage of all CDBG funds be allocated for affordable farmworker and day labor housing.<sup>2</sup>
- ... The 20% housing set-aside funds of redevelopment agencies be allocated exclusively for low and very-low income persons.<sup>3</sup>
- ... State law require that 40%, rather than 20%, of tax increment funds be set aside for housing.<sup>4</sup>
- ... Unused school sites and/or public land be dedicated for long-term leases for low-income housing.<sup>5</sup>
- ... The County and cities examine the feasibility of regionally-sponsored seasonal housing for farmworkers.

## Homeless Farmworker and Day Laborer Report

...A minimum of 10 percent of all residential development projects be affordable for low income housing. *An appropriate in-lieu fee should be charged to projects not meeting this minimum requirement.*

...When it is not feasible to provide housing on site, farmers and growers should be encouraged to provide housing on a cooperative basis at a central site to provide housing for employees of more than one farm.

### 2.2 Nonprofits

*Background:* There are some non-profit housing agencies now interest developing farmworker and day laborer housing. Loans are available to farmer farmer associations. Both loans and grants are available to public and private profit corporations and to non-profit farmworker and day laborer organiza Farmers Home Administration (FmHA) funds are a crucial resource for California nonprofit groups.

#### Issue Summary

*There are some community-based nonprofit agencies considering the develop of affordable housing specifically for the farmworker and day laborer populat Existing nonprofits need help in developing skills and resources.*

#### It is recommended that

...Public funds be allocated for creating and nurturing non-profit housing corporations, toward the goal of developing a fixed number of housing units within a specified timeframe.

...Community organizations develop coordinated approaches in locating land and financial resources for providing housing. *Such coordination might include determining: (1) how best to work cooperatively with community planning groups to allay fears and to ensure that quality housing is built in each community; (2) what type of housing is a priority (apartments, single room occupancy hotels, congregate living units); (3) where it should be located; (4) who will build it; (5) sources of subsidy; (6) efforts that are needed to resolve barriers to getting the housing built.'*

...Any community-based organization wishing to begin efforts to provide housing for workers consider joint development ventures with other community agencies as well as joint ventures with private developers.<sup>7</sup>

...A strong nonprofit organization financially supported by local jurisdictions take charge of this issue. *This nonprofit could be structured as a multi-jurisdictional financing team or a housing trust fund for farmworkers and day laborers. Such an officially endorsed nonprofit entity could act as a clearing house of funding information; maintain an inventory of available and suitable land; and provide adequate predevelopment and control site expenses.*<sup>8</sup>

## 2.3 Planning, Zoning, and Permit Approval

*Background:* It has been almost impossible to establish a consensus on permanent affordable housing. An example: state funds for permanent farmworker housing demand provisions stating that housing must remain available for 20 years. With the potential that North County agricultural land holds for developers, growers refuse to tie up property far into the future. On the other hand, public officials are discouraged from investing taxpayer money in privately held land, fearing the land might be used for private purposes in the following years.

Growers wishing to provide housing for their workers are often put off by regulations and expense. Land use restrictions in some jurisdictions treat farmworker housing units the same as other dwelling units, with minimum lot size use requirements. For many agricultural employers, it is impossible to provide on-site housing for their farmworkers.

Additionally, neighborhood resistance is a well-chronicled barrier to potential sites for farmworker and day laborer housing. Despite solid evidence that low income housing does not lower property values, local residents rally against any suggestion of farmworker and day laborer housing near their neighborhoods. Debate continues among community planning groups as to where and how housing should exist. The categorical rejection of farmworker and day laborer housing feeds on a variety of ideas concerning the characteristics and conditions of workers.

Local zoning and planning ordinances generally prohibit families and groups of individuals from doubling up and sharing accommodations. Consequently, remote locations present the only alternative to living in overcrowded houses, apartments or mobile units.

## Homeless Farmworker and Day Laborer Report

During this past year, the County of San Diego modified its General Plan and z ordinances to stimulate the development of private sector agricultural emp housing. A component of these changes involves the waiver of certain fees, wi County allocating Community Development Grant Funds to help supplement anticipated loss in revenue.

### Issue Summary

*Presently, the development process is strewn with red tape, unwieldy regula and high permit costs.*

*The County has encouraged farmworker housing through its program that w fees for developers. Such a program could be more effective in cities where facilities such as a public sewer and water source are more likely to be available allowing for increased densities.*

*Zoning requirements add to the cost of providing farmworker and day la housing.*

*Standards for urban housing do not apply to farmworker and day laborer hou*

*Ordinances and zoning restrictions inhibit housing development.*

*Neighborhood resistance is a serious obstacle, despite statistics which neighbors have little foundation for their concerns.*

### It is recommended that

- ... All local jurisdictions grant density bonuses for farmworker and day laborer housing on agriculturally zoned property, as is now being done by the County.*
- ... County ordinances regarding farmworker housing be expanded to allow density increases for housing on agriculturally zoned property for projects that could also house day laborers. Currently housing is limited to agricultural employees. Modifying the ordinance will allow nonprofits and other groups to provide such off-site housing. This ordinance, along with the proposed modifications could serve as a model ordinance for other jurisdictions in the County.*
- ... County and cities establish ordinances to relax standards temporarily, for only a limited duration during which workers can be housed in tents prior to completion of housing projects. Regulations should be uniform yet broad enough to allow flexibility.*
- ... County and cities continue reviewing and revising zoning codes, ordinances, community plans and general plans to encourage and facilitate the provision of farmworker and day laborer housing.*
- ... Smaller size projects that fit certain criteria be allowed by right in the agricultural zone. This would make it easier for*

- growers to provide housing on their property by eliminating the lengthy and expensive use permit process.'*
- ... There be balanced communities. *Housing for farmworkers and day laborers needs to be dispersed throughout the community.*
  - ... All fees for the development of farmworker and day laborer housing within the County or any city be waived, subsidized by other funding sources, or be based on a sliding fee scale up to 100%, depending on availability of supplemental funding.
  - ... County and cities each assign a specific individual (an experienced planner/analyst) to facilitate farmworker and day laborer projects. *This individual would be primarily responsible for assisting applicants, particularly nonprofit developers and social service agencies through the entire planning, funding, and development process concerning farmworker and day laborer housing projects. Individual farmers and growers should be helped to identify potential sites, prepare site plans, and arrange financing and funding."*
  - ... County and cities continue to educate appropriate staff on the need to assist in the processing of these housing projects.
  - ... Permits be "fast-tracked." *Each jurisdiction establish a goal to process permits within a specific time period that requires minimum time and developer expenses, particularly when multiple levels of discretionary approvals are required. Coupled with this effort to expedite applications is the applicant's responsibility to submit material in a timely manner.*
  - ... Each jurisdiction compile specific written guidelines for developers to use in proposing and processing a housing project for farmworkers and day laborers.
  - ... A countywide list be compiled of contact persons for developers to obtain current information on County and city procedures/standards.
  - ... Additional incentives for the provision of housing include requiring ministerial rather than discretionary approvals; more flexible zoning; obtaining tax incentives; rent credits; and preferential treatment for sewer and water needs."
  - ... Farmworker/day laborer affordable housing projects be exempt from Special Assessment Districts which charge annual fees to residential properties.
  - ... Consideration be given to allowing farmworker and day laborer housing to be authorized by right, as long as minimum standards can be met. *These general site criteria would give potential farmworker and day laborer housing providers more information prior to their consideration of housing alternatives.*



## Homeless Farmworker and Day Laborer Report

### 2.4 Building Codes

*Background:* Misconceptions and fear sustain the pressure on County and other public officials to keep farmworker (and particularly day laborer) housing off parcel land and outside residential zones. Housing on growers' property would seem the best solution. However, even the respected growers, Harry Singh & Sons, have withstood unrelenting objection to the development of housing for their own workers on their own Bonsall property.

A further barrier commonly cited in the development of worker housing is septic moratoriums in some areas where farm lands are located, such as in the Valley Center and Rainbow regions.<sup>13</sup> Considering that small clusters of housing with septic tanks (for four or fewer farmworkers) are appropriate for the county's typical small farms (average size 10 acres), the lack of public sewers in North county's rural areas may not be a serious obstacle to farmworker and day laborer housing. Furthermore, the County already encourages this type of housing through its "waiver program" and zoning ordinance provisions.

To bring houses up to code in San Diego, the City of San Diego's Housing Commission has offered technical and financial assistance to lessees through repair or replacement with new manufactured housing.

#### Issue Summary

*Codes are not uniform among jurisdictions.*

*Standards are not always in place within the UBC to accommodate desired farmworker and day laborer housing.*

*Codes and standards discourage "compromise housing" (e.g. - they include definitions of "family" for congregate housing).*

#### It is recommended that

- ...A set of rural homeless standards be established to satisfy the intent of existing codes and be broad enough to allow case-by-case flexibility. *Efforts need to be made to reach regional agreement on these standards.*<sup>13</sup>
- ...SANDAG, through a multi-jurisdictional workshop develop reasonable "rural homeless" housing standards based on necessity, health and safety.<sup>14</sup> *It is recognized that SANDAG is precluded from imposing standards on local jurisdictions.*
- ...The County and cities distinguish between legal and non-legal housing and develop non-traditional but acceptable safe standards.
- ...SANDAG or the County coordinate local government responses to planning and code changes and help to develop standardized language. *They should also develop standard language for future updates of the Housing Elements of*

*local governments' general plans. These elements are currently being updated as required by the state. There is a need to modify local planning and code guidelines to permit the construction of housing for the farmworker and day laborer population.*

...Property owners be protected from liability.<sup>15</sup>

## 2.5 Code Enforcement

*Background:* Opponents to farmworker and day laborer housing should consider the high public and private costs of illegal camp abatement; the public health risk associated with camp conditions; and, the fire hazard present in most camps (see Section 10: Camp Conditions).

Meeting codes, including building, health and safety, is possible in formal, monitored worker camps and in subsidized housing. Out of the more than 200 camps countywide, there are only 37 encampments registered with the state Department of Housing and Community Development.

An important aspect of code enforcement involves illegal camp abatement. The costs of abatement are borne by both private property owners and the local tax base.

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### Issue Summary

*Disparity in the code enforcement exists among jurisdictions.*

*Code enforcement and abatement create an added burden on local government.*

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### It is recommended that

...A uniform but flexible regional rural homeless farmworker and day laborer code is preferable. *San Diego Association of Governments (SANDAG) could be used as a forum to review present laws and develop a consistent set of regulations that could apply.<sup>16</sup> The process could occur through workshops bringing together the building industry and building inspection teams from each jurisdiction. One output could be agreement on desired changes in existing restrictions, with subsequent drafting of appropriate legislation.*

...All the agencies enforcing farmworker and day laborer housing codes receive continuing education about specific conditions and challenges facing farmworkers.

...Deed restrictions be put in place to assure that farmworker and day laborer housing is maintained and appropriately used. *One enforcement tool is a monetary trust deed that can be foreclosed.*

## 2.6 Design

*Background:* A number of shelter designs have been employed throughout the country. Trailers, barracks, dormitories, hotels and traditional housing units are common methods for housing a maximum number of people in a clean, safe environment. Water and electrical supply and, sewage and garbage disposal are the primary concerns in the design and location of suitable living quarters.

### Issue Summary

*Conventional housing standards for esthetics and design are excessive, inflexible, and add unnecessary costs.*

### It is recommended that

... Shelter projects represent flexibility. *They can be designed to permit easy dismantling or "mothballing" during periods of lowest occupancy. For living areas, toilets, washstands, showers; facilities for cooking, refrigeration, and laundry could be in modular form, facilitating response to expanding and contracting use."*

... Recreational areas, both open air and sheltered, be available for days without work, weekends, and for family and social events.

... "Generic" site criteria be established to apply to worker housing sites. *It is appropriate that housing be considered as an "accessory use" to an agricultural operation -- therefore, many site-related regulations should not apply. Specifically, the following modifications could be developed and applied to all farmworker and day laborer housing projects:*

- *reasonable set-back*
- *waiver of landscape review*
- *waiver of urban development requirements (e.g., road paving and width, sidewalks, street lamps, curbs, gutters, etc.)*
- *reasonable between-unit spacing*
- *development of special density requirements to more accurately reflect the nature of worker housing & agriculture (e.g., 1 unit/2 acres, 2-4 units/10 acres.)*
- *Alternatives for effluent disposal (e.g., pumping of self-contained units), coupled with stiff penalties for abuse.*
- *expedited sensitive lands review*
- *exemption from grading/clearing permit if a certain minimum cubic yards of soil is to be moved."*

- ... Codes be amended to allow alternative housing solutions. *It is understood that proposed amendments would have to take into consideration legal liability issues, state mandates, and impact on availability of state and federal funding.*
- ... Specific standards for rural homeless housing as a pilot program be developed through SANDAG. *This would provide a vehicle to allow all agencies to reach agreement on the standards. A multi-disciplinary team or task force approach is needed, whatever the vehicle. Plans for a model project could be developed and made available to growers; expedited permits would further ease and hasten the construction of housing ."*
- ... Congregate housing be considered as a potential solution throughout the region, and regulations be modified to allow such housing. *This type of housing can be compatible in or adjacent to commercially-zoned areas, as are residential hotels (SRO's) in metropolitan areas. Almost every agricultural community has sites where limited commercial uses are located.*

## 2.7 Rent Assistance

*Background:* There is an underlying assumption in discussions of farmworker and day laborer housing that many workers won't spend their wages on rent, since their primary purpose for having migrated is to provide financial support for families left behind. Many are, in fact, sending part of their earned income back home. However, farmworker and day laborer housing advocates object to the conclusion that workers prefer the fields and canyons over paying rent; they believe that more workers, than is generally acknowledged, would be willing to pay rent if "affordable housing" were available.\*

Except when in substandard condition, rental housing in the general market is unavailable to farmworkers and day laborers. Property owners and managers object to overcrowding, with tenants doubling or tripling up to pay rent.

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### Issue Summary

*Wages are not sufficient to obtain rental housing at market rates.*

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### It is recommended that

- ... A rent subsidy program be instituted through local redevelopment agencies where sufficient vacancies are not available at market rates or below.
- ... Rent subsidies not be instituted in areas where existing

## Homeless Farmworker and Day Laborer Report

below-market rentals are scarce. *New construction of affordable housing should be a priority where scarce rentals exist.*

...A fund be established to provide emergency rent assistance to augment federal and state funds. *Individuals or families who may be unable to make rent or mortgage payments due to loss of income through illness or loss of employment could apply for one to two months rent assistance. The program could be administered through local government or through a non-profit agency.* ”

...In return for the fee waivers and streamlined standards, the provider of farmworker housing be required to assure that rents are affordable. *It is recognized that rent subsidies may be necessary to achieve affordable levels.*

...Providers of housing for day laborers should receive the same concessions and requirements as are proposed for farmworker projects in the above recommendations.

### 2.8 Leaseholds

*Background:* In San Diego, the City's Housing Commission is attempting to assist in providing some farmworker housing in a northern region of the city, San Pas Valley. One project is on publicly-owned property leased to growers. Scattered across the leaseholds are 37 houses, 32 of which are subleased to employees and their families. Many of the houses are in squalid condition, and have failed the health and safety inspections. Leaseholds present an opportunity for the City of San Diego to make land available for independently-owned worker housing.

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#### Issue Summary

*There is a special opportunity to secure grower sponsorship of worker housing on publicly-leased property.*

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#### It is recommended that

...Farmers and growers be encouraged to provide housing for their own permanent and seasonal farmworkers through consideration of leasehold incentives and alternative means of meeting minimum health and safety code requirements.

...Further, the City of San Diego Planning Department, Property Department, and Housing Commission work with farmers and growers to identify potential sites, prepare site plans, and assist with arranging financing and funding.

## *Regional Task Force on the Homeless*

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- ... As individual leasehold agreements in San Pasqual Valley come up for renewal, the City of San Diego Property Department incorporate requirements for leaseholders to provide housing for their permanent and seasonal farmworkers.
- ... Local jurisdictions lease parcels to nonprofits at a nominal rate to develop projects for housing farmworkers.
- ... Local jurisdictions assess the feasibility of creating or using leaseholds to increase the availability of housing for workers. *It may be particularly beneficial to consider the granting of leases to nonprofit housing groups.*

### 3. Health

*Background:* There are three categories of significant health risks associated with workers: those faced by the worker in the field; those encountered at "home" due to camp conditions; and, those faced by the community as a result of workers' health and camp conditions (see Section 10: Improved Camp Conditions).

After mining and construction, agriculture is the third most dangerous occupation in the United States.<sup>1</sup> Many hazards are related to the use of tractors, harvesters, ladders, irrigation, machinery and other equipment. Additionally, field work involves "stoop labor", exposure to organic dust and pesticides.<sup>2</sup>

Pesticide exposure is an insidious hazard. More than 5 million pounds of pesticides were applied in San Diego in 1985. Migrant workers are exposed to toxic pesticides from many sources: crops, soil and drifts of toxic sprays emanating from the field in which they are working and from adjoining fields. Acute health effects range from irritation of eyes and upper respiratory tract, to contact dermatitis and potentially fatal systemic poisoning. Chronic conditions in pesticide-exposed populations include cancer, birth defects, neurotoxicity, and reproductive and fertility adversity. Most workers have chronic exposure to low levels of many different pesticides (and "inert" ingredients) over a working lifetime.

Other hazards include heat-induced illnesses, and diseases related to ultra-violet radiation exposure, as well as eye damage due to lack of sunglasses. Also, those who work as day laborers in painting and construction, cement mixing, landscaping, etc., may be faced with unfamiliar equipment, lack of safety orientations and a subsequently higher accident risk.

In addition to their on-the-job disease and illness exposure, workers face perils in their camps. Improper sewage disposal is the major health threat to workers as well as local residents. The lack of proper disposal creates the potential for ground water contamination and the spread of fecal related diseases.<sup>3</sup>

Lack of fresh drinking water is also a health threat to the camp residents. Streams and ponds surrounding the camps are frequently used for defecation. Without fresh water, camp residents may drink and bathe in the contaminated water.

Needs for health care services, including dental care, remain largely unmet, although organized efforts in recent years have led to improvements.

Workers may fund their medical care in a variety of financing methods: County Medical Service (CMS), Supplemental Security Income (SSI), and private pay. To a very limited degree, some workers also access services through MediCal.

Most workers who obtain care pay with cash, and on a sliding-scale fee basis. Workers do not have private insurance coverage. There is no third-party insurance for agricultural workers who cannot afford regular premiums.<sup>4</sup> Additionally, while the University of San Diego (UCSD) Medical Center has been designated as the receiving hospital for indigent adults, it is reported that few, if any, farmworkers and

## ***Regional Task Force on the Homeless***

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day laborers seek care there, most likely because of the distance between hospital and North county campsites.

Of tremendous concern to the public is the risk of communicable diseases, including Tuberculosis, Malaria, Hepatitis A & B, cholera, sexually transmitted diseases (STD's) and AIDS. Tuberculosis (TB) has been found to pose a significant problem for farmworkers and day laborers. Due to the number of foreign born residents, California's incidence of TB is higher than the national average.<sup>5</sup>

According to the Homeless Healthcare Project, funded through Stewart B. McKinney grants, there are socio-cultural attitudes and beliefs towards health held by farmworkers and day laborers which, combined with inadequate health education and knowledge concerning access to health care, contribute to under-utilization of health care services. The project reports that, without vigorous outreach and education, this population defers treatment until conditions become acute.

In addition to addressing physical health conditions, the need for mental health services has also been raised. Workers are considered to be at high risk for serious emotional and mental health problems. However, they are not necessarily believed to be suffering from mental illnesses such as schizophrenia at rates as high as homeless persons in urban areas. According to San Diego County Mental Health Services (SDCMHS), workers regularly go untreated by any mental health services.

As referenced earlier, a source of funds for health services for the past five years has been the Stewart B. McKinney-funded Healthcare for the Homeless Project which reimburses providers in conjunction with CMS, MediCal, private insurance, and private pay.

Delivery of services to fieldworkers has been particularly enhanced through the Canyon Healthcare Coalition, a North County group of health providers, churches, groups, and homeless advocates.

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### **Issue Summary**

*Illnesses, injuries, and public health threats are as real as the squalor in which workers exist.*

*Lack of health insurance coverage is a serious impediment to farmworker and day laborer health care.*

*Medical services, covered through County Medical Services (CMS), MediCal, and Supplemental Security Income (SSI), are available to workers who meet eligibility requirements. In general, CMS coverage is limited to conditions deemed serious or life-threatening.*

*Workers tend to defer treatment of medical conditions until they become acute.*

*Worker access to community health care services has been improved through the Canyon Healthcare Coalition and the Healthcare for the Homeless Project.*



**It is recommended that**

- ... Communication be made with the Office of Migrant Health in Washington, D.C. to have their strategic work plan acknowledge San Diego's conditions and health threats.
- ... Bi-national programs be developed to further address sexually transmitted diseases, tuberculosis, malaria, measles, cholera, AIDS and other communicable diseases that affect border populations.
- ... The U.S. Dept. Health and Human Services earmark funds specifically for health services to farmworkers and day laborers.
- ... A single agency be appointed as responsible for epidemiological studies and collection of data pertaining to farmworkers and day laborers. *Currently, with the San Diego County Department of Health Services, the Division of AIDS and Community Epidemiology and the Division of Community Disease Control share responsibility for epidemiological study and disease surveillance of workers.*
- ... The lack of bilingual staff not be considered justification for the failure of health care providers to serve farmworker/day laborers. *Health care professionals should be held accountable for the degree to which they assist workers with their existing staff and resources.*
- ... Legislation be introduced to include homeless farmworkers and day laborers among target populations served by state-funded health care programs.
- ... County Department of Health Services continue to develop partnerships with the San Diego County Medical Society, the California Medical Associations, and corresponding organizations on the other side of the border, in addressing issues of common, border-related health concerns.
- ... Health services planning and delivery include consultation with the Canyon Healthcare Coalition and regional community health clinics in order to avoid duplication of effort at existing facilities.
- ... Primary care services for farmworkers be increased, especially emergency services, prenatal care, and well-child care, including immunization, and screening for those not screened through IRCA for TB, syphilis and HIV positive.
- ... Health education be given given equal consideration in the planning and delivery of health care.

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- ... Outreach services be developed consisting of education in basic nutrition, basic hygiene, and prevention of pesticide exposure. *Simple preventive health education could avoid future complex health care.*
- ... Employers comply with legal requirements to provide portable toilets, provisions for handwashing, and potable water for their workers.
- ... Employers be urged to provide health insurance coverage for their workers. *In addition, employers should be closely monitored to assure workers' compensation coverage.*
- ... Mental health and substance abuse services which specifically provide outreach to farmworkers and day laborers be developed.

ASSISTANCE WITH FINDING AND RETAINING  
EMPLOYMENT AT A LEVEL SUFFICIENT  
FOR SECURING HOUSING ARRANGEMENTS

4

4.0 Income

*Background:* Although the U.S. minimum wage is at least five or six times higher than the prevailing wage in Mexico (which is, in turn, higher than most in Central America), a profound wage inadequacy still exists for those living in San Diego.<sup>1</sup> The wage differential attracts many farmworkers and day laborers to the San Diego region. However, this differential fails to help them obtain anything but the lowest standard of living.

Almost all farmworkers and day laborers are young males. Many support families back home. Whether they are supporting families in San Diego or in Mexican villages, the wages earned by almost all migrant workers are inadequate for daily living. Farmworkers earn the minimum wage of \$4.25 an hour. Though day laborers are able to earn \$5 to \$6.50 per hour from sporadic work opportunities, they are often employed much fewer than 40 hours per week. Additionally, much of the full-time employment which had been previously available to day laborers has been severely cut back.

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**Issue Summary**

*Income levels are inadequate for obtaining housing.*

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**It is recommended that**

- ... Community education be available to explain the rights that exist under the Immigration Reform & Control Act of 1986 (IRCA), other immigration laws, and the Fair Housing Act.
- ... U.S. Congress be encouraged to allow states to use State Legalization Impact Assistance Grant (SLIAG) funds to provide vocational and employability education and stand-alone job training to newly legalized persons.

### *4.1 Obtaining Employment*

*Background:* Methods of obtaining employment vary for farmworkers and laborers. Job networking methods include organized hiring halls, hiring sites, telephone job networks. Through "open market bargaining," workers improve chances of finding and negotiating employment. Honest employers and homeowners also benefit from this approach.

Both the City of Encinitas and the City of Carlsbad have established hiring halls. Encinitas hall, however, has been closed, primarily due to an unwillingness to fund the hall with city general funds. During its two-year existence, the hall made 10 placements of workers with 3,000 different employers.

Rather than using public funds, another hiring hall in Valley Center is sponsored by community service groups. Supporters of the halls view these centers as a way to assist documented residents in becoming stabilized, and as a way to cut down on complaints concerning day laborers waiting for employment on street corners. Hiring halls establish that workers are documented.

The City of Carlsbad has contracted a community based non-profit employment training and placement agency to operate their center. The center emphasizes permanent placement, attempting to break the cycle of day to day survival; encourage further assimilation into the local culture. Many workers are introduced to the center through law enforcement officials and center staffs engaged in outreach. Incentives are used to encourage workers to return after their initial visit. These include legal aid, public health educations, dental care, eye checkups, English classes, and, of course, eventual employment placement.

Contrasted with Carlsbad and Valley Center, the City of Los Angeles takes another approach. It gives employers the responsibility for verifying documentation. The city offers only four job center sites.

In Orange County, the City of Dana Point uses a telephone job network. Workers seeking employment and employers searching for labor call in to both leave and receive phone numbers for either employees or employers.

Overall, the use of hiring halls not only provides the opportunity to centralize employment opportunities but also provides the opportunity to provide other types of assistance to the workers such as English classes, acculturation, job-search skills, job application skills, and classes in specific job skills.

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### *Issue Summary*

*Many workers have difficulty connecting with employment opportunities.*

*Street corners are the primary means of contact between employers and workers.*

*Hiring halls, hiring sites and telephone networks are a benefit to documented workers, employers, and the community.*

### It is recommended that

- ... Landlords and residents be encouraged to employ documented farmworkers and day laborers. *Workers in this kind of arrangement are more likely to be provided on-site housing.*
- ... The hiring hall concept be replicated in other areas of North County. *Evaluation of the Carlsbad, Valley Center, and former Encinitas hiring sites should continue, recognizing that differing approaches to employment services may be appropriately tailored to each community.*
- ... Legislation be authored to use State Legalization Impact Assistance Grants (SLIAG), or other appropriate sources for the development and maintenance of hiring halls.
- ... Attempts be made to ensure that individuals are fully employed, as is done at the Carlsbad Hiring Center, rather than perpetuating homelessness caused by occasional employment.
- ... Buses or van services be provided by local government to help workers get to and from employment and employment assistance sites.

## 4.2 Job Improvement

*Background:* Farmworkers and day laborers frequently fall prey to discrimination and employment abuse. Failing to receive wages, and exposure to accidents, injury, and pesticides are common examples of abuse.

Additionally, workers are sometimes paid below the legal minimum wage, or are required to work without pay during a "probationary period." Some workers are paid less than what was agreed upon, or are charged an initial placement fee and monthly "employment insurance" by the foreman.

Most workers are not provided with worker's compensation, state disability insurance, or Social Security. Payment of overtime, due after 10 hours in one day and 60 hours in one week, is routinely ignored by agribusinesses.

Compounding situations of inequities and abuse is the fact that most workers are unfamiliar with or unable to utilize legal resources. While some employers pay based on these illegally low scales, others simply don't pay. Failure to pay can also be attributed to an economic down-swing where marginal employers resort to even more harmful cost-cutting measures.

### Issue Summary

*Workers are not protected against unscrupulous employers. No agency exists which is devoted exclusively to their on-the-job protection.*

*Employers sometimes fail to pay entirely; fail to pay the legal minimum wage; or fail to pay for overtime.*

## *Homeless Farmworker and Day Laborer Report*

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*Employment abuses such as accident, injury and pesticide exposure, without benefit of safety training and equipment, are prevalent.*

*Workers are not educated to use legal resources.*

### **It is recommended that**

- ... Efforts be made to help workers help themselves by recognizing their skills and knowledge and assisting them to develop and use their personal resources to obtain additional income. In some cases, workers arrive with skills in arts and crafts and in other areas for which there is a potential market.
- ... The U.S. Labor Commissioner reinstate the previous practice of assigning staff specifically for farmworkers and day laborers in the Oceanside office of the Employment Development Department one day a week.

## 5. Assimilation

*Background:* Many farmworkers and day laborers lack the educational and literacy skills required to become independent in the United States. Some are further handicapped by illiteracy in Spanish as well as English. Overall, the prevalent lack of English fluency severely handicaps workers in their ability to use public services, obtain better jobs, find shelter, and assimilate into the local culture. They remain trapped in a life of low pay and homelessness.

In addition, the workers' inexperience, abject poverty and geo-cultural distinctiveness chafes against local laws and customs. To date there have been nominal efforts to meet the acculturation and educational needs of workers. While some materials are printed in Spanish language to provide information on worker rights, the criminal justice process, and community responsibilities, other efforts have been curtailed by recent state budget cuts. In fact, efforts in response to the Federal Immigration Reform and Control Act (IRCA) of 1986 included providing English as a Second Language (ESL) and other social and health related classes.

Until June 30, 1991, ESL classes were held six days a week at the Encinitas hiring hall. On that date, however, State Legalization Impact Assistance Grant (SLIAG) funds were both reduced by 66 percent and redistributed. ESL classes were eliminated, leaving over 100 students at that site, all documented farmworkers and day laborers, without assistance in gaining English proficiency.

Additionally, IRCA promised education to the 2.5 million immigrants documented under IRCA, up to the point of citizenship, the soonest being 1994. The reapportioned SLIAG funds allocate a combined total of 10% for social and health related classes, with the remaining 90% for public assistance.

Administered through a partnership of the Oceanside Community Action Corporation and Lifeline Community Services, a special North County program funded by United Way of San Diego, provides assistance to farmworkers and day laborers in developing skills for self sufficiency and entry into mainstream society.

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### Issue Summary

*Workers are unaware of their rights and responsibilities.*

*Lack of English proficiency severely impedes workers' prospects for advancement, including US citizenship attainment.*

*Public funding is shifting away from education to public assistance.*

## Homeless Farmworker and Day Laborer Report

### It is recommended that

- ... Worker youth be given the opportunity for interaction with bilingual/bicultural teachers. *These youth need to become proficient in English and at the same time develop skills in their native language.*
- ... Law enforcement authorities give incentive pay to any officers assigned to camp monitoring who are multi-lingual.
- ... Training for all law enforcement officers include cultural awareness.
- ... In areas with significant populations of farmworkers and day laborers, law enforcement authorities, in conjunction with community groups, distribute information in Spanish at workers' camps related to the importance of reporting crimes, rights of victims and arrestees, and a brief overview of the criminal justice process in the local areas. *Information, written in Spanish, could include a brief overview of the criminal justice process, rights of arrestees, and the importance of reporting crimes.*
- ... The County Sheriff's office and other law enforcement authorities in all cities create and distribute, on a continuing basis, materials in Spanish that outline laws and policies frequently violated by farmworkers and day laborers.
- ... Outreach education projects be made available at campsites and emergency shelters. *Being both visible and legitimate, such sites also could be places of contact between community groups and workers.*
- ... Resources be allocated to educate and inform the farmworker and day laborer population of their rights and of ways to access government services.
- ... Hispanic media programming be encouraged throughout the region, especially in the North County.
- ... Newspapers print bilingual enclosures informing the worker community of fire safety, rules and regulations involving alcohol and litter, medical and legal services, communicable diseases, English classes, emergency services and worker's rights.
- ... Official reliable avenues of communication be established between local government and representatives of the farmworker and day laborer community.
- ... Responsibilities be given to a position charged with implementation of each jurisdiction's policies and directives regarding acculturation of farmworkers and day laborers.



## 6. Transportation

*Background:* Immobility is a common problem for homeless workers. Many campsites are within walking distances of fields, but are away from urban public transportation zones. Other camps are more than an hour's walking time from the fields.

Distances present daily barriers to: purchasing food and goods at fair and reasonable prices; obtaining medical care; gaining access to training and other adult education classes; and, using banking and credit union services. Small matters require extraordinary effort and often result in a loss of income. At a cost of \$1.25 each way (\$50 a month) using public transportation, even commuting to work requires careful budgeting.

Pedestrian and bicycle safety is also at issue. Workers come from locales where traffic and highway practices are undisciplined.

### Issue Summary

*Worker immobility is a common problem.*

*Transportation costs are disproportionately high for a workers' income.*

*Many campsites are away from public transportation.*

*Workers are not familiar with traffic safety practices.*

### It is recommended that

... Creative transportation approaches involving the public and private sectors be encouraged. *A few donated vans from large businesses would go a long way toward providing links with jobs, housing, education, shopping and other needs.*<sup>1</sup>

... North County Transit District examine alternatives for routing buses closer to where workers live, at least for a few selected times during the day.<sup>2</sup>

... The County of San Diego, applicable cities, the San Diego County Farm Bureau and public bus companies determine the feasibility of creating a flexible transportation system, linking major farms, employment centers, workers camps and essential services such as markets, adult education locations, churches, etc.

## Homeless Farmworker and Day Laborer Report

...Pedestrian and bicycle safety programs be established. Efforts should be coordinated with a new program in freeway safety sponsored by the California Highway Patrol through a state grant, and with a new Caltrans program directed to railroad track safety.

# A CONCERTED AND COORDINATED LOCAL EFFORT TO ENLIGHTEN FEDERAL UNDERSTANDING AND INCREASE RESPONSIBILITY AT ALL LEVELS OF GOVERNMENT

# 7

## 7. *Governmental Response*

*Background:* Local legislators are becoming more determined to open dialogue at the state and federal levels; and to influence public policy and programs which place the state and federal governments in a more responsive position. Examples include San Diego Councilmember Abbe Wolfsheimer's Multi-Jurisdictional Conference on the Farmworker and Day Laborer Housing Crisis held in February, 1991, which addressed the directions private industry, and local, state and federal governments should take; and, San Diego County Board of Supervisor's Chairman John MacDonald's sponsorship of a national delegations' recent visit to enlighten federal legislators in Washington, D.C., about immigration funding issues.

There is no question that federal policies concerning immigration, and the political asylum process, have made significant demands and impacts upon county and city governments. A summary of the feelings of many local officials is summed up by the Migrant Worker Relations Committee in its report to the Poway City Council: "With the abdication of federal and state authorities of their responsibilities in these areas of social services, housing, legal assistance, etc., other agencies must pick up the slack, and most often that agency is the city... the federal government, for all intents and purposes, has washed its hands of the ensuing impacts."<sup>1</sup>

### Issue Summary

*Federal and State response to conditions and circumstances surrounding documented homeless workers in the San Diego region has been minimal.*

*The lack of resources, addressing the impact of the Immigration and Reform and Control Act (IRCA) and federal immigration policies, has placed a heavy burden on local jurisdictions.*

*Political leadership is lacking.*

### It is recommended that

- ... Congress be requested to conduct hearings in North San Diego County regarding local government's unsuccessful efforts to mitigate the immigration problems created as a result of the federal government's lack of resources.<sup>2</sup>
- ... Local government seek legislative changes to federal and state housing programs to make them more responsive to the needs of farmworkers and day laborers.
- ... Cities establish a coalition with other impacted cities and agencies to actively seek federal assistance and changes in legislation that would mitigate conditions.<sup>4</sup>

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... Cities and the county take an aggressive stance in lobbying the federal government and, where appropriate, the state legislature, on matters relating to "open border" impacts on local jurisdictions. *The abdication of the federal government in such a critical area as immigration and refugee accommodation has placed an immediate and critical burden on local government that cannot be addressed without state and federal assistance.*<sup>5</sup>

... Key members of Congress and the Office of Management and Budget (OMB) be made familiar with the San Diego problem.<sup>6</sup>

## 8. *Regional Communication*

*Background:* While San Diego and most of North County and unincorporated areas share common problems and worker concerns, there is insufficient collaboration in mitigating farmworker and day laborer conditions. Jurisdictions regularly coalesce around other common land use and social concerns, but no such recognized forum exists for addressing worker conditions. As a result, local government is immobilized when confronted with the scope and size of worker issues.

Although originally assembled two years ago to specifically respond to constituents' complaints in the McGonigle Canyon area of north San Diego City, Councilmember Abbe Wolfsheimer's First District Migrant Worker Task Force has evolved into a multi-jurisdictional group addressing camp conditions, alternatives for housing, and other planning and land use issues shared by all north county communities as well as the City of San Diego.

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### Issue Summary

*Local communities share common problems and concerns regarding farmworkers and day laborers.*

*Responsibility and accountability are regularly debated among local, state, and federal levels. Political leadership is lacking.*

*Local government is immobilized when confronted with the scope and size of the farmworker and day laborer problems. Very little new money is available to address these problems.*

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### It is recommended that

... The County and cities delineate their individual and collective jurisdictional responsibilities for planning and resource allocation for services to documented farmworkers and day laborers.<sup>1</sup>

... A countywide task force be constituted to resolve farmworker and day laborer issues. *This entity should be selected and funded to identify, assist, and link concerned people into a broad countywide coalition. This regional group should include representatives from non-profit community organizations, the County of San Diego and affected cities, and regional planning groups.*

## 9. Public Perception and Opinion

*Background:* Local residents are increasingly concerned because, as a major gateway to the U.S., San Diego experiences a continuous flow into San Diego of farmworkers and day laborers and their families into San Diego. Efforts of local officials to address conditions of this impoverished population are frequently washed away by the realization that their numbers continue to rise.

The public often reacts negatively to the presence of workers: on street corners, at bus stops, and on private property. Workers who have obtained legal status look openly for work, purchase food and goods, and may even enjoy time off.

Public opinion is also shaped by fears of fire, property devaluation, crime, and disease. The public has some foundation for concern. Workers' presence is particularly noticeable between peak agricultural seasons when supplemental day labor is the only work available. Workers congregate in the mornings and afternoons. Public areas become hiring sites for people seeking work and for employers seeking cheap labor. When demand for workers is low, complaints of loitering increase.

Additionally, some community members feel unsettled at having people around who possess nothing: they may take something. As with all homeless populations, their apparent neediness is troublesome and unresolved. In this sense, the reactions of neighbors to farmworkers and day laborers parallel those often directed at homeless populations in the more urbanized areas.

Together these concerns, perceived and actual, significant and insignificant, apply pressure on local public officials to "do something" to reduce the visible presence of farmworker and day laborers.

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### Issue Summary

*Prejudice and racism have inhibited positive responses.*

*The media present the farmworker and day laborer population as a blight on the community.*

*Many workers are viewed as criminals.*

*Workers are not perceived as belonging to the community.*

*Much of the public assumes that most workers are undocumented.*

*It is commonly assumed that public assistance is available to everyone in need.*

*Many persons are unaware of workers' positive impact on the local economy, and on the lifestyles of local citizens.*

## *Homeless Farmworker and Day Laborer Report*

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### **It is recommended that**

- ...More public officials visit the camps to see, first hand, the existing conditions and visit successful housing projects, such as those located in the Coachella Valley.
- ...A countywide committee be instituted to design and launch a public ad campaign. *This group should obtain funding from both private and public sources.* <sup>1</sup>
- ...The public information campaign be extended to local, state and federal legislators to gain support for funding and other legislation that adequately and accurately addresses the unique situation present in San Diego County.
- ...In cooperation with schools, an elementary school exchange program be established to educate pupils on the valuable contributions of farmworker and day laborers.
- ...A bilingual fact and video sheet be developed to address myths about workers, and their housing conditions, and their contribution to the region's economy.<sup>2</sup>
- ...The private sector and civic associations sponsor speakers to address community groups on migration, immigration laws, travelogues, geographic background, and socio-economic realities.

## 10. Camp Conditions

*Background:* The existence of camp areas is a repugnant reminder of the failure of this region to accept responsibility for providing the means for thousands of its working residents to afford even the most modest of housing units. Camp areas offer the only immediate alternative to no housing, yet this alternative should never be regarded as one which has somehow become acceptable. Any effort to improve camp conditions must be supported, yet improved camp conditions should never be construed as negating this region's dire need for affordable housing for farmworkers and day laborers.

The necessity for improving camp conditions is unquestioned. Issues of nutrition, sanitation, waste disposal, shelter and water source contribute to conditions endemic to those of third-world countries. Camp conditions may include the presence of communicable diseases; unsanitary conditions; poor access to fresh food; lack of refrigeration and proper food preparation; lack of potable water; intermingling of sewage water with that used for drinking and bathing; and, a lack of garbage and sewage disposal. Tuberculosis, malaria, intestinal parasites and illness, hepatitis, cholera, AIDS and sexually transmitted diseases (STD) are all health risks associated with poor camp conditions (see Section 3: Health).

Camp housing structures offer little insulation from the elements and present an increased fire hazard. They consist of several styles:

- plywood structures covered with tar paper with/without floors;
- corrugated plastic structures with/without floors;
- platforms suspended from trees on which individuals sleep under a canopy of plastic, paper, blankets, or tar paper.

Health risk is exacerbated by dozens, and in some cases hundreds, of people living in close proximity to each other within each camp, and within each shelter. Due to a lack of sanitary methods of sewage disposal, human waste can be found on the ground; in and around the camps; and, in ponds or streams near the camp.

Garbage disposal is a problem. Some camps have dumpsters provided for garbage disposal but these often remain unused. Most of the camps have an abundance of garbage littered among individual habitats and surrounding areas. Additionally, workers live in shelter surrounded by fields which are heavily and repeatedly sprayed with pesticide. Pesticides may also be in the irrigation water or in the ground water from which drinking water is drawn.

Camp conditions increase the risk of disease for occupants and for adjacent communities. Camps often have community cooking arrangements. Little attention is paid to the sanitary conditions of food preparation, or the assurance that food is properly cooked. There is also no provision for refrigerating food prior to cooking.



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Produce can become contaminated through irrigation water. Health may be threatened by careless practices regarding storage, dating, and handling of food off trucks and in other isolated, unmonitored places in or near camps.<sup>1</sup>

Due to overwhelming conditions and community complaints, many camps are eventually closed and demolished, "...in which case the men simply move elsey and reconstruct their houses from boards and plastic salvaged from work-sites from the trash".<sup>2</sup>

Experience has shown that legalized encampments can minimize abatement and improve workers' health and safety, and reduce tension between workers and neighboring residents.

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### **Issue Summary**

*Camp conditions are generally unfit for human habitation. It is usual to find accumulation of garbage, human waste, trash and debris associated with and in proximity to camp structure.*

*Camp conditions are intolerable and present hazards to adjacent communities.*

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### **It is recommended that**

- ...Health and safety law enforcement policies for illegal camps be continued. *Consistent application of codes by county Environmental Health Services is vital to protecting camp residents and surrounding communities.*
- ...Temporary measures be taken to improve existing camps. *Simple abatement of camps only serves to move the problem to another location.<sup>3</sup>*
- ...Temporary basic services such as potable water, chemical toilets, dumpsters and electricity be provided to upgrade illegal camps to meet minimum health standards, until permanent solutions are implemented. *It is understood that public agencies will consult with their risk management advisors when allowing or providing services to camps which may not be complying with all laws.*
- ...A permanent source of funding be provided for approved temporary camps to ensure basic sewage, water, trash collection, and vector control measures.
- ...San Diego Gas and Electric recognize the unserved needs of workers and provide appropriate electric power technology (e.g. - photovoltaic systems) to the major campsites.
- ...Additional bilingual law enforcement officers be used to improve camp safety and security. *It is recognized that concerted efforts to adequately cover camps are now being made by enforcement agencies covering San Diego, Carlsbad, and Fallbrook campsites.*

## 11. Worker Participation

*Background:* Besides the daily agricultural bounty local residents enjoy (and its preservation of San Diego's rural setting), the labor impact of farmworkers and day laborers is of great benefit to the local economy and the service industry. In return, people in these positions are paid minimum wage, are likely homeless, and face antipathy from the general community; and are systematically excluded from discussions and decisions regarding their living conditions and circumstances.

Decisions concerning policies, planning, revenues, and programs will still be made with or without an understanding of the farmworker and day laborer population. The effectiveness and costs of those decisions, however, can be positively influenced by accurate and specific assessments beforehand; and, through involvement by the workers themselves.

Steps need to be taken towards gaining knowledge about homeless farmworkers and day laborers, and including them in local decision-making. Established, organized campgrounds offer a particular opportunity for identifying leaders of the farmworker community for serving this purpose.

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### Issue Summary

*Workers need to be more involved in the planning and development of services and housing for their population, and on local planning and policy-making boards.*

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### It is recommended that

- ... Farmworkers and day laborers be consulted regarding the type of housing they need and the rent they are able, or willing, to pay. *It is not the intent of this recommendation, however, to unduly burden program sponsors and developers with requirements that place them at a competitive disadvantage in completing their proposals.*
- ... Farmworkers and day laborers be sought out and enlisted to represent the migrant community on relevant issues.
- ... Where practical, provision of housing directly involve workers through tenant participation in maintenance and management.
- ... Local nonprofits pursue state and federal Self-Help Housing programs, through which nonprofits assist the workers in building and owning their homes. *Nonprofits can form mutual housing associations, a type of nonprofit which is controlled primarily by the residents.*

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... County and cities examine the make up of their community planning groups to determine how the interests of homeless workers in their communities can be better represented. *Including homeless workers on these planning committees should facilitate greater understanding of the needs of the working homeless and the concerns of their housed neighbors.*

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*Footnotes by Section*

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**Section 1**

1. "The Working Homeless: A Needs Assessment of Homeless Migrants, Farmworkers, and Dayworkers." Metropolitan Area Advisory Committee (MAAC) and Rich Juarez & Associates, October, 1989.
2. "Final Report." City of Poway Migrant Workers Relations Committee, September 18, 1990.
3. *ibid.*

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**Section 2**

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2. "Multi-Jurisdictional Conference on Farmworker and Day Labor Housing Crisis," instituted by San Diego Councilmember Abbe Wolfsheimer. February 21, 1991.
3. *ibid.*
4. *ibid.*
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6. "The Working Homeless," *ibid.*
7. *ibid.*
8. "Multi-Jurisdictional Conference," *ibid.*
9. *ibid.*
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2. California Rural Legal Assistance.

**Section 5**

1. "Final Report," *ibid.*

**Section 6**

1. "The Working Homeless," *ibid.*
2. *ibid.*

**Section 7**

1. "Final Report," *ibid.*
2. "Multi-Jurisdictional Conference," *ibid.*
3. "City of Encinitas Homeless Task Force Report: Summary of Alternatives," City of Encinitas Homeless Task Force, 1991.
4. *ibid.*
5. "Final Report," *ibid.*
6. "Migrant Issues Summit Summary," County Supervisor John MacDonald, sponsor. November 27, 1990.

**Section 8**

1. "The Working Homeless," *ibid.*
2. "Multi-Jurisdictional Conference," *ibid.*

**Section 9**

1. "Multi-Jurisdictional Conference," *ibid.*
2. "Final Report," *ibid.*

**Section 10**

1. Castron, 1990.
2. Obler, R.M. Improving the Access to Community Health Services for Migrant Farm Workers in North County, San Diego. Report prepared for UCSD/SDSU, San Diego, May 15, 1989.
3. "Multi-Jurisdictional Conference," *ibid.*

**Section 11**

No footnotes.

## ACKNOWLEDGEMENTS

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