

*File: Migrants - Background information*

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## MIGRATORY LABOR CAMPS IN THE COMMUNITY\*

We do not find that people become migrants primarily because they want or like to be migrants. Nor do we find that any large portion of American agricultural employment necessarily requires migrant workers. The economy of this Nation has a great deal of seasonal employment other than that in farming. Yet it is only in agriculture that migratory labor has become a problem of such proportions and complexity as to call for repeated investigations by public bodies. -- Report of the President's Commission on Migratory Labor, 1951.

The story of the migratory farm worker in the United States is a fascinating, distressing, and, until recently, discouraging one. Throughout his history, the migratory worker has played a critical role in the harvesting of important crops in every section of the country. And yet with few exceptions he has been low man on the totem pole. His attempts to better his lot by organizational methods available to other groups have met with little success. Economically and socially he is a man apart. Because of his migrancy and frequently because of his foreign background, he has failed to receive many of the benefits conferred by the community on more stable groups in its midst. He is a member of perhaps the only group in the United States to which the word "exploited" can still be applied.

Despite these indictments, there are signs that the tide is turning. The federal government, especially since World War II, has shown a growing interest in the welfare of migratory workers. State and local governments and private groups have sponsored programs in the hope of reducing the disparity between the living and working conditions of migratory farm workers and those of other groups.

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And yet it would be a mistake to infer that these efforts arise out of a sense of charity. Improving the lot of migrants is a matter of public policy, as the President's Commission on Migratory Labor said in concluding its report:

Sound public administration in a democracy requires that agencies designed to serve the particular needs of special occupational or income groups in the population be kept at a minimum. Agencies to serve all segments of the population are essential to sound and democratic government. But with such a group as the farm migrants, though their needs are particular and urgent, they are not in a good position to make them known and thereby to share in the general service programs of government agencies at all levels.

. . . The Commission is of the opinion that in the long run the needs of migrants can best be met by broadening and extending to them the basic services which are designed to serve the population in general. (14)\*

In addition to a desire to spread the benefits of society to a heretofore neglected group, current public policy on migratory labor reflects an increasing awareness of the importance of this group to farm production. This awareness stems in part from the acquisition of a vast amount of factual information about the migratory farm working force -- its composition, how it lives, how it is treated, its seasonal movements, and many other characteristics. As a matter of policy, public bodies are also concerned about the dangers of disease due to unhealthful living conditions and lack of sanitation.

In doing research on migratory labor camps in the community, PLANNING ADVISORY SERVICE found that the subject is almost meaningless except when viewed as a part of the national problem of migratory labor. On the other hand, this problem is exceedingly complex and the amount of published information on it almost overwhelming. Consequently, oversimplification and broad generalizations in certain sections of this report have been unavoidable. Hence the reliance on verbatim statements and the frequent references to other sources.

### Why Do We Have Migratory Farm Workers?

The existence of a large body of migratory farm workers may not be unique to the farm economy of the United States, but it is without doubt

\*Numbers in parentheses refer to publications listed in bibliography at the end of this Information Report.

a major characteristic of the present period. What are some of the reasons for the rise and continuance of this phenomenon?

Among the reasons for migrancy, the foremost is that many people find it impossible to make a living in a single location and hence have had to become migratory. Technological displacement, business recession and consequent unemployment in industry, drought and crop failure, radical changes in the sharecropper system, lack of education and vocational training -- these are among the basic factors responsible for migrancy. (14)

Though this general statement in part explains migrancy among United States farm labor groups, it does not explain the utilization of foreign workers on a large scale and over a period of years. The story of foreign seasonal farm labor is exceedingly involved and it has been told in many places (for example, 2, 9, 23). However, one chief reason should be emphasized here because it underlies the perpetuation of a domestic migrant force.

This is the fact that a significant percentage of farms in the United States have become industrial. Characteristic of the factory farm are specialized crops, grown on large acreages, with many of the operations carried out by mechanized equipment.

Such enterprises are very different from the usual conception of the American farmer. Production is highly mechanized at all points in the productive process for which efficient machinery is available. The capital investment is large. Gangs of paid laborers, rather than farmers, are hired at set rates of pay. Company houses are often provided for the workers and rent paid by the latter to the company. (9)

This means that for a good part of the year only a small permanent working force is needed. However, when the time arrives to harvest the crops that must be picked -- an operation difficult to mechanize -- human labor is still relied on.

One observer has pointed out that the use of migrant labor is not simply a matter of mobilizing hands to tend growing crops during brief seasons. It is complicated by ". . . the demands of agricultural employers for laborers willing or obliged to move and accept the particular wages and conditions the employers feel willing and able to offer, by the availability of laborers of such kind and condition, and by the willingness of government to intervene by regulating the numbers and conditions of the laborers." (18)

And the President's Commission bluntly pointed to the influence of social,

as well as crop conditions: "We depend on misfortune to build up our force of migratory workers and when the supply is low because there is not enough misfortune at home, we rely on misfortune abroad to replenish the supply." (14)

To summarize the work function of the migrant on the factory farm, we quote again from the report of the President's Commission:

Migratory labor is employed principally in cotton, fruits, vegetables, and sugar beets. Dairy farms, livestock farms, poultry farms, and diversified general farms hire virtually no migratory labor. The work on the latter types of farm is done almost exclusively with family workers and regularly hired or year-round wage hands.

Not all farms producing cotton, fruits, vegetables, and sugar beets employ migrants. In fact, migratory farm workers are primarily employed on a comparatively small number of farms which use large quantities of labor, i. e., 250 man-days or more per year or more. There are approximately 125,000 such farms. They amount to 2 per cent of the farms of the Nation and produce crops equal to approximately 7 per cent of the value of all farm products.

A small proportion of the Nation's migratory labor force is employed on small farms and family farms. This occurs in areas and on farms which specialize in the production of crops having a short but high seasonal labor demand. When important seasonal activities occur at about the same time, the labor needs become intense and many farms in the area may then become dependent on migratory labor. In many cases, these small farms are in a sense "captive farms" because they are dependent upon large-scale food processors or sugar-refining companies to supply them with their seasonal labor and to buy their crop. This, for example, is the problem in Michigan where farms are not generally large-scale or industrial but are specialized in producing truck crops, fruits, and sugar beets. (14)

Many observers believe that the prospects for mechanizing some of the "stoop" labor tasks are good, particularly in sugar beets and cotton. Evidence was submitted to the President's Committee that 30 per cent of California's sugar beet crop was harvested by machine in 1945; by 1950 this figure had increased to nearly 90 per cent. It was expected that ultimately 90 per cent of the California cotton crop will be harvested mechanically. How such mechanization will affect the need for migratory workers is pointed up by an example in one valley in California. There the approach of mechanical harvesters enabled

a group of employers to reduce their requisition for Mexican workers from 25,000 to 2,800. (15)

On the other hand, it is also believed that many fruit and vegetable harvests will be difficult to mechanize -- though some advances are expected. (See 9, 12, 20 for discussions of prospects for mechanizing field crops and orchards.)

Observers also believe that the social and economic problems associated with migratory workers are inherent in migrancy, and that a long-range goal should be the elimination of the need for migratory workers on the nation's farms. "The rate at which the demand for seasonal farm labor drops will be chiefly dependent on the rate of technological change in agriculture." (17) Seasonal production of crops will continue, though extended application of scientific farming methods is expected to result in a rounding off of the peaks of seasonal employment.

Both farmers and research agencies should push aggressively their efforts to find ways to increase the proportion of year-round workers and to decrease the proportion of migratory workers. . . . The more fully local help can be used the greater will be the income to the community and the more effective the local labor force, while at the same time the need for migratory labor with all the problems it involves will be lessened. (15)

However, "At present and in the foreseeable future relatively large numbers of workers will continue to be required on a seasonal basis in agriculture, creating a demand for a mobile labor force to supplement the labor supply in some local areas." (17)

#### Who Are the Migratory Farm Workers?

For statistical purposes, migratory farm workers are defined as persons who have left their homes temporarily to work at seasonal farm jobs outside their home county. Farm wage workers who during any particular year had no usual place of residence (no regular home, no regular living quarters) are considered migratory workers if they did farm wage work in two or more counties in a year. Excepted are workers who commute daily across a county line to do farm wage work, and persons who make a more or less permanent move to take a steady job in another county. (7)

Since 1949, the United States Department of Labor has been collecting statistics on the migratory farm population. In that year, the Bureau of Agricultural Economics undertook a survey that for the first time made possible significant comparisons between migratory farm workers and other workers on

farms in the United States. (13) On the basis of the bureau's sample, it was estimated that there were approximately 1 million migratory farm workers in the United States at some time during 1949, not including an unknown number of Mexican nationals who had entered illegally. These 1 million migratory workers at that time constituted about one-tenth of the total labor force in agriculture, including unpaid family workers, farm operators, and nonmigratory wage laborers. (13, 15)

According to recent estimates made by the Bureau of Employment Security of the Department of Agriculture, the total number of migratory farm workers in the United States including foreign nationals, is now around 900,000. Domestic\* migratory farm workers number about 500,000 and constitute the largest single group. These figures are estimated from monthly reports collected by the bureau for any of the 254 agricultural reporting areas that meet at least one of the following criteria: (1) employ 500 or more seasonal hired workers; (2) have a shortage or surplus of 100 or more seasonal hired workers; (3) employ any foreign workers. Enumeration is almost impossible because of spot crops, length of employment, and differences in types of migratory movements. "Worker efficiency, technological advancements, weather, national and world-wide conditions, and other factors annually cause fluctuations in supply of and demand for migrant farm labor." (Fact Sheet, see Appendix 1.)

Current estimates of the employment of seasonal hired farm workers are reported in The Labor Market and Employment Security, published monthly by the United States Department of Labor.

### Age

In general, the age distribution of migratory farm workers resembles that of nonmigratory farm workers (see Table 16 in The Hired Farm Working Force of 1954, reference 7). In earlier years, migratory workers average age was lower.

### Sex Distribution

That women constitute a significant proportion of migratory workers is shown in the following table, which is Table 14, "Number of persons who did any work as migratory farmer workers, by sex, United States, 1949, 1950, 1952 and 1954," in The Hired Farm Working Force of 1954. (7) Presumably these figures refer only to the domestic working force.

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\*The term "domestic," as used in this context by the bureau, applies to seasonal hired workers in agriculture in the United States whose place of residence is the continental United States and Puerto Rico.

	1949	1950	1952	1954
Total	422,000	403,000	352,000	365,000
Male	291,000	285,000	234,000	273,000
Female	131,000	118,000	118,000	92,000

In The Hired Farm Working Force of 1954, it is pointed out that "very few females are heads of migratory households." We conclude then that most of the female workers represented by these figures are wives -- which indicates that the observation of the President's Commission that family work is an important characteristic of migratory farm labor still holds true.

### Race

An idea of the racial distribution of migratory workers in 1954 is given in the following figures selected from Table 21 of The Hired Farm Working Force of 1954:

White migratory workers	166,000
Male	140,000
Female	26,000
Nonwhite migratory workers	111,000
Male	78,000
Female	33,000

### National Background

Domestic agricultural workers still make up by far the largest group of migratory farm workers. Relative numbers and composition by national background are shown in the following figures of estimated employment of seasonal hired workers in agriculture by origin for the month of September 1956 -- the peak month of the year (Bureau of Employment Security, Chicago Office).

Total, United States	1,309,000
Domestic	1,091,000
Local	820,000
Migrant	271,000
Intrastate	110,000
Interstate	145,000
Puerto Rican	16,000
Foreign	218,000
Mexican	210,000
British West Indies & other	8,000

**Mexican Nationals:** Despite publicity given to "wetbacks," Mexican nationals crossing the border without authorization no longer make up a significant portion of Mexican migrant workers in the United States. It is believed that the deportation of illegal workers under "Operation Wetback" of the Immigration and Naturalization Service was the chief cause for the substantial increase in contract workers in 1955. (10, February 1956 issue) And of the 90,000 increase in seasonal hired farm workers between the mid-September 1955 and 1956 peaks, Mexican nationals accounted for 80 per cent.

Mexicans have been the principal foreign group in our farm labor supply for several decades. (14) The many chapters in this story are too involved to review here (see 14, 23). However, it should be noted that the farm manpower shortage brought on by World War II resulted in an agreement in 1942 between the United States and Mexican governments. The emergency farm labor program extended through 1947, and through this period, foreign workers were recruited, transported, and placed by agencies of the Department of Agriculture and the state agricultural extension services. The war-time peak occurred in 1944 when 63,432 Mexican nationals were imported for farm work.

An indication of the present importance of the Mexican national in the farm labor picture is seen in the following figures showing numbers contracted for farm work: (10, February 1956 issue)

1951	-	190,800
1953	-	201,400
1954	-	309,000
1955	-	398,650

As might be expected because of proximity and the industrial character of agriculture in Texas and California, Mexican workers or "braceros" are pretty much concentrated in these two states. As of August 15, 1955, 85 per cent of Mexican nationals were employed in Texas and California. (10, October 1956 issue) However, the braceros also render substantial seasonal assistance in Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. "During recent years Mexican Nationals have worked in more than one-half the states of the United States. Yet most U. S. citizens are probably not even aware of their existence." (23)

**Puerto Ricans:** Puerto Ricans were excluded from the war emergency program in favor of alien labor. However, beginning in 1946-47, they have been drawn increasingly into the domestic seasonal labor force. In 1950 they reached a peak of 8,500. For purposes of comparison, the estimated mid-August 1956 peak was 17,800. (10, October 1956 issue) In 1949, the Bureau of Employment Security specifically acknowledged the Puerto Ricans to be part of the domestic labor force, and as such are given preference of employment over alien labor. The Puerto Rican work contract is negotiated directly



between farm employers on the mainland and the Puerto Rican Department of Labor. (14)

Other Foreign Nationals: The Bureau of Employment Security also reports that the contracting of British West Indian workers for farm jobs increased from 4,700 in 1954 to 6,600 in 1955. The number of Canadians contracted for was almost the same -- 7,000 in 1954 and 6,700 in 1955. (10, February 1956 issue)

### Economic Status of Migratory Farm Workers

To gain some idea of the economic position of the migratory farm wage worker compared with his nonmigratory counterpart, the Agricultural Marketing Service of the Department of Agriculture has made statistical comparisons over the last six years. (7) Certain average figures were selected and are shown in the two tables on page 10.

In brief, the migratory worker works fewer days, but his average annual cash income and his daily cash wages are higher. On the other hand, in farm wage work, more migrants work only 25 to 74 days a year than do nonmigrants. And whereas 26 per cent of nonmigrants work 250 days or more, only 13 per cent of migrants work this many days.

Though the average cash earnings of migrant farm workers is a little higher than that of nonmigrants, it cannot be concluded that migrants are better off. The nonmigrant group reported on is heterogenous, consisting of persons who engage in farm wage work as a chief activity and about an equal number to whom farm wages are an incidental source of income. These include a small group of farm operators, family workers without pay, housewives, and pupils. Some are charged no rent, some are furnished meals, and some augment their money income by keeping cows and poultry. Also not reflected in these figures are the costs to some migrants of traveling from one section of the country to another, sometimes over long distances.

For some rough comparisons of income of seasonal farm wage workers with that of other groups in the United States, the following figures are cited: (Source: Current Population Reports, Series P-60, Nos. 19 and 22, Bureau of the Census, U. S. Department of Commerce.)

<u>Family Income, 1954</u>	
Median	\$4,173
Urban	4,591
Rural nonfarm	3,891
Rural farm	1,973
Per cent of all families with annual income less than \$1,500	14.4

AVERAGE TIME WORKED AND CASH WAGES EARNED AT FARM AND  
NONFARM WORK BY WORKERS WITH 25 DAYS OR MORE  
OF FARM WAGE WORK, 1954

	Migratory workers	Nonmigratory workers
<b>Farm and nonfarm work</b>		
Average days of work	156	169
Average cash earned in year	\$1,033	\$972
Average cash earned per day worked	\$6.60	\$5.75
<b>Farm work</b>		
Average days of work	124	145
Average cash earned in year	\$794	\$800
Average cash earned per day worked	\$6.40	\$5.50
<b>Nonfarm work</b>		
Average days of work	32	24
Average cash earned in year	\$239	\$172
Average cash earned per day worked	\$7.35	\$7.05

Source: The Hired Farm Working Force of 1954, Table 20, (7)

PERCENTAGE DISTRIBUTION OF MIGRATORY AND NONMIGRATORY  
WORKERS WITH 25 OR MORE DAYS OF FARM WAGE WORK,  
BY DURATION, 1954

	Migratory workers	Nonmigratory workers
<b>Farm wage work</b>		
Total	100	100
25- 74	43	39
75-149	18	17
150-249	26	18
250 and over	13	26
<b>Farm and nonfarm work</b>		
Total	100	100
25- 74	26	30
75-149	21	16
150-249	33	20
250 and over	20	34

Source: The Hired Farm Working Force of 1954, Tables 18 and 19. (7)

Income of Persons 14 Years Old and Over, 1954	
Median income of all persons	\$2,300
Median income of men	3,200
Median income of women	1,200

### Children, Child Labor, and Schooling

Hundreds of thousands of the children of migrant workers are today getting little or no education, and they face the prospect of being slightly, if any, better able to improve their earning power and to raise their level of living than have their parents before them. (14)

In its 1954 survey of migratory farm workers, the Department of Agriculture for the first time asked questions of migratory workers about their children. The survey revealed that more than 150,000 children under the age of 18 traveled with migratory farm workers during 1954. About the same number of children remained at the migratory worker's home base with some member of the household or in other households. (7)

There is good evidence to show that the type of labor performed by children of migrants does not consist of chores and the vacation jobs children perform on the family farm.

The child labor of which we speak is that to be seen in large acreages of peas, snap beans, or cotton where children, sometimes as young as 5 and 6 years, work along with adult members of the family at "stoop" labor.

Children work in agriculture because of the need to supplement their parents' earnings and because the compulsory school attendance laws are not enforced. They also work, however, because their parents have no other place to put them during their own working hours. Work in the fields thus becomes a substitute for child care and recreation centers. A third factor is that some employers prefer children as workers. (14)

For a summary of the status of child labor laws in the United States, both at the federal and state levels, see Migratory Labor in American Agriculture. (14)

"Speaking broadly," said a Michigan educator before the President's Commission, "about the only group in the United States that we do not consistently educate is the migrant child." Though the need to supplement family income and lack of properly enforced child labor laws explain in part the low

educational attainments of migrant children, this is far from being the whole story. Basically, of course, their absence from school is associated with the migrant status of the parents. Beyond this, however, is the fact that few states require migrant children to attend school:

Most State school-attendance laws do not apply to migratory children, although in seven States they specifically do apply and in 18 other States the laws are broad enough to include them. In 23 States laws apply specifically to resident children and whether or not these laws are extended to migrants depends upon local interpretation. Under such local interpretation, children without the necessary residence requirements are often excluded. However, in such States nonattendance by migrants is more likely to be due to nonenforcement of the school-attendance laws than to specific exclusion. (14)

Part of the problem is financing. However, this does not explain poor enforcement in all areas:

State school funds supplied to local school districts are most frequently allocated on the basis of either a school census or average daily attendance. Migrant children are more likely to be counted in the school census than they are to attend the schools. If allocations of school funds are based on the census, migratory children may be counted even though they do not attend school. By thus increasing the census basis for the allocation of funds, but without attending school, migrant children help to increase the educational benefits available to those who do attend. If, on the other hand, the allocation of funds is based on average daily attendance, in those districts in which attendance and enrollment fluctuate widely because of migrants, school funds are usually too low to provide for peak enrollment needs. So, likewise, are they, if the school census is taken at a time when the migrant children are not on hand to be counted. (14)

#### The United States Department of Labor

Because of space, only a few paragraphs can be devoted to the migratory labor program of the Department of Labor and its interest in securing help to harvest crops and in improving working conditions of migrants. Fortunately, however, information about the department's services and activities is easily obtainable through any of the regional offices and in various department publications.

Mention has already been made of the statistics gathered by the Bureau of Employment Security. In the field, it conducts the Farm Placement Service, a subdivision of the bureau that transmits information through various media about areas needing seasonal farm workers. It also keeps track of and reports on the number of workers placed in farm jobs by public employment offices.

The bureau views the market for labor to harvest crops as nationwide -- made up of migrant labor demand areas and a supply of migrant laborers who may come from various parts of the United States and from foreign countries. A recently developed program is the "Annual Worker Plan," which was initiated on the East Coast about six years ago and is now in effect in most other areas. "The plan is designed to eliminate needless migration and to place these migrant agricultural workers on additional jobs which supplement their regular work schedule, thereby providing greater continuity of employment and increased income." (6) The plan imposes the responsibility on each local office to know thoroughly its own farm labor situation: ". . . to determine, early in the season, what its own resources are for meeting indicated farm labor needs, whether there will be need for out-of-area workers, and whether there will be workers available at times to move to other areas for temporary employment." (8) Ultimately, the bureau hopes that the plan will make possible the development each year of an employment schedule between specific employers and groups of workers, with arrangements being completed insofar as possible before the worker leaves his home state.

Information secured from all over the nation has been put together by the Farm Placement Service in a map showing the major travel routes for migrants. A portion of this map, together with excerpts from an accompanying Fact Sheet, composes Appendix 1 of this report.

## HOUSING

Much, if not most, of on-job housing of migratory farm labor in the United States is below minimum standards of decency. While this type of housing may be better in one region than in another, the noteworthy point is that whether it is "good" or "bad" housing, it is far below what is considered adequate for other citizens. (14)

The President's Commission divided housing for migratory farm laborers into two categories.\*

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\*Victor Jones, in Transients and Migrants, Bureau of Public Administration, University of California, Berkeley (1939) adds a third: "Housing on the road between jobs or in search of employment."

Housing at the home base -- The housing arrangements in the locality where the migrants usually remain the longest portion of the year, which, for the most part, is where they spend the winter months, and where they have the greatest feeling of "belonging."

Housing while on the job -- The housing arrangements attaching to the locations of employment where migrants are working away from "home."

### Housing at the Home Base

The commission found that home base housing was primarily in shack towns or the shack sections of older communities, and that it was "among the most deplorable in the Nation."

Home base areas are scattered throughout the United States, but four are of key importance: (1) California; (2) southern Texas; (3) northern Texas, Oklahoma, southern Missouri, Arkansas, and northern Louisiana; and (4) Florida.

The commission considered the problem of this particular type of urban housing. It found that there were several factors that made it difficult to get migrant home base housing under terms of existing public housing legislation (i.e., the Housing Act of 1949):

1. The less than 12-month period of occupancy of home-base housing.
2. The usual poverty of the people who need housing.
3. The lack of integration into local communities and, therefore, the migrant's inability to get local communities to initiate requests for Federal assistance on his behalf.

Within the limitation of present housing legislation there is probably little that local governments can do to assist in solving the migrant's housing problem "at the home base" by a special housing program. It is possible that some of the shack areas described in the report of the President's Commission are undergoing clearance and renewal as part of the general redevelopment-renewal program.

In fact, in Sacramento, a study is being made under a federal urban renewal demonstration grant of how to relocate and rehouse some 3,000 to 5,000 migratory agricultural workers who live in a "skid-row" section of the city that is slated for clearance and redevelopment. Growers in the area depend on these men, mostly single, for seasonal agricultural work; and preservation

of the labor supply is considered vital to agricultural enterprise.

### Housing on the Job

It is difficult to reduce to a few paragraphs any adequate picture of the kind of housing used by migratory workers on the job. A few examples of extreme, though not uncommon conditions, chosen even from the most reliable sources would scarcely seem credible. On the other hand, there is hardly a characteristic type of shelter.

On-job housing consists of barracks, cabins, trailers, tents, rooming houses, auto-court cabins, shack houses, and, on occasion, depreciated standard housing. Regardless of the type of the facility, when the units are grouped for two or more families, they are commonly called "camps." Ownership of camps may be by employers, employers' associations, local housing authorities, labor contractors, or private commercial groups. Some are merely squatter camps of which ownership is of no consequence. (14)

As might well be expected with such varied and often temporary structures, the environmental and sanitary features are likely to be almost worse than the shelter itself. This is brought out in the following description of what was considered "above average" housing for migrant workers as it existed in 1951.

Because of the few months usage of most on-job housing and the poverty of the migrant workers, housing generally rated as "good" is nonetheless meager. "Good" on-job housing for a family of four, five, or six members might consist of an unpainted cabin, 9 by 12 feet, one in a row of such cabins, with one or perhaps two screened windows (though not necessarily with glass) and with unfinished interior walls. The cabin would be equipped with bunks, chairs, and table. It would be fairly clean and free from vermin. The cabin might possibly, but probably would not, have electricity. It could have running water, but this would be unusual. Characteristically, water suitable for drinking would be obtainable from centrally located faucets. Cooking facilities, if existent, would probably be central. Sanitary facilities would be central and clean. In the exceptional case, there would be flush toilets; more often, there would be privies. Central shower facilities would be equipped with hot and cold water. In the better camps, there would be facilities for laundering, though such are not required for a camp to be classified

as "good." In a "good" camp, there would be receptacles for garbage which would be regularly emptied, or, if there was a central garbage pit, this would be located at a distance from the cabins. There would be neither garbage nor debris scattered about on the grounds, which would likely be bare earth. There would probably be no trees about the cabins so that during the summer months the cabins would be fully exposed to the sun. This, to repeat, would be a "good" camp.

To be "good," a camp is not required to have any provisions or facilities for recreation but it might be located within walking or driving distance of a community center where there would be facilities for recreational activities. If, by chance, a school was nearby, the children of the migrants could attend. If it was not so located, no alternative arrangements would be made for schooling. No arrangements would exist for the care of the small children of the migrants. Since both parents often work, the children would be left to their own devices or would join their parents in the fields. If, as is usually the case, the camp is located beyond the reach of medical and health facilities, it would be unusual if any arrangements existed for regular visits of a nurse or physician.

A series of such "good" camps, or a single such camp, might, if the migrant were fortunate, be his home from 4 to 6 months of the year. If he were so fortunate, he would be one of a minority, because even in those States that officially inspect and rate their camps, less than one-half of the inspected camps are found to be "good." (14)

It is possible, however, that public housing can be made available in some locations for migratory agricultural workers. Under terms of the Housing Act of 1956, the Public Housing Administration (which has jurisdiction over federally owned farm labor camps) is authorized to transfer, without compensation, farm labor camps to any local public housing agency whose area of operation includes such a camp. The local housing agency must give first preference in occupancy to low-income agricultural workers and their families.

### State Regulation of Migratory Labor Camps

That such conditions exist and are considered "good" -- even in states where migratory labor camps are regulated -- is a measure of the scope and complexity of the problem. Even so, states that have enacted adequate administrative codes are decidedly in the minority. Twelve states have specific laws or regulations on labor camps that house, among other groups,



agricultural workers. Four states have regulations applying to specified groups exclusive of agricultural workers; four others have somewhat limited regulations applying to all camps; three states, while having no regulations, exercise some administrative control over labor camps; and the remaining 25 do not regulate labor camps in any way.\*

The codes and migratory labor programs in effect in the states of New Jersey and New York are most often cited in literature on migratory labor camps as being effective in improving camp conditions. Even in these states, inspection is a difficult problem.

New Jersey has a Migrant Labor Act (which supplements Title 34 of the Revised Statutes), and pursuant to this act has adopted a Migrant Labor Code, which contains "Rules and Regulations for Housing and Sanitation in Migrant Labor Camps."

In New York, migrant labor camps are regulated under the Sanitary Code, Chapter XV, Farm Labor Camps, and the Public Health Law, Article 13, Title IV, Labor Camp Sanitation.

In California, on the other hand, "Employee Housing (Labor Camps)" is regulated under the Labor Code, Article 4, Chapter 1, Part 9, Division 2. In Pennsylvania, "Regulations for Labor Camps" are found in the code of the Department of Labor and Industry, and jurisdiction is vested in the Bureau of Inspection of that department.

### Model Legislation

Evidence of the greatly increased public interest in labor camp conditions is seen in recommended state legislation developed recently by two separate agencies. In 1955 the Council of State Governments prepared three suggested bills relative to migratory labor. The two dealing with living quarters are reproduced in Appendix 2 of this report.\*\* The council's proposals make provisions of state sanitary codes, with respect to light, air safety, and fire hazards, applicable to migrant labor camps and enforceable by the state health department.

In May 1956, the President's Committee on Migratory Labor proposed (1) minimum standards for construction, operation, and maintenance of labor camps; and (2) suggested authority to establish and administer such minimum standards. These recommendations also appear in Appendix 2.

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\*This was the status in 1951. The situation may have changed slightly since.

\*\*The third concerns registration of farm labor contractors and crew leaders -- an aspect of the migratory farm labor problem as important as housing.

The difference between the two proposals is chiefly one of approach. In either event, standards for construction, equipment, sanitation, operation, and maintenance should be specific, and in this respect the recommendations of the President's Commission are particularly useful. And, since the problem of inspection and enforcement is considerably more difficult with labor camps than with any other type of housing, the provisions of each proposal respecting violations merit particular study.

## ZONING AND OTHER LOCAL REGULATION OF MIGRATORY LABOR CAMPS

Early in 1956, the Bureau of Planning of the New Jersey Department of Conservation and Economic Development completed a survey and statistical analysis of all the municipal zoning acts in effect in that state. The report of this survey, titled Zoning in New Jersey, covered townships as well as cities. It was found that only 5 per cent of the more than 100 municipalities with adopted zoning ordinances in the six predominantly rural counties included provisions in their zoning ordinances dealing with migratory labor camps. This percentage was contrasted with the 2,668 inspected camps in the state to indicate the inadequacy of zoning regulation and protection on the local level. The report also observes: ". . . these provisions have been found to be sadly lacking in substance and mark only the beginning of a necessary program."

In spite of a deficiency of explicit provisions regarding migratory labor camps, it is probable that local communities can exercise more regulatory authority than they do. Provisions of the building and housing codes can be applied to housing for migrants. Provisions of the zoning ordinance dealing with yards, minimum distances between structures, and minimum lot area can also be applied. Provisions of local sanitary codes dealing with water supply and sewage disposal and electric and fire codes can certainly be enforced.

It is possible that some of the broad powers granted to boards of adjustment by zoning enabling acts can be used to regulate certain features of migratory labor camps. For instance, spokesmen for the New Jersey Department of Conservation and Economic Development suggest that one such paragraph in the state act enables a community to establish size, density, and area standards for migratory labor camps and to permit them to be used only after they have met these requirements. This paragraph reads:

The board of adjustment shall have the power to . . . hear and decide, in accordance with the provisions of any such ordinance, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass.

That local bodies have not used existing regulatory powers can be attributed to several causes -- some of them social and economic in nature (1, 2, 12, 14, 23). But aside from these more complex aspects, there are other features of the migrant labor housing market that have made it difficult to treat housing for migrants like other kinds of housing.

One of these is the temporary occupancy, which may be for no more than six months out of the year. (This is not necessarily true in all areas. In certain parts of California, for instance, some crops may be harvested the year around.) (4) Another feature is that not only may an accommodation be occupied only a part of the year, but also there may be a series of occupants in an accommodation within a season. Still another factor is that harvest weather is relatively clement, which influences the quality of housing construction. And not to be overlooked is the fact that the components of the migrant housing market operate very differently from those of the normal housing market.\*

To sum up -- and to greatly oversimplify -- the demand, the supply, and the need for housing for migrant farm workers has been different enough from the demand, the supply, and the need for housing for permanent residents of a community that it can be said to constitute a different and particular problem. Furthermore, it can be claimed that to impose without exception the fairly high construction standards of the building code upon temporary housing of any sort may be unreasonable and economically unfeasible. And a similar line of argument may be put forth with respect to housing codes and residential zoning standards.

Whatever the reasons, it is clear that a great gap exists between the condition and regulation of housing for migrants and housing for permanent residents. And it is partially to fill this gap that state governments have adopted codes to cover housing for migratory workers. It remains for local communities to offer to migratory labor camps equivalent considerations in land use planning and zoning as are given to other types of land use.\*\*

A great deal of information about migratory farm workers and their living

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\*Housing for migrant labor sometimes is free, sometimes not, but seldom is there a choice. When the migrant arrives he just about has to take what is offered or move on. Sometimes housing is conditional on taking the job at a misrepresented rate of pay. (See "Housing -- An Aspect of Labor Supply," reference 14.)

\*\*A spokesman for a planning and development division of one of the state agencies has made the following observation, with which PLANNING ADVISORY SERVICE concurs: "Like industries, the past history of trailer courts and labor camps has made them undesirable. These uses have a definite place in our way of life; therefore, we feel that every effort should be made to make them an integral part of the whole."

conditions has been collected on a national scale. Much of this is made up of reports from local governments and from special investigating groups. However, on the basis of these reports it is clear that in any given locality, the migratory farm working force may be something of an unknown quantity. Consequently, prior to drawing up any proposals for regulating migratory labor camps, a survey should be made of the situation in the community considering them.

Some of the points to be considered are: seasonal employment trends; composition of migrant group (number of single men, number of families, number of children); present housing facilities (number, types of units, condition, location); effect on school and day-care requirements; effect on need for medical facilities.

The following is a suggested check list of minimal zoning considerations for migratory labor camps growing out of the findings of any local survey. It assumes the existence of separate ordinances that regulate housing structure and condition, sanitation, and fire and safety. This check list is followed by examples of current zoning provisions that concern migratory labor camps.

#### Check List of Zoning Considerations for Migratory Labor Camps

Zone location	Agricultural zones and other low-density, large-lot districts. For benefit of workers, nearness to schools and urban centers should be considered.
Building density	Minimum lot or site area; minimum distance between buildings; minimum yard dimensions; parking area.
Population density	Provision for family units, as well as barrack-types for single men. Decision will be needed on whether "migrant housing" comes within the definition of "dwelling" and "dwelling unit." Minimum floor area, building size, or other space requirements.
Permit for operation	Inspection to see that camp conforms to all relevant local and state codes. Proviso in zoning ordinance that refers to local and state codes. Permit to be granted on yearly basis in order to establish procedure for regular inspection. Time limit on period of occupancy to prevent year-round use if housing

is not up to community standards for permanent dwellings.

Site location with respect to other land uses

Adequate means of egress and ingress; landscaping; distance from other residential uses.

Examples of Current Zoning Provisions Regulating  
Migratory Labor Camps

Chesterfield Township, New Jersey (Adopted 1955)

Under heading, REGULATIONS PERTAINING TO AGRICULTURAL USES

Migrant housing facilities [are] to be used only on a seasonal basis for migratory farm workers and shall be permitted when the buildings are on the farm property and migrant workers perform their labor for occupants of the farm, provided said buildings comply within every respect to the existing statutes of the State of New Jersey and the rules and regulations of the New Jersey State Board of Health concerning migrant housing, and further provided said buildings are located at a distance of at least two hundred (200) feet from any public road, street, or highway, or by reason of topography or other features of the premises, be completely non-visible from said road, street, or highway, and at least one hundred fifty (150) feet from any adjoining property line and at least five hundred (500) feet from any permanent dwelling unit.

Holmdel Township, New Jersey (Adopted 1954)

"Buildings for housing seasonal workers for the farmer's own use" are permitted in the "A" Farm Residential and "B" Farm Village Zones.

Comment: In the "A" zone, a minimum lot area of 40,000 square feet is indicated for each lot on which a "dwelling" is erected. This provision appears not to apply to buildings for housing seasonal workers. In the "B" zone, 7,500 square feet is indicated and yard dimensions are specified for "a dwelling or building."

Merced County, California (Adopted 1955)

Comment: An interim ordinance applies to the entire county area, with the exceptions noted below. Within this area, a permit is required for any use other than single-family residential or agricultural. Under a later ordinance,

two zone districts have been delineated covering a total area of about 70 square miles. Within these zone districts, agricultural labor camps and employee housing may be permitted only in the A-1 General Agricultural Zone and R-3 Multiple-Family Residence Zone.

The Merced County Planning Commission holds a public hearing on each request to establish or operate a labor camp. Each camp must conform with the minimum requirements for labor camps established by the State Division of Housing and the county health department. Permits are issued for one year only. A second-year permit has been denied in two cases. According to the Merced County Planning Commission, labor camp operators now conform to the requirements.

Modesto, California (Adopted 1955)

Additional housing for hired agricultural workers on sites containing ten (10) acres or more, provided that such housing is not located within any required yard space is permitted in the Residential-Agricultural Zone.

Comment: Subject to off-street parking requirements. Minimum lot area and bulk requirements pertaining to "dwellings" apparently do not apply to "housing," though this is not certain. However, regulations regarding placement of buildings apparently are applicable. In addition to the proviso quoted above, these are: "all buildings used for human habitation shall not be located closer to a property line than the distance required in the side yard," and "the distance between any building used for human habitation and any accessory building or another building used for human habitation on any lot shall be equal to twice the required side yard."

### SUMMARY AND CONCLUSIONS

On a national scale, migratory farm workers

- Are employed in nearly every state in the union at some time during the year.
- Play an important and even critical role in farm production, their unique contribution being measured in timing, rather than man-hours.
- Have always been and still are an underprivileged segment of society.
- Have become the object of interest on the part of the federal government, especially the executive branch.

On the state level, the housing and working conditions of migratory farm workers have been the subject of regulatory codes and special programs.

On the local level, migratory farm laborers

- Need adequate housing facilities like other groups in the community.
- Need health and medical services like other groups; and their children need education and day-care services like other children in the community.

The general responsibility of local government and its various departments and agencies lies in seeing that these minimum services are supplied. This responsibility arises out of concern over public health and welfare, as well as out of a desire to extend basic services to all groups.

The particular interest of the planning commission lies in these areas:

1. Migratory farm workers as a group that contributes to the economic base.
2. Predicting arrivals and departures of migratory farm workers and hence predicting the approximate need for housing, schooling, health, medical, and welfare services.
3. Furnishing statistical and other information about migratory workers as a group to agencies particularly concerned with these needs.
4. Providing for migratory labor camps in the land use plan and zoning ordinance.

## APPENDIX 1

### Migratory Labor Routes

The following paragraphs are selected from the Fact Sheet prepared by the Farm Placement Service, United States Employment Service and Affiliated State Agencies. This Fact Sheet accompanies a wall map entitled "Major Migratory Routes in the Agricultural Labor Market." This map is reproduced herein.

This map brings together a wide variety of data related to the major migratory streams in the agricultural labor market. It should serve a useful purpose wherever there is interest in agricultural activity. In considering the map, however, it should be constantly borne in mind that, as seasons change, "demand" areas become "supply" areas insofar as labor is concerned, and that the size of the migrant agricultural labor force swells and diminishes from year to year.

The migratory work force is difficult to define. For purposes of plotting the major migratory agricultural labor routes, the migratory worker is one whose work pattern follows the seasonal growth of crops and who returns to a more or less permanent residence in the off seasons.

Route I. Along the Eastern Seaboard, workers traditionally leave Florida in the spring and the migratory stream expands in volume with additional hundreds of persons from Alabama, Georgia, South Carolina, and North Carolina. Other agricultural workers join the migratory movement in Virginia, Maryland, Pennsylvania and New Jersey, and the stream moves northward to New York, and Connecticut. A few workers reach Maine, but labor demands for handling the potato crop in the extreme northeast areas are met principally in that immediate region.

Route II. Movement of workers to demand areas in the Central States and Great Lakes region has been increasing in recent years. Principally from Texas, the supply also comes out of Florida, Oklahoma, Arkansas, Missouri, Tennessee, and Kentucky as well as midwestern States. Employment, beginning in late spring, is largely in fruits, truck crops,<sup>1/</sup> muck crops,<sup>2/</sup> bushberries and strawberries, sugar beets, tomatoes, peas, and other vegetables.

Route III. Harvest of wheat and small grains in the 10 Great Plains States (Area 36) attracts thousands of workers from all States. Work starts in Texas in late May, moves northward and westward into New Mexico, Oklahoma, Kansas, Colorado, Nebraska, Wyoming, South Dakota, Montana, and North Dakota. The 1948 harvest was the first postwar period in which the United States Employment Service coordinated the efforts of the 10 States into an organized movement for the efficient guidance and direction of machines, trucks, and workers through this great grain-growing area. There are about 600,000 combines in the United States. Perhaps 40 percent of them are in the Great Plains States.

Route IV. In early summer, Mountain States annually draw workers from Texas, New Mexico, Arizona, California, and some midwestern States for sugar beet thinning,

<sup>1/</sup> Cabbage, lettuce, radishes, onions, endive, spinach, red beets, swiss chard, sweet corn, squash, parsley and melons.

<sup>2/</sup> Mint, dry onions, potatoes, celery, head lettuce, red beets, carrots.



# MAJOR MIGRATORY ROUTES IN THE AGRICULTURAL LABOR MARKET

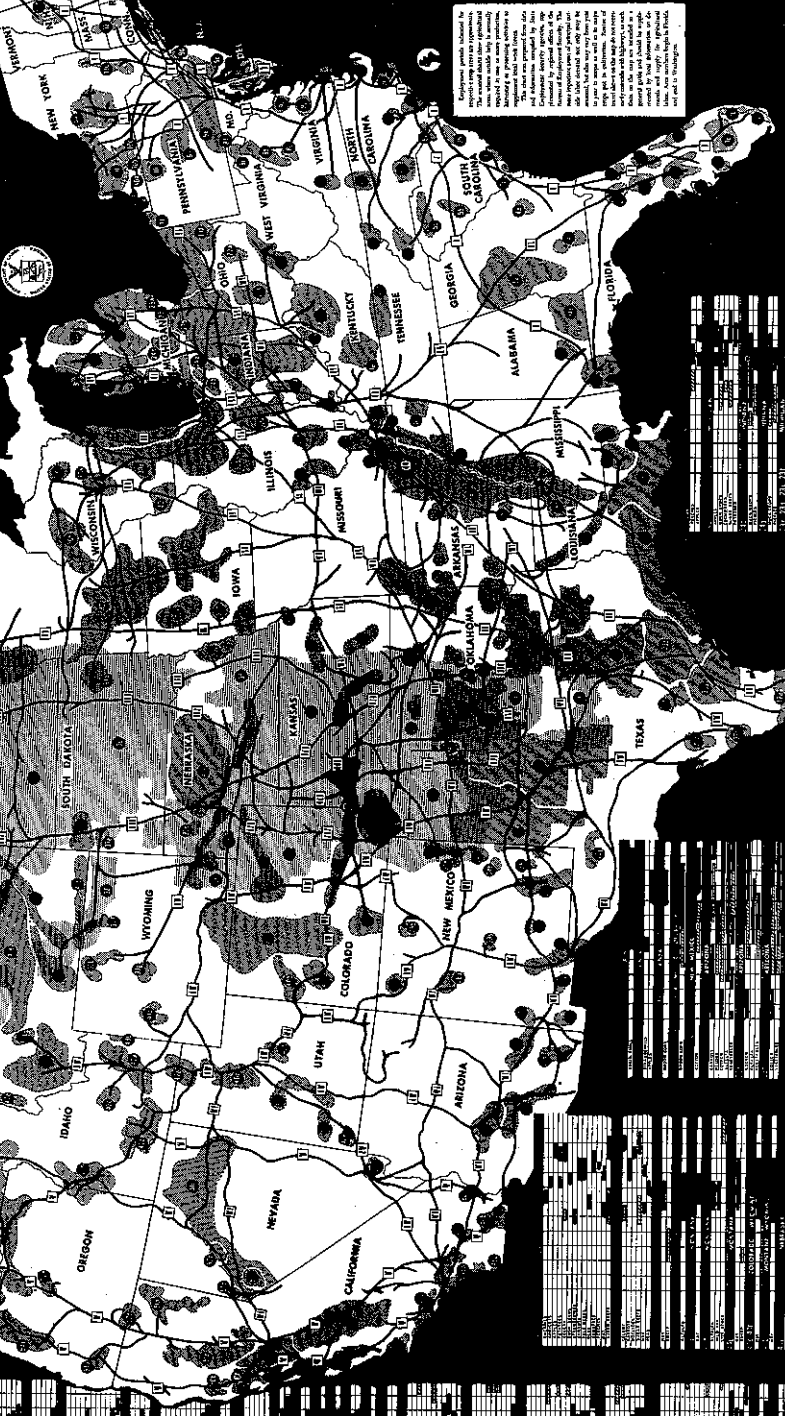
CROP AREAS • SEASONAL WORK CHARTS • STATE EMPLOYMENT SERVICE HEADQUARTERS OFFICES

**LEGEND**

- REGIONS: NORTH, SOUTH, WEST, EAST
- HEADQUARTERS OFFICES: [Symbol]
- SEASONAL WORK CHARTS: [Symbol]
- CROP AREAS: [Symbol]
- MAJOR MIGRATORY ROUTES: [Symbol]
- STATE EMPLOYMENT SERVICE HEADQUARTERS OFFICES: [Symbol]
- SEASONAL WORK CHARTS: [Symbol]
- CROP AREAS: [Symbol]
- MAJOR MIGRATORY ROUTES: [Symbol]

**MIGRANT LABOR - Production - Harvesting - Processing**

State Employment Service offices are available for information on migratory labor in all States. For a complete list of State Employment Service offices, see the back of this chart. For information on the seasonal work charts, see the back of this chart. For information on the crop areas, see the back of this chart. For information on the major migratory routes, see the back of this chart.



SEASONAL WORK AREAS

Employment growth in the agricultural labor market is expected to continue for some time. The demand for agricultural labor is expected to increase as a result of the expansion of the production of agricultural products. The demand for agricultural labor is expected to increase as a result of the expansion of the production of agricultural products. The demand for agricultural labor is expected to increase as a result of the expansion of the production of agricultural products.

STATE	EMPLOYMENT SERVICE HEADQUARTERS OFFICE
ALABAMA	Montgomery
ALASKA	Juneau
ARIZONA	Tucson
ARKANSAS	Fayetteville
CALIFORNIA	Sacramento
COLORADO	Denver
CONNECTICUT	Hartford
DELAWARE	Dover
FLORIDA	Tallahassee
GEORGIA	Atlanta
ILLINOIS	Springfield
INDIANA	Indianapolis
IOWA	Des Moines
KANSAS	Topeka
KENTUCKY	Louisville
LOUISIANA	Baton Rouge
MAINE	Portland
MARYLAND	Baltimore
MASSACHUSETTS	Boston
MICHIGAN	Lansing
MINNESOTA	St. Paul
MISSISSIPPI	Jackson
MISSOURI	Jefferson City
MONTANA	Helena
NEBRASKA	Lincoln
NEVADA	Reno
NEW HAMPSHIRE	Manchester
NEW JERSEY	Trenton
NEW MEXICO	Santa Fe
NEW YORK	Albany
NORTH CAROLINA	Raleigh
NORTH DAKOTA	Bismarck
OHIO	Columbus
OKLAHOMA	Oklahoma City
OREGON	Portland
PENNSYLVANIA	Harrisburg
RHODE ISLAND	Providence
SOUTH CAROLINA	Columbia
SOUTH DAKOTA	Sioux Falls
TENNESSEE	Nashville
TEXAS	Austin
UTAH	Salt Lake City
VIRGINIA	Richmond
WASHINGTON	Olympia
WEST VIRGINIA	Charleston
WISCONSIN	Madison
WYOMING	Cheyenne



hoeing, and harvesting, as well as work in potatoes and other vegetables, haying, lambing, sheep herding, and varied agricultural activities.

Route V. A fifth major migratory movement is composed of those employed in crop areas in the far western States, and is often identified as the "West Coast migration." Many join this movement from Arizona and southern California and others come from various parts of the western States. The work opportunities are diverse and therefore the travel pattern differs from the Eastern Seaboard movement, which is northward in spring and summer and southward in fall and early winter. In far western activities workers may move back and forth between areas several times during the season. Some leave home for work in a single crop and return, becoming crop specialists; others follow harvest demands northward into Oregon, Washington, Idaho, and nearby States.

There are other migrations, interstate and intrastate, that are highly important to the agricultural economy. These movements, however, are not so large in volume but are identifiable within regions and States. In Texas, Louisiana, Mississippi, and Arkansas, for example, may be noted patterns that have developed in connection with the cotton and strawberry harvests, and another pattern has developed around the tung nut crop in Louisiana and Mississippi. From Wisconsin, into the Dakotas and Montana, other hundreds move westward and return home after wheat and small grain, potato, and sugar beet harvests have been completed. Indians from reservations in New Mexico, Arizona, Utah, South Dakota, and other States participate each year in the farm program, working principally in sugar beets, vegetables, and nuts. Every State is represented in these seasonal employment patterns.

Migrants constitute a very important source of seasonal farm labor in many parts of the Nation. While many work in several areas during the year, others work in only one area and on only one crop and do not travel extensively. Their earnings as they move from one job to another constitute their principal source of income.

These outside workers who migrate beyond everyday commuting distance leave their homes for periods of one week to nine months. They travel as family groups, crews, and, to lesser degree, as individual workers. Some are operators of small farms who with their families leave home to supplement their other income sources. Some are students who use vacation periods as a time to get outdoor work that offers more than monetary returns.

APPENDIX 2

Model Legislation for Migratory Labor Camps

Council of State Governments:

Suggested Legislation -- Amendment to State Public Health Act<sup>1</sup>

[Title should conform to state requirements.]

(Be it enacted, etc.)

Section 1. A new section of [insert reference to existing law] of which this act is amendatory shall be added to read as follows:

Section \_\_. Prescribe standards not inconsistent with applicable laws or regulations for living quarters at farm labor camps, including provisions for sanitary conditions; light, air, and safety; protection from fire hazards; maintenance; and such other matters as may be appropriate for security of life or health. In the preparation of such regulations, the [public health council] may request and shall receive technical assistance from the [board of standards and appeals of the state department of labor] and the [state building code commission]. Such provisions shall be enforced in the same manner as are other provisions of the [sanitary code];

Section 2. [Insert effective date.]

Suggested Legislation -- Amendment to State Public Health Act Respecting  
Violations Thereof

[Title should conform to state requirements.]

(Be it enacted, etc.)

Section 1. The [public health law] is hereby amended by adding thereto a new section, to be section \_\_, to follow section \_\_, to read as follows:

Section \_\_, Labor Camps; Notice of Violation. 1. Upon the determination of any violation of the provisions of this chapter or the [sanitary code] relating to labor camps, the [county commissioner of health] or [state health officer having jurisdiction] may serve the owner or operator of such camp with a notice requiring compliance with such provisions within five days.

2. It shall be sufficient service of such notice if it is posted in a conspicuous place upon the premises affected and a copy thereof mailed, on the same day

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<sup>1</sup>Some states might prefer to make an agency other than the state health department responsible for non-health regulation of labor camps. The suggested act above, however, reflects accurately the decision reached by the New York Legislature when it considered the question of administrative responsibility for regulation.

it is posted, to the person to whom it is directed at the address filed by him in the department, or, if his address is not so filed, such notice shall be sent by registered mail to his last known address or place of residence.

3. The county commissioner of health or state district health officer having jurisdiction may authorize extension of such five-day period whenever, in his judgment, such extension is necessary to enable good faith compliance with the requirements of this chapter and the sanitary code.

4. If compliance with the provisions of this chapter and the sanitary code is had within such five-day or extended period, such owner or operator shall not be prosecuted or subjected to any penalty for such violation.

5. If compliance with such provisions is not had within such five-day or extended period, then, in addition to any other penalty provided by law, such owner or operator shall pay a penalty of twenty-five dollars for each day thereafter during which such violation continues, and, if necessary for the public health and safety, may be ordered by the commissioner or officer having jurisdiction to vacate the occupancy of such camp after such owner or operator, upon due notice, has been given an opportunity to be heard. Such penalty may be recovered in an action brought by the state or county commissioner of health in any court of competent jurisdiction.

6. If, as the result of any violation, it is necessary to remove the occupants of any camp, the commissioner or officer having jurisdiction shall, prior to such removal, notify (a) the county agricultural agent, (b) the representative of the nearest office of the public employment service, whose duty it is to aid in placing such workers with the growers having approved housing, and (c) the county welfare commissioner. No application to vacate, modify or enjoin any such order of removal shall be entertained by any court without proof that        days notice of such application, and copies of the papers upon which the application is to be made, have been served upon such commissioner or officer having jurisdiction. Such commissioner or officer may request and shall receive from all public officers, departments and agencies of the state and its political subdivisions such cooperation and assistance as may be necessary or proper in the enforcement of the provisions of this section.

Section 2. Insert effective date.

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