

The American Child

Published by the NATIONAL CHILD LABOR COMMITTEE, NEW YORK CITY

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VOL. XXXII

FEBRUARY, 1950

No. 2

A PROGRAM FOR MIGRATORY LABOR

The Report of the Committee on Migratory Labor, adopted by the Sixteenth National Conference on Labor Legislation at its recent meeting and reprinted here, gives a clear outline of the state and federal measures needed to raise the substandard working and living conditions of the people who harvest our crops.

WORKERS in seasonal industries such as agriculture, food processing, and timber cutting are among the most disadvantaged workers in the United States. They have less protection and fewer services than other workers, since industries in which most migrants work are those likely to be outside the protection of state and federal labor laws. Their incomes are usually low. The intermittent work, now in one locality and now in another, makes effective organization of workers difficult. Communities where seasonal labor is found year after year often assume little or no responsibility for making their workers welcome or for seeing that community services and programs are available for them.

State departments of labor and the United States Department of Labor have the responsibility for providing protection and improving the conditions for all workers, including migrants. Since migratory workers, so important to the seasonal industries of many states, belong to no one state, there must be action on the part of many states and of the federal government if migrants are to be protected and their living and working conditions improved.

After a review of what has been done for migrants through the laws of some states, and by federal programs and federal laws, and in the light of previous recommendations of this conference the committee makes the following recommendations:

1. Foreign labor

The committee believes that foreign workers are not needed in the United States at this time and recommends:

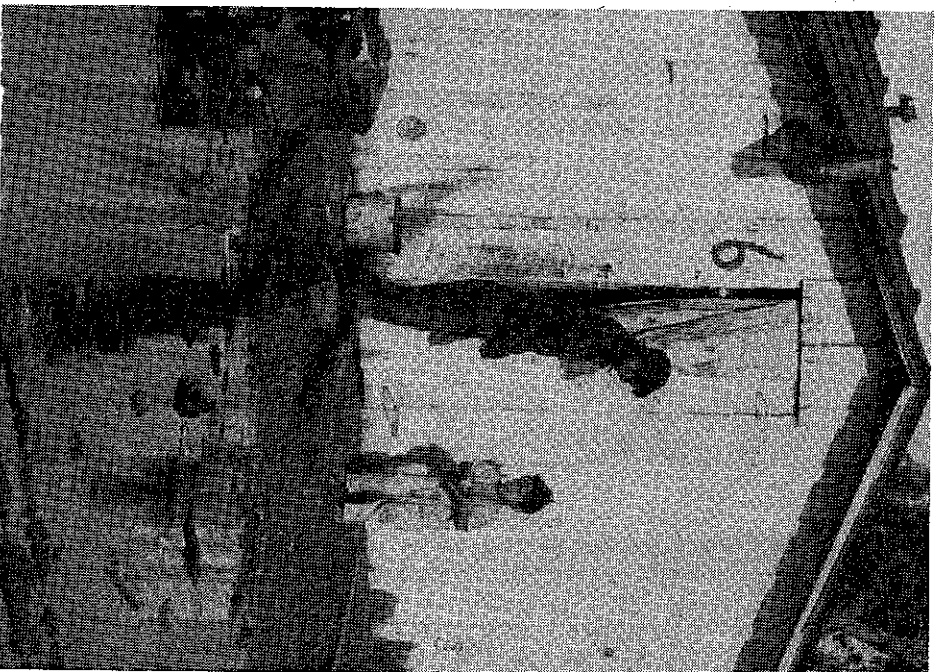
- (a) The immediate discontinuance of the importation of foreign labor; this shall have no relationship to this country's participation in the displaced persons' program;
- (b) The enactment of legislation imposing penalties on employers employing workers who have entered the country illegally;
- (c) The appointment by the President of a commission to investigate the illegal entry of Mexican workers, known as wetbacks, and their effect on employment standards and opportunities of domestic workers, and to make recommendations for dealing with this problem.

2. Recruitment

The enactment of state and federal legislation to license and regulate private agents and labor contractors recruiting migrant labor so that workers shall not be recruited on the basis of false information for non-existent jobs or for work under substandard conditions.

Support for more adequate appropriations for the United

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San Joaquin Valley, Cal., January 1950
Photo by Dave Myers
Migrant farm families—employed or unemployed—
live like this

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States Employment Service and state employment services. The committee recognizes that recruitment and placement of workers is primarily the function of the United States Employment Service and the state employment services and urges increased appropriations to allow these functions to be more effectively carried out.

The enactment of state laws requiring employers of migratory workers to register with the state labor department before they recruit workers from outside the state and requiring the labor department to determine that their working and living conditions are satisfactory before a permit to bring in migratory workers is granted.

3. *Transportation*

The amendment of the Interstate Commerce Act and of state motor vehicle laws to assure the safe and suitable transportation of migratory workers.

4. *Housing*

The enactment of laws authorizing state labor departments to regulate the housing of migrant workers, to license labor camps, and to develop labor camp codes, so that standard housing and sanitary conditions will not be a menace to the health of the migrant workers and to the communities in which they live and work.

The amendment of Public Law 171—the National Housing Act of 1949—to allow federally owned labor camps to be transferred to local housing authorities or to state authorities, allowing such authorities to provide for the repair and upkeep of such camps and to provide additional housing for migrants as needed.

5. *Wages*

The extension of state minimum wage, wage payment and wage collection laws to cover all migratory workers including agricultural workers, so that seasonal workers will be guaranteed a subsistence wage when they work and will not have their wages withheld until the end of the crop season.

The extension of the wage provisions of the Fair Labor Standards Act to agriculture so that the incomes of workers as well as growers will have guarantees and supports.

6. *Workmen's compensation*

The amendment of workmen's compensation laws to cover agricultural workers.

Recognizing that the adaptation of premium payments to short periods of employment and small numbers of workers has in the past been an obstacle to the extension of workmen's compensation laws to agricultural workers, the committee calls upon the administrators of workmen's compensation laws and the International Association of Industrial Accident Boards and Commissions to consider how workmen's compensation insurance can be made more practicable for employers of seasonal workers and to give support to the amendment of state workmen's compensation laws accordingly.

7. *Child labor*

The amendment of state child labor and school attend-

ance laws to cover children in agriculture including the children of migrants.

The amendment of the Fair Labor Standards Act to cover children employed in agriculture outside school hours and during vacations.

8. *Unemployment compensation*

The amendment of unemployment compensation laws to cover farm, food processing and packing-house labor, including interstate agreements which will permit collection of compensation by workers who migrate from one state to another.

9. *Old age and survivors insurance*

Extension of the old age and survivors insurance program to cover farm, food-processing and packing-house workers.

10. *Health and welfare services*

Removal by the states of residence requirements as a requisite for receiving health and welfare services in order that ill, destitute or otherwise needy migrants may not lack the kind of services for which other citizens of a democracy are eligible.

Increased appropriations by Congress for grants-in-aid to the states for more adequate health and welfare services, particularly in the rural areas.

11. *Promoting state action*

Because the problems of migratory workers require protections and services in many fields including labor, health, welfare, education, transportation, etc., and progress may best be ensured by attacking several phases of the problem at once, the committee recommends that state commissioners of labor call together the heads of other state departments and representatives of labor and of other private organizations concerned with the welfare of migrants to explore the possibility of concerted action on the whole problem.

12. *Survey of conditions of migrants*

A nation-wide survey of the migratory labor problem and its effect on the economy as a whole.

The committee recognizes the serious social consequences to the nation of the substandard conditions under which migrants live and work and it therefore urges the United States Department of Labor to request the Congress for funds to make a nation-wide survey to determine the present extent and nature of the migratory labor problem, the current economic need for migratory labor; the wages, working and living conditions of migrants; the educational handicaps of their children, and other problems arising from their way of life.

Members of the Committee

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