

TESTIMONY PRESENTED BY ARNOLD MAYER, LEGISLATIVE REPRESENTATIVE,  
OF THE AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN (AFL-CIO)

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CONCERNING FOREIGN FARM LABOR IMPORTATION INTO FLORIDA  
PRESENTED TO THE HEARINGS ON FARM LABOR AND RURAL POVERTY  
OF THE NATIONAL ADVISORY COMMITTEE ON FARM LABOR

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My name is Arnold Mayer. I am the Legislative Representative of the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO.

The AMCBW is a labor union with 375,000 members organized in about 500 local unions throughout the United States and Canada. The AMCBW and its locals have contracts with thousands of employers in the meat, retail, poultry, egg, canning, leather, fish processing and fur industries. With the merger of the National Agricultural Workers Union into the AMCBW in July, 1960, our Union also has the jurisdiction among agricultural workers.

Until recently, few Americans realized that any foreign farm labor importation programs other than the Mexican one existed. But the suspension of 95 cents an hour adverse effect wage for foreign and competing domestic farm workers in Florida and the resulting fight publicized a smaller, but equally pernicious foreign farm labor program.

This is the so-called British West Indian program which exists under Public Law 414. Some 15,000 workers, mainly from the Bahamas and Jamaica, are imported for work on East Coast farms from Florida to New England. The overwhelming majority of these workers -- more than 13,000 -- are employed in Florida. This testimony will concentrate on the Florida situation.

# 1. FLORIDA LABOR IMPORTATION CAUSES ADVERSE EFFECT

There can be no doubt whatsoever that the foreign farm worker importation into Florida causes unemployment and depresses the wages of competing U.S. farm workers. Certainly, federal government policy and regulations state that the growers can get foreign farm workers only if U.S. workers are not available. In actual practice, however, this policy is utter nonsense. It is a political rationalization.

What does "available" mean? In the past, it has meant whether U.S. workers would flock to the grower associations at the offer of the particular wage rate which the associations wanted to pay. Under the adverse effect regulations, it means whether U.S. workers are willing to work for 95 cents an hour.

In other industries, employers must make job offers in accordance with supply and demand. If a particular wage does not attract sufficient workers, the employers must increase the wages and benefits. But not so in agriculture in Florida.

The Florida Fruit and Vegetable Association has a virtual monopoly in the employment of workers for fruit and vegetable jobs. Until the establishment of the 95 cents an hour adverse effect wage, it offered the "prevailing wage" for work on each commodity. Because of its virtual monopoly position, the "prevailing" wage was, of course, any rate which the Association cared to offer.

If the "prevailing wage" and now the adverse effect wage are inadequate to attract sufficient workers, the Association is not concerned. It simply draws upon the inexhaustible supply of cheap foreign labor available because of the great poverty in the British West Indies.

The minimum hourly rate offered by the Florida Fruit and Vegetable Association increased little in 14 years because of the labor importation. It stayed at 50 cents an hour for three years, 1949-51, then it stayed at 55 cents for eight years, 1952-59, then it stayed at 60 cents for two years, 1960 and 1961, and went to 65 cents in 1962. This was an increase of 15 cents an hour over a 14 year period.

In comparison, the average Florida farm labor wage rate, which includes these depressed wages and the wages paid by growers who do not use foreign farm workers, increased 31 cents an hour, from 54 to 85 cents. In the United States as a whole, the average farm labor wage rate increased 33 cents an hour, from 68 cents to \$1.01.

Both the average farm labor rates for Florida and the United States contain the adverse effect of the foreign farm labor importation. The change in the average hourly manufacturing earnings in Florida and retail trade average hourly earnings in the Sunshine State do not. They present a yardstick for comparing how serious the adverse effect actually is. Average hourly manufacturing earnings in Florida during the same period (1949-1962) nearly doubled, an increase of 99 cents an hour from \$1.00 to \$1.99. Average hourly retail earnings increased some 70 per cent or 73 cents an hour from 93 cents to \$1.66.

Further evidence of the large adverse effect created in the past by the labor importation is shown by the fact that the foreign farm worker importation program has actually brought a decrease in the average annual farm labor wages in Florida. The hourly rates have gone up, but the individual farm worker has gotten less work.

Between 1950 and 1962, total farm wages per average farm worker in the United States increased 43 per cent, from \$1,150 to \$1,646, but in Florida, they decreased 3 per cent, from \$1,640 to \$1,591.

(Please remember that the U.S. figure would have shown an even higher increase if they did not incorporate the adverse effect of the foreign labor importation under both Public Law 414 and Public Law 78.)

The foregoing evidence shows the harm which has been done in the past. The adverse effect rate has made a small change. Instead of being able to offer farm workers pretty much what they please -- for example, wages, which before April 15 went as low as 70 cents an hour in vegetable harvesting -- the Florida Fruit and Vegetable Association must pay at least 95 cents an hour. The adverse effect rate sets a floor and therefore is some help to U.S. farm workers.

But the grower associations still do not have to raise wages beyond the adverse effect rate to attract an adequate number of workers. If the 95 cent an hour wage brings an inadequate number of workers, the association will simply get foreign workers. The laws of supply and demand are still prevented from working. Therefore, it is sheer nonsense to believe that enforcement of an adverse effect rate ends adverse effect to U.S. farm workers from the foreign labor importation.

## 2. ADDITIONAL ADVERSE EFFECT CAUSES EXIST

The inadequacy of the wages offered and the inability of the laws of supply and demand to establish wage rates are not the only ways in which adverse effect is caused U.S. farm workers by the foreign worker importation in Florida. There are other ways in which U.S. workers are kept from jobs and their wages are depressed.

These include:

1. There have been recurring stories that the farm labor associations actually discourage U.S. farm workers in neighboring states from coming to Florida. Recruiters do go out to give the appearance of attempting to hire U. S. workers, but these recruiters sometimes paint verbal pictures of tremendously difficult and hard work, bad treatment and other job disadvantages, so that workers will not accept the proffered work offer. The workers among whom the recruiters operate are Southern rural Negroes. Instilling fear among them is not difficult.

The growers' recruiting effort and their handling of labor is supervised in detail not by the U. S. Labor Department, but by the Florida Industrial Commission. The Labor Department supervises the work of the Commission. The Commission is a state agency. It continuously is under grower pressure. If the White House buckled under the pressure of the Florida growers and Senators, as it did in the adverse effect rate suspension, you can well imagine what the Commission, which has to live with growers day in, day out, often does.

It is vital therefore, that the U.S. Department of Labor assume greater day-to-day responsibility to oversee the operation of the foreign labor importation program in Florida. It is also vital that the Department

launch a full scale investigation into the way the program is operated in Florida, including the reported discouragement of available U.S. workers.

2. Foreign workers are guaranteed benefits in Florida which U. S. farm workers are not. It is nonsense to argue that U. S. farm workers are given first chance at jobs when the work offer to a foreign worker brings greater benefits than the one to U.S. workers. The latter are actually discriminated against because they are U. S. citizens.

The foreign farm worker is guaranteed workman's compensation, free housing, board at cost, and paid work for specific period of time. The U.S. farm worker gets no such guarantees.

3. Housing is used as a means of discouraging U.S. farm workers from seeking the agricultural jobs. The housing usually consists of barracks for males. Only men, without their families, are imported from the British West Indies. Many of the U.S. farm workers, on the other hand, move with their families. The U.S. workers can not take jobs where housing for their families is not available. Recognizing this fact, some growers have actually taken down family housing and put up barracks for men.

The federal government actually is a party to segregation in housing to limit the number of U.S. farm workers available. Virtually all of the farm labor housing in Florida is restricted to Negroes.

Integrated housing is not permitted by the growers. As a result, even though the U. S. Department of Agriculture reports that in 1961, 49,000 of the 172,000 persons who did migratory farm work in the South were white, these agricultural laborers are effectively barred from virtually all of Florida's farm labor jobs because of the housing segregation which the Labor Department condones.

In short, if sufficient U. S. farm workers have not been "available" in the past, this "shortage" has been purposely created. A series of sophisticated efforts are undertaken by the growers, in addition to the low wages, to discourage U. S. farm workers from seeking employment in Florida.

The Florida farm labor importation program, like all foreign agricultural labor importations, negates and mocks the President's "unconditional war against poverty." By operating the program, the U. S. government depresses farm labor wages to an incredibly low level. In addition, the federal government actually causes unemployment among the most poverty-stricken American work group, the farm workers.

### 3. IMPORTATION PROGRAMS RESULT IN POLITICAL BLACKMAIL

The foreign farm labor programs are also corrosive to good government. They have been the occasion of political blackmail in the past and will continue to be. The politically active growers and their elected legislators in Washington use Congressional seniority and politically strategic positions to thwart government efforts to treat farm labor with justice.

The story of the Florida adverse effect rate is a case in point. Even though hearings had been held in late 1962 and very early 1963, the establishment of the adverse effect rate for the entire East Coast was held up until July 1, 1963 because of the pressure from Florida. This postponement of the rate got Florida growers through their 1962-63 season.

When the 95 cent rate went into effect in July, 1963, it did not mean very much in Florida because there was little crop activity there. In preparation for the 1963-64 season, the growers and their representatives began a campaign, probably in September 1963, to do away with the adverse effect rate.

As a result, on October 3, 1963, the adverse effect rate was suspended because "additional facts" had allegedly been presented by the growers. Additional hearings, held both in Florida and Washington, failed to reveal these "additional facts." The growers simply told the same story they had in the December 1962 hearings.

Instead, a tremendous uproar against the suspension of the adverse effect rate took place. Many groups, including our Union charged that the suspension was simply a "political deal."

Yet the adverse effect rate was not reestablished until April 15, 1964. The growers had gotten through most of the 1963-64 season without having to pay the munificent minimum wage of 95 cents an hour.

We refer to the tawdry story of the 95 cent an hour adverse rate suspension only because it is such a glaring example of how the foreign farm labor importation programs lead to the corrosion of due process in our government. It also shows how ridiculous is the claim that the foreign farm labor importation does not harm the wages and working conditions of U.S. farm workers.



#### 4. IMPORTATION PROGRAMS MUST BE ENDED

The fact is that the foreign farm labor importation program in Florida and elsewhere must be absolutely ended. That is the only way, the program's terribly depressing effect on farm labor wages and farm labor employment can be done away with. It is the only way to truly end adverse effect.

The elimination of the foreign farm labor importation programs will also make our government processes a lot cleaner. It will end an important source of political blackmail in Washington.

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