

The American Child

Published by the NATIONAL CHILD LABOR COMMITTEE, NEW YORK CITY

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Vol. XXXII

OCTOBER, 1950

No. 6

MIGRATORY WORKERS—A MAJOR SOCIAL AND ECONOMIC PROBLEM

MIGRANT farm workers and their families emerged from their customary non-publicized misery last winter when conditions in California became so bad, during a prolonged period of unemployment between crops, that the unsavory facts could no longer be ignored. Migrants have continued in the news since our last report in the May issue of *The American Child* as a result of a series of encouraging developments which should lead to some definite and constructive efforts to solve this long-standing problem.

Following the appointment of the Governor's Commission in California, the Governor of Colorado appointed a Survey Committee on Migrant Labor to study conditions in that State and make recommendations prior to the 1951 legislative session for administrative action, agency services and legislation. Then on June 3, President Truman took a step which has been strongly urged by the National Child Labor Committee and other organizations for several years and established a five man Commission to make a broad study of conditions among migratory farm workers in the United States.

Colorado Study of Migrant Labor

The National Child Labor Committee's major activity, as a result of these developments, was to undertake, at the request of the Governor of Colorado, an intensive field study of migrant farm families for his Survey Committee on Migrant Labor. To carry out this project, the Committee secured as Director of the study, Dr. Howard E. Thomas, Associate Professor of Rural Sociology, Cornell University, on a leave of absence basis for several months. Mr. Sheldon G. Lowry, who has been associated with the Department of Sociology and the Social Research Center at Michigan State College, was employed as an assistant to Dr. Thomas. Dr. Thomas and Mr. Lowry met with the Governor's Committee early in July to determine the scope and nature of the study. It was decided that a representative group of about 250 families who work on seasonal crops would be interviewed in four different sections of the State. The interviewing began the end of July and is continuing through October, a period when a variety of crops are harvested in these areas. The study has been set up to obtain as complete a picture as possible of social and economic conditions among seasonal farm labor families in Colorado. Factual material will be obtained on housing, health, education, child labor, child care, recreation, community relations, annual earnings and extent of public and private assistance. Upon completion of the field work, the National Child Labor Committee will submit its findings and recommendations to the Governor and also expects to publish a report of the study.

President's Commission

The President's Commission is composed of the following members: Maurice T. Van Hecke, Professor of Law, North Carolina University, Chairman; Archbishop Robert E. Lucey, San Antonio, Texas; William M. Leiserson, economist, former Chairman of the National Mediation Board; Noble Clark, Administrator, Agricultural Experiment Station, University of Wisconsin; Peter H. Odegard, Professor of Political Science, University of California. Mr. Varden Fuller of Berkeley, California, is the Executive Secretary of the Commission.

In creating the Commission, the President announced that its study of migrant labor would center around three important questions:

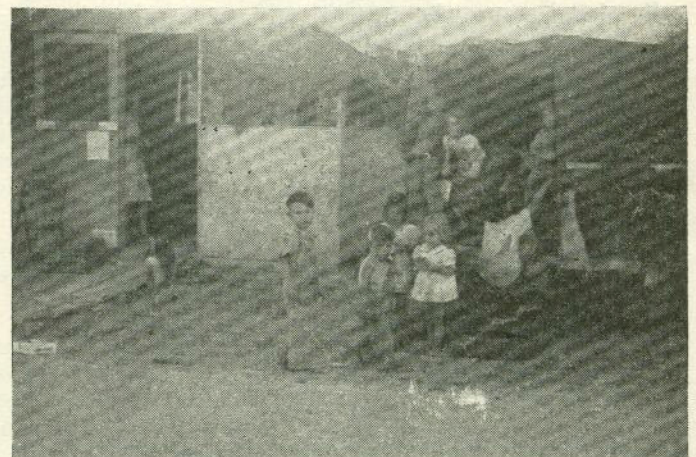
1. The social, economic, health and educational conditions among migrant workers in the United States and responsibilities now being assumed by Federal, state, county and municipal authorities to alleviate conditions among these workers.

2. The problems created by migration into the United States of alien workers seeking temporary employment and the extent to which alien workers are needed to supplement the domestic labor supply.

3. The extent of illegal migration of foreign workers into the United States and how law enforcement measures may be improved to eliminate illegal migration.

The Commission was directed by the President to render a report not later than December 15 and to include its recommendations for legislation and other action.

The Commission held its first hearings in Washington
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Migrant Children

Photo taken in Colorado, August 1950

The American Child

VOL. XXXII October, 1950

Published Monthly, October to May, inclusive, by the

NATIONAL CHILD LABOR COMMITTEE

419 Fourth Avenue, New York 16, N. Y.

Reentered as second-class matter, May 8, 1942, at the post-office at New York, N. Y., under the Act of August 24, 1912.

Accepted for mailing at special rate of postage provided for in section 1103 Act of October 3, 1917, authorized on July 10, 1918.

Yearly subscription two dollars

AGRICULTURAL EMPLOYMENT AND THE FEDERAL LAW

THE new provision of the Federal child labor law, barring the employment of children under 16 on commercial farms during school hours, is a major step toward increasing the opportunities of rural children — including migrant children — to attend school. The main problem now is enforcement since it would take an army of investigators to find all the children employed on remote farms in violation of the law if there were no community activity to promote compliance and refer possible violations for inspection.

To assist in securing community understanding, interest and cooperation, the National Child Labor Committee prepared a simple one page flier, "You Can Help," calling attention to this new law and urging individuals and agencies to cooperate in making it effective by reporting possible violations to the Wage-Hour Division of the U. S. Department of Labor or the National Child Labor Committee. The flier was distributed to national organizations with local affiliates, state organizations and county school superintendents. Orders for large supplies of it have flooded our office since it was first sent out in April — 250,000 copies have now been distributed — indicating widespread interest in giving children the full benefit of the protection of this law. County school superintendents have sent in some of the largest orders — an encouraging response from a strategically placed group who are evidently eager to use the law to the fullest extent in eliminating non-attendance by rural school children for employment in commercial agriculture.

An illustrated popular style leaflet, "Help Get Children Into School . . . and Out of Farm Jobs During School Hours," is now available from the U. S. Department of Labor (Bulletin No. 128). The purpose of the leaflet is to call to the attention of teachers, farmers, parents, social agencies and citizen groups generally the new provision of the Federal law and enlisting their cooperation in securing understanding and compliance.

It was issued in cooperation with a number of national organizations, including the National Child Labor Committee, which have helped to distribute it. The Bureau of Labor Standards reports that orders from a variety of sources and for many different uses have already exhausted the first edition of 100,000, necessitating a second printing.

WHITE HOUSE CONFERENCE ACTIVITIES

PREPARATIONS for the Midcentury White House Conference on Children and Youth, which will be held in Washington during the week of December 3, are going into the last stretch with state and national committees and the Conference staff working at full speed. The National Child Labor Committee is a member of the Advisory Council on Participation of National Organizations and Mrs. Zimand is on its Steering Committee. National organizations were requested by the Council to prepare reports on their purposes, activities and recommendations, in relation to the focus of the Conference, for use in planning the final program and to be made available to delegates in a general report of material from national organizations. The National Child Labor Committee's statement, prepared by Mrs. Taylor, described the Committee's activities, the problems and needs it sees in achieving for children and young people conditions and opportunities in education and employment which are favorable to normal mental, physical and emotional development, and its recommendations for meeting them.

The Committee has recently been asked to lend the services of a member of its staff in helping to prepare the section on Employment for the Conference Fact Finding Report. Mr. Markoff has been loaned for this cooperative project and will devote full time to it for the next month.

LOWER WAGE RATES FOR MESSENGERS DENIED

WESTERN Union has finally been denied permission to pay its messengers less than the minimum wage rates specified in the Fair Labor Standards Act, according to a ruling handed down by William R. McComb, Administrator of the Wage-Hour Division, U. S. Department of Labor. Mr. McComb's ruling is the final chapter of a record which began in Washington last December when public hearings were held to determine whether the messenger wage exemption should be granted or denied.

The National Child Labor Committee followed the entire proceeding from start to finish with great interest because many of the messengers are young workers who need the benefits of the Federal minimum wage law as much as anyone else. Mr. Markoff represented the Committee at the hearings, producing evidence in his testimony and arguments that there were no valid economic or legal grounds to justify the wage exemption which was being sought by the Western Union Telegraph Company. The Administrator's decision denying the application supports the position we took and as a result the 8,000 messengers now employed by Western Union no longer need fear that their pay checks will be cut to the extent of 10 cents an hour.

MIGRATORY WORKERS — A MAJOR SOCIAL AND ECONOMIC PROBLEM

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on June 13 and 14 at which Mr. Markoff presented testimony for the National Child Labor Committee. Other hearings were held between July and October in Texas, Arizona, California, Colorado, Tennessee, New Jersey, Michigan, Florida and Oregon and a large amount of testimony was

heard. Newspaper coverage of the hearings was excellent—the New York *Times* had a special writer at the hearings—but the testimony of growers, contractors, unions, public employment services, social and religious organizations was so conflicting that it has been difficult for the general public to gain a better understanding of this complex problem from news reports of diametrically opposed views expressed at the hearings.

The *Newark* (N. J.) *Evening News* was one of the newspapers which endeavored to clarify some of the issues for the public on its editorial page. The following editorial, published on September 22, 1950, points out that grower practices and state laxity in providing protection for migrants have invited Federal regulation:

INVITING CONTROL

President Truman's five-man Commission appointed last June to investigate conditions among migratory farm workers and make recommendations for Federal legislation has completed its inquiry. Its findings will be awaited with interest by civic and welfare groups that have striven for years to improve the lot of an estimated 1,500,000 itinerant workers, including those brought from Puerto Rico.

At the hearings—those held in this state as well as elsewhere—suggestions for Federal regulation to improve the situation were vigorously opposed by migrant worker employers and some state officials. Yet the testimony showed a chaotic state of affairs, generally speaking. Outside of New Jersey, New York and to a more limited extent Pennsylvania, there is on the Eastern Seaboard no adequate protection against exploitation of these hapless people.

Out in Michigan, where this year Puerto Ricans were employed for the first time in harvesting sugar beets, the President's Commission heard stories of payroll deductions by the growers which left the worker little or nothing for his labor. Testimony of several Puerto Ricans was supported by a Detroit priest who checked payroll statements. Deplorable housing conditions for the migrants were pictured.

It must be admitted that the migrant problem "is a complex one to which there is no ready answer," but it is a poor excuse for a state's failure to provide protection in some degree. One may wonder also about the Commission's reaction to the arguments that Federal intervention would have a "ruinous effect" and in the same breath that conditions for migrants could not be improved "until we prove the beet sugar industry is profitable."

The testimony generally reflected no great credit on the states and if Federal regulation should be recommended, they will have only themselves to blame. Their laxity in cleaning house as to other evils accounts in no small measure for the extension of Government powers.

National Child Labor Committee's Testimony

The following is a summary of the testimony which Mr. Markoff presented to the President's Commission for the National Child Labor Committee at the Commission's first public hearings in Washington July 13-14. His testimony was featured in newspaper reports of the hearings.

The National Child Labor Committee has had an interest in farm labor, including migrants, which is almost as old as our organization itself. As far back as 1909, field workers on our

staff went out into Kentucky to study child labor in the rural areas of that State. A few years later, in 1916, we turned the spotlight on agricultural child labor in the sugar beet fields of Colorado where migrant farm families were employed. In 1920, our report, *California the Golden*, was one of the first to call attention to the abuses that accompanied the rapid expansion of agriculture in that area.

In the '30's, we intensified our interests and efforts on behalf of migrant workers. We revisited the beet fields of Colorado and sent investigators to report about conditions in New Jersey, Arkansas, Kentucky and along the Pacific Coast. We sponsored and supported remedial legislation aimed at correcting one or another of the many abuses we found. We worked for the Voorhis Bill which proposed to make Federal grants to the states for the relief of transients. We brought beet workers down from Colorado to Washington to testify at Congressional hearings and saw direct results in the enactment of the Sugar Act of 1937. In addition to wage regulation continued from the Agricultural Adjustment Act, the Sugar Act established the first Federal regulation of child labor in agriculture.

In the next decade—the '40's—our field workers visited Missouri and Michigan, among other places, to study conditions among cotton pickers and strawberry pickers. We worked hard but unsuccessfully for the Tolan Bill of 1941 which proposed to regulate employment agencies and labor contractors. We spearheaded a movement to obtain an amendment to the child labor provisions of the Federal Fair Labor Standards Act so that rural children who work in commercial agriculture would have greater opportunities for schooling. We were active in trying to bring farm workers into our Federal Social Security system. We cooperated with state groups to raise the level of state child labor laws and school attendance laws with particular emphasis on eliminating exemptions for agricultural employment.

As a result of our long years of work with the migrant problem, it is difficult not to become discouraged. Despite years of interest by many organizations, despite extensive public hearings by the Tolan Committee, and despite some action to protect migrants by a few states, the problem in many areas seems to be as bad as, if not worse than, it ever was. Conditions causing migrancy may have changed; the racial backgrounds of many migrants today may be different from those of a decade ago; locations where migrants are employed may have changed; but there seems to have been little change in the unbelievably sub-standard conditions of life and labor among many migrant farm workers. In one respect there has been a great change—wage rates have increased—but seasonal, uncertain employment, and low annual income still persist with all their attendant evils. It is still true, as the Federal Interagency Committee reported back in 1947 that "a sizable segment of our population [the migrants], through community and state neglect, has been robbed of so many normal American and human rights that it is almost unbelievable. Child labor, substandard living and a padlock against education have destroyed the rights of children and drastically disturbed the integrity of family life among migrant workers."

The National Child Labor Committee recommends a 15-point program for improving the conditions under which migrant workers live and work:

1. Enactment and enforcement of child labor and school attendance laws so as to prevent employment of children under 16 years of age during school hours and to prevent employment of children under 14 years of age at other times. Limitations on the hours of work of children under 16 years of age so that they do not work more than 8 hours a day or 40 hours a week when schools are not in session.

2. Establishment of minimum wage rates for agricultural

workers through extension of the Federal Fair Labor Standards Act and through state minimum wage laws.

3. Requirement of sanitary housing accommodations for farm workers.
4. Enactment of state laws which would authorize State Labor Commissioners to license and regulate labor camps.
5. Enactment of state and Federal laws to license and regulate private employment agencies and labor contractors.
6. Federal regulation over the interstate transportation of workers by trucks in order to insure safety and health.
7. Extension of workmen's compensation laws to include migrant workers.
8. Extension of Social Security Act to include migrants in unemployment insurance, old-age and survivors' insurance, and public assistance benefits.
9. Removal by the states of residence requirements for health, education, welfare and recreational services.
10. Federal grants to the states to stimulate better housing, health, education and welfare services for migrants.
11. Establishment of child care centers for migrant children.
12. Encouragement of trade unionism among farm workers by giving them the right to organize and bargain collectively with the same safeguards and legal protection enjoyed by industrial workers.
13. Establishment of a special unit in the U.S. Office of Ed-

ucation to study and develop suitable educational programs for migrant children.

14. Education of migrant parents with regard to child care, nutrition, and health.
15. Measures to help permanent residents in local communities recognize the part they can and should play in integrating their transient workers into the life and activities of the community.

In addition to these specific recommendations, migration in itself, even if many of its bad features were controlled, prevents a normal home life for parents and children. Under these circumstances, it would be desirable to develop programs and pursue policies which would cut migrancy to the minimum necessary for our economic needs. To achieve that objective special attention needs to be directed to (1) a review of our policy regarding immigration of agricultural workers in the Southwest; (2) a review of haphazard recruitment policies which often bring migratory workers into a community before there is any need for their labor or in excess of actual need; (3) the feasibility of developing year-round supplementary employment programs for seasonal workers in a community in order to reduce migration.

The National Child Labor Committee will follow with great interest the work carried on by the President's Commission and offers its fullest cooperation to the Commission in its inquiry. We are hopeful that the full facts about migrancy—a major economic and social problem—will be brought to light by the Commission and that it will recommend the enactment of the needed and long-delayed legislative reforms which our agency has been urging for so many years.

Keep Her Smiling!

Let's help give her a chance for school and a better future than migrant child labor — with her, thousands of other girls and boys only ask a decent chance in life.

Won't you help?

Please detach and mail

To the NATIONAL CHILD LABOR COMMITTEE
419 Fourth Avenue
New York 16, New York

I am glad to enclose \$..... as a special gift to help your drive for better conditions for American children.

Name.....

Address.....

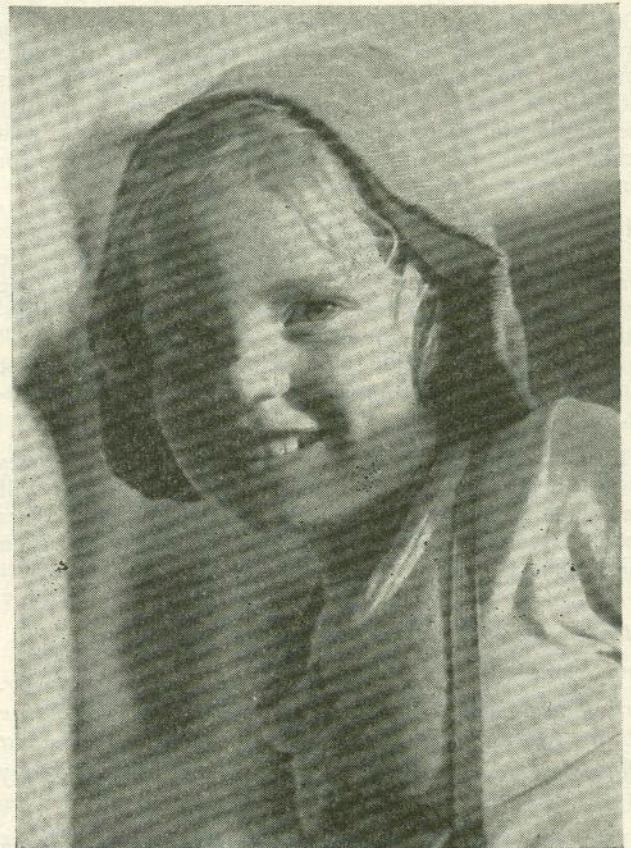


Photo of Migrant Child taken by David Myers, California, 1950