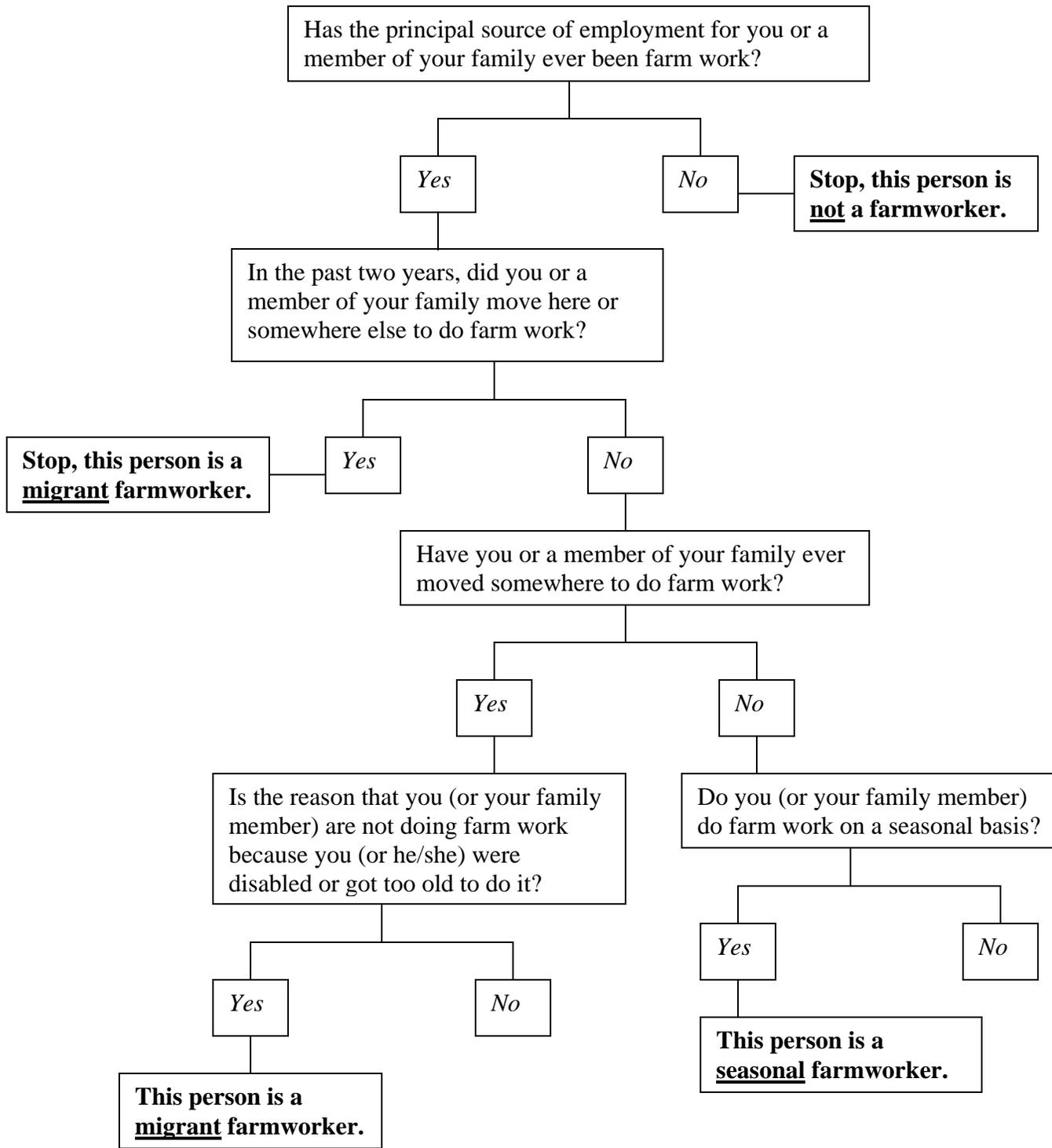


# Farmworker Identification According to Public Law 104-299

## Logic model

Questions in normal font are what the health center worker would ask the client. Words in italics are the possible responses of the health center client. Comments in bold are instructions for the health center worker.



Questionnaire structure to identify farmworkers.

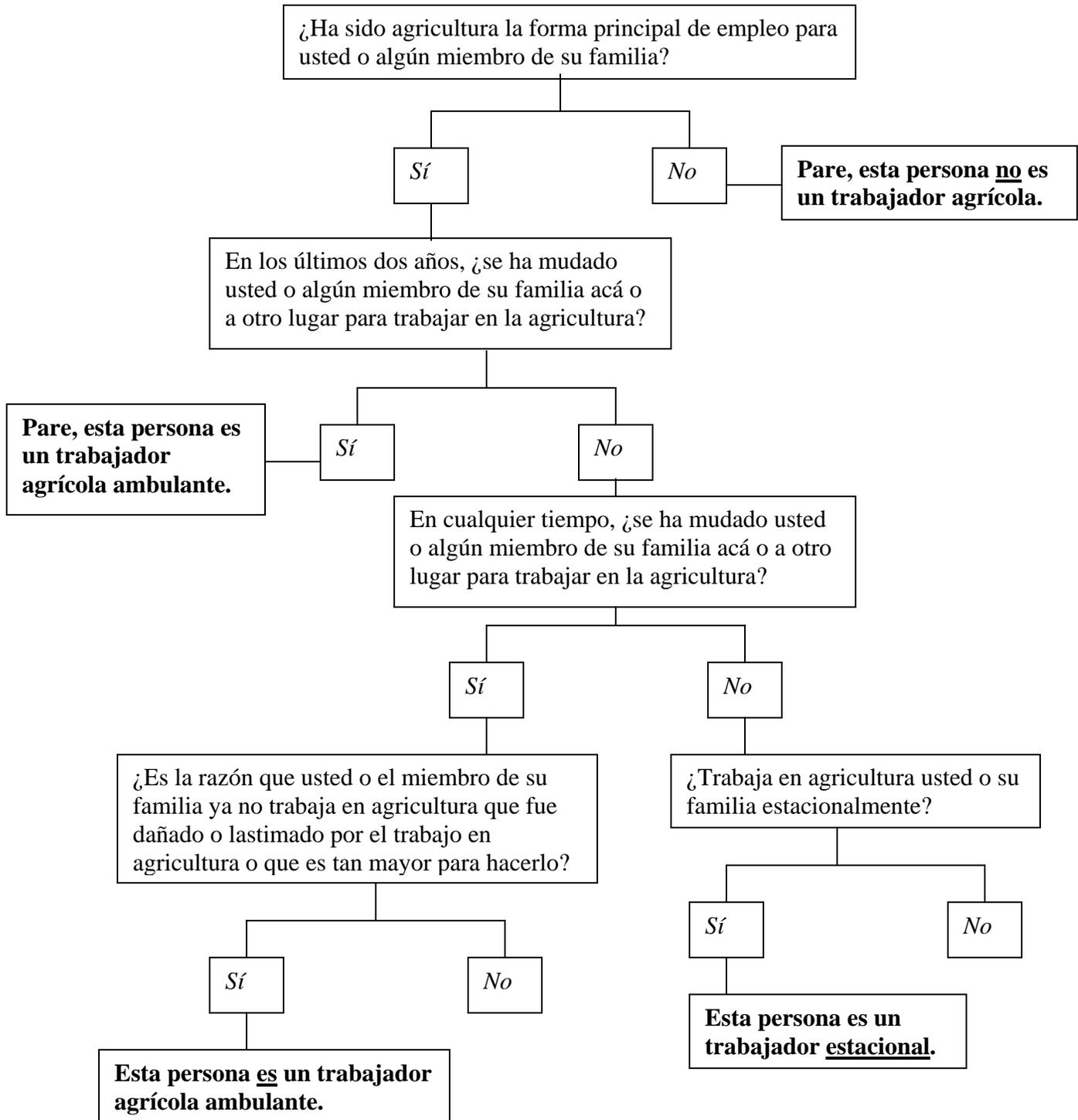
1. Has the principle source of employment for you or a member of your family ever been farm work?  
*If “no”, stop. This person is not a farmworker.*
2. In the past 2 years, did you or a member of your family move here or somewhere else to do farm work?  
*If “yes”, stop. This person is a migrant farmworker. If “no,” continue.*
3. Have you or a member of your family **ever** moved somewhere to do farm work?  
*If “yes”, continue to #4. If “no”, skip to #5.*
4. Is the reason that you or your family member are/is not doing farm work because you (or he/she) were disabled or got to old to do it?  
*If “yes”, this person is a migrant farmworker. If “no”, this person is not a farmworker.*
5. Do you (or your family member) now do farm work on a seasonal basis?  
*If “yes”, this person is a seasonal farmworker. If “no”, this person is not a farmworker.*



# Modelo lógico para identificar a trabajadores agrícolas acuerdo de la ley 104-299

## Modelo lógico

Preguntas en normal son lo que los trabajadores de la clínica le preguntarían al cliente. Palabras en cursiva son las respuestas posibles del cliente o paciente de la clínica. Comentarios en negrita son instrucciones para el trabajador de la clínica.



Formulario para identificar trabajadores agrícolas.

1. ¿Ha sido agricultura la forma principal de empleo para usted o algún miembro de su familia?  
*Si “no”, pare. Esta persona no es un trabajador agrícola. Si “sí”, sigue.*
2. En los últimos dos años, ¿se ha mudado usted o algún miembro de su familia acá o a otro lugar para trabajar en la agricultura?  
*Si “sí”, pare. Esta persona es un trabajador agrícola ambulante. Si “no”, sigue.*
3. En cualquier tiempo, ¿se ha mudado usted o algún miembro de su familia acá o a otro lugar para trabajar en la agricultura?  
*Si “sí”, sigue a No. 4. Si “no”, salte a No. 5.*
4. ¿Es la razón que usted o el miembro de su familia ya no trabaja en agricultura que fue dañado o lastimado por el trabajo en agricultura o que es tan mayor para hacerlo?  
*Si “sí”, esta persona es un trabajador agrícola ambulante. Si “no”, esta persona no es un trabajador agrícola.*
5. ¿Trabaja en agricultura usted o su familia estacionalmente?  
*Si “sí”, esta persona es un trabajador agrícola ambulante. Si “no”, esta persona no es un trabajador agrícola.*



## Notes about definition

1. The definition of agriculture includes, **but is not limited to**,
  - (A) cultivation and tillage of the soil;
  - (B) the production, cultivation, growing and harvesting of any commodity grown on, in, or as an adjunct to or part of a commodity grown in or on, the land, and
  - (C) any practice (including preparation and processing for market and delivery of storage or to market or to carriers for transportation to market) performed by a farmer or on a farm incident to or in conjunction with an activity as described in (B).
2. The distinction between “on,” and “in,” the land is not clear.
3. In addition, “an adjunct to or part of a commodity” is not clear. Would raising animals whose manure is converted to fertilizer thereby be farm work? Is bee keeping farm work if the bees are also pollinating an agricultural product?
4. “Seasonal” is not defined. How many months a year is seasonal work vs. year round work?
5. The definition of farmworker does not address race, ethnicity, sex, or national origin, or immigration status. It only addresses employment in farm work, whether someone has moved for employment in farm work, or whether someone is no longer doing farm work as a result of age or disability.
6. The definition of “farmworker” includes someone who has done farm work him/her self or the family member of someone who does farm work. The definition does not state that the family member who does farm work must be the head of household.
7. Criteria for determining whether farm work is a “principle source of employment” are not provided in the definition. The definition does not state that “principle source of employment” means that the farmworker must be earning 51% of his/her income from farm work nor that the farmworker must be working at least 6 months a year in farm work.
8. Separate income criteria for farmworkers is not provided. Health centers should use the same sliding scale based on income for farmworkers as for other people they serve. Since income is not included as a criterion, growers, crew chiefs, and their families would qualify for services as long as they are working in agriculture on a seasonal basis.

