

## **Transforming the fields: Defining and claiming farmworkers' rights.**

Susan L. Marquis

*Southern Foodways Alliance Fall Symposium*

*Fall 2019*

Good morning. I'm here to share a story of farmworkers in America. If you pay attention to food, and who puts that food on our tables, you know this story, but it bears repeating and it needs context. That's what I aim to offer. What I am also offering may not be what you are expecting. And that is a different ending to the story. For much of our nation's history, farmworkers, whether enslaved or free, immigrant or native born, have been the voiceless; the powerless; the ones who needed somebody to save them. But, that is no longer true. The Coalition of Immokalee Workers have changed the ending of this story. Florida farmworkers have built a powerful tool that protects not just their own rights but provides a model to protect the rights of agricultural, factory, and other low-wage workers for the rest of the world. And that is good news – a story of not only of hope but real and tractable opportunity.

Allow me to step back and provide the promised context. A few years ago, a tomato worker had to pick about two-and-a-quarter tons of tomatoes in a ten-hour day - that's 137, 32-pound buckets - to earn about \$62. Life for these workers included sore backs, cramping hands, dehydration, and meager pay. Stolen wages, substandard housing at exorbitant rents, beatings and sexual

assault in the rows of tomato plants were the shared experiences of farmworkers in the tomato fields of Florida and characteristic of large-scale farming across the U.S. The continuum of abuse in and around those fields extended, and in some cases still extends, to human trafficking and forced labor, modern-day slavery. Slavery cases like that of the Navarrete family in 2008 who locked workers from their Immokalee labor crews in box trucks, fed them through slots, beat them, and forced terrified workers into mountains of debt by stealing their pay and overcharging for stale tortillas and the use of a garden hose for washing.

So, those were the conditions just a few years ago in Florida's tomato fields. Today, those same fields, and others up the eastern seaboard, are a living, breathing demonstration of a new model for agricultural labor, defining farmworker rights, and holding corporations accountable for their supply chains. The Coalition of Immokalee Workers' Fair Food Program is the prototype of what is now known as Worker-driven Social Responsibility (or, WSR), a partnership between workers, producers, and corporate buyers. It's rooted in farmworkers' expertise and experience. It uses the power of the market for good. And it works because of immediate and effective sanctions for violating workers' human rights. The results? Virtual elimination in Fair Food fields of the abuse farmworkers have lived with for much of our nation's history, and a near doubling of farmworkers' wages. Producers have gained from new operational efficiencies, reduction in legal risks, and a more stable, better trained workforce. Fast-food and grocery corporations at the top of the food chain now have confidence in the integrity of their supply chain for U.S.-grown tomatoes, maintaining the trust of their customers, and protecting their brands.

Given we're together at the SFA Fall Symposium, it's important to note that this all began in the south, in Florida, and then headed north up the East Coast, and now touching down in Texas and California. The WSR model is, in fact, reaching across the globe in Bangladesh and in Lesotho. In a few moments, we'll have a conversation about how the CIW's principles and mechanisms can be successfully applied in other industries, and about how farmworkers from Florida are leading a seismic change.

But, first, beginnings. How did this happen? And, why did this work when so many others have failed. I'm going to take us back to 1992 in Immokalee. Immokalee is key. Thirty-five miles and another world, east of Naples, Florida, Immokalee was and is the unincorporated town that is at the source of the river of migrant labor that surfaces each fall and flows up the East Coast in the spring and summer. In the early 1990s workers arrived from Haiti, Guatemala, El Salvador, and Chiapas and Oaxaca in Mexico. Distinct from the immigrants and African-Americans who had worked these fields before, these workers brought new experience from home. Deep organizing experience from grassroots movements that built on the popular education ideas of Paulo Freire and variants of liberation theology. As they found each other and formed the Coalition of Immokalee Workers, these new workers joined with those already in Immokalee and chipped away at the deliberate isolation of agricultural labor. With connections came a shared understanding of their situation. It didn't take long for the community to use their collective voice to ask and ultimately answer the question, "why are farmworkers poor?"

How did this happen? If we skip ahead a few years, we find another starting point. It's 2001 in Fort Myers, Florida. If you let your eyes drift away from the road in front of you, between the strip malls on Route 41 you might catch the startling sight of a couple of dozen protestors and a giant papier-mâché tomato in front of a Taco Bell. The colorful, if humble, protest was the backdrop for the Coalition, known as the CIW, to announce the Campaign for Fair Food – an audacious call by Florida farmworkers and their allies for a nationwide boycott of Taco Bell. You'd be forgiven if you dismissed the scene as a well-intended but impotent fist raised in protest, rather than seeing it for what it was – the public beginnings of a movement that is now leading profound change on three continents.

In the immediate years after the farmworker community formed the CIW in 1993, before the Taco Bell protest, the CIW had critical success – the first strikes, a successful boycott of an abusive crew leader, pushback of further decreases in wages. What they hadn't achieved was real change in farmworkers' lives. Farmworkers were still poor. And violence still rampant. As the 20<sup>th</sup> century came to a close, the CIW stepped back, looked outside the farmgate and at the food system end-to-end. The Coalition shifted their focus from what was right in front of them--the abuse and poor pay of daily life--to the top of the supply chain: the fast-food chains and other corporate buyers, then to the producers who supplied them, and finally to the workers at the bottom. With this new perspective, CIW members soon asked, "If Taco Bell can push tomato prices down across the industry, why can't they push farmworker wages up?" This insight birthed a whole new strategy and the Campaign for Fair Food.

The CIW's strategy was to put corporate brands at risk by calling attention to the below poverty wages and abuse of farmworkers picking the tomatoes that became Taco Bell's salsa or topped a Whopper. The CIW and its allies called on these corporations to take responsibility for their supply chains through payment of a "penny per pound" premium directly to the workers. They also demanded that the fast food giants use their market power to force positive change by requiring producers to comply with the CIW's Code of Conduct that defined farmworkers' rights to safe working conditions and fair pay.

In the four years after the first Taco Bell protest, the Campaign and its boycott defied all odds and went nationwide (as evidence by Paul Ortiz's earlier recounting of taking part in Taco Bell protests in California). In 2005, Taco Bell signed the first Fair Food Agreement. McDonalds, Burger King and other fast-food chains soon followed suit. By the end of the decade, Subway, Whole Foods, and corporate food providers including Bon Appetit and Compass group had all signed on.

These were victories beyond what many could have imagined. But the game wasn't yet over. Life still hadn't changed for farmworkers. The Coalition was missing a key piece – the major tomato growers who had joined together, absolute in their refusal to partner with the farmworkers who worked in their fields. No way in hell the tractor would tell them how to run their farms. In late 2010, that all changed when Jon Esformes and his family's company recognized both the humanity of those in the fields and the reality of protecting the market for his produce. Pacific Tomato Growers broke the dam and the other large farmers soon joined in signing Fair Food Agreements with the CIW.

I promised to get to the why – why the Fair Food Program has worked. Whether willingly or not, buyers, employers, and workers were now in partnership and the Fair Food Program came to life in 2011. It is now a rare example of end-to-end, systemic change. The comprehensiveness of the program, and resulting effectiveness, is unmatched in social responsibility programs. Rights are defined in the Code of Conduct. All workers must receive worker-to-worker rights and responsibilities education. With this, the workers themselves monitor every row of every farm field. A 24/7 complaint line, answered by people who speak the many languages of farmworkers, lets workers report potential violations, protected from retaliation. The Fair Food Standards Council, an independent third party, fields complaints, conducts investigations, prescribes resolution, and conducts detailed audits. Enforcement comes through the corporate buyers' legally-binding agreement not to purchase tomatoes or other produce from growers who don't quickly come into compliance after violations.

The success of the CIW and the Fair Food Program has been demonstrated, measured, and documented since its inception in 2011. More than 35,000 workers in any given year are now directly employed by Fair Food Program growers, in contrast to contract labor crews, in Florida, Georgia, the Carolinas, Virginia, Maryland, and New Jersey. On these farms, worker pay has increased 70% or more, increasing pay across the industry. Sexual assault, gun and other violence and forced labor has been eliminated on the participating farms and frequently reported by workers who move from these farms to those outside of the program. There is now groundbreaking anti-sexual harassment training for workers and supervisors and health and safety protocols cover the practicalities

of farm work. The coalition's founders and members have been recognized in the U.S. and internationally for leadership in transforming the lives of farmworkers and in anti-trafficking and anti-slavery work.

Transformation in the fields. The question is, of course, where does the Fair Food Program go from here? Florida farmworkers and the Coalition of Immokalee Workers have defined and protected their human rights. What does worker-driven social responsibility bring to agriculture more broadly, not to mention other industries? That's where our discussion heads next....