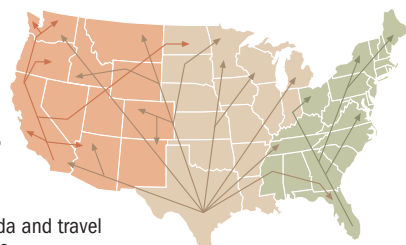




USED AND ABUSED | Following the crops

Where migrants go

Migrant farm workers move from state to state to pick crops, roughly following one of three main 'streams.'



Eastern Stream: Begin in Florida and travel up to Ohio, New York and Maine.

Midwestern Stream: Begin in southern Texas and branch off through every Midwestern state. This stream is the most divergent, with some workers ending up in Washington state or Florida.

Western Stream: Begin in southern California and hug the coast to Washington state, or head northeast from central California to North Dakota.

'Eastern stream' migrants spend most of their time in Florida

1. Florida: Citrus, cane for sugar, tomatoes, strawberries, cucumbers, peppers, squash, blueberries, watermelon, cabbage, snap beans and sweet corn.

(Late October through mid-May, although some stay in the state nearly year-round to work in greenhouses and nurseries.)

2. North Carolina, Tennessee, Kentucky and Virginia: Tobacco.

(March through November, but many just stay for the summer, when there is work in pickling cucumbers, potatoes, tomatoes, peppers, blueberries and watermelon.)

3. Connecticut and Massachusetts: Tobacco.

(April and October.)

4. Georgia, South Carolina, Alabama, Mississippi and Arkansas: Tomatoes, cucumbers, peppers, squash, sweet corn, blueberries, watermelon, cantaloupe and peaches.

(June, July and August.)

5. Ohio, Maryland, Delaware and New Jersey: Tomatoes, cucumbers, peppers, squash, blueberries, watermelon, cucumbers for pickling and potatoes.

(July and August. Some arrive earlier in Ohio for pickling cucumbers or stay through October in Maryland for apples.)



6. Pennsylvania, New York, Connecticut and Massachusetts: Cabbage, onions, tomatoes, cucumbers, peppers and peaches.

(July through September.)

7. Maine: Blueberries.

(August.)

8. New England, Pennsylvania and New York: Apples.

(September and October.)

9. North Carolina: Sweet potatoes and second cucumber harvest.

(September through November.)

Who are they?

88 percent are men, many of them in this country on their own so that they can send money back to families in their home countries.

55 percent are married. Of those, 71 percent are not living with their spouses.

Their mean age is 31. Many start the migrant life in their early 20s and return to their home countries within a few years to live in the homes that were built with U.S. money. They may return to the United States several more times before they are too old to work such hard jobs.

They have a sixth-grade education, on average.

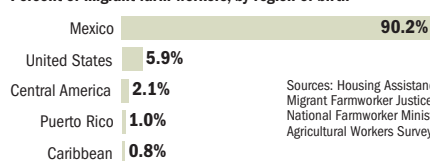
93 percent are foreign-born, up from 88 percent 10 years ago.

65 percent are here illegally, up from 62 percent 10 years ago.

Where are they from?

A 2000 survey of 1,464 migrant farm workers found that the overwhelming majority are from Mexico.

Percent of migrant farm workers, by region of birth



Sources: Housing Assistance Council, Migrant Farmworker Justice Project, National Farmworker Ministry, National Agricultural Workers Survey 2000

Pickers wade in pesticides, but training, oversight lax

A survey says 86 percent of laborers here had no idea when their fields were last sprayed.

By CHRISTINE STAPLETON
Palm Beach Post Staff Writer

Isabel Cruz remembers picking tomatoes, seeing the tractor and feeling a light breeze.

"We were separated from that tractor by only a ditch," Cruz recalled of that day in the Immokalee field last April. "You see the chemicals in the air, and there was a breeze and it brought it at us."

Three days later, the itching started: "My hands and neck and face — wherever that liquid and air touched me." Then, her skin peeled off her hands and face. She felt sick. She lost 10 pounds. Her fingernails turned black. She had to quit her job.

"I couldn't mop because I couldn't hold the mop," said Cruz, a 34-year-old mother of four. "My husband had to do the cooking."

She went to the doctor, despite her husband's fears she would be deported. But she didn't file a complaint, and no one came to question her about what happened or to offer help.

"Part of the tragedy here is that people don't know who they work for and don't know where to start to go for a remedy," said Maria Vega, a Catholic Charities case worker. "They don't do anything because they are afraid."

Every year, one billion pounds of pesticides are applied to crops in the United States. Every day, farm workers like Cruz work beside machines that douse the crops with chemicals, then stick their hands through pesticide-coated plants to pick the fruits and vegetables that wind up on our tables.

Some of the pesticides are harmless. Others are known to cause cancer, spontaneous abortions and serious neurological disorders. One thing is certain: Florida growers — who use more pesticides per acre than growers anywhere else in America — are rarely fined when they break the rules.

Of 4,609 pesticide violations found by inspectors at the Florida Department of Agriculture in the last 10 years, only 7.6 percent resulted in fines. The rest received written reprimands or warnings.

When it comes to pesticides, the department has made its position clear. When the legislature had an opportunity this year to reenact a law that required growers to provide workers with precautionary information about dangerous pesticides, the department took no position. But in the political battle to extend the phase-out of methyl bromide — a pesticide that can cause nerve damage — the department has been on the front line, fighting for growers who want to keep using the fumigant.



LANNIS WATERS/Staff Photographer

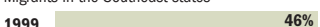
Farm worker's hazard: The burns that Isabel Cruz, 34, suffered from pesticides while picking tomatoes in Immokalee scar her face. The mother of four from Oaxaca, Mexico, was photographed earlier this year in a rented room in Immokalee.

Many workers get no pesticide training

Farm workers in the Southeast get far less training than those in California, where they have labor unions. Farm workers aren't covered by the National Labor Relations Act, which protects workers' rights to organize.

No pesticide training within last 5 years

Migrants in the Southeast states



Migrants in California

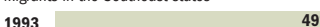


More have toilets and water available now

Ten years ago, half of all migrant farm workers in the Southeast had no access to toilets or water for washing their hands. Those working conditions have improved.

Had no toilet available

Migrants in the Southeast states



Migrants in California



Couldn't wash hands

Migrants in the Southeast states



Migrants in California



Source: National Agricultural Workers Survey 2000

The bulk of the violations are for failing to follow federal rules for training and notifying workers. When asked the last time they had been trained in using pesticides, 30 percent of farm workers surveyed in 1999 for the National Agricultural Workers survey said they had never been trained or not in the past five years.

Loophole in OSHA safeguards

"There are laws to protect farm workers but for almost every law, there

is a loophole," said Tania Galloni, a lawyer for the Migrant Farmworker Justice Project. For example, OSHA safety standards apply only to farms that hire at least 10 workers. That covers about 471,600 farm workers nationwide but excludes an estimated 1 million who labor on small farms.

EPA weakens protection standards

Even when tougher laws are passed, they are often watered down later. In 1974, the U.S. Environmental Protection Agency enacted the Worker Protection Standards. They required growers, regardless of the number of workers, to provide: training and information about pesticides used on crops; protective clothing; waiting periods for reentry into treated fields; hand-washing facilities in the field.

But in 1996, EPA amended the standards. Now workers who had never received pesticide training could work five days in the fields without any information about the dangers. The new standards also reduced the number of days that growers must provide water for hand-washing (one gallon for every worker) from one month to one week for certain pesticides.

A year after the new standards, Celeste Murphy-Green, then a doctoral candidate at Florida Atlantic University, surveyed farm workers in Palm Beach and Indian River counties. She asked if they knew when the fields had been last sprayed. Eighty-six percent didn't know. Nearly 20 percent said they often worked in the fields when pesticides were sprayed. Eighteen percent said there was no water to wash off the pesticides.

Two years after EPA relaxed the standards, skin rashes reported by field workers began to climb. In 1998, the rate was about 11 cases per 10,000 workers. By 2001, the rate jumped to nearly 27 cases per 10,000 workers, among the highest for any occupation, according to the Bureau of Labor Statistics.

Advocates admit that part of the problem lies with the farm workers. Most are reluctant to miss a day of work and go to a doctor. Many can't read, and most don't know they have rights.

Staff writer John Lantigua contributed to this story.

Where to report abuses

The federal Trafficking Victims Protection Act of 2000 prohibits trafficking in and enslavement of human beings in agriculture, prostitution and other forms of forced labor. Individuals can report cases of slavery or trafficking in human beings to the federal toll-free complaint line, 888-428-7581. Additional information about the Department of Justice's anti-trafficking and anti-slavery efforts can be found on the Web at www.usdoj.gov/crt/crim/tpwef.htm

Agencies that regulate farm practices

FLORIDA

Department of Agriculture: Thirty-eight inspectors are responsible for pesticide compliance on over 10 million acres of farms, groves and nurseries. Department administrators and enforces Agriculture License and Bond law; provides marketing services to Florida growers, processors, shippers and retailers; operates Florida Agricultural Statistical Services.

Citrus Commission/Department of Citrus: Sets the annual amount of excise tax and quality standards for all citrus grown, packed or processed in Florida; adopts rules regulating packaging and labeling of Florida citrus products and licensing requirements for packers, shippers and processors.

Department of Education: Provides education for children of migrant workers through the Title 1 Migrant Education Program of 1966; program also provides health, nutrition and social services necessary for children; receives money from the U.S. Department of Labor to administer the Farmworker Jobs and Education Program, which enables migrant and seasonal farm workers and their dependents to achieve economic self-sufficiency through education and skills training.

Department of Business and Professional Regulation: Tests and licenses farm labor contractors; investigates health and safety compliance including workplace sanitation (toilets, hand washing and drinking water in the fields) and ensures vehicles used to transport migrant farm workers are inspected annually; registers employers who use child labor and investigates complaints of child labor violations.

Department of Health: Inspects and permits all migrant housing in Florida; investigates, collects, maintains and analyzes data regarding pesticide poisoning; conducts education programs for workers and health care workers regarding pesticides; provides state standards of sanitation and drinking water in fields with five to 10 farm workers.

Department of Highway Safety and Motor Vehicles: Sets state standards for transporting migrant farm workers.

Department of Insurance: Makes sure employers carry workers' compensation insurance and that injured workers receive benefits.

Department of Revenue: Oversees state unemployment tax.

Department of Environmental Protection: Issues wastewater discharge permits to citrus processing, dairies, aquaculture facilities and farmers and monitors compliance; develops rules on regulating animal waste; disseminates and develops Best Management Practices for pesticide handling and use; oversees cattle dipping vat pollution and pesticide container recycling programs; monitors pollution from agricultural runoff.

Florida Commission on Human

Relations: Investigates complaints regarding discriminatory practices, including landlord-tenant disputes based on race, color, religion, sex, national origin, age, disability or marital status.

FEDERAL AGENCIES

OSHA: Ensures appropriate action on migrant farm worker complaints and camp inspections; conducts inspections of fields, processing plants, packing houses and other work places and housing.

Environmental Protection Agency: Ensures workers use safety equipment when handling pesticides; monitors and oversees cleanup and disposal of hazardous chemicals; enforces Endangered Species Act, which prohibits farming on lands with protected species.

U.S. Department of Justice: Prosecutes cases of peonage and slavery; Civil Rights Division conducts joint investigations with the U.S. Border Patrol and Wage and Hour Division of the U.S. Department of Labor; enforces Immigration Reform and Control Act, which makes it unlawful to hire illegal aliens or employees who have not completed a Form I-9.

U.S. Equal Opportunity Employment Opportunity Commission: Enforcement of Civil Rights Act, ADA, Age Discrimination in Employment Act and Equal Pay Act.

U.S. Department of Labor: Enforces the Migrant and Seasonal Worker Protection Act; conducts inspections of employer-provided or contractor-provided housing.

U.S. Department of Agriculture: Provides grants for migrant farm worker housing, medical care and education; ensures safety of U.S. food supply; disseminates information to employers and helps enforce Migrant and Seasonal Worker Protection Act, especially compliance with pesticide regulations and record keeping.

U.S. Department of Treasury: Enforces rules regarding employee notification and employer payments of Earned Income Tax Credits.

U.S. Department of Transportation: Establishes safety and licensing standards for transporting migrant workers and driving farm trucks.

Social Security Administration: Notifies employers who hire workers with mismatched, forged or bogus Social Security numbers and reports these employers to the Internal Revenue Service for investigation.

Internal Revenue Service: Investigates and punishes employers who don't pay required payroll taxes and who hire workers with bad Social Security numbers.

Bureau of Customs and Immigration Enforcement: Ensures compliance and investigates violations of Immigration Reform and Control Act.

U.S. Border Patrol: Polices U.S. border, detains illegal aliens.

