



Farmworker Association of Florida
La Asociación Campesina de Florida
Asosiyasyon Travayè Latè nan Florid

FWAF's Position Statement on the Farm Workforce Modernization Act of 2019

The Farmworker Association of Florida participated in the negotiation of the Farm Workforce Modernization Act of 2019 (H.R. 4916) as we did it in 2006 when the AgJob Act was passed by the Senate but killed in the House, if at that time the bill passed other history will be written. The farmworkers who feed this nation have waited far too long to receive reforms and protections that both honor their skill, work and contributions to our society and economy, and that protect them and their jobs in this country. We thought that this was an opportunity to remedy some of these wrongs, but we believe that the result gives up too much and gets too little in return.

This bill culminates months of negotiations between a handful of groups of farmworker organizations, many agricultural industry representatives, and bipartisan representatives of the current Congress. Our priorities in the negotiation were to: **1)** legalize the status of farmworkers who have been in the USA for a long period of time living in the shadows; **2)** reduce the number of H2A workers who are displacing our community members from agricultural jobs; and **3)** improve protections for H2A workers who are coming to the USA and current farmworkers living in this country.

The main compromise that was negotiated with the Republican legislators for the Farm Workforce Modernization Act was the implementation of the E-verify program in agriculture, a policy that even most growers reject. We took E-Verify implementation into consideration, thinking that local workers will be able to regularize their status in a reasonable timeframe but as it is currently written, the bill being proposed rolls out E-Verify within an 18-month period which is insufficient time for workers to even get the necessary funds (over one thousand dollars) to proceed. Moreover, the bill increases the requirements for applicants and the time they may need to wait to adjust their status in detriment of our main priority.

One positive outcome of the most recent negotiations is a cap on the number of H2A workers coming to the USA. While limiting the number of guest workers is a positive step, we have concerns about the program's expansion to other agricultural sectors. For example, FWAF does not have dairy workers among our farmworker membership, but we know that many dairy workers can be negatively impacted by extending the H2A program to a year-round program. Again, this concession does not honor our intentions.

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Finally, we saw the arrangements to modify the agriculture salary rate as an important loss for farmworkers across board. Farmworkers are already among the lowest paid workers in the United States, so there is no reason why these concessions on the wage rate make sense. We understand that growers face many challenges, including acquisitions and consolidations of small farms by large corporate farms, tariff wars, product prices, and climate change. However, farmworkers should not bear the brunt of these challenges, and solutions should not be built on the backs of their labor. The costs should be borne by those all along the food chain, including distributors, packing houses, wholesalers and retailers, grocers, and others, not only by farmworkers.

As long as this bill is not amended in ways that facilitate regularizing the legal status of local farmworkers by decreasing the requirements to qualify for legal status and the H2A program is improve in ways local workers and guess workers' rights are recognized and we are opposing this bill and we will be actively looking for a consensus among other organizations to raise the dignity of farmworkers in this country.