

Farmworker Perceptions of Work Safety, Work Hours, and Living Conditions

Caroline Doherty
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ABSTRACT:

Farmworkers are integral to the functioning of society in the US. Farmworkers are invisible heroes, and they deserve their voices to be heard, their experiences to be shared, and their perspectives to be intentionally incorporated into policymaking. Migrant farmworkers in North Carolina are guaranteed rights under the Occupational Safety and Health Act, the Fair Labor Standards Act, and the NC Migrant Housing Act. These acts define farmworker work safety conditions, work hours and compensation, and living conditions. This paper investigates farmworker perspectives of these three acts through analyzation of 16 semi-structured interviews done with farmworkers in eastern North Carolina. NVivo was used to analyze the interviews and identify major themes that inform farmworkers' perspectives of the manifestation of the three acts in their workplace. Lack of knowledge and training of rights was found to be one of the main factors contributing to farmworkers' perspectives. Fear of grower retaliation was discovered to be a significant deterrent against reporting violations. The lack of an effective, reliable, and accessible violation reporting mechanism that protects the complainant was also found to influence farmworkers' exertion of their rights. These results imply that farmworkers do not have adequate levels of awareness or understanding of their rights so there is a lack of demand for improved conditions. Increased farmworker training of their rights combined with an effective, reliable, and accessible violation reporting mechanism may help ensure that farmworkers will be able to exercise their rights without fear.

TABLE OF CONTENTS:

Title Page.....	1
Acknowledgements.....	2
Abstract.....	3
I. Introduction.....	5
II. Background.....	7
i. Policies that Affect Farmworker Work and Living Conditions.....	7
ii. Barriers to Exercising Rights.....	10
III. Methods.....	12
i. Data Collection.....	12
ii. Data Analysis.....	14
IV. Results.....	16
V. Discussion.....	22
VI. Limitations.....	25
VII. Policy Implications, Recommendations, and Future Research.....	26
i. Policy Implications.....	26
ii. Policy Recommendations.....	31
iii. Future Research.....	34
VIII. Conclusions.....	34
Tables.....	36
Appendix	40
References.....	44

INTRODUCTION:

Approximately 2.4 million immigrant farmworkers come to the US every year (Gonzalez, 2019). The majority of farmworkers migrate from countries in North and Central America, mainly Mexico, to plant, cultivate, harvest, and pack fruits and vegetables for US consumption and exportation (Gonzalez, 2019). These fathers, mothers, sons, daughters, husbands, wives, sisters and brothers come to the US to make money to send home to their families in the form of remittances (Grzywacz, et al. 2016). The importance of farmworkers is evident in North Carolina, which has a \$70 billion agricultural industry that relies on farmworkers to produce sweet potatoes, tobacco, strawberries, watermelon, cucumbers, and Christmas trees (Heine, 2017). Without farmworkers, the North Carolina agricultural industry would not be the fourth largest in the country and the state's economy would suffer (Heine, 2017).

Despite their great value, foreign-born migrant farmworkers do not benefit from the same worker protection rights as US born workers (Farmworker Facts, 2016). The Fair Labor Standards Act does not require growers to pay their agricultural employees overtime pay. Farmworkers also do not have the right to collective bargaining (Farmworker Facts, 2016). Immigrant farmworkers are at additional risk for rights violations and adverse outcomes (Grzywacz, et al. 2016).

Farmworkers who are here legally on a seasonal agricultural visa, called an H-2A visa, are at increased risk of losing their sponsorship to work in the US if they report their grower for a violation (Baur, 2013). In order to get an H-2A visa to come to the US, farmworkers need to get the sponsorship of the growers who they will be working for. If a grower does not provide sponsorship, then the farmworker will not be legally allowed to come the US. This is also applicable to farmworkers who currently work in the US. Some growers threaten to report their

farmworker employees and have them deported if the farmworker reports the grower for infringing on the farmworker's rights (Baur, 2013). Legally, growers cannot have farmworkers deported for reporting a violation of their rights, but due to lack of training and desperation for work, many farmworkers do not report a range of infractions (Heine, 2017). Some growers do not sponsor select farmworkers they have previously employed because of financial or legal obligations that they were forced to fulfill on account of that farmworker (Baur, 2013). Deficient training and threats from growers may result in farmworkers not reporting violations which allows growers to escape consequences and continue unlawful practices. Not being able to speak English, limited education, insufficient governmental protection, and legal status leave farmworkers vulnerable, which can result in growers not providing adequate housing and/or workplace conditions for farmworkers (Baur, 2013).

Further study is required to understand the extent of farmworker knowledge regarding the policies that regulate adequate housing, workplace conditions, and work hours and compensation. If farmworkers are unaware of the laws that protect them, then they cannot report when they are being treated unfairly. Assessing farmworker perceptions of the laws that affect them will uncover policy deficiencies and reveal farmworker grievances.

The extent of knowledge farmworkers have on their rights has never been investigated. In addition, there is no literature describing the extent to which farmworkers understand the FLSA, OSHA, or the NC Migrant Housing Act. Few studies aimed at researching farmworker training exist. This research aims to investigate the extent to which farmworkers are knowledgeable of the FLSA, OSHA, and the NC Migrant Housing Act by analyzing the awareness, understanding, and training farmworkers have on these three acts, farmworkers' perception of the manifestation

of these three acts in their workplace, and the reason behind why farmworkers report or do not report violations.

BACKGROUND

North Carolina's summer tobacco and cotton growing seasons attract approximately 150,000 migrant farmworkers every year (Farmworker Facts, 2016). Workers are recruited from Latin America and allowed to work in the US with an H-2A visa. North Carolina's H-2A program attracts about 15,000 farmworkers each year, making it one of the states with the greatest number of H-2A workers (NC Farmworker Health Program, 2019).

Policies that Affect Farmworker Work and Living Conditions

Federal regulation controls how many hours farmworkers work during the day and their workplace conditions. The Fair Labor and Standards Act (FLSA) was created in 1938 and ensures the right to minimum wage to all people working in the United States. Farmworkers are included in this provision and growers are required to pay farmworkers at least minimum wage for each hour of work (United States Department of Labor). Minimum wage varies by state; in North Carolina minimum wage is \$7.25 (North Carolina Department of Labor). The FLSA also requires growers to display an official poster that states the minimum wage. Recordkeeping of employee time and payment history is mandatory per the FLSA and employees have the right to review their history at any time. The act also requires employers to pay employees their normal hourly wage multiplied by one and a half for each hour an employee works over 40 hours per week. However, employees in the agricultural industry are exempt from this requirement so growers are only obligated to pay farmworkers their normal hourly wage for each hour they work over 40 hours per week (United States). Lastly, employers are required to provide workers' compensation to their employees if the employer has more than 10 full time non seasonal

employees (United States). This statute greatly limits the number of migrant farmworkers that qualify for workers' compensation.

The federal Occupational Safety and Health Act of 1970 states that all workers have a right to safe working conditions that do not put workers at risk of serious harm. According to this act, employers must inform employees of workplace hazards as well as provide training on the operation of necessary machinery, injury and illness prevention measures, and the standards of the Occupational Safety and Health Administration (OSHA) in a language the worker can understand. However, OSHA only provides guidelines, not legal requirements, for protection from sun, heat, pesticide, and tobacco exposure. Therefore, growers are not required to abide by these precautions, which leaves farmworkers vulnerable to sun damage, dehydration, and pesticide and tobacco poisoning (Culp & Umbarger, 2004). OSHA also requires growers to record all incidences of work-related injury and illnesses and gives workers the right to review that information at any time. In addition, the Occupational Safety and Health Act gives workers the right to file a complaint with OSHA if a worker believes their rights were violated. Any form of retaliation against workers who report violations is against the law. OSHA does not discriminate based off residential status, so all farmworkers have the right to report violations of this act without fear of repercussions from the government.

Pesticide exposure can result in intense health effects ranging from diarrhea, vomiting, and headaches to impotence, neurological deficits, and cancer to name a few (McCauley, et al. 2006). Due to the long hours farmworkers spend in the fields in close contact with pesticides, farmworkers suffer more chemical related injuries and illnesses than any other workforce in the US (Farmworker Justice, 2013). Farmworkers are the only group of workers not covered by a federal right- to-know regulation that requires employees to be informed of the health effects of

specific chemicals they encounter at work (United States). OSHA entitles non-agricultural workers to training and written information on the specific types of chemicals used in their workplace but does not guarantee this right to farmworkers. In the agricultural industry, growers are only required to show farmworkers a 20-minute video on pesticides once every five years (United States). The video provides general information on all pesticides, which results in farmworkers being exposed to a small amount of knowledge about every pesticide used in agriculture, as opposed to a lot of knowledge on the specific pesticides they encounter every day (Farmworker Justice, 2013).

Pesticide labels are also a barrier to farmworkers' ability to mitigate the damage of pesticide exposure. Pesticide labels provide important safety information such as warnings, directions, protective equipment and clothing requirements, first aid instructions, and emergency decontamination information. Pesticide labels are only required to be printed in English and it is suggested that growers print and apply the labels in Spanish, but it is not enforced (Farmworker Justice, 2013). According to the 2020 census, 71% of farmworkers could not read English "at all" or only "a little", so the majority of farmworkers cannot understand the instructions and precautions on pesticide labels (Tippett, 2020).

At the state level, the NC legislature passed the Migrant Housing Act in 1989 and it was implemented in 1990 (North Carolina Department of Labor). The NC Migrant Housing Act requires growers to register farmworker housing with the NC Department of Labor's Agricultural Safety and Health Bureau 45 days before the migrants' arrival date. If the housing meets all of the requirements, the NC Department of Labor (NCDOL) inspector will issue a certificate allowing the housing to be used. If the housing does not meet all of the requirements, the inspector will note what must be fixed before farmworkers are allowed to move in and give the

report to the grower so they can make those changes. The requirements necessary for farmworker housing to pass inspection include smooth, tight, sturdy floors, adequate heating equipment (heat must be provided only if outside temperature is below 50 ° F), hot and cold running water, no pest infestations, sleeping areas at least three feet apart, and one toilet per 15 people to name a few (North Carolina Department of Labor). The NC Migrant Housing Act also gives farmworkers the right to report issues in their residential areas and retaliation in any form is against the law.

Barriers to Exercising Rights

One of the most notable factors limiting farmworkers' ability to exercise their rights is the fear of deportation. Growers maintain the ability to deport a farmworker at any time and for essentially any reason (Baur, 2013). Seizure of visa documentation by the grower is not an uncommon practice and leaves the worker virtually defenseless against deportation if the grower decides to terminate his position (Baur, 2013). Growers say that they take visa documentation in an effort to prevent the worker from leaving their camp. This is effectively forcing the farmworker to stay at the camp no matter the severity of violations perpetuated by the grower and is a form of blackmail (Baur, 2013).

Another barrier to farmworkers' ability to exercise their rights is the method by which farmworkers are expected to report complaints and violations. The NCDOL is responsible for enforcing the NC Migrant Housing Act. Farmworkers can file anonymous complaints regarding their living conditions through a form on the NCDOL website and even though it is anonymous, farmworkers' fear of grower reprisal may still dissuade farmworkers from reporting (Baur, 2013). Farmworkers face the same challenge when they have a complaint about their workplace safety. The USDOL Occupational Safety and Health Administration enforces workplace safety

standards. Farmworkers can file an anonymous complaint on the USDOL Occupational Safety and Health Administration website but may not do so for fear of grower retaliation (Baur, 2013). In order to file a complaint about work hours and compensation, workers must travel to one of only 200 USDOL Wage and Hour Division office buildings in the country (United States). The USDOL Wage and Hour Division is responsible for enforcing the FLSA. The vast majority of farmworkers do not have access to personal transportation and work every day of the week except Sunday, so filing complaints and seeking help from the USDOL Wage and Hour Division may prove difficult if not impossible (Hoerster, et al. 2011). Fear of deportation, lack of information, and the threat of unemployment all contribute to farmworkers' inability to exercise their rights.

Government enforcement of fair labor standards has decreased. Recent statistics are lacking, but the Brennan Center for Justice (2005) reports that from 1974 to 2004, the number of wage and hour investigators decreased by 14% . The number of workers covered by the Fair Labor Standards act more than doubled during this time period, which can in part be attributed to the rise in the number of farmworkers coming to the US (Baur, 2013). The Brennan Center for Justice (2005) stated that these trends suggest a significant reduction in the government's ability to guarantee employer compliance with workplace laws . The US Department of Labor reports granting 7,000 certifications to growers to employ H-2A workers in 2011, but by the end of the year the department reports having only conducted 157 investigations into reported violations. However, in 2010, independent researchers found 2,013 housing violations in just 183 farmworker camps in eastern NC (Arcury et al., 2010).

The government does not adequately enforce the laws regulating living conditions either. Farmworker housing is usually overcrowded, old, lacks certain basic amenities, and/or unsafe

(Farmworker Facts, 2016). A study done in eastern NC found, on average, eleven violations of the Migrant Housing Act per farmworker camp (Arcury et al., 2012). Growers do not want to spend a lot of money on housing for farmworkers, so they only provide the most rudimentary necessities for shelter. They do this in order to achieve maximum profit while still abiding by the law (Culp & Umbarger, 2004). The poor condition of housing for migrant farmworkers results in health problems such as physical injuries, reactions to allergens, burns, cuts, and the mental health implications of living in cramped quarters without access to privacy or better conditions (Culp & Umbarger, 2004).

Agricultural workers who are trained on their rights as workers in the US may still face barriers to accessing resources that those rights guarantee them. The NC Grower Association is responsible for training farmworkers on H-2A visas on workplace safety per the Occupational Health and Safety Act. The FLSA requires growers to post a flyer that clearly shows their state's minimum wage, abide by that minimum, and record employee time and payment history. Farmworkers are not required to receive formal training on the rights afforded to them by the NC Migrant Housing Act, therefore knowledge of the act and its tenets may be low (Arcury, et al. 2012). Interviewing farmworkers and analyzing their responses may reveal other barriers farmworkers face when trying to exercise their rights as well as identify how farmworkers perceive the manifestation of the FLSA, OSHA, and the NC Migrant Housing Act in their workplace.

METHODS:

Data Collection

Qualitative data analysis was used to investigate this question. Semi- structured interviews were done with 16 migrant farmworkers and were recorded using an iPhone X. The

questions in the interview were designed to assess the extent to which farmworkers were aware of and understood the Fair Labor Standards Act, the NC Migrant Housing Act, and the Occupational Safety and Health Act. I asked each farmworker if he had ever heard of the Fair Labor Standards Act, then, if he said yes, I asked him to describe what he knew about the act. Once he had described the act, whether or not it was an accurate description, I would recite a description of the act. If he said no to the first question, then I would immediately provide the description. Once I had given the description, I allowed the farmworker the opportunity to ask any clarifying questions. After any questions were answered, I asked the farmworker if he had ever been trained or informed on the act. If he said yes, then I would ask follow-up questions that would give me a more detailed account of the frequency, depth, and method of the training. If he said no, then I would move on and ask if, from what I had described, he thought the FLSA was enforced in his workplace. I would again ask follow-up questions depending on the answer in order to glean an understanding of the manifestation of the FLSA in his camp. I repeated this set of questioning for each act, altering my description depending on which act I was inquiring about (see Appendix Tool 1 for interview guide). I decided to stop interviewing after 16 interviews because I felt I had reached theoretical saturation.

Semi-structured interviews were used in order to obtain primary source accounts of farmworker perceptions of the laws that define their living conditions, work hours and compensation, and workplace safety conditions. Interviewing members of the target population provided them the opportunity to expand on certain topics and allowed me to ask more specific follow up questions. Interviews were focused on the migrant farmworkers' experiences during the entire time that they had been working as farmworkers. Solely focusing on their experiences as farmworkers hopefully precluded other work experiences from influencing the data.

Inclusion criteria included: current resident of Hertford County, Greene County, Gates County, Bertie County, or Northampton County, currently employed as a farmworker, male, and 18 years old or older. Participants were recruited using a site-based sampling method. I formed a partnership with Greene County Health Care's farmworker outreach team which was visiting farmworker camp sited to test them for COVID-19. Once at the campsite, the lead nurse, Mari Gerena-Montanez, introduced my project to the farmworkers. She also handed them a contact card that listed my phone number and explained that participation in this study in no way affects farmworkers' access to Greene County Health Care's services now or in the future (see Appendix Tool 2 for the English translation of the project introduction script and Appendix Tool 3 for the English translation of the contact card). The card also stated that I would not be available for phone interviews after the nursing team left the site. Farmworkers who wished to participate in the interview called me and I described to them the goals and methods of the study, compensation, confidentiality measures, underscored the voluntary nature of the interview, and asked if they had any questions (for full English translation of the oral recruitment script, see Appendix Tool 4). I began the interview after I had answered all of the farmworker's questions and after the farmworker enthusiastically and explicitly consented. The introduction, recruitment, and interview were all conducted in Spanish. After the interview was complete, I texted the lead nurse and she gave the farmworker \$10 in cash from an envelope that I had mailed to her previously. I interviewed farmworkers from seven different camps (see Table 2 for number of interviews done at each site).

Data Analysis

The 16 interviews were transcribed using Otter.ai. I verified the accuracy of the transcription by listening to the audio recordings of each interview while simultaneously reading

the corresponding transcript and making edits when warranted. Subsequently, I translated the transcripts from Spanish to English. The translated transcripts were analyzed using NVivo. I used a codebook that categorized the responses into four nodes. The codebook's nodes included: barriers to exercising rights, extent of knowledge, extent of training, and perception of the manifestation of the FLSA, OSHA, and the NC Migrant Housing Act.

I also classified the farmworkers into three broad categories based on awareness of their rights, understanding of their rights, and whether or not they believed their current workplace was in compliance with the tenets of each act. If the interviewee said that he had heard of the act before, then I marked a tally in the "Aware" category for that act. If he had not heard of the act, then he was classified as not having heard of the act and I did not mark a tally. "Understands" applied to whether or not the farmworker comprehended the rights given to him by the three acts. Being aware of the act was a prerequisite to being classified as understanding the act. I measured understanding by asking farmworkers who said they were aware of the act to describe at least two rights that the act guaranteed farmworkers. If the interviewee accurately described two rights, then I marked a tally in the "Understands" category of the correct act. If the interviewee did not give an accurate description of two rights, then I did not mark a tally. "Workplace Complies" referred to whether or not the farmworker believed that his workplace complied with the rules set forth in each individual act. Farmworkers who receive adequate training, understand that training, and receive their rights represent the most efficacious and lawful migrant agricultural experience.

RESULTS:

Farmworker responses were coded using barriers to exercising rights, extent of knowledge, extent of training, and perception of the manifestation of the FLSA, OSHA, and the NC Migrant Housing Act as nodes (see Table 3 for full results).

The responses were also summarized by categorizing the farmworkers into three categories. These categories consisted of: Aware [of the act in question], Understands [the act in question], and Workplace Complies [with the act in question]. In order for a response to be classified into the “Aware” category, the interviewee must have claimed to have heard of the act in question before. Being aware of the act was a prerequisite to being classified as understanding the act. The FLSA was found to be the least recognized and understood act out of the three, and the NC Migrant Housing Act was the most recognized and understood. Farmworkers thought that their workplace was least compliant with the NC Migrant Housing Act and most compliant with the FLSA (see Table 1 for complete numerical results).

Being a farmworker is dangerous, and many respondents recounted a personal workplace accident that caused them to go to the hospital or a primary care clinic for medical attention. When injured, all of these farmworkers were forced to miss work and none of them knew if they qualified for workers’ compensation. None of the farmworkers who experienced workplace accidents had any previous awareness or understanding of the Occupational Safety and Health Act and none of them knew if there was a method by which to report workplace accidents. However, when asked if they would have reported their accident, none of them said yes. This sentiment was justified by a fear of retaliation from the grower, lack of knowledge of what constitutes a violation of OSHA, and the perception that even if there was a method to report

violations, they would not be able to access it due to internet and technological constraints. One respondent shared his story:

I was trying to get a tractor unstuck from the mud when my foot got caught under the wheel, I ended up losing my toe. I couldn't work for weeks but the boss wouldn't help me at all, he didn't even help me get to the hospital that day. He just acted like he didn't know about it, even though I know he did because I saw him there that day.

As the above demonstrates, the dangers of working in agriculture are vast and severe. In addition, the grower did not seem to care that the farmworker had been injured and made no effort to help him. Other farmworkers also shared this mentality; they did not think that their employer actually cared about the safety or well-being of his employees. This idea is further evidenced by another response from a different farmworker:

I've asked him [the grower] to take me to the pharmacy probably every weekend for the past three weeks. I have my medicine there for my heart and I am almost out, so I need to get it really quick, but he just always says he's busy or I need to find another ride. Nobody here has a car, and I don't want to walk to there, so I don't know what to do.

No law requires growers to provide transportation for farmworkers, however the above quote demonstrates just how little growers care about the well-being of farmworkers. Growers' indifference toward the well-being of farmworkers leaves the farmworkers vulnerable to injury and illness.

Pesticide exposure was found to be farmworkers' biggest concern in regard to workplace safety. Farmworkers who had seen the 20-minute video on agricultural pesticides thought it did not go in-depth enough, was too short, contained information about too many pesticides, was shown too infrequently, and consequentially they did not retain the information. In addition, farmworkers cited low English literacy as the reason why they did not understand pesticide labels. Farmworkers expressed worry about pesticide poisoning and frustration over the lack of pesticide protections and training provided to them by growers and the government.

Farmworkers were most knowledgeable on the NC Migrant Housing Act. However, only a few farmworkers thought that their workplace was in compliance with the act. Farmworkers were unaware that inspectors from the NCDOL inspect farmworker housing before farmworker arrival and, even though farmworkers knew they had the right to report anonymous complaints, they did not know how to do so. Farmworkers thought that the NC Migrant Housing Act was a good policy overall and ideally ensured acceptable living conditions, but farmworkers expressed that they still had many issues with the manifestation of the act.

Many farmworkers had been formally trained on the rights provided to them by the act, however they did not know how to exercise those rights. Farmworkers were unaware of the complaint form on the NCDOL website, but many said that they would never file complaints because they believed that growers stop sponsoring farmworkers who report violations, which results in deportation. Interviewees knew what constituted a violation of the NC Migrant Housing Act and listed out a few examples of the violations they had experienced such as clogged toilets, mice, broken lights, mold, broken washing machine, leaking sinks and roofs, smells, overcrowding, and building dilapidation. However, fear of grower retaliation and lack of knowledge on how to report dissuaded farmworkers from bringing up their complaints to the grower or other authorities. Only a few respondents said that they have ever reported a problem with their living conditions to the grower, and none of them ever reported a problem to the state, even in the case of severe issues:

This house where we live, it's old. It's smelly. It's crowded. The roof leaks every time it rains. One time I was walking up the front steps and the step broke. I got a big cut on my leg, I'm fine now but the step is still broken. I'm not going to fix it because I know that that's not my job, and the wood is so old and rotten if we used those steps again the other ones would just break too. The other guys tell me to fix it but I don't have time and I don't want to spend money on wood and nails, damn, I hate it here.

This respondent went on to say that he has never talked to the grower about his complaints and, even though he knows it is completely within his right to do so, he will never report any of these issues to any official body. He said he is fearful that the grower will not offer him sponsorship next summer and that he needs to money to send back home to his elderly parents. This farmworker was so reliant on employment that he is willing to endure horrible living conditions. Even though he understands his rights and has received training, the threat of not being able to work is so strong that he will not act upon those rights. This fear is not unfounded; another respondent was asked not to return to his camp the following summer just days after he made a request to the grower asking him to fix the kitchen sink that had not been working for the past week. This farmworker reported that he was the only employee who was asked not to return and that he had no other incidences on his record. Farmworkers knew the rights given to them by the NC Migrant Housing Act, they were just afraid of grower retaliation and are uncertain of how to exercise their rights.

Farmworkers valued the quantity of work more than the quality of their living conditions. The following quote illustrates this phenomenon that was stated in almost all of the interviews: “It does not matter that the toilet overflows, I am making more money here than any other place I’ve ever worked.” If a camp had horrible living conditions but the grower paid a high hourly wage, farmworkers would overlook the poor quality of the living conditions. Monetary needs superceded any discomfort farmworkers experienced with their living conditions. Desperation for lucrative employment combined with fear of retaliation and lack of knowledge on how to report violations all prevented farmworkers from exercising their right to report violations.

Lack of training and knowledge of the FLSA leaves farmworkers vulnerable to exploitation of their work hours and compensation. None of the interviewed farmworkers

recognized the Fair Labor Standards Act by name. All of the respondents knew what their hourly wage was but none of them knew that their wage was legally prohibited from being below \$7.25 per hour. Many respondents did not even know that their wage was legally not allowed to be below \$7.25 per hour. However, some interviewees did say that there is an official poster displayed in their workplace that states the minimum wage. Farmworkers did not know that most workers in other industries are paid time-and-a-half for overtime work or that farmworkers are excluded from this provision. Farmworkers also did not know that most workers in other industries qualify for workers' compensation, but farmworkers do not. Work contracts between the grower and the farmworker was the only form of training on labor rights that farmworkers could think of. Farmworkers said that their work contracts state the farmworkers' wage but were unable to describe the rest of the contents of the contract due to lack of interest in reading the contract, low English literacy, and inability to remember the provisions of the contract. None of the interviewees knew that growers are required to keep records of each employee's time and payment history and that farmworkers have the right to view their personal records at any time. Farmworkers did not receive adequate training on their rights under the FLSA so they might not notice violations when they do occur.

Farmworker perception of compensation was fairly consistent across all interviewees but perception of work hours varied. Almost all of the farmworkers shared the sentiment that farmworkers are not paid enough. Some interviewees thought that their camp did not require enough hours of work and disclosed that their wages were not high enough to satisfy their monetary needs. Even though farmworkers do not earn time-and-a-half pay when they work overtime, interviewees expressed the desire to work over 40 hours a week if there is work to be done. One respondent who wanted to work more stated:

We get paid such a small amount for doing such difficult work, I wish that the government would make the boss pay us more, because nobody wants to work more but I need the money to send to my family.

By working more hours, farmworkers are able to accrue more money, even if their wage is low.

Interviewees also faced difficulties when it came to reporting issues with their compensation. One respondent recounted an experience he had a few years ago at another camp in North Carolina where he used to work:

All of us [the farmworkers] would go to Walmart to buy groceries and other stuff together every Sunday and I noticed that some guys would be buying a lot of stuff and nicer stuff [than the rest of the farmworkers]. I started to think about how they had so much money and I asked one of them about it and he said he made \$12.25 per hour which is what I thought I had been making too. That's why I came to that camp because they paid more than other ones around here. But it didn't make sense that some guys had so much more money so I divided up my next paycheck by hours and it turns out he had been paying half of us only \$11.25 an hour and the other half \$12.25 per hour.

He did not know what to do once he made this realization. He told the other farmworkers about the discrepancy in payment but nobody knew who to talk to or how to fix the problem. The farmworkers spoke to their field manager, who claims to have spoken with the boss, but no action was taken and the discrepancy continued. None of the farmworkers knew who to contact in the case of contract violation. This farmworker decided not to return to that camp the following season and is unaware of any updates. Other interviewees shared the belief that growers do not respond to wage grievances. Interviewed farmworkers knew that receiving less than the agreed upon wage is unfair, but they did not know that it was a violation of the FLSA. Lack of knowledge of the tenets of the FLSA, the absence of an effective, reliable, and accessible way to report compensation violations that protects the complainant, and grower indifference to complaints are all barriers to farmworkers' ability to exercise their rights under the FLSA.

DISCUSSION:

In summary, the majority of farmworkers were unaware of the laws that affect their workplace safety, living conditions, and work hours and compensation. Most farmworkers did not recognize the FLSA or OSHA by name and a little less than half recognized the NC Migrant Housing Act by name. There was a clear lack of understanding of the FLSA and OSHA, however close to half of the farmworkers understood the NC Migrant Housing Act. The manifestation of these acts in the workplace drew attention to the lack of training and knowledge farmworkers received on their rights. Farmworkers also described many barriers to reporting violations of these acts such as fear of grower retaliation, uncertainty on how to report violations, uncertainty of what constitutes a violation, grower indifference to complaints, and technological constraints.

The rates of awareness and understanding of the NC Migrant Housing Act were the highest of all three acts. However, the rate of workplace compliance with the NC Migrant Housing Act was the lowest of all three acts. Farmworkers knew a lot about this act so they recognized when their rights were being violated and divulged many issues with the manifestation of the act. Farmworkers complained of clogged toilets, mice, broken lights, mold, broken clothes washing machine, leaking sinks and roofs, smells, overcrowding, and building dilapidation. Interviewees did not report these violations to the appropriate government body because they were fearful of losing their jobs and did not know how to report violations. The quantity of work was found to be more important than the living conditions of the camp, so farmworkers overlooked poor living conditions so as not to risk grower reprisal and possible job loss. Even though farmworkers knew that they have the right to safe and comfortable living conditions and recognized when their rights were being violated, they felt as if they could not

report violations because there is not an effective, reliable, accessible method for reporting violations that protects the complainant.

Farmworkers exhibited a striking lack of knowledge and training on the rights given to them by the FLSA. None of the farmworkers recognized the FLSA by name, therefore none of them were classified as being aware of or understanding the act. The FLSA had the lowest rate of awareness and understanding of all three acts. Although, upon explanation of the FLSA, farmworkers reported the highest rate of current workplace compliance with the FLSA when compared to the other two acts. Farmworkers knew that their wages were above the minimum wage of \$7.25 per hour and that growers paid them their normal hourly wage for each hour they worked over 40 hours per week per the requirements of the FLSA. However, farmworkers did not know that their hourly wage was not legally allowed to go below \$7.25 or that the FLSA does not require agricultural workers to be paid time-and-a-half for each hour they work over 40 hours per week even though the act does require workers in most other industries to be paid time-and-a-half for overtime work. In addition, farmworkers did not know that growers are required to record employee time and payment history and allow employees to view their personal history. Farmworkers were also unaware that most workers in other industries are eligible to receive workers' compensation but the policies of the FLSA deem the vast majority of agricultural workers ineligible for workers' compensation. Growers could exploit farmworkers' lack of knowledge by paying farmworkers less than \$7.25 per hour or by refusing to allow farmworkers to see their time and payment history. Farmworkers would not even recognize that they were being taken advantage of thanks to their inexperience to the rights granted to them by the FLSA. Lack of knowledge could also prevent farmworkers from advocating for their desires. Interviewed farmworkers did not know that workers in most other industries were being granted

more provisions than agricultural workers. Farmworkers may not advocate for equal treatment because they are unaware that they are being treated unequally.

Farmworkers faced barriers to identifying and reporting FLSA violations. Interviewed farmworkers did not know what constituted a violation of the FLSA. Even if interviewees had been aware of the tenets of the FLSA and were able to recognize violations, they would still be restricted from reporting because there is not an efficient, reliable, accessible method by which to report violations that protects the complainant. Therefore, farmworkers rely on growers to respond to farmworker complaints and if the grower does nothing, then the reasons for the complaints persist.

Working in agriculture is dangerous, and many farmworkers relayed apprehension about pesticide exposure, lack of training, and barriers to reporting violations. Pesticide exposure was farmworkers' greatest concern in regard to workplace safety and farmworkers are the most at-risk group of workers for pesticide injury and illness. Farmworkers relied on information they gleaned from a 20-minute video shown once every five years to practice safe pesticide usage. The video was not accommodating to non-auditory learning styles and was shown too infrequently to be retained. OSHA's pesticide protection standards for farmworkers are severely deficient and require major improvements. Interviewed farmworkers also conveyed the idea that growers do not value the health and safety of their employees. OSHA requires farmworkers to be trained on how to safely operate relevant machinery, but some growers never provided formal training and farmworkers suffered serious accidents and injuries. Grower indifference can lead to decreased productivity in addition to serious accidents and injuries. Injured farmworkers may be unable to work or they may take a long time to complete tasks, which is not in the best interest of the grower or farmworkers. Farmworkers also faced a multitude barriers to reporting violations

of OSHA. Farmworkers did not know what constitutes a violation of OSHA, some were unaware that they have the right to file a complaint, internet and technology constraints prevented farmworkers from accessing the webpage, and fear of grower retaliation all proved to be challenges to reporting violations of OSHA. The barriers farmworkers face are consequences of the lack of an effective, reliable, and accessible method by which to report violations that protects the complainant. A reporting mechanism with the aforementioned qualities would provide farmworkers the ability to express their concerns with workplace safety and hopefully prompt improvement of training and grower accountability

The Occupational Health and Safety Act is not perfect by any means, but it does provide some protection for farmworkers against injuries and illnesses in the workplace. Some interviewees reported that they have had extensive training on workplace safety, understand how to operate machinery well, and have still seen people get hurt while working. However, other interviewees had never heard of OSHA, had only received informal, on-the-job training from other workers, and had never seen anyone get hurt while working. A workplace can still be safe without complying with all the policies of OSHA, just like a workplace that complies with all the policies can still be unsafe. A few farmworkers reported workplace compliance with OSHA but did not think that their workplace was safe. This perception indicates that OSHA is not adequately protecting farmworkers from the dangers of working in the agricultural industry.

LIMITATIONS:

A small sample size (n=16) may have influenced these results. Interviewees were recruited from seven different camp sites, but North Carolina has at least 266 farmworker camp sites in the piedmont alone (Summers, et al. 2015). Interviewees were only recruited from the

coastal plain region of NC so conclusions about other regions and states should be made with that consideration in mind.

Since I was unable to be at the camp sites due to COVID-19 restrictions, I am unsure of the non-response rate and how that may have influenced the results. However, some farmworkers may have chosen not to participate due to fear of repercussions which would contribute to non-response bias. On the other hand, farmworkers with grievances might have been motivated to anonymously talk about them with a third-party. This would contribute to the voluntary bias of these findings. Despite these limitations, it is clear from the interview results that farmworker awareness and training should be improved.

POLICY IMPLICATIONS, RECOMMENDATIONS, AND FUTURE RESEARCH:

Policy Implications

Policymakers should incorporate findings from this research when creating or changing laws that affect immigrant farmworker safety. Farmworker perceptions need to be taken into account when there are laws being created or changed that affect them. The data shows that farmworkers lack awareness, understanding, and training on the NC Migrant Housing Act, the Occupational Safety and Health Act, and the Fair Labor Standards Act. More training on the tenets of these acts, as well as better workplace compliance, is essential to the safety and well-being of farmworkers. Farmworkers cannot hold growers responsible if farmworkers do not know their rights.

Farmworkers who receive training on their rights are healthier, and healthier workers are more productive workers (Caffaro, et al. 2020). This insight should be utilized in order to increase agricultural production as well as improve the health of farmworkers. It would be in the agricultural industry's best interest to improve training and awareness of the rights the

government has afforded farmworkers, in addition to the rights the government does not afford farmworkers. For example, the pesticide worker protection standard mandates that growers only need to provide pesticide safety training to their farmworkers once every five years (United States). This training typically consists of a 20- minute video delineating the general health effects of pesticide exposure and how to minimize exposure (Farmworker Justice, 2013).

It is important that farmworkers are educated on their rights in a way that the workers will internalize. A short video once every five years assumes that every farmworker's learning style is auditory, farmworkers will return to the same camp year after year, and that they have the ability to retain training information from a video for at least five years. Graphical material, as opposed to lecturing, is correlated to higher understanding and satisfaction when training farmworkers (Caffaro, et al. 2020). Presenting farmworkers with an array of material in order to appease every learning style is paramount to achieving understanding (Caffaro, et al. 2020). Another important factor in achieving understanding is repetition. Farmworkers who receive information regarding the hazards of their workplace multiple times are more likely to retain such information (Caffaro, et al. 2020).

Farmworkers are required to be trained on how to mitigate and handle pesticide exposure. Farmworkers who do not receive adequate training exhibit higher health risks than those who do receive training (Arcury, et al. 2010). Perception of control is one of the main factors that influences a farmworker's ability to practice safe workplace policy, but if they are not trained then they do not experience that sense of control (Austin, et al. 2001). Agricultural workers have a poorer understanding of policies when information is not provided in their native language or in a culturally appropriate manner. This can cause psychological distress in workers, which is worsened by financial barriers (Ang, et al. 2017).

Growers should be providing farmworkers with a multitude of materials ranging from interactive videos, to graphical displays, to 2-way conversations about the dangers of pesticides. This training should occur at least twice every season at each camp, once at the beginning of the season and once in the middle of the season. A season is defined as the time period it takes from planting a crop to harvesting it. Seasons in North Carolina typically last between 2 and 4 months (Farmworker Facts, 2016). Even though OSHA only requires non-agricultural employees to receive chemical hazard training upon employment and whenever new chemicals are added to the workplace, farmworkers should receive training more often due to their high risk for exposure (Austin, et al. 2001). There should be distinct trainings for each crop planted because different crops require the use of different pesticides. If a grower plants more than one type of crop per year, then farmworkers should receive training on that type of crop, even if the twice-per-season training requirement has already been fulfilled for another crop.

Pesticide labels should be required to be printed in Spanish and English. However, this does not account for farmworkers who are not literate in either language. The average level of formal education completed by farmworkers in 2016 was 8th grade (Tippett, 2020). These numbers may not be representative of their real values because completion of the census requires literacy so some farmworkers may not have participated. All of these factors indicate the importance of using an interactive, diverse, and repetitive set of safety training tools to protect farmworkers from pesticide exposure.

COVID-19 has accelerated and amplified the systematic and societal discrepancies that farmworkers experience. Racism, injustice, and inequity are long standing, established realities and the pandemic has exacerbated and increased the visibility of their effects (Waltenburg, et al. 2021). Vulnerable populations have become even more vulnerable during the pandemic and the

invisibility of these groups merit investigation and intervention. During the COVID-19 pandemic, the North Carolina Department of Health and Human Services (NCDHHS) has classified farmworkers into group three of the vaccine distribution plan. Per the NCDHHS, this group includes “workers who are in sectors essential to the functioning of society and who are at substantially higher risk for exposure to COVID-19”. Farmworkers are vital to the functioning of society and are at a high risk for exposure to and subsequent contraction of COVID-19 (Waltenburg, et al. 2021). They are at a high risk for exposure due to the fact that they must perform their job in person, they have close, prolonged contact to other workers in the fields, many share living quarters and transportation with their coworkers, and migrant farmworkers are mobile by name, meaning they move from farm to farm and can potentially spread the virus across regions (Waltenburg, et al. 2021). Farmworkers are at a high risk of contracting COVID-19 because many have untreated, underlying health conditions. The farmworker population has an alarmingly high and disproportionate prevalence of obesity, high blood pressure, and hypercholesterolemia when compared to the national prevalence (Lighthall, 2001). This disparity can be attributed to farmworkers’ limited access to healthy food, health care, and social support, along with their perception that the US healthcare system will not treat them respectfully (Lighthall, 2001). Farmworker health is neglected, which is indicative of the racism, injustice, and inequity that is pervasive in the US.

During the COVID-19 pandemic, the NCDHHS has taken actionable steps to reduce the spread of COVID-19 in farmworker camps in North Carolina. The NCDHHS created information, written and graphical, on COVID-19 in Spanish and English and partnered with other organizations to disseminate it to farmworkers. In addition, the NCDHHS supplied more than 875,000 procedural masks, 303,700 cloth masks, and 115,400 bottles of hand sanitizer to

farmworkers. Many community health centers, like Greene County Health Care, went out to the fields to test farmworkers for COVID-19 and the NCDHHS supplied 7,000 gloves, 2,000 gowns, 50 face shields, 1,000 N-95 masks, and 112 pulse oximeters to outreach groups across the state (NCDHHS & NCDOL).

Even though the amount of personal protective equipment (PPE) distributed to farmworkers may seem large, farmworkers and health care professionals still face a shortage of PPE (Waltenburg, et al. 2021). Since farmworkers and, in turn, those who provide health care to farmworkers, are essential to society's function, more PPE needs to be distributed to farmworkers across the state. In addition, a diverse set of resources used for farmworker protection and training on COVID-19 has been developed and distributed in a very short amount of time. The NCDHHS and NCDOL should continue to create resources like these for farmworker protection against pesticides and other workplace dangers. The COVID-19 pandemic is a greater threat to the agricultural industry than pesticide exposure or workplace accidents because an outbreak of COVID-19 could cause large numbers of farmworkers to miss work, which would decrease the amount of food available to consumers (Waltenburg, et al. 2021). However, pesticide exposure is a greater threat to the health and well-being of farmworkers in the long term (Waltenburg, et al. 2021). The government should prioritize farmworker health at all times, not only when the agricultural industry's ability to provide goods is threatened.

The government has failed to address all of the systematic barriers to protecting farmworkers against COVID-19. Farmworkers have limited access to COVID-19 testing due to a lack of transportation, geographical constraints such as distance and terrain, and restricted availability on account of their work hours (Waltenburg, et al. 2021). OSHA does not require

growers to abide by COVID-19 safety measures, so some growers refuse to provide testing and have threatened retaliation if their employees seek testing (Waltenburg, et al. 2021). In addition, low income, demanding work hours, and lack of insurance limit farmworkers' ability to seek health care, so they may not seek care even when they experience symptoms of COVID-19 (Waltenburg, et al. 2021). These barriers reflect the racism, injustice, and inequity that farmworkers face on systematic and personal levels.

The plight of migrant farmworkers should also receive more media attention. In 1960, CBS broadcasted *Harvest of Shame*, which exposed the difficulties of living in poverty as a migrant farm worker. The film, which was viewed by millions, prompted Congress to pass legislation that expanded healthcare for farmworkers and education for the children of migrant farmworkers (Blair, 2014). Widespread awareness of the conditions migrant farmworkers live in is vital to pressuring representatives to pass better legislation. Migrant farmworkers are silenced by design, and their voices must be amplified if any change is to occur. Increased media attention, exposés, and documentaries are all effective avenues by which to increase awareness on the injustice migrant farmworkers face. Grants could be used to subsidize the cost of these projects, and major news outlets could be motivated to air the pieces through sponsorship.

Policy Recommendations

- The risk of pesticide exposure, injury, and illness is greatest for agricultural workers
 - Farmworkers should receive training on the dangers of pesticides twice every season, once during the beginning of the season and once in the middle, due to their increased risk

- OSHA's standards for pesticide protection training are not providing farmworkers with sufficient knowledge
 - Farmworker pesticide training should be specialized to each crop and farmworkers should only be given the training for the pesticides that they will encounter
- Literature has shown that a mixed composition of learning tools improve retention and understanding
 - Farmworker pesticide training should be composed of a mix of graphics, videos, literature, and conversations
- Pesticide labels are only printed in English, leaving English illiterate farmworkers vulnerable to misusing pesticides and/or getting hurt
 - Pesticide labels should be required to be printed in both English and Spanish to accommodate the 71% of farmworkers who cannot read English well
- The data shows that farmworkers lack OSHA and FLSA training, which leads to farmworkers not knowing their rights; if farmworkers do not know their rights, then they cannot advocate for fulfillment of their rights
 - Farmworkers should receive more in-depth training on their rights under OSHA and the FLSA
 - Training should also be comprised of a mixture of graphics, videos, lectures, and conversations
 - This training should be done twice every season

- OSHA, the FLSA, and the NC Migrant Housing Act lack a reliable, easily accessible method for farmworkers to report violations
 - Since many farmworkers do not have access to broadband and rarely leave the camp, inspectors should visit each farmworker camp at least twice a season
 - These inspectors would assess the living conditions and workplace safety conditions and hear any complaints the farmworkers had
- Farmworkers fear being prohibited from working at certain camps if they report violations
 - Growers should not be allowed to fire a farmworker without an investigation by the Department of Labor into the reason why
 - If the grower does not have a serious grievance with the farmworker or the reason does not have to do with outside factors such as economics and demand, then the grower should not be allowed to fire the farmworker
- More people should be aware of the plight of farmworkers because without public awareness and outcry, this vulnerable population will continue to be oppressed
 - Exposés, documentaries, movies, media attention, and publications could all be used to increase awareness of the challenges faced by farmworkers in the US

Future Research

Future research should be done with growers and enforcement agencies in order to understand why the FLSA, OSHA, and the NC Migrant Housing Act are not enforced more harshly and why farmworkers receive such little training. The NC Grower Association is a powerful political force and has a reputation of corruption. Further investigation into this organization may uncover why farmworkers receive such inadequate training on their rights. Understanding this might provide insight into how policymakers can better protect farmworkers in NC.

Future research could also be done to discover the ways in which growers exploit their employees' reliance on wages. Since farmworkers will overlook poor conditions if they have a lot of work to do (lots of work means lots of income, relatively), then further studies should be done to expose the extent to which growers rely on farmworkers' fear of not being asked back to a lucrative camp. Growers may be infringing on their employees' rights but because of the aforementioned reliance on work compounded by lack of training, farmworkers are not reporting the violations.

CONCLUSIONS:

This research aimed to understand farmworker perceptions of the manifestation of the FLSA, OSHA, and the NC Migrant Housing Act. Findings imply that farmworkers have insufficient levels of awareness and understanding of the three acts. Principal results revealed that farmworkers' training on the rights provided to them by the three acts is limited. Common sentiments among interviewees included high risk of illness or injury in the workplace, quantity of work is more important than quality of living conditions and workplace safety, and reporting violations puts employment at risk. The findings also made clear the need for an effective,

reliable, and accessible violation reporting mechanism that protects the complainant. Fear of grower reprisal, lack of knowledge of what constitutes a violation of an act, technological and internet constraints, uncertainty of how to report a violation, and grower indifference were found to be major deterrents against reporting violations. Increased frequency of trainings that use a variety of teaching methods combined with harsher worker protection measures are recommended to address lack of training and knowledge as well as fear of grower reprisal.

TABLES

Table 1. Rates of Awareness, Understanding, and Workplace Compliance of the FLSA, OSHA, and the NC Migrant Housing Act*

	Aware	Understands	Current Workplace Complies
FLSA	0	0	16
OSHA	7	3	8
NC Migrant Housing Act	8	8	4
Totals:	15/48 possible	11/48 possible	28/48 possible

*Note: Each number represents one farmworker, therefore the possible total of every column is 48 because 16 farmworkers were interviewed and awareness, understanding, and reported workplace compliance of one act does not interfere with an interviewee’s awareness, understanding, or reported workplace compliance of another act.

Table 2. Number of Farmworker Interviews Conducted at Each Camp by Date

Farmworker Camp Site ID (MM.DD.YYYY, Site Visit Number that Day)	Number of Farmworkers Interviewed
09.23.2020.1	2
09.23.2020.2	2
09.25.2020.3	4
09.30.2020.4	2
09.30.2020.5	2
10.07.2020.6	2
10.07.2020.7	2

Table 3. Principal Results of Farmworker Response Analysis*

	Barriers to Exercising Rights	Extent of Knowledge	Extent of Training	Perception of Manifestation
FLSA	<p>There is no effective, reliable, and accessible method by which to report violations that protects the complainant (9)</p> <p>Growers do not respond to complaints about payment (3)</p> <p>Farmworkers do not know what constitutes a violation of the FLSA (16)</p>	<p>Farmworkers are unaware that wages are prohibited from being below \$7.25 an hour (9)</p> <p>Farmworkers do not know that growers are legally required to pay farmworkers their normal hourly wage for each hour they work overtime (6)</p> <p>Farmworkers do not know that most industry workers are paid time-and-a-half for overtime work, but farmworkers are excluded from this provision (6)</p> <p>Farmworkers do not know that growers are required to keep employee time and payment records and employees have the right to view these records (16)</p> <p>Farmworkers do not know that growers are required to display an official poster stating the minimum wage (16)</p> <p>Farmworkers do not know that most industry workers qualify for workers' compensation, but farmworkers do not (6)</p>	<p>Work contracts are the only form of training on farmworker labor rights (15)</p> <p>There is no training on farmworker labor rights (1)</p> <p>Work contracts state the agreed upon wage (16)</p> <p>Farmworkers are unable to understand their work contracts because of low literacy (6)</p>	<p>Farmworkers are not paid enough (14)</p> <p>Growers take advantage of farmworkers and try to pay them less than the agreed upon wage (1)</p> <p>Farmworkers want to work more hours in order to be paid more (4)</p> <p>Growers display official posters that state the minimum wage (7)</p> <p>Farmworkers are paid their normal hourly wage for each hour they work overtime (16)</p>

<p>OSHA</p>	<p>There is no effective, reliable, and accessible method by which to report violations that protects the complainant (9)</p> <p>Farmworkers would not report a violation even if there was a method to do so because they fear grower retaliation (6)</p> <p>Farmworkers do not know what constitutes a violation of OSHA (9)</p> <p>Farmworkers are not able to access an online violation reporting mechanism because they do not have access internet or smart technology (5)</p>	<p>Farmworkers are unaware that they have the right to workplace safety information and training in a language they understand (11)</p> <p>Farmworkers are unaware they have the right to review records of work-related injuries and illnesses (12)</p> <p>Farmworkers are unaware they have the right to file a complaint with OSHA (7)</p>	<p>Farmworkers are not trained on the rights provided to them by OSHA (14)</p> <p>Pesticide exposure is the most concerning danger for farmworkers (11)</p> <p>The training farmworkers receive on pesticide exposure is infrequent, superficial, and is not specialized to each crop (8)</p> <p>Farmworkers do not understand pesticide labels due to low English literacy (6)</p>	<p>Workplace accidents are common in farmworker camps (7)</p> <p>Quantity of work is more important to farmworkers than workplace safety conditions (13)</p> <p>Farmworker camps are unsafe places to work (7)</p> <p>Growers do not care about the safety and well-being of farmworkers (3)</p> <p>Farmworkers do not know enough about pesticides to handle them safely (10)</p>
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<p>NC Migrant Housing Act</p>	<p>There is no effective, reliable, and accessible method by which to report violations that protects the complainant (8)</p> <p>Farmworkers do not report violations because they fear losing their job (5)</p> <p>Farmworkers know what constitutes a violation of the NC Migrant Housing Act (8)</p> <p>Farmworkers do not know how to report violations (14)</p>	<p>Farmworkers know they have the right to safe and comfortable living conditions (8)</p> <p>Farmworkers know they have the right to submit anonymous complaints (9)</p> <p>Farmworkers do not know that the NCDOL does an inspection of each farmworker housing facility before farmworkers move in (13)</p> <p>Farmworkers do not know that the NCDOL has an online form they can fill out to file an anonymous complaint (14)</p>	<p>Farmworkers are trained on the rights provided to them by the NC Migrant Housing Act (8)</p> <p>Farmworkers have not been trained on how they can exercise their rights and submit complaints (14)</p>	<p>Quantity of work is more important to farmworkers than living conditions (13)</p> <p>Clogged toilets, mice, broken lights, mold, broken clothes washing machine, leaking sinks and roofs, smells, overcrowding, and building dilapidation are common issues in farmworker housing (10)</p> <p>Growers will not continue to sponsor farmworkers who report violations (5)</p>
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*Note: The number in parenthesis after each finding represents the number of farmworkers who expressed that sentiment.

APPENDIX: INTERVIEW TOOLS

Tool 1. Interview Questions

1. Have you ever heard of the Occupational and Health Safety Act?
2. If so, what do you know about it?
3. Have you ever been trained or informed on this policy?
4. Do you think it is enforced in your workplace?

-If the respondent answers “no” to question 1 then I will give them a brief overview of the Occupational and Health Safety Act before continuing to ask questions 3 and 4:

“The Occupational and Health Safety Act says that all workers have the right to working conditions that do not pose a risk of serious harm, receive information and training in a language they would understand about workplace hazards, preventative measures, and OSHA standards, review records of work related-injuries and illnesses, and file a complaint to OSHA if their rights are violated without fear of retaliation.”

5. Have you ever heard of the Fair Labor Standards Act?
6. If so, what do you know about it?
7. Have you ever been trained or informed on this policy?
8. Do you think it is enforced in your workplace?

-If the respondent answers “no” to question 5 then I will give them a brief overview of the Fair Labor Standards Act before continuing to ask questions 7 and 8:

“The Fair Labor Standards Act establishes minimum wage, overtime pay, recordkeeping, and youth employment standards. It says the federal minimum wage is \$7.25. Employers must display an official poster outlining the requirements of the FLSA. Employers must also keep employee time and pay records.”

9. Have you ever heard of the NC Department of Labor’s Migrant Housing Act?

10. If so, what do you know about it?

11. Have you ever been trained or informed on this policy?

12. Do you think it is enforced in your living area?

-If the respondent answers “no” to question 9 then I will give them a brief overview of the NC Department of Labor’s Migrant Housing Act before continuing to ask questions 11 and 12:

“The NC Department of Labor’s Migrant Housing Act says that employers must file for inspection of residential areas for farmworkers 45 days before farmworkers move in. The inspector has an extensive list of standards that must be met in order for employees to move in. The act also says that farmworkers have the right to report an issue in their residential area without fear of retaliation.”

Tool 2. Introduction to the Project (Mari Gerena-Montanez)

“Caroline Doherty is a student at Duke University and she is doing research on farmworker perceptions of work safety, living conditions, and work hours. She would like to interview any of you who are willing. Your decision to participate or to not participate will not affect your testing today, or your ability to get care from us in the future. Here is a flyer with her phone number on it and more information if you are interested. Call her to be interviewed. She will only be able to talk while the team and I are here today, do not call her after we leave because she will not answer.”

Tool 3. Contact Card Information and Flyer (Given by Mari Gerena-Montanez)

Caroline Doherty: caroline.doherty@duke.edu (252)916-6460

Jay Pearson: jay.pearson@duke.edu (919)613-7327

Duke Campus IRB: campusirb@duke.edu (919)684-3030

Participation in this study in no way affects your ability to access care from Greene County Health Care now or in the future. Call the number above to be interviewed. The only time Caroline is available to interview you is during the time period when the Greene County Health Care team is at your camp today. Please do not call after the team leaves.

Tool 4. Oral Recruitment:

Hi! My name is Caroline Doherty, and I am writing a research paper for school on farmworker perceptions of work safety, living conditions, and work hours in their workplace. Could I interview you on your knowledge of the policies that affect these aspects of your life and how well they are implemented in your workplace? Here is some key information you should know about my project before deciding to participate: We can talk for as long as you wish, but I expect the interview to last about half an hour, more or less, and once completed you will receive \$10 compensation for your time. If you start to feel uncomfortable or just wish to stop, you may discontinue the interview at any time. If you choose to not answer a question or end the interview, your compensation will not be affected, and you will still receive \$10. This interview is completely voluntary and your refusal to participate will in no way affect you. The answers you give me are completely confidential, meaning only my professor and I will have access to your original responses. I will be recording this interview but will not record your name. I will tell you before I start recording. You do not have to tell me your name if you don't want to. If you do tell me your name, then my professor and I will be the only people who will ever know your name and it will be removed from the data before analysis. However, I will be including your description as a "farmworker from eastern NC" in the final report. I will transcribe the recording and delete it after it is transcribed. During transcription, I will remove any identifying information you

mention, such as names, country of origin, places of employment, the names of your employers, or any other information that can be used to identify you individually. I will use all the transcriptions to find common themes and will write a paper on those themes. Your responses will not be used in any other research, but my paper will be shared with my University and with my colleague at Greene County Health Care. You may ask me any questions you have now or any questions that you have later. I have a contact card with information on how you can contact me or my advisor, or my school if you have questions about being a participant in research.

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