

Labor Fightback Network



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IMMIGRANT RIGHTS DOSSIER

Gloria Gracida Martinez from San Quintín
Will address Rutgers Fightback Conference

As many as 50,000 Workers on Strike
In San Quintín, Baja California

Why Mexico's Farmworkers Who Harvest Our Food Are on Strike

By Sonali Kohatkar, Uprising Radio, KPFK

The green Driscoll's label on the organic berries that I buy each week are a comforting symbol of a family-owned company that got its start in California. Sometimes the berries are marked "Product of USA," but more often than not, they are labeled as originating in Mexico. That is because Reiter Affiliated Cos., which sells berries through its affiliate BerryMex under the Driscoll's label, grows much of its produce in Mexico. On its website Reiter claims to be "the largest fresh, multi-berry producer in the world and the leading supplier of fresh strawberries, raspberries, blueberries and blackberries in all of North America." Now, the farmworkers picking many of those berries are on strike, demanding a change to the brutally impoverished conditions under which they live.

The strike, taking place in San Quintín, in the Mexican state of Baja California, came just in time for Farmworker Awareness Week. As many as 50,000 mostly indigenous workers have stopped harvesting produce for more than a week in protest of labor law violations. They have carried out bold actions, including blocking traffic on a major highway. About 200 workers were reportedly arrested over such actions and have complained of mistreatment at the hands of police. What they want is for their basic needs to be met, such as obtaining health care, getting overtime pay and vacation days, and being paid wages higher than the dismal \$8 a day that most of them earn.

David Bacon, a longtime labor journalist and photographer and author of "The Right to Stay Home: How US Policy

Drives Mexican Migration," has visited the fields of San Quintín. He told me in an interview on "Uprising" that "all of the ranches ... are producing for the U.S. market, they don't produce for the Mexican market at all. In fact," he added, "they were started to supply the U.S. market especially with tomatoes and strawberries at a time when the only place in the United States that was growing and harvesting them was Florida."

Years ago the sparsely populated San Quintín area was converted into an industrial agricultural center by growers who imported indigenous workers from southern states such as Oaxaca. Bacon compared the dozen or so ranches in the area to the maquiladoras, or factories, that sprang up along the Mexican side of the U.S. border. He described the conditions of the labor camps where workers live as "really awful and terrible."

Starting in the 1970s many of Baja California's workers began to cross the U.S. border through California into the Central Valley, and even to states like Washington. "These are all connected communities," maintained Bacon, which is why the San Quintín strike is big news among farmworker communities in the U.S. such as Washington's Skagit County.

Sadly, it is not very big news elsewhere in the U.S. When the strike began last week, the Los Angeles Times was the only English-language media outlet in the country to initially cover it. (Since then, a week later, The Associated Press and others have begun to report on the strike.)

L.A. Times reporter Richard Marosi deserves credit for being one of the few mainstream reporters focusing on this under-covered issue. His December 2014 multipart exposé "Product of Mexico," was the result of an in-depth investigation of the treatment of Mexican farmworkers at the hands of growers who distribute to U.S. markets. Marosi described "rat-infested camps," some without functioning toilets. Workers routinely have their wages illegally withheld, and many face debt after being gouged by the overpricing of necessities sold at company stores. Pay is so low that it amounts to less than one-tenth of what U.S.-based farmworkers earn.

"The contrast between the treatment of produce and of people is stark," wrote Marosi. The lack of U.S. media attention is partly why the mistreatment of the workers who pick our produce continues, says Bacon, because mainstream media tend to have a blind spot when it comes to Mexico, as well as to the

struggles of working-class people overall. “We eat the fruits and the vegetables that these workers are producing,” explained Bacon, “[but] the workers themselves are invisible.”

But San Quintín’s farmworkers are refusing to remain invisible any longer. Using their collective leverage, they have stopped picking produce—at the peak of the harvest season—until they can negotiate better conditions and wages for themselves. Already there are some shortages in the U.S. market being reported. Time is of the essence for negotiations to be completed as strawberries, cucumbers and tomatoes start rotting unpicked in the fields.

After the mistreatment of San Quintín’s workers came to international light last December, growers pledged to fix the problems and created the International Fresh Produce Social Responsibility Alliance. But their promises for better housing, decent wages and health care have not yet materialized.

Bacon related that the workers “are negotiating with the state government,” rather than the growers directly, “because many of the conditions that they are complaining about are actual violations of Mexican law.” They want the government simply to enforce existing laws and force growers such as BerryMex, Del Cabo, Rene Produce and others to improve working conditions. They also want charges against those protesters who were arrested to be dropped. Marosi, who is in Baja California reporting on the strike, told KPBS, “They’re saying if there’s no progress, then they’re going to continue striking, and no one’s ruling out blocking the highways again.”

It is telling that the federal government in Mexico has completely ignored the strike. President Enrique Peña Nieto, according to Bacon, has “substantially weakened Mexican labor laws” through his major labor reforms after the last election. The reforms have helped employers hire temporary workers at lower wages and have been used as a “magnet to attract investment.”

Here in the U.S., the situation is not much better. Bacon clarified that “the workers in Baja California are part of a larger indigenous farmworker community that also exists in California.” The treatment of U.S.-based workers is only marginally better.

Poor treatment of the workers who pick our produce is no accident. It is a predictable outcome of a system designed to have a bottleneck controlled by fewer and fewer corporations, in which production is moved to the cheapest and most convenient locations and then exported where needed. Food is no longer a necessity—it is a commodity. And farmworkers, whether in Mexico, the U.S. or elsewhere, are exploited like any other workforce producing high-tech gadgets, mining precious metals or sewing designer clothing.

Fortunately, it has now become trendy to “know where your food comes from.” Ultimately it is the U.S. public eating the produce that Mexico’s striking farmworkers pick. We have to acknowledge that much of our food is harvested by the hands of people struggling just to survive. Bacon summed it up, saying, “we have to stop treating these workers as though they are invisible, as though their lives don’t count.”

DIGNITY CAMPAIGN RESPONSE TO THE ADMINISTRATION’S ANNOUNCEMENT ON RELIEF FROM DEPORTATION

We welcome the administration’s decision to step away, at least partially, from the policy of mass deportations that have hurt millions of people over the last six years. Giving four to five million of the eleven million people who lack legal immigration status relief from deportation is a good step, but it is only a step. It leaves millions more people subject to deportation, and to the vastly increased enforcement this administration and Congress have put in place. We will continue to fight for the right of all people to real legal status, not just deferred deportation for some.

We reject the tradeoff the administration is making, in increasing enforcement and labor programs as a price our communities must pay to get deportation relief. More enforcement on the U.S. Mexico border will mean even more people will die trying to cross, and even greater violations of civil and human rights in border communities. We need to demilitarize the border, not to increase its militarization. The U.S. already spends more money on immigration enforcement, including the notorious Operation Streamline kangaroo courts, than all other federal law enforcement programs combined. It is inexcusable to spend even more.

The announcement that the administration will end the Secure Communities program, opposed even by several state governments, is another good step, but only a small one. It leaves in place the 287g programs for making police immigration enforcement agents. Even worse, the administration plans to expand the number of privately-run prisons for immigrants, and the number of people held in them.

Silicon Valley tech titans have been pushing for more labor programs and work visas for ages, in their greed for making greater profits from keeping wages low. By giving this industry access to more work visas and tying labor programs to deportation relief, the administration is taking a step towards lower wages, and undermining the rights of all workers.

The administration has announced it will work with Republicans on negotiating more free trade deals, like the Trans Pacific Partnership. Two decades of experience with NAFTA tells us that these deals drive people into poverty in other countries, leading to more displacement and migration, while at the same time they eliminate jobs here at home. We need to end these trade arrangements as part of a sensible immigration policy.

The announced deportation relief is a stopgap measure. A Republican administration and Congress can easily reverse it, putting in danger those people who have come forward and declared their undocumented status. We must change U.S. immigration law and trade policy to deal with the basic causes of migration, and to guarantee the human, civil and labor rights of migrants and all working people.

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DIGNITY CAMPAIGN

A PROPOSAL FOR ALTERNATIVE IMMIGRATION REFORM BASED ON HUMAN, CIVIL AND LABOR RIGHTS FOR ALL

1. Legalization

- Legalize all people without status quickly, with low fees
- People will receive permanent residence status
- Newly legalized people are entitled to public benefits
- Anyone in the country for five years can apply for legal status

2. Family Reunification

- Raise the number of family visas available, and issue all unused visas
- Process all applications for family preference visas All immigration rights will be equally available to same sex permanent partners

3. Repeal Employer Sanctions and Enforce Labor and Cultural Rights

- Immediately repeal employer sanctions, and dismantle the E-Verify database
- Enforce worker protection laws, for all workers
- Make threats from employers using immigration status a crime
- Job creation and job training programs for all unemployed workers
- A Social Security number for everyone, regardless of immigration status
- Protect the cultural and language rights of indigenous migrants

4. Guest Workers and Future Flows

- All existing guest worker programs (H1-B, H2-A, H2-B) will end after five years.
- Reform existing guest worker programs during those five years, force employers to hire domestic workers first
- Guest workers are free to organize and join unions, and can sue over violations
- Make green cards available during times of low unemployment for migrants who don't qualify for family preference visas

5. Trade Policy and Displacement

- Hold hearings about the effects of NAFTA and CAFTA, and collect evidence about the way those agreements displace people.
- Existing agreements will be renegotiated to eliminate causes of displacement.
- No new trade agreements that displace people or lower living standards.
- Prohibit U.S. military intervention or aid to support trade agreements, structural adjustment policies or market economic reforms

6. Due Process and Detention

- Repeal federal laws barring drivers licenses to undocumented immigrants
- Prohibit local law enforcement agencies from enforcing immigration law, repeal 287g
- End roadblocks, immigration raids and sweeps
- Close existing detention centers and prohibit future government or private detention centers
- Families with children may not be separated by detention or deportation.

7. Repeal Border Militarization and Enforce Human Rights

- Dismantle the wall and the "virtual wall" along the border
- Remove National Guard troops from the border
- End the privatization of border control and security operations on the border
- End criminal charges to prosecute immigrants based on their immigration status
- Prosecute private vigilante groups for violations of the rights of migrants
- Reduce the budget for border enforcement and detention, and redirect the funds to social services, healthcare, education, family reunification, processing visa backlogs and enforcing civil rights.

Suggested Talking Points to Challenge PEP

- May 11, 2015 -

TOP-LINE: The massive detention and deportation machine undermines our values of community, family unity, and equality under the law. We call on ICE to suspend the implementation of the so-called “Priority Enforcement Program” (PEP) and halt all deportations. And we call on our state and local leaders to stand strong and uphold the hard-fought victories which are protecting our communities.

Context: National opposition to the “S-Comm” deportation program grew out of deep concern about the nature and scale of the detention and deportation apparatus, which violates our values and wastes resources. “PEP” continues S-Comm’s flaws.

KEY POINTS

Immigrants are part of the heart of our communities.

We believe all people are created equal and should be treated fairly, no matter what they look like or where they were born.

Immigrants are our neighbors, friends, loved ones, co-workers, and us.

With DAPA and the DACA expansion temporarily delayed, we need to do all we can to protect those eligible - and the community members who will be unfairly left out.

ICE is still a rogue agency. Its failure to learn from past mistakes puts immigrant communities, civil liberties, and community-based policing at risk.

After years of organizing led by people facing deportation, DHS Secretary Johnson acknowledged the failure of the “S-Comm” deportation program last November. But the “reboot” of this program, PEP, has the same fundamental flaws – and no accountability mechanism.

Just like S-Comm, PEP has deceptive “priorities” and puts families and civil liberties at risk. By tangling police with the deportation system, it further erodes already weakened trust, threatening community-based policing

PEP maintains one of the worst components of S-Comm, the funneling of information to ICE. It leaves the door open to constitutionally dubious immigration “holds”, and doubles-down on ICE-police entanglement through problematic requests that law enforcement notify ICE when a person is about to be released. Notification requests may still lead to extended detentions in practice, leaving locals liable for constitutional violations.

We need to halt deportations. In the

meantime, we need a firewall between local governments and a heartless deportation machine.

It’s time to turn off the deportation machine. Too many families have been shattered, too many resources wasted, and too much confidence in local authorities damaged.

ICE shouldn’t chase after immigrants’ personal information - like home addresses and release dates from jail – and local governments should keep this information private. We need our local leaders to protect immigrants’ privacy and ensure local resources are not powering the deportation machine.

In the context of increasing attention to police misconduct and the growing Black Lives Matter movement, continuing to tangle police and sheriffs in the dirty work of deportation only further threatens community confidence.

If we invest in policies that protect human rights rather than continued mass detention and deportation, we’ll uphold our values and advance true community security.

PEPCOMM is yet another mass deportation program engineered to target and criminalize communities of color, first funneling people through an unjust criminal justice system and then pushing them into an immigration system that lacks even the most basic due process protections.

Rather than continuing to fund and focus on mass detention and deportation, we need to invest in policies that uphold our values, protect human rights, and provide true security for our community.

RESPONDING TO HARD QUESTIONS

Q. Aren’t deportations down drastically this year?

A. The deportation machine still has huge numbers of people in its grasp. More people are caught in the system for longer periods of time, including folks who fled violence in Central America. If anything, ICE has acknowledged that local and state policies which limited cruel and costly immigration holds reduced the reach of the deportation system.

Q. Is separating police from ICE enough to build community trust, especially given all the protests against police abuses?

A. Separating police from ICE is one piece in a bigger conversation about how to end police abuses and racial profiling.

For too long, in too many communities of color across the nation – particularly in African-American communities – people have suffered harassment, humiliation, bias, and abuse at the hands of law enforcement. We need to advance policies that recognize that black lives matter, ensure equal justice, uphold transparent and accountable policing, and move us all forward together.

Q. Didn’t President Obama reprioritize deportations to only focus on ‘serious criminals’?

A. First of all, our dysfunctional deportation system shouldn’t be a stand-in for our courts. Due process should be the bedrock of our criminal justice system, and we can’t allow that principle to be eroded for anyone. We need to honor our values of rehabilitation and redemption.

Also, ICE will still collect all fingerprints the moment each person is arrested, before they’ve had any due process. That’s a recipe for abuse. And the priorities themselves are much broader than it seems - even a sentence of just three months in jail could still be a priority for deportation; as could people with convictions who have long since turned their lives around.

Q. But what about “dangerous criminals”? What if we don’t notify ICE about someone, and then that person goes on to commit another crime?

A. The more we can separate local law enforcement from ICE, the more confidence we can help build between immigrant communities and local law enforcement. And our unjust deportation system shouldn’t take the place of the courts. Our laws should treat all fairly and give all people the right to their day in court, no matter what they look like or where they were born. Due process should be the bedrock of our justice system, and we can’t let that principle be eroded.

Q. Didn’t undocumented immigrants already violate the law? Shouldn’t we deport them?

A. Immigrants are part of us. Deporting 11 million of our neighbors, friends, and loved ones would come at an immense moral - and monetary – cost. What we really need is a common sense immigration process that recognizes immigrants’ contributions and helps us all move forward. California’s pro-immigrant policies are helping to move the nation toward finally creating that process.