



Reaching Migrant Farm Workers: A Technical Assistance Bulletin for Sexual Violence Advocates and Counselors



Sexual violence against migrant workers is a pervasive problem in the United States. Many victims suffer in silence. Several pivotal cases have surfaced over the past several years, underscoring the complex interplay of isolation, oppression, and poverty that many migrant workers face¹. Exploitation can take many forms—including economic, cultural, physical, legal, sexual, and others—all of which serve to perpetuate and exacerbate the isolation and oppression of its victims. Being an undocumented worker can exacerbate this isolation and oppression even further. While low wage immigrant workers are employed in various settings—including factories, farms, construction, hotel/restaurants, etc.—this bulletin focuses solely on the farming industry.

Migrant Farmworkers in the United States

According to the National Agricultural Workers Survey findings, more than 3 million migrant and seasonal farm workers currently reside and work in the United States (National Center for Farmworker Health, 2007).² Seventy-five percent were born in Mexico, 23% in the United States, two percent in Central America, and one percent in other countries (Carroll, Samardick, Bernard, Gabbard, & Hernandez, 2005).

According to the same survey, on average, migrant and seasonal farm workers are 31 years old and have lived in the U.S. for 10 years. Eighty percent are male. More than 75% of migrant and seasonal farm workers earned less than \$10,000 per year; 77% earned \$5.94 per hour on average. Despite these low wages, less than one percent received cash assistance welfare or Temporary Assistance to Needy Families (TANF).

The median level of workers' education is 6th grade; 20% have completed less than three years of education. Approximately 85% reported that they would have difficulty reading and understanding written information even if it was written in their native languages.

Migrant Farmworkers in Pennsylvania

Approximately 44,000 migrant and seasonal farm workers live and work in Pennsylvania (National Center for Farmworker Health, 2007). They often come to Pennsylvania for the same reasons that drew previous waves of immigrants: to make a better life for themselves and their families. Sadly, for many, these hopes and dreams are tainted by violence and exploitation.

Risk Factors for Sexual Violence among Migrant Farmworkers

The migrant population experiences many of the same societal and community level risk factors for sexual violence as non-migrant populations, including patriarchal social orders, rigid gender roles and inequalities, poverty, male superiority and sexual entitlement, social upheaval, other forms of violence, social tolerance of sexual violence, lack of stable employment with a living wage, and settings in which sexual violence can occur (Centers for Disease Control and Prevention, 2007; Jewkes, Sen & Garcia-Moreno, 2002). However, because many of these risk factors occur together and are compounded by other oppressions; inequalities; a transient lifestyle; and linguistic, cultural, and geographical isolation, migrant workers may be at an increased risk for sexual violence.

Environmental Risk Factors

Migrant farmworkers are prone to exploitation because of the inherent power imbalance that exists between worker and employers/supervisors. Farmworkers are often dependent on employers/supervisors for their basic needs in life: pay, transportation, housing, clothing, healthcare, education, legal papers/documents, information, language/translation, and others. Employers often misuse their power to bribe, to punish, and to sexually coerce workers.

The nature of agricultural employment—working long hours alone in remote fields, farms, orchards, and factories—places many migrant workers at a unique risk for victimization. Perpetrators often have access to victims and opportunity to commit sexual violence without anyone noticing or intervening. Often, migrant workers are paid by the pounds of goods they produce daily/weekly (Clarren, 2005). This pay structure can undermine bystander intervention, pitting worker against worker in a race against the clock.

Many migrant farmworkers live in communal housing quarters, called “labor camps.” These camps are often on the outskirts of town in very isolated areas. They tend to lack appropriate lighting and do not generally have public phones for workers to call to report an emergency. In addition, their housing requires them to share sleeping, eating, cooking, showering/toileting facilities with many other workers. In housing environments such as these, individuals often lack the means necessary to keep themselves safe from perpetrators. Workers do not have doors that close and lock, beds of their own, or private showering and toileting facilities. Power imbalance, isolation, pay contingent upon goods produced, and communal living quarters are just some of the environmental risk factors that contribute to sexual violence in the migrant community.

Risk Factors Based on Gender and Age

Power imbalances and threats of exploitation occur within the migrant community as well, based on gender and age. In the U.S. and the world, women and children are generally at greater risk for sexual victimization; poverty can increase that risk (CDC,

2007; Jewkes, et al, 2002). In addition to being victimized by their employers, migrant women and children—minorities within the migrant farming industry—may also be victimized by their family members, partners/spouses, parents/caregivers, friends/acquaintances, and others within the migrant community.

Migration can exacerbate women’s vulnerabilities to sexual violence, increasing their dependency on their perpetrators for basic needs, language/translation, and legal papers/documentation; thus, making it dangerous to report the violence and to access services (Erez & Ammar, 2003).

Child and adolescent victims are also often dependent on their perpetrators for basic needs and care. Migrant children experience many of the same risk factors for sexual violence that non-migrant children do, but perhaps to a greater degree. Children of migrant workers are raised without the support of extended families and live in overcrowded households without adequate income (Runyan, Wattam, Ikeda, Hassan, & Ramiro, 2002).

Barriers to Reporting and Accessing Services

Migrant farmworkers may experience many of the same barriers non-migrant individuals face. Barriers include but are not limited to:

- * Shame and self-blame for the assault(s)
- * Silence as the accepted norm, sex and sexual violence as “taboo”
- * Fear of being seen as “promiscuous” or of little value due to loss of virginity and assault (ICASA, 2000)
- * Perception of sexual violence as part of the “deal”
- * Fear of retaliation from the perpetrator—further violence, firing, blacklisting or withholding of basic needs and pay
- * Fear of deportation or jeopardizing legal status of self, partner/spouse, family
- * Fear of jeopardizing children’s well-being, access to education, prospects
- * Fear of losing one’s children
- * Fear of shaming or betraying one’s family, community (ICASA, 2000)
- * Pressure and desire to remain loyal to the family (ICASA, 2000)
- * Pressure and desire to preserve the family and its honor (ICASA, 2000)
- * Cultural, linguistic, and geographical isolation
- * Lack of knowledge about services
- * Lack of mobility and freedom
- * Lack of culturally competent services
- * Lack of knowledge about legal rights and legal service providers
- * Inequality based on gender
- * Fear of law enforcement
- * Unfamiliarity with legal system
- * Unresponsive law enforcement, criminal justice, and social services
- * Poverty, or the threat of poverty
- * Lack of community ties
- * Discrimination, racism, and anti-immigrant sentiments in dominant culture

Legal Rights of Migrant Workers

Migrant farmworkers—whether documented or undocumented—have legal rights in the US. They have the right to work in an environment free from sexual violence and discrimination of all forms. Several pivotal federal laws protect these rights as follows (Esperanza, 2006).³

Title VII of the Civil Rights Act prohibits discrimination against employees based on race, color, religion, sex, and national origin.

The Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act of 1978 prohibits discrimination against employees due to pregnancy, childbirth, or pregnancy-related conditions.

The Equal Pay Act, an amendment to the Fair Labor Standards Act, requires employers to pay their employees equal pay for equal work, regardless of gender.

The Family Medical Leave Act entitles some employees to unpaid leave due to medical conditions; required medical care; inability to work due to medical conditions; the birth and care of a newborn child; the adoption of a child; or the taking in of a child for foster care.

In addition to federal laws, states may have laws that further protect migrant workers’ rights. For more information about migrant workers’ rights, consult with the Equal Employment Opportunity Commission and/or migrant rights attorneys and/or advocates (see the Resources section of this bulletin).

Survivors, Inc., Adams County, Pennsylvania

Latino Outreach Program

The Latino Outreach Program of Survivors, Inc., in Adams County, Pa., serves Latino victims/survivors of sexual and domestic violence, including migrant farm workers. Three bilingual advocates—two of Mexican and one of Peruvian descent—staff Survivors’ Latino Outreach Program. They provide counseling, advocacy, information and referral, accompaniments, crisis intervention, and other services to approximately 30 victims/survivors of Latino descent per month. Ninety-four percent of the individuals they serve are of Mexican descent; they also serve individuals of Peruvian, Dominican, and Nicaraguan descents.

According to Remigia Sandoval⁴, a Latino Outreach Program advocate, employment in orchards and on farms draws many migrant and seasonal farmworkers to Adams County, Pa. Whether new to the community or long-time residents, documented or undocumented, Sandoval indicates that most migrant workers experience multiple oppressions and geographic, cultural, and linguistic isolation. For victims of sexual violence, these oppressions and isolations are magnified.

Contractors play a large role in coordinating migrant employment in the county. They are the point persons for both employers and workers. Like a gatekeeper, the contractor connects migrant workers to jobs, housing, healthcare, education, transportation, and information about community services and workers’ rights. This places the contractor in a

position of power—power to assist the migrant community in accessing services or power to exploit or to do nothing.

For this reason, Sandoval stresses the importance of building solid relationships with contractors and educating them about sexual violence, migrants’ rights, and community-based services. She is fortunate to have strong relationships with the contractors in Adams County and receives many referrals from them. Part of building these relationships involved Sandoval’s grassroots outreach and advocacy efforts.

Sensitive to the barriers that often keep victims from accessing services, Sandoval goes to them. She travels throughout the county, doing outreach on the farms and orchards, speaking with the people in their language and environments. Additionally, Sandoval collaborates with Latino service providers in the county—including medical, legal, education, and employment providers—to meet the comprehensive needs of migrant farm workers.

While collaborations are instrumental in achieving social change on behalf of Latino victims/survivors, Sandoval emphasizes that word-of-mouth referrals are critical in reaching Latino victims/survivors. Being out in the community—seeing where they work, sleep, eat, and socialize—has helped Sandoval build trust in the Latino community. Developing an understanding of victims’/survivors’ environments has also strengthened Sandoval’s advocacy and support services. This has been paramount to the success of the Latino Outreach Program at Survivors, Inc.

Latino Task Force of Adams County

In addition to providing direct services, Latino Outreach Program advocates also participate in the county’s Latino Task Force. In addition to Survivors’ staff, task force members include representatives from communities of faith, law enforcement, healthcare, criminal justice, media, commerce, education, farm workers’ rights organizations and the local Latino community. This task force holds monthly meetings to discuss and address the needs of the Latino community and strategies of response. Results of their coordinated efforts have included the development, publication, and dissemination of an emergency information pocket guide for the Latino population; annual health fairs including free clinics and services; and a new public transportation system throughout the county.

Manos Unidas: United Hands Community Center

While Survivors, Inc. is well known and respected in the Latino community, Sandoval says victims/survivors may be afraid to come to a rape crisis center for help because of social stigma and shame surrounding sexual violence, possible retribution from perpetrators, mistrust of systems, and the threat of alienation from the community and family. She indicates that Latino victims/survivors of sexual violence may feel safer and more comfortable reaching out for help in their own community or clergy, which may seem more socially acceptable and inconspicuous. That is why Sandoval and Survivors, Inc., in collaboration with allied partners in the community, opened the doors to *Manos Unidas* (United Hands) on March 10, 2006.

Manos Unidas is a volunteer-run Latino community center located in St. Francis Xavier Church in Gettysburg, Pa.⁵ The initial goal of Manos Unidas is to provide members of the Latino community with information about services available to them. The church has donated a room where volunteers from the community, including Sandoval, provide

information about community-based agencies and services including legal, medical, law enforcement, educational, rape crisis, domestic violence, mental health, and others that are available to the Latino population. Furthermore, Manos Unidas volunteers promote those services that work towards cultural competency in meeting the needs of the Latino population. Sandoval believes that Manos Unidas can serve as a bridge for victims/survivors of domestic and sexual violence who may not otherwise access services.

Reaching Migrant and Seasonal Farmworkers: Ten Advocacy Strategies

1. Do outreach where migrant farm workers live, work, access services, and socialize; go to them because they might not be able to come to you.
2. Develop relationships and credibility within the migrant community over time
3. Develop outreach materials that are culturally sensitive and accessible to individuals along all literacy and educational levels.
4. Establish and/or participate in community-wide task forces.
5. Know the rights and resources available to the migrant community.
6. Raise awareness about sexual violence against migrant workers in the community.
7. Cultivate relationships with employers and contractors of migrant workers.
8. Develop culturally competent outreach, prevention, and counseling/advocacy services.
9. Recognize and strive to understand the diversity within the culture and the unique experiences of individuals.
10. Work with your colleagues to bridge gaps in services for the migrant community.

For more information, please contact Donna Greco, Education and Resource Coordinator, at the Pennsylvania Coalition Against Rape: 1-800-692-7445, ext. 115 or dgreco@pcar.org.

Resources

- * Arte Sane: www.arte-sana.com
- * CARE: Communities Against Rape Initiative: www.four-h.purdue.edu/care/main.html.
- * Center for Human Services, Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities Service Project: 717.334.6026 or 717.334.2221
- * Esperanza, The Immigrant Women’s Legal Initiative of the Southern Poverty Law Center: 1-800-591-3656
- * Equal Employment Opportunity Commission: www.eeoc.gov
- * Governor’s Advisory Commission on Latino Affairs: www.gacla.state.pa.us/gacla/site/default.asp
- * Lideres Campesinas: www.liderescampesinas.org/english/home.html; 909-865-7776
- * Pennsylvania Association of Latino Organizations (PALO): www.paloweb.org; 717-920-4727
- * Pennsylvania Coalition Against Rape: www.pcar.org; 717-728-9740
- * Pennsylvania Migrant Even Start, A Family Education Program: 717.624.4616 or 717.783.6464
- * Rural Opportunities, Inc.: www.ruralinc.org/index2.html
- * Sisters of Color Ending Sexual Assault: <http://www.sisterslead.org>; 860-693-2031
- * Survivors, Inc.: 717-334-0589

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¹ For more information, see US Equal Employment Opportunity Commission case settlements against Florida's Gargiulo Inc., California's Harris Farms, and Iowa's DeCoster Farms.

² The migrant farmworking population may be much larger than existing data convey, due to the understandable reluctance undocumented immigrants may experience in reporting and/or participating in surveys.

³ These laws may not apply to all workplaces universally. For more information about the parameters of these laws, individuals should contact the Equal Employment Opportunity Commission (EEOC) or state Departments of Labor.

⁴ Remigia Sandoval recently won the Pennsylvania Commission on Crime and Delinquency Individual Direct Service Award. She was featured in a Pennsylvania State Museum exhibit, which honored the state's diversity heroes. Sandoval is also the recipient of Survivors, Inc. award, which recognized her 15 years of advocacy in the Latino community.

⁵ Manos Unidas' hours are Thursday through Saturday from 10:00 a.m. to 2:00 p.m. For more information, contact Remigia Sandoval, Latino Outreach Program Advocate, at Survivors, Inc.: 717-334-0589.