

SAFETY AND LABOR LAW VIOLATIONS IN CALIFORNIA AGRICULTURE

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(LEFT PANEL)

Individual case reports of more than twelve hundred safety and labor law enforcement actions in California agriculture were analyzed. Included were all fines issued for serious violations of OSHA standards by Cal-OSHA (1993-95), and all citations issued by the state Labor Commissioner (1993-94) through the Targeted Industries Partnership Program (TIPP).

The TIPP program is a coordinated federal-state program of education and enforcement of labor and safety laws focussing on the agricultural and cut-and-sew garment industries. Cal-OSHA has responsibility for enforcement of state and federal OSHA standards.

About three-quarters of Cal-OSHA fines were issued for violations of field sanitation standards (failure to provide adequate toilets, drink or wash water in the fields). The largest number of other fines were issued for violation of standards for operation of farm machinery.

(Graph - Serious Violations ... By Standard, Bar Graph)

For each Cal-OSHA case report, the employer name and other identifiers were compared with existing data files of licensed farm labor contractors, farm operators and other agriculture-related industries. In this way, each employer was classified within one of three major categories. Farm operators accounted for 38% of employers who were fined, licensed labor contractors for 32% and other types of employers, including unlicensed labor contractors, accounted for 30%.

(Graph - Serious Violations ... By Employer, Pie Chart)

(RIGHT PANEL)

Similar to the findings for Cal-OSHA fines, most TIPP citations in agriculture were issued to employers who do not directly operate farms: labor contractors, both licensed and unlicensed, and to other agriculture-related employers, such as packer-shippers or trucking companies. Roughly two-fifths of the TIPP citations were issued to farm operators.

Detailed analysis of the 187 farm operators cited under the TIPP program shows that the majority were large farms (as measured by estimated annual cash receipts from farm marketings). However, disproportionately more TIPP citations were issued to medium and smaller size farms, as measured by their respective shares of hired farm labor expense.

(Graph-Farm Operator TIPP ... By Farm Size, Bar Graph)

Analysis of TIPP citations issued to farm operators, classified by their Standard Industrial Classification (SIC) code, shows that a disproportionately large share were issued to fruit farms and, secondarily, to vegetable farms. This analysis relies on a comparison of the number of cited farms within a given three-digit SIC against their respective shares of hired farm labor expense.

(Graph-Farm Operator TIPP ... By SIC Code, Bar Graph)

Finally, the greatest number of farm operator TIPP citations were issued to were to berry farmers (0171), nearly one-fourth of the state total. In contrast, berry farms account for just one-sixteenth of hired farm labor expense in California.

(Graph-Farm Operator TIPP ... Fruit Farms, Bar Graph)

In conclusion, the data suggest that federal and state enforcement agencies should continue their focus on education and compliance among farm labor contractors. However, the data also indicate that a significant effort should be mounted among California's berry farm operators.

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