General Comments Based on Review Panel Discussions

Overall Reactions to DFL Enumeration Methods

Length of Work Day (W = hours per day)

Heppel questioned the validity of assumption of work day length of 7.4 hours per day for all crops and states. Based on NAWS case study data the hours per day varies by a great deal and depends upon factors such as available labor pool, scheduling with packer/shippers and processors, crop yield and other factors.

Labor Coefficient (H = hours per acre)

Mines questioned whether field agriculture estimates of labor coefficients (hours per acre) includes field packing. Larson indicated that whenever available field pack labor was included in the values for H. Mines also questioned why hours per acre for cotton in the individual state summary sheets differed between Arkansas and Georgia. Pfeffer asked if there was any effort to control for the quality of the raw data. Larson responded that there was no effort to evaluate the accuracy of the reported figures. Mines suggested that regional averages for H, based on crop production budgets prepared by Coop Extension, would likely be of better quality than individual state estimates unless the individual state data were based on actual direct observations of the labor process. He suggested that the California data (Mamer & Wilkie) are probably the most accurate values of H currently available.

Mines suggested, with the concurrence of other panel members, that weighted averages of values of H be used. That is, the labor coefficients reported for individual states be weighted according to their corresponding fraction of total harvested acreage for all states with reported labor coefficients. Heppel suggested that regional averages would be superior to individual state reports.

Heppel asked if Florida tomatoes were treated the same as other states. Plascencia responded that state-specific data was used. Larson pointed out that not every state was contacted and that figures were not sought for every crop in each state. Rather, representative crop/state data were generated which then were used on a national basis.

Heppel asked what is different about "diversified crops"? Larson responded that some crops are so differentiated that the data stood out. Bastida responded that tomato crop values of H were differentiated according to fresh, hand picked processing and mechanically harvested processing in a few states: California, Florida and Ohio. All other states were treated as though the entire crop was hand harvested.

Harvested Acreage (A)

Mines asked if cotton harvested acreage figures were corrected

for the fact that herbicides are often used for controlling weeds instead of hoeing in the Southeast and Texas. Larson responded that no effort was made to include that effect.

Per Cent Migrant

Mines asked the staff to identify the source of data for per cent migrant. Larson responded that the field program staff were asked to supply this information, such as is reflected in the Migrant Atlas prepared for the Migrant Health programs. Mines and Heppel suggested that these data may not be accurately representative of the population as a whole owing to the self-selection process for participation in these programs and the low overall rate of participation. Also, some programs are more effective at outreach than others.

Mines asked if cannery workers were assumed to have the same per cent migrant as field workers. Larson said yes, but that the per cent migrant figure was reduced by 50% for food processing workers.

Per Cent Married

Mines asked the staff to identify the source of data for the per cent married among the migrant population. Bastida responded that the published NAWS and QUALS data sets were used. Mines pointed out that the use of NAWS is not possible since the published reports make no references to migrants, only to the population as a whole. Mines suggested that there are a great many more unaccompanied males within the current migrant population than most people realize and that use of such a large factor in the DFL estimate may be erroneous.

Special Topic 1 - Subgroups (SIC code)

Larson described the problem of temporal/regional variations in the pattern of employment. Thus, using the "high-low" method of adjustment, which assigns the number of migrants to be equal to the difference between the highest reported statewide monthly employment total for a given SIC code and the lowest reported monthly employment total, will underestimate the migrant total because of possible significant counter-seasonal variations in food processing activities within a given state, such as is the case for California and Texas winter vegetables.

Mines and Heppel suggested that there is a very high rate of UI claims among food processing workers and that analysis of the pattern of seasonal employment among such workers will give insight into this question. Read pointed out that Villarejo had conducted such an analysis for California nursery and food processing workers and had suggested adjustments for those subgroups in California which were incorporated by Larson. Mines expressed the opinion that UI wage reports should be good in California across all SIC codes but that only mushroom (0182) and food processing (0723) data

should be consulted for other states. He emphasized that nursery work in states other than California and forestry work require an alternative method of analysis.

Larson asked if an adjustment was needed. All three panel members said that there was such a need but that additional data was required. Mines argued that the corrections using UI data should only be applied to mushrooms and food processing. Pfeffer suggested that someone should get on the phone and locate UI data for representative states for each region and then apply the result to all states in the region.

Mines pointed out that there is no reliable survey data on the per cent migrant among food processing workers and that figures should not be used without some justification. Pfeffer stressed that only the most conservative estimates should be used.

Special Topic 2 - Individuals Who Work Out of the Home State

All review panel members agreed that workers who reside much of the year in one state but who travel to another state to work is a significant factor that must be considered in the allocation of funds for the support of legal services. Simple fairness requires that an adjustment be made. It was also agreed that it appears likely that Texas has the highest proportion of such workers. However, Mines noted that even though Texas would likely have the highest proportion, California probably has a very large number even though the proportion is likely to be smaller. In his view this is due to the enormous size of the farm worker population of California. Mines also noted that he was personally aware of specific cases of workers who migrate from Arizona and New Mexico to jobs in other states, e.g., Idaho. He also cited Tulare County, California, as a place where this factor was of importance.

Mines and Heppel agreed that Arizona, California, Florida, New Mexico and Texas are the states for which this factor should be considered, and that the Commonwealth of Puerto Rico should also be considered. Pfeffer commented that his work with C.A.T.A. in New Jersey included the observation that Puerto Rican workers appear to be in the process of being largely displaced by Mexican workers in New Jersey farm work. Heppel added that the Puerto Rican registration figures referring to people travelling to the United States to work in agriculture are rather low, suggesting that the overall number of such workers is likely to be small.

In Mines' view the issue is "down time." That is, people who are trying to work to survive often do not have time to pursue legal claims while working at a field agriculture job and will follow-up after the end of the season when time permits. He suggested that it was unfair to California to single out Texas and Puerto Rico for special consideration. Finally, Mines noted that it is his opinion that the largest number of workers for whom the issue of "down time" is an important consideration are Mexican nationals who return to Michoacan, Jalisco, Oaxaca or other Mexican states during such periods. Since services of any kind are usually not available to these workers it would appear that the largest

share of the need is not being addressed at all. He indicated that NAWS data suggest that 70% of migrants spend their down time in Mexico and that the real need is to establish legal services there.

Mines suggested that the proper way to account for "down time" is to compile a job history, or "job matrix" which informs, in detail, where individuals live and work as well as the fraction of the year associated with each job and periods of "down time." This could be used to assign a fraction of each worker's time to different states/activities. He added that lacking such a detailed record makes the issue of supplementing DFL estimates problematic.

Pfeffer argued that an adjustment was necessary but that California and Florida must be considered as well. Mines responded that the Florida down time problem was not as serious as it is for Texas. In his opinion, Texas has the most serious down time problem of any of the states. He added that he thought that it was a political decision (sociology) and that there is not a good method available to make the correction in the short term. Both Heppel and Mines argued that a correction was necessary and that is should be applied to the amount of work (jobs) and not to the number of people. Heppel concluded that Texas and Puerto Rico must be corrected because a large fraction of the labor force in those cases experience this problem but that corrections were needed for other states where the fraction of workers affected would be smaller. However, good data is not available in the other states.

Special Topic 3 - Standardization of Data on a National Basis

Those factors which are standardized are: H (hours per acre), W (hours per day) which is actually based on hours per week, Per Cent Mechanized (bulb onions). Factors which are not standardized are season length and per cent migrant.

Mines suggested that a weighting factor should be included for crop yield. In other words, where the yield is high a greater number of hours per acre is usually needed. Heppel responded that this is not necessarily the case, e.g., dwarf apple trees require less work time per acre because a ladder is not needed although this is offset somewhat by the greater planted tree density.

Pfeffer expressed the view that the weakest element in the entire study is the use of possibly unreliable data for H on a national basis. It is his view that this factor needs to be improved. He suggested weeding out the least reliable data sources and using regional averages rather than using single state data for the entire nation.

Heppel suggested using both yield and harvested acreage weighting factors. Both she and Mines agreed that California and Florida data are probably the most accurate and should be given greater weight.

Heppel asked why unemployment rates are not considered in figuring the hours per week or hours per day. She pointed out that this enumeration effort is people-oriented as regards providing services and that areas with high unemployment rates tend to be areas of a large labor surplus. Hence, larger crews are possible

leading to reduced work days or work weeks.

Mines pointed out that certain crops, such as chile peppers, tend to have a shorter work day while certain other crops, such as lettuce, tend to have longer, more regular, work days. He suggested that some acknowledgement of this would strengthen the report.

Special Topic 4 - Problem Crops (Tobacco)

Read made a presentation which emphasized the large number of very small farms reportedly in tobacco production. It was suggested that family labor was more likely to be used on small farms as opposed to hired labor. Mines pointed out that the reported number of small farms may be illusory due to the fact that tobacco allotment holders are treated as separate farms in the Census of Agriculture but that many of these "farms" actually sub-lease their allotment to large operators or management companies. Heppel asked if the size distribution of farms was taken into account for any crops or regions. Larson responded that this was not done.

Mines' observations of tobacco farms in portions of both Virginia and North Carolina led to a number of comments of significance in the present context. First, he found no instances of family dependents among the migrant farm worker population. No dependents were present. Second, Mexican and Black workers were found to be working in the barns. Third, he found the season length to be 90 days for flue-cured tobacco, not the 24 days used in the DFL enumeration.

Heppel observed that tobacco is a "problem" only because of the large size effect on the DFL enumeration. She also observed that H-2A workers have no dependents with them in the U.S. and asked whether the dependents were added. Larson said yes they were.

Mines recommended that the tobacco figures be adjusted to increase the season length for flue-cured tobacco and to reduce the per cent migrant.

Special Topic 4 - Per Cent Migrant

Mines observed that there are two problems, which are not entirely unrelated. In areas of the U.S. where immigrants are well-established the per cent migrant is lower and the fraction of family heads with accompanying dependents is higher. Conversely, in areas of the country where immigrants have only recently begun to penetrate the farm labor market the fraction of males accompanied by dependents is lower and the migrant per cent is higher. NAWS shows that the national per cent migrant is about 42%. Regional data could be generated from NAWS to make regional adjustments of the migrant per cent. In the short term he suggested making regional adjustments based on case study data.

Heppel suggested that per cent migrant varies by region and crop; hence it is necessary to make both adjustments. The

variation by crop and region may well be far greater than the DFL enumeration would indicate.

Pfeffer suggests that a single direct measure of the size of the population is needed as a validity check. He suggested that even a single crop or region with such a case study result should be used to shore up reliability of the DFL enumeration.

Mines also suggested that it is necessary to make adjustments for downstream service area needs. This is another policy issue.

Overall Comments on Methodology

Mines asserted that the study design is not fair to the research staff. The direct involvement of service providers who have a stake in the outcome taints the objectivity of the whole research process. He recommended use of an advisory board composed entirely of outside reviewers, not program field staff. It was his conclusion that the present DFL enumeration was a reasonable effort. Cross-sectional population surveys are too expensive for a task such as this. NAWS data, and case study data could further inform this work, especially in such areas as per cent migrant, per cent married, per cent accompanied by dependents, etc.

There is a second problem associated with making estimates of the proportion of migrants or other demographic data. Estimates of the per cent migrant or family size used in this DFL study have been compiled by agencies who have a financial stake in the outcome. Mines argued that data furnished by service providers is inherently biased because Federal grantees or contractors who collect and assess data have a vested interest in certain outcomes. He strongly urged staying away from such sources and the use of objective data.

Heppel said that the DFL enumeration does not count people. But the description of the project methodology says that the goal of the project is to enumerate populations. This discrepancy has not been adequately addressed. She pointed to the desirability of examining the supply of labor at the same time. Situations where the need is small but the labor supply is large are often cases where the need for services is great, even as compared with situations of larger labor demand. She concluded that the DFL enumeration effort was reasonable but feels strongly that some use of data about human beings is required as opposed to total reliance on production data.

Pfeffer said that the overall numbers for New Jersey are not unreasonable, but that Mexican workers have largely replaced Puerto Rican workers in New Jersey. It was his conclusion that the effort was a useful exercise, that a great deal was learned. The addition of food processing, nursery and other agricultural activities was an important step.