

Farm Workers' Rights, 70 Years Overdue

NY Times Editorial A version of this article appeared in print on April 6, 2009 on page A24.

It is more than bank failures and rising unemployment that give these troubled times echoes of the 1930s. An unfinished labor battle from the New Deal is being waged again.

The goal is to win basic rights that farm and domestic workers were denied more than 70 years ago, when the Roosevelt administration won major reforms protecting other workers in areas like overtime and disability pay, days of rest and union organizing.

That inequality is a perverse holdover from the Jim Crow era. Segregationist Southern Democrats in Congress could not abide giving African-Americans, who then made up most of the farm and domestic labor force, an equal footing in the workplace with whites. President Roosevelt's compromise simply wrote workers in those industries out of the New Deal.

They were thus sidelined from the labor movement, with predictable results. Though the Dixiecrats have all long since died or repented, the injustice they spawned has never been corrected. Poverty, brutal working conditions and legally sanctioned discrimination persist for new generations of laborers, who are now mostly Latino immigrants.

In New York, advocates are pressing for passage of the Farmworkers Fair Labor Practices Act, which would give these workers the rights that others have long taken for granted, as well as seek badly needed improvements in safety and sanitary conditions in the fields. Domestic workers, meanwhile, are seeking a "Bill of Rights" in Albany covering things like overtime pay, cost-of-living raises and health benefits.

A separate effort begun last week seeks to end these stubbornly lingering injustices for workers in all states by fixing federal law. It was announced on Cesar Chavez's birthday by old lions of his movement, including Jerry Cohen, who as general counsel of the United Farm Workers helped win passage of a landmark 1975 California law that secured unprecedented rights for the state's farm workers. The campaign has been joined by a growing number of labor groups and immigrant advocates, like Cardinal Roger Mahony of Los Angeles and the Farm Labor Organizing Committee, which represents migrant workers in the Midwest and North Carolina.

In both campaigns, advocates are counting on a changed political landscape to help their cause. But even with Democrats controlling the New York Legislature, the farm worker bill has languished. It faces fierce opposition from growers and has been eclipsed by the entropy and fiscal crises of Gov. David Paterson's Albany. In Washington, labor advocates are preoccupied by different battles, like the fight for the pro-union Employee Free Choice Act. Other long-sought immigration reforms have taken a back seat to the budget and health care.

But farm workers are used to long, hard slogs and pitiless heat and cold, with justice as their distant but inevitable destination. The advocates see President Obama and Governor Paterson as ideal candidates to take them there, and are not about to give up. "Any just national labor law reform must include farm workers and domestics," Mr. Cohen wrote to Labor Secretary Hilda Solis, stating an obvious and compelling truth. "If not now, when?"