



# Farmworker Rights

**Thomas K. Thornburg  
Co-Managing Attorney**

**Daniella Pozzo Darnell  
Staff Attorney**

**Farmworker Legal Services**

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Michigan Interagency Migrant Services Committee (IMSC) Outreach Network  
in collaboration with Michigan Primary Care Association

# Outreach Worker Training Series Overview

## ❑ **IMSC Outreach and Education Subcommittee**

- ❑ The purpose of the subcommittee is to provide training and resources to ensure effective and safe services to MSFWs by service providers and community members.

## ❑ **Goals of the Series**

- ❑ Resources for local and state agencies
- ❑ Core training for staff throughout the state
- ❑ Opportunity to learn more about other agencies and outreach conducted through these agencies
- ❑ Education from top experts on select topics

## ❑ **Additional Webinars**

- ❑ Wednesday, June 18 (2:30-3:30 pm ET): Camp Access & Child Labor Laws
- ❑ Wednesday, June 25 (1:00-2:00 pm ET): Reporting Alleged/Apparent Violations and Complaints

# Reminders

- ❑ House Keeping
  - ❑ Please do not put your phone on hold
  - ❑ All registered participants will receive a link to:
    - ❑ Evaluation on Survey Monkey
    - ❑ PowerPoint presentation
    - ❑ List of remaining webinar series
  
- ❑ Q and A
  - ❑ If you have a question, please send it to the host. We will attempt to get through as many as possible.

Raise Your Hand



Use the Telephone



See Who Is Talking

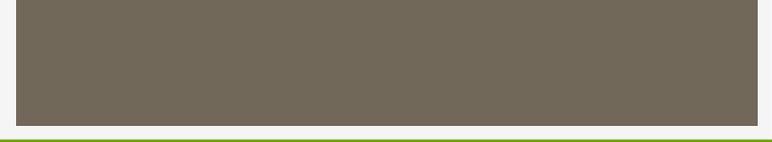


Ask A Question



The screenshot shows a GoToWebinar interface with the following sections:

- Attendee List (2 | Max 201):** Includes tabs for "Attendees (1)" and "Staff (1)". A dropdown menu is set to "NAMES - ALPHABETICALLY". One attendee, "Corena Bahr (Me)", is listed. A search bar is located at the bottom right of this section.
- Audio:** Shows "Audio Mode" with "Use Telephone" selected (radio button) and "Use Mic & Speakers" unselected. Below this, it indicates "MUTED" with a microphone icon and a volume level indicator showing 00000000. A link for "Audio Setup" is provided.
- Talking:** Displays "Talking: Suzie Smith".
- Questions:** Features a "Questions Log" with a question: "Q: Is there a volume discount?" and an answer: "A: Yes! We will send you more info after the event." Below the log is a text input field containing "Yes" and a "Send" button.
- Footer:** Displays "Webinar Now" and "Webinar ID: 731-938-951" above the "GoToWebinar™" logo.



**Please Standby For The  
Beginning Of The Presentation**

# Presentation Overview

- ❑ Introduction- Vulnerability of Farmworkers
- ❑ Employment Rights
- ❑ Housing Rights
- ❑ Other Rights
- ❑ Safety and Sanitation
- ❑ Driving Laws in Michigan

# Introduction

- ❑ Vulnerability of Migrant Farmworkers:
  - ❑ Average income is the lowest of all labor (National Agricultural Workers Survey data, 2009)
  - ❑ Dependence on Employer for income, housing, transportation
  - ❑ Limited resources for enforcement agencies (U.S. DOL, MDARD, etc.) to conduct outreach
  - ❑ Difficult for farmworkers to access services- this is why we do outreach!
- ❑ Goal of Presentation
  - ❑ This is not a complete list of farmworker rights, but it is a list of rights we see commonly violated
  - ❑ Please contact Farmworker Legal Services with further questions

# Farmworker Rights in Employment

- ❑ Wages
- ❑ Right to advance disclosure of work terms and conditions
- ❑ Right to accurate payroll records



# Employment Rights Continued:

- ❑ Nondiscrimination
  - ❑ Race, religion, national origin, color, sex, height, weight, marital or family status, age
  - ❑ Contact
    - ❑ Farmworker Legal Services
    - ❑ Equal Employment Opportunity Commission (Detroit): 313-226-4600
- ❑ Right to be free from trafficking situations
  - ❑ Indicators of human trafficking:
    - ❑ Force, Fraud, Coercion
  - ❑ National Human Trafficking Hotline:
    - ❑ 1-888-373-7888

# Basic Housing Rights

- ❑ Nondiscrimination-
  - ❑ It is illegal to discriminate on the basis of:
    - ❑ Race, religion, national origin, color, sex, height, weight, marital or family status, and age
- ❑ Proper Eviction Procedure
  - ❑ Common violations:
    - ❑ Evictions through threats
    - ❑ Employers who withhold paychecks until workers move out



# Housing Rights Continued:

- ❑ Health and Safety Standards
- ❑ Common Health & Safety Violations:
  - Lack of screens
  - Drainage problems
  - Structural problems
  - Lack of bed frames
  - Exposed electrical wires
  - Overflowing pit toilets
  - Overflowing garbage
  - Rodents, insects
  - Ventilation Problems
  - Overcrowding
- ❑ Housing with fewer than 5 migrant farmworkers is required to be inspected (MIOSHA & DOL rules)
- ❑ Any housing with 5 or more migratory/agricultural workers should have a license posted.



# “If it smells fishy . . .”

- ❑ For more information about spotting potential violations of Michigan’s migrant labor housing regulations, you may use MDARD’s pre-inspection checklist:

[http://www.michigan.gov/documents/MDA\\_Inspection\\_Survey\\_127863\\_7.pdf](http://www.michigan.gov/documents/MDA_Inspection_Survey_127863_7.pdf)

- ❑ Contact:
  - ❑ MDARD: (800) 292-3939 or MDA-Info@Michigan.gov
  - ❑ Farmworker Legal Services

# Other Rights

- ❑ Many are eligible for public benefits: food stamps, Medicaid/Medicare, unemployment compensation
- ❑ Right to equal services from government agencies and/or government funded agencies, provided in the worker's own language
- ❑ Health Services
- ❑ Education

# Safety and Sanitation

- ❑ Employers must provide in the fields:
  - ❑ Potable Water
  - ❑ Hand washing facilities
  - ❑ Bathrooms
- ❑ If any of the above are missing, unusable, or too far from the worker, there may be a violation
  - ❑ Drinking water must be “readily accessible” to workers
  - ❑ Bathroom and hand washing must be within ¼ mile of workers
- ❑ Other indications of safety and health violations:
  - ❑ Reports from workers that pesticides are being applied without proper safety equipment or that workers were exposed in the fields.
  - ❑ Reports from workers that they are asked to perform any kind of work in a dangerous manner or without appropriate safety equipment.



# “If it smells fishy . . .”

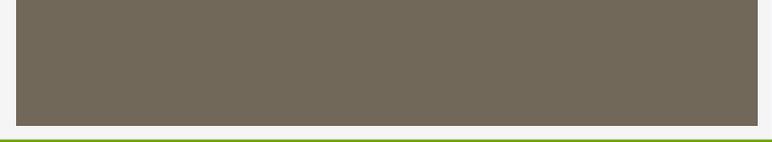
- ❑ For information about the Agricultural Worker Protection Standards, visit:  
<http://www.epa.gov/agriculture/twor.html>
- ❑ PROMPTLY file Field Sanitation complaints
  - ❑ Directly with MIOSHA (more likely to result in an onsite inspection) – contact (800) TO-MIOSH or (800) 866-4674
  - ❑ Online at: [www.michigan.gov/miosha](http://www.michigan.gov/miosha) (click on “How to File a Complaint with MIOSHA” on the right hand side of the webpage).
- ❑ Contact MDARD – Pesticide Management Division
  - ❑ 517-373-6350

# Driving Laws in Michigan

- ❑ Required documents
- ❑ “Residency” definition is different for each requirement document
- ❑ Bond requirement

# If you find a violation or have any questions:

- ❑ Call the Appropriate Agency
- ❑ Please use the “Inter-Agency Referral/Complaint Form” and submit to:
  - ❑ MDARD Migrant Labor Housing Program (housing complaints)
  - ❑ State Monitor Advocate Gerry Arranda (for employment/other complaints): 269-657-7014 or [arandag@michigan.gov](mailto:arandag@michigan.gov)
- ❑ Contact Farmworker Legal Services at (800) 968-4046
- ❑ Michigan Migrant Legal Assistance Project at (800) 418-3390



Questions?

# Evaluation

You will be receiving a follow up email  
with a link to Survey Monkey.

Your feedback is greatly appreciated!

# Thank You!

Hosted by Farmworker Legal Services in collaboration with the  
IMSC Outreach and Education Subcommittee

## Presenters:

Thomas K. Thornburg  
Co-Managing Attorney  
Farmworker Legal Services  
[thornbur@lsscm.org](mailto:thornbur@lsscm.org)

Daniella Pozzo Darnell  
Staff Attorney  
Farmworker Legal Services  
[dpdarnell@lsscm.org](mailto:dpdarnell@lsscm.org)

[www.FarmworkerLaw.org](http://www.FarmworkerLaw.org)