

# MIGRATORY LABOR

## A Report to the President by the Interdepartmental Committee to Coordinate Health and Welfare Activities

*Because the problems of migrants bear directly on all programs administered by the Social Security Board, the Bulletin makes available to its readers the recent report on migratory labor issued by the Interdepartmental Committee to Coordinate Health and Welfare Activities. The Committee, of which the Chairman of the Board is a member, also includes representatives of the Departments of Agriculture, the Interior, Labor, and the Treasury.*

### Migratory Workers—A General View

THE NOMAD WORKERS of this country number millions. The very fact that they are migrants—on the move in a never-ending search for work—makes them difficult to count. But probably 2 million of them look to agriculture for a living and at least as many to industry.

For them and for their families, constant shifting from place to place sets the patchwork pattern of life. The broken-down car piled high with meager belongings and the make-shift shanty-town are its symbols. Low wages and long gaps between jobs keep most of them within the lowest income group in the Nation. At best they are hardly above the thin edge of distress, without margin for health, education, or other family needs. Any emergency—illness, added miles to travel—leaves them resourceless. Yet lack of a settled home generally deprives them even of such public aid as other families may turn to in times of want.

In the last 10 years, depression and drought have aggravated—though they did not create—these conditions. In the early 1930's, the bottom dropped out of industrial employment and drove many workers on to the road. In the middle years of the decade, the dust bowl dispossessed farm families from their homes. Another significant difference is in the make-up of the migrant army, past and present. Where once it was mainly recruited from immigrant groups, its ranks are now filled largely by native-born Americans. These changes have focused widespread sympathy and concern upon the long standing and too long ignored plight of these nomad workers and their families.

A third of them are children. It is they who suffer most and longest from the hazards of a migrant life. They lack the essentials of normal

childhood—a stable home and the sense of security it gives, the chance to go to school regularly, decent food and housing, necessary health and medical care. A youth so blighted offers little preparation or incentive for the future. Yet these, like other children, are citizens of tomorrow.

The misfortunes of these migrant families are not confined to themselves alone. They create grave problems for every community into which they come. Nor are such communities confined to any one section. The industrial East and the Middle States, as well as the West and Southwest, have their migrants. More than half of the 48 States are within the constant ebb and flow of these seasonal waves—some as recurrent users of migratory labor, others as constant sources of supply.

In occupations affected, the spread is as broad as it is geographically. Harvesting; processing and shipping crops; repair and maintenance of railroads; highway, bridge, and levee building; tourist and vacation service jobs; lumbering; sawmill and construction work are some of the employments which draw heavily upon this shifting labor army.

Many of those who make it up travel from place to place over long distances working in the same general line, either agricultural or industrial. Others, covering somewhat less territory, shift back and forth between the two as seasonal demands change. A few manage to string together a series of jobs which keep them employed most of the year. But for the majority, long spells with no job and long journeys in search of one are everyday hazards.

These two patterns are basic—"migratory" following of one general occupation over long distances and across State lines; "seasonal" shifting, through a variety of jobs within a rela-

tively limited area. But since lines of movement cross and mingle, even these are not always clear-cut. In addition, these migratory and seasonal workers, habitually on the move, cannot always be distinguished from another large group—those who are moving from one place to settle more or less permanently in another. This was particularly evident during the pronounced “back-to-the-farm” movement of 1931–33.

The uprooting of city dwellers slackened during the later 1930's. But the line between urban-industrial migrants and agricultural migrants is never well defined. Particularly among unskilled workers, who make up the largest group of needy migrants, the alternative as between agriculture and industry is largely a matter of where there is a job and what it pays.

With due allowance for these shiftings and overlappings, some idea of the combined size of the two major groups—migratory and seasonal—can be gained from the rise and fall of demand. Agriculture alone calls for around 3 million more workers at its peak than in its slack months. In industries with seasonal ups and downs, the curve is about as steep.

Neither traveling to look for work nor shifting from job to job is new in this country, though in recent years these movements have grown in extent and in hazard. Behind them are long-term social and economic forces—increases and changes in population, shifts in work opportunities which have left many parts of the country with more men than jobs, changes in agricultural and industrial methods. This last is perhaps most important and certainly least recognized. Work has always fluctuated with the calendar; but modern methods have exaggerated this seasonal swing. Without many men while the job is on, large-scale harvesting or road-building would face disaster. But the rush is soon over—and then it is the men who face disaster. Because these causes of migratory labor are so deeply rooted, its problems would not be wholly solved even if the entire country were to achieve capacity levels of employment and production.

As a result, a whole sector of the American people stands exposed—not to one or a few, but to nearly all the social and economic hardships of our time—among them exploitation of labor, unfavorable working conditions, make-shift housing, primitive sanitation, malnutrition and illness,

lack of schools and of health and welfare protection. For both the seasonal and migrant worker these conditions are equally bad and protection is equally urgent.

But in addition, the migratory worker and his family have another major handicap. Moving across State lines, they become, in the technical phrase, “interstate transients.” To people who are or may at any moment be in need, this is far more precarious than it may sound. For it jeopardizes their legal residence; and in all States legal residence for at least a period of some months is one of the requirements for public aid. Public medical care, supported as a rule largely by local funds, is also usually reserved for residents.

Lack of domicile may and does cut off interstate transients from even such protection as the community affords. But this legal obstacle cannot alter the fact that these families came to the community honestly looking for work, often enticed by the exaggerated promises of advertising or of labor agents. It cannot obscure, much less wipe out, the realities of want and suffering. Of the many questions with which this report is concerned, this is perhaps the most difficult and the most pressing.

### *Agricultural Migration*

Lettuce, strawberries, tomatoes, peaches—when and where these everyday luxuries are harvested does not often concern the family that eats them. To the family that picks or packs them it is the most important fact of existence. Some 500,000 of these families, according to Farm Security Administration estimates, follow the migration routes from crop to crop. If they average no more than 3 to a family, that makes 1.5 million. This is roughly in line with other estimates which place the total at from 1 to 2 million.<sup>1</sup>

Their work—the harvesting, packing, and shipping of farm products—is one of the most highly seasonal occupations. At peak seasons it demands a labor force many times larger than that regularly employed. In handling perishable crops, this need for extra labor is immediate and pressing, since delay in picking and shipping means complete loss. For example:

Twenty-six car-load lots of vegetables were shipped from Florida in August in one year—

<sup>1</sup> Ham, W. T., “The Status of Agricultural Labor,” *Law and Contemporary Problems*, Vol. IV, No. 4 (October 1937), pp. 559-572.

18,000 the next March. Less than 500 full-time hired workers were employed in the Yakima Valley of Washington in one December—more than 32,000 demanded in September. The peak demand for labor is six times the slack in Arizona; about four times in California.<sup>2</sup>

This extreme seasonal expansion draws, in part, upon local seasonal workers. But usually there are not nearly enough of them to do all the work required in the required time. As a result, a number of seasonal migration routes have gradually been laid down:

Fruit, truck, and berry migrations follow the Atlantic as well as the Pacific coasts, carrying workers through successive crops. The wheat migration moves with the ripening grain from Texas and Oklahoma, to the Dakotas and Canada. The cotton migration, especially in Texas, Arizona, and California, is also mainly in line with the successive harvestings of a single crop from place to place. But those who follow this line also look for additional employment in the citrus-fruit and truck-garden sections of all three States. In sugar beets, the movement is largely to the beet fields from more or less distant homes, and back again.

With thousands of families on their line of march, these routes may seem clearly enough marked. But for any one family, the path is far from clear. It takes time to travel from job to job and money to provide even makeshift shelter. Uncertainty of work compels ceaseless moving on in the effort to piece together a series of short jobs. Travel between jobs averaged 516 miles according to a recent study in California;<sup>3</sup> for more than one-fourth of these workers the average was above 1,000 miles.

But the end of the journey does not always mean a job. Often the new arrival finds that too many have got there before him, or that a frost has killed the crop, or that a fall in price has destroyed with equal thoroughness the opportunity to work. During freezes such as the Imperial Valley experienced in the winter of 1936 and 1937, and Florida in 1939 and 1940, thousands of families found themselves stranded. After exhausting their resources to reach a place where

employment could be expected, they were left with no money and no prospects of work.

Two and a half jobs per year; each job lasting about 8 weeks; median net earnings \$110 in 1933 and \$124 in 1934—this was the average picture shown in the study of migratory labor made by the Works Progress Administration in those 2 years.<sup>4</sup>

In 1936 and 1937 median annual gross earnings of such workers ranged from \$154 to \$574, according to various studies. These levels—with their irregular work and low earnings—represent those who are *successful* in finding the average amount of employment.

Such families probably have the worst living conditions of any group in the United States. Usually they have no homes except temporary roadside or ditch-bank camps, often without any kind of sanitary facilities or even a decent water supply. Ordinarily their only possessions are a second-hand automobile, a tent, a few blankets, and cooking utensils. Their children have no chance for education, adequate medical care, or normal home and community life. Accumulating any reserve against the gaps between jobs or the risk of accident and illness is completely beyond their reach. Malnutrition and sickness are common among both adults and children. Though relatively free from chronic disease, and younger than the settled population, they suffer from about 74 percent more disabling illnesses.

For these hundreds of thousands of families, for every community to which their migrations take them, and for the entire Nation, these problems—of health, relief, housing, and education—compel an answer.

### *Industrial Migration*

Industrial migration lacks the distinctive characteristics of its counterpart in agriculture and therefore is even less known. For the most part, industrial migrants use the ordinary transportation of day coach or bus or family car, and are indistinguishable from their fellow travelers.

But the difference in "visibility" as between industrial and agricultural migrants should not obscure the basic facts: the two groups are equally numerous and equally widespread; they both stand exposed to want and both lack pro-

<sup>2</sup> Statement of Paul S. Taylor, Senate Hearings before a Special Committee to Investigate Unemployment and Relief, 75th Cong., 3d sess., Vol. 1, pp. 1167-1168.

<sup>3</sup> U. S. Department of Agriculture, Farm Security Administration, *A Study of 6,666 Migrant Households in California, 1938, 1939.*

<sup>4</sup> Webb, John N., *Migratory-Casual Worker*, Works Progress Administration, Research Monograph VII, 1937.

tection; and the dividing line between them is by no means as clearly drawn as is sometimes assumed.

The number of industrial workers crossing State lines each year for reasons of *employment* is between one and two millions. If it were possible to measure interstate movement for reasons of *unemployment*, this figure would be substantially higher.

Federal old-age and survivors insurance records offer evidence of job movements. For 1937, the first year the system was in operation, 2.2 million out of the 30 million industrial and commercial workers for whom wages were reported had employment in a State other than that in which their insurance account number had been issued.<sup>5</sup> These figures, of course, include some commuting between neighboring States like New Jersey and New York. But even with all moves between adjoining States eliminated, there remained upward of a million industrial workers who crossed at least two State lines. The following examples, taken from these 1937 figures, indicate the volume of moves which unquestionably represent interstate migration:

New York to Illinois.....	10,177 workers
Illinois to New York.....	11,648 workers
Michigan to New York.....	7,030 workers
New York to Michigan.....	6,335 workers
Massachusetts to Pennsylvania..	2,063 workers
Pennsylvania to Massachusetts..	3,075 workers

In part, industrial migration represents a redistribution of population as economic opportunity expands or contracts. Large streams of transients from the cities were, for example, cared for by the Federal Emergency Relief Administration during 1933-1935, and there were later streams moving toward the Pacific Coast.

But the great volume of this yearly movement is also the result, in part, of normal variations in the seasonal demands of industry and corresponding adjustments in the industrial labor market.

When the industrial migrant requires public assistance, he is just as frequently and fully excluded from existing relief systems as is the agricultural migrant crossing State lines in search of work; he is just as likely to forfeit his legal residence. And when this happens, he too cannot

<sup>5</sup> Reported by the Bureau of Old-Age and Survivors Insurance of the Social Security Board.

turn for aid to the community where he happens to be, no matter how great his need.

There is ample evidence that urban industrial migrants are often in want and do need assistance. The records of the Federal transient program from 1933 through 1935 show that during this period about 80 percent of the single individuals and 70 percent of the family groups aided were from towns and cities of 2,500 or more population. Equally high proportions of both groups had similar destinations; and by training and experience they were preponderantly industrial workers. These transient relief centers were necessarily located in urban centers, and so were no doubt more accessible to this group than to rural migrants. But even so, the important fact is that, of the many migratory workers and families who are in need, probably as many are in the urban-industrial migrants group as in the rural-agricultural group.

Moreover, clear-cut distinctions between agricultural and industrial migrants are frequently impossible. Shifting from one field to the other—with whatever chance of a job turns up—is an accepted fact. But this interchange is frequently confusing. An example is the West and Southwest, where relief officials are sometimes inclined to attribute demands for transient relief to agricultural migrants alone, but a closer examination would frequently show a sizable urban-industrial element.

The unspectacular situation of these industrial migrants is a tribute to their capacity for maintaining themselves against heavy odds. Need is no less, however, because it remains inconspicuous. The Nation is hardly justified in pursuing a policy based on the notion that "what you don't know doesn't hurt you."

## Particular Problems and Suggested Policies

### *More General Understanding as a Basis for Action*

In spite of the fact that millions of American citizens and thousands of communities, from coast to coast, have a direct stake in the migratory labor problem, the amount of detailed information available is still limited. A thorough-going factual background is essential both in developing practical ways and means of attacking the problem and in

gaining for such measures the Nation-wide public support they warrant.

Figures showing the demand, extent, and direction of migration are not available except for limited information on California. Data is now being gathered by a number of Federal and State agencies, including the Farm Security Administration, the Bureau of Agricultural Economics of the Department of Agriculture, and the Bureau of Employment Security of the Social Security Board. Certain plant quarantine stations, both State and Federal, are also making border counts of families migrating by automobile.

The Committee urges that the statistics from these various sources be coordinated and analyzed as quickly as possible in order to give an over-all picture of the nature and extent of the problem.

The State labor commissioners of the eastern States have recently taken increasing interest in migratory labor. Under the sponsorship of the labor commissioners of Maryland, Delaware, New Jersey, and Virginia, a meeting was held in Baltimore in February 1940. Participants represented State health, education, agriculture, and welfare departments and a number of Federal agencies with an interest in this field. The extent and nature of the problem were explored, as well as ways and means of utilizing local, State, and Federal resources to attack some of the most urgent needs. Since this conference, the heads of State agencies in Maryland, Virginia, and New Jersey and regional representatives of Federal departments have conferred on a plan of action.

The Committee recommends that such conferences be held in other groups of States, and that the Federal agencies concerned cooperate in every way to stimulate local interest and activities. A series of regional conferences would promote recognition both of the national character of the problem and of the contribution States and communities must make to its solution.

### *Education and Welfare*

The children of migrants are a lost tribe. Because they lack so much that goes to make up a normal childhood—economic security, a stable home, health protection, and a chance for school and play experience—they are a group apart from any community.

The problem they bring to the schools of a community is one of the many causes of friction

between migratory families and settled residents. Migrant life curtails regular school attendance. The most direct cause of this is, of course, child labor in the fields: if children are to be in the field at the beginning of the season and remain until the harvest is completed, they must leave school in the early spring—March or April—and are often out until November or December. Records of school attendance for migratory child workers, obtained in connection with studies of the Children's Bureau, show that large numbers had not attended school during the preceding year, and many had never attended school.

But because of frequent transfer between different schools and the overcrowding of local schools, children who are not employed are almost equally underprivileged. Where migratory schools have been set up, the allotment of State school funds to the county depends on the average attendance for the previous year; it is not designed to care for fluctuations in agricultural areas. Furthermore, the burden of purchasing land, constructing buildings, and providing equipment falls upon local school districts.

The situation with respect to welfare and recreational facilities parallels that in education. It is at least equally a problem both for the migratory group and for the community.

The Committee believes that communities with particularly heavy transient populations should receive special financial assistance to enable them to extend educational, recreational, and welfare services to migrants as well as to residents. Federal aid to States for such welfare services should be conditioned upon their extension to both groups.

### *Living Conditions and Housing (Camps, Shelters, and Colonies)*

The ditch-side camp and the make-shift squatter town offer the only homes that most migrant families know. They are deprived of decent housing not only by their short stay in any one place, but also by their lack of money. Their temporary jerry-built houses and dilapidated tents often violate all the laws of self-respect and privacy and all standards of hygiene and sanitation.

Recognizing this appalling situation, some employers have made commendable efforts to provide decent sanitary accommodations for at

least part of their seasonal workers. Such efforts both by individuals and by associations should be encouraged. Privately constructed facilities should, however, be subject to similar safety and sanitary regulations as those applied to other residential buildings.

For several years the Farm Security Administration has also been developing sanitary camps where migrant workers may live for a limited period at minimum costs. The objectives are to aid migrants in finding a stable base for home life, to restore a form of community life, and to check the spread of disease which is ever-present in squatter camps. Though such camps are of several types, all provide each family with a shelter or a platform on which to pitch its tent, and include various community services and facilities—a utility building, assembly and recreation halls, nursery, first-aid room, child clinic, isolation quarters, kitchen, laundry, and sanitary units. Provisions for self-government and for mutual aid are also maintained.

By July 1, 1939, facilities had been provided for over 13,000 families, and continuing operations should increase capacity at the rate of about 4,000 families a year. But since families come and go, the number using a camp in any single year far exceeds its capacity at any one time.

A little more than \$5 million was expended for these camps in 1939, and it is proposed to continue annual expenditures at this level for several years. By that time a string of way stations will have been established, which will shelter part of the migratory group.

Some of these camps are almost empty for several weeks every year when no farm work is going on in the region. In order to get more continual use of its camp facilities, the Farm Security Administration has recently been experimenting with portable camps, which can be moved from one harvest area to another with the seasons. Six of these mobile camps are now in operation.

To enable at least part of the migrants to settle down in permanent homes, the Administration has also built a number of small cottages—known as labor homes—near some of its permanent camps. These houses are served by the water and sewerage systems of the main camp. They are rented for about \$8 a month to families who are able to find year-round work on nearby farms. Each cottage has a small garden plot, so that the family can

supplement its cash income by raising much of its own food.

The number of both shelters and cottages varies, of course, according to local conditions. But usually a camp with 350 shelters or tent platforms will have about 50 labor homes adjoining it. This ratio is based on long experience, which shows that year-round and seasonal work should be available in the area for approximately that number of both groups.

In a further effort to help as many migrants as possible to set up permanent homes, a few homestead projects, not connected with the camps, have also been built by the Farm Security Administration.

To the Committee this program of the Farm Security Administration appears as one of the most feasible ways of meeting the problem of housing and living facilities for migrant families. Not only should it be continued; it should also be expanded at the present rate.

### *Health and Medical Care*

Migratory workers and their families have more illnesses and less medical care than the rest of the community. The health hazards to which they are exposed are a menace not only to themselves and to their children, but also to the people and families with whom they come in contact all along their line of march. The human waste resulting from this lack of health protection can and must be stopped.

The high proportion of disabling illness—74 per cent more than in settled families—has already been mentioned. This is due mainly to the disproportionate number of accidents, communicable disease, and puerperal conditions. Women go through pregnancy without medical or nursing attention. A great many do not have a physician's care at delivery, which frequently takes place without any of the facilities necessary for decency or safety. As a result of inadequate diet, irregular sleep, and the insecurity of their daily existence, children develop serious physical and mental handicaps. Exposed constantly to all the dangers of insanitary living conditions, these families not only suffer illness themselves but also menace the health of others. Typhoid fever, dysentery, smallpox, and meningitis are among the communicable diseases that may spread from their ranks to the community.

The establishment of sanitary camps has done much to check the spread of such diseases. But many acute health problems cannot be solved by this means alone. A recent Nation-wide survey shows that migrant families receive less medical care than even the lowest income group among families with a settled residence. The result has been much needless suffering and many preventable deaths.

As a step toward meeting this problem the Farm Security Administration in 1938 helped establish the Agricultural Workers' Health and Medical Association. The purpose of this corporation is to bring medical care to destitute migrant families in California and Arizona. Financed by Farm Security Administration funds, it is operated by a board of directors which includes representatives of the California Medical Association, the State Relief Administration, and the State Board of Health. It maintains headquarters in Fresno, California, and 15 local offices and clinics along the main routes of migration. Migrant families with little or no money to pay for medical care may apply at the nearest local office of the Association. First-aid is given on the spot by a trained nurse. Serious cases are referred to a clinic where a doctor is available, or to local physicians who have agreed to provide treatment at uniform, reduced rates. Patients are expected to pay as much as they can for this service, and many of them send in a few dollars at a time as they find temporary jobs and save up a little cash. The deficit is paid by the Association.

This organization provides medical care that is not contingent on legal status as a resident. But it operates only in a comparatively small area. A Nation-wide program of health protection and medical care can be initiated and continued only through the cooperation of Federal, State, and local health agencies.

The Committee believes that Federal funds should be made available through State and local agencies to assist the States in providing health and medical services for migrants. It recommends, specifically, that the Federal funds made available under titles V and VI of the Social Security Act for the fiscal year ending June 30, 1941, be augmented by the sums of \$1 million and \$3 million, respectively, for the purpose of initiating a program to provide essential medical care to needy interstate migrants.

The Committee also believes the successful administration of such a program demands that—

(1) The State should participate financially in the program.

(2) The program should provide both preventive and therapeutic services.

(3) Federal funds should be available to all the States in accordance with the need for such grants.

(4) The program should be applicable to all occupational groups of interstate migratory laborers.

(5) Federal aid should be conditioned upon provision for administration by a State agency and upon States meeting within 3 years specified Federal requirements covering length of residence within the State.

(6) Social investigation, health protection, and medical relief for migrants should be provided by the local agencies providing similar services for residents where such agencies exist.

### ***Civil Rights***

The chronic insecurity and poverty of migrant workers too often subject them to denials of their civil liberties. Their less unfortunate fellow citizens can protect themselves against such abuses, but this group is peculiarly defenseless.

Particular attention should be directed toward ensuring them the civil rights to which all citizens are entitled.

### ***Employment and Working Conditions***

*Regulating Interstate Operations of Private Employment Agents.*—Many seasonal industries requiring large labor forces for brief periods recruit their workers from a distance, often through labor-contractors. This is a general practice particularly in agriculture and canning, but is also common among logging and lumbering concerns and resort hotels.

The labor-contractor sometimes operates from an office, but more often he "carries his office under his hat." In either case, he makes contacts with workers, both individuals and family groups, arranges for their transportation and terms of employment, and sometimes accompanies the group as a supervisor. The uncontrolled operations of these private contractors are in great measure responsible for the influx of workers from distant points before local labor is fully employed.

This in turn gluts the labor market, depresses wage rates, causes pressure on local housing and relief facilities, and often leads to great suffering among the workers themselves. This practice is also connected with the illegal use of trucks in transporting workers over long distances.

The abuses of the labor-contractor system which any effective regulation should reach include—

(1) Misrepresentation and often gross exaggeration of available employment opportunities; misrepresentation as to wages, hours, terms of employment, and living conditions.

(2) Provision of inadequate and unsafe transportation facilities which violate the regulations set by the Interstate Commerce Commission and State regulatory commissions for the protection of passengers.

(3) Charging for jobs and transportation whatever the traffic will bear, without a definite schedule of fees; absence of an enforceable contract covering charges and deductions. This is often the subject of complaints by employers as well as by workers. The labor-contractors often fleece both.

Regulation of private employment agencies is an accepted part of State labor-legislation programs. It has been effectively carried on by a large number of States. But State laws alone cannot control this type of labor-contractor. In the first place, the usual State law for the regulation of private employment agencies is aimed at the agency with a regular office and is intended to assure decent premises as well as proper recruiting practices; such a law may fail to apply to the labor-contractor "with his office under his hat." In the second place, such labor-contractors carry on interstate operations, sometimes in several States.

Federal regulation of labor-contractors is, therefore, indispensable. Such regulation must be carefully designed to correct the abuses against which it is directed.

The Committee recommends the enactment of legislation covering the following principal points. The Department of Labor should be requested to prepare the draft bill to include—

(1) Requirement that private employment agents, agencies, and labor-contractors operating across State lines be licensed and bonded.

(2) Requirement that all such agents or con-

tractors conform in their business practices to certain standards set in the law, such as the filing of a schedule of fees with provision that no fees in excess of the schedule shall be permitted, and defining fees to include rebates and charges of all kinds.

(3) Vesting enforcement and administration (including licensing) in the United States Department of Labor, with provision for the utilization of State labor departments so as to assure uniformity in administration and close integration with State regulation.

(4) Empowering the Secretary of Labor to make rules and regulations to carry out the general purposes of this legislation.

*Transportation of Workers by Truck.*—It is recommended that the Interstate Commerce Commission be asked to put into effect the provisions of the Motor Carriers Act of 1935, relating to persons engaged in transporting workers across State lines by truck. It is also suggested that a cooperative enforcement program be worked out among the Commission and other government agencies which, from their dealings with migratory workers, may have information about illegal practices.

*Strengthening the Farm Placement Service.*—Every State in the Union now has a free public employment service; the Federal Government cooperates with the States in this program through the Bureau of Employment Security in the Social Security Board. This Bureau is responsible for the development of the Farm Placement Service. These public employment services should be able to supply the labor needs of seasonal industries, thus reducing dependence on private contractors. Recruitment through these public agencies would tend to eliminate many of the abuses of the present system. It would help to assure a more even and better controlled flow of labor from point to point as demands change; more regularity in employment; fewer labor gluts and shortages; and proper consideration for local workers before a large labor force was brought in from a distance. Fewer workers would be stranded far from their homes without resources or return transportation, and local labor would not have its rates undercut by the influx of penniless outsiders. Growers would be assured a steady supply of labor from a reliable source.

The Committee recommends that the Social



Security Board extend its farm placement service in cooperation with the States. This development should be carried on as rapidly as possible, with particular attention to areas where large-scale industrialized agriculture is practiced. The Committee further recommends that sufficient funds to carry on this expanded service be made available by Congress.

*Wage Regulations.*—Certain processing of agricultural commodities away from the farm, such as canning, packing, and ginning, are now covered by the Fair Labor Standards Act, though all farm labor is exempt. Large numbers of migratory workers are employed in these processing occupations. The conditions under which they are employed are similar to those in factories. These workers are, therefore, entitled to the same protection under existing legislation as their fellow workers in factory, mill, and mine. Efforts are being made to narrow application of the act and to exclude from its protection hundreds of thousands of these workers—though the industrialized operations in which they are employed cannot be considered agricultural in the strict sense of the word.

The Committee feels that such exclusion would be serious—not only as denying protection to the group of workers who most need it, but also as a precedent for excluding other groups of industrial workers from the protection this law affords. If changes are to be considered, they should be in the direction of extension, rather than contraction, of coverage.

*Child Labor.*—Many employers and contractors habitually make work agreements covering the whole of the migrant's family. A special study of 6,655 such families, comprising 24,425 persons,<sup>6</sup> showed that 35 percent were children under 15; the majority of them were under 10. Other studies of child labor in industrialized agriculture show that large numbers of children under 15, and even as young as 6 or 7, do field work on many kinds of crops.

The great pressure to use children in the fields comes from several directions: earnings in seasonal agriculture are low; the family income depends on the number of hands it can give to the work; and much of what is to be done requires little skill or experience. But hours of work are long, and working conditions are hard, involving strained

posture, the carrying of heavy burdens, continuous exposure to extremes of temperature, and speed-up pressure.

The curtailment or complete lack of schooling adds another handicap to the overburdened lives of migrant child workers (see page 7). Not only are State school-attendance laws often not enforced for migrant children, but often there is not even the opportunity for school attendance.

Agricultural child labor, including the employment of children in industrialized agriculture, to a large extent is subject to neither State nor Federal child-labor legislation. In a few States, however, some progress in regulation has been made. On the Federal level certain minimum standards applying to the employment of children by growers of sugar beets and sugar cane were incorporated in the Federal Sugar Act of 1937 as a condition of receiving benefits under this law; and the child-labor provisions of the Fair Labor Standards Act of 1938 apply to the employment of children in agriculture at such periods as they are not required by law to attend school.

Children of migratory workers must be protected from employment when they are too young; and during the years before they are allowed to work they should have the opportunities for education and normal growth that full physical, mental, and social development requires. When they reach an age to be employed, they should be protected from exploitation. They should have the same safeguards against overlong hours and hazardous or over strenuous employment that have been found essential for youthful workers in other kinds of full-time industrial employment. And they should be guaranteed a fair level of wages.

To assure these children even a basis for proper education, healthful growth, and normal home life, legislative measures for control of child labor and promotion of school attendance are essential. These measures must be supported by public opinion and such community services as are necessary to make them effective.

*Coverage of Migratory Agricultural Workers Under Social Security Programs.*—Migratory agricultural workers and their families as a group are not protected under the Social Security Act for one or both of two reasons: either they do not stay in one place long enough to establish the residence required for public assistance and public welfare and health services; or they are engaged

<sup>6</sup> U. S. Department of Agriculture, op. cit., p. 4.

mainly in occupations which are specifically excluded from the insurance programs. More of these workers are excluded today than when the act was first passed.<sup>7</sup>

The Committee deplors the present tendency to exclude these workers from the several social security programs. With respect to the grants-in-aid programs, it suggests that agreement, on the part of the States and their communities, not to discriminate between residents and migrants be a condition for granting Federal funds. It also urges that every effort be made to extend coverage to agricultural wage earners under both old-age and survivors insurance and unemployment compensation.

On this point the Social Security Board has stated:<sup>8</sup>

The Advisory Council declared that coverage of domestic and agricultural employment is socially desirable and should be made effective by 1940. The Board, reiterating its conviction that coverage should be extended to excepted groups as rapidly as is feasible, recommended modification of the limitations on coverage of agricultural labor in the belief that inclusion of large-scale farming operations, often of a semi-industrial character, probably would reduce rather than increase administrative difficulties. The Board recommended, further, that exception of agricultural labor and domestic service be eliminated eventually with allowance of reasonable time for the effective date.

### *Relief for Migrants and Their Families*

The migration problem today is a symptom of economic maladjustment. On the one side, millions of people have been uprooted from their homes and from ways of life that no longer offered them a livelihood—without opportunity to recreate a stable life for themselves elsewhere. On the other side, industrialization, particularly in

<sup>7</sup> In order to qualify for Federal grants, a State plan for aid to the needy aged and the needy blind must not impose a longer residence requirement than 5 years out of the 9 immediately preceding application. But this requirement is so long as to exclude migrant workers very effectively. Practically all the States have taken full advantage of this in their present laws. The Federal grants-in-aid program for aid to dependent children permits State residence requirements up to but not longer than 1 year.

Pay-roll taxes (in connection with old-age and survivors insurance and unemployment compensation) are not collected from employers of agricultural labor, or labor engaged in packing, processing, transporting, or storing agricultural products. Thus those workers and their families are excluded from Federal old-age and survivors insurance benefits and very largely from State unemployment compensation laws. The Federal act was amended in 1939 to make these exemptions more sweeping than previously as a result of pressure brought by organized farm interests, and 6 States have written similar language into their State unemployment compensation laws. These are Alabama, Florida, Michigan, New York, Oregon, and Wisconsin.

<sup>8</sup> *Fourth Annual Report, 1939*, p. 8.

agriculture but also in other occupations, has intensified the seasonal swing of employment, demanding enormous labor forces at brief peak periods without providing a livelihood for the rest of the year.

The only constructive long-range approach to this two-edged problem lies in positive preventive measures: to minimize inequalities of opportunity as between the several parts of the country—not only in economic life but also in public services and protections; to set up such safeguards as are possible against the hazards of drought, technological change, cyclical unemployment, shifts in world market conditions, and other changing factors in our complex economy; to create new areas of economic opportunity toward which constructive migration may be directed; and to devise reasonable patterns of continuing coordinated employment among occupations where some seasonal fluctuation is unavoidable.

But there is also an immediate problem. Individuals and families whom economic pressure has made migrants soon exhaust their resources if they do not find work. And when that happens, they need assistance to survive. Need does not wait on long-term solutions. Though the search for a sounder basic adjustment is essential, public concern and provision must not lose sight of those who are already the casualties of our economic system.

The Committee suggests two lines of approach to this problem:

(1) To meet immediate emergency situations that have developed and will continue to develop, it is essential that appropriate Federal programs be financed and directed toward furnishing more effective aid to migrants.

(2) To develop continuing provision for aid to migrants, it is essential to consider assistance for this group as part of the existing State assistance programs, and to gear such aid into that already provided by the States for their residents. Federal cooperation in such assistance should be provided on a grants-in-aid basis.

Provisions for immediate aid, designed to meet emergency needs, both existing and anticipated, must be directly administered by the Federal Government in order to keep it as flexible as possible and readily adaptable to changing situations.

Existing Federal employment programs, such as the Work Projects Administration, the National

Youth Administration, and the Civilian Conservation Corps, have no legal restrictions against the employment of nonresidents. But the fact that they are inadequate to provide employment for all eligible residents in a community creates a strong inhibition against the employment of nonresidents. This is also true in a lesser degree in the Farm Security Administration.

No change in law would be necessary for either the Work Projects Administration or the Farm Security Administration to organize additional projects for migrants. It would, however, be necessary to amend the Work Projects Administration law in respect to the expenditure of Federal funds for such projects in lieu of local sponsors' contributions.

Such extension of Federal services would help materially in meeting the immediate situation in relation to migrants. But it would not meet the need of the entire group; and it does not offer a satisfactory method of continuing care.

To provide continuing aid, it seems to the Committee essential that a general relief category on a grant-in-aid basis be included in the Social Security Act. This provision should include requirements as to State and local administration similar to those now effective in other public assistance programs under the act.

The necessity for both State and Federal participation in financing a general relief program is indicated by the fact that in recent years few communities have found it possible to meet the cost of local government and to finance an adequate relief program out of the chief source of funds available to them—the property tax. In many instances the inadequacy, or the absence, of local relief may have made it necessary for individuals or families to leave their homes and become transients.

It should be clearly recognized that, since the States would retain administrative authority, they should assume administrative responsibility. Under a grant-in-aid program the only sanction by which the Federal Government can enforce State administrative responsibility is the withdrawal of the grant in case of improper and inefficient administration. To avoid the danger of such withdrawals, the Federal law should include specific requirements to be met before any grant is made; these requirements should be designed to ensure efficient, nondiscriminatory, and nonpolitical administra-

tion throughout the State and in all its government subdivisions.

In addition to these general administrative requirements, it should be required (1) that the State law and its administration be such as to prevent discrimination against nonresidents in providing general relief; and (2) that the State agency supervising the program have the authority and responsibility to grant aid directly to nonresidents, if local governments fail to do so.

Because of the inadequate general assistance that is now being given in many States, Federal grants on an equal-matching basis will lead to further disparities and anomalies among the States. These can only be overcome by placing Federal grants to the States for general relief on a variable-matching basis, so that the poorer States will receive a larger grant than the richer States.

In proposing a system of Federal grants-in-aid to the States for general relief, the Committee is not suggesting that this is a substitute for the Federal work programs. On the contrary, the Committee is in entire sympathy with these programs, and believes that the adoption of a system of Federal grants-in-aid to the States for general relief will be most helpful in making them more effective. A Federal-State general relief program is predicated not only upon the migrant problem but also upon the fact that a large proportion of the general relief population consists of families in which there are no employable persons. The provision of more adequate general relief will relieve the Federal work programs of the necessity of distorting their activities to meet the need of persons better cared for in another way; and it will enable these agencies to adjust their projects to the "employable unemployed."

As an additional means of providing for those who may be out of work even in good times, it is recommended that a thorough study be made of the possibilities of establishing cooperatives by means of which the unemployed can help to provide the essentials of life for themselves and their dependents.

In concluding, the Committee wishes to state that this report is directed toward immediate and urgently needed remedies for present conditions among migratory workers. It is not intended to be a comprehensive consideration of long-range, fundamental solutions of the problem. Such solutions lie outside the scope of the Committee's

responsibility. Instead, the Committee proposes the extension of programs already tested and proved in their value.

It proposes that government under Federal initiative and leadership—

(1) Continue to find the facts about migratory workers, to disseminate them widely, and to draw public attention to the conditions they disclose.

(2) Continue and expand its program for improving the housing of migratory workers.

(3) Regulate more adequately than at present the conditions under which migratory workers are recruited and employed, and assist them in guarding against future employment uncertainties.

The Committee proposes further that the Nation and the States, under Federal leadership, carry to migratory workers the joint efforts already being carried forward successfully in—

(1) Bettering health and medical services.

(2) Meeting the relief needs of persons unable adequately to help themselves.

(3) Improving educational facilities.

The Committee also wishes it stated that the report in no way implies that any of the proposed measures is a solution for the basic problem of unemployment. No relief, public works program, or other device for merely tiding over unemployment offers a permanent answer to this challenge. There is no substitute for full-time jobs in private industry at adequate wages.

Finally, all of the Committee's recommendations are advanced on the premise of much closer coordination and integration of the work of the several Federal and State agencies now concerned with migrants and their problems.

### Summary of Recommendations

In view of the facts set forth in this report, the Committee recommends consideration of the following suggested policies:

*Information and Public Interest.*—To promote public understanding and provide detailed information as a background for practical action, factual data from Federal and State agencies should be gathered and analyzed as rapidly as possible. A series of regional conferences of State and Federal officials should be held, and local interest and activities stimulated.

*Education and Welfare.*—Communities with large migrant groups should be aided in extending educational, recreational, and welfare services to

migrants on the same basis as those provided for residents. Federal aid for such welfare services should be contingent upon the maintenance of equitable service to both groups.

*Living Conditions and Housing.*—The Farm Security Administration's camps for migratory agricultural workers should be continued and multiplied. Permanent labor homes in greater numbers should be provided, and garden homesteads should be made available by the Federal Government, looking to the settlement of migratory farm workers on the land.

*Health and Medical Care.*—In addition to the health and medical services furnished by the Farm Security Administration as a part of its program listed in the preceding paragraph, Federal funds should be made available to the States to be used, together with State funds, in providing health and medical services—both preventive and therapeutic—for migrants. Federal aid should be conditioned upon provision for administration by a State agency and upon States meeting within 3 years specified Federal requirements covering length of residence within the State.

*Employment and Working Conditions.*—(1) Legislation should be passed empowering the Federal Government to regulate interstate labor-contractors.

(2) Interstate transportation of workers by truck should be regulated by the Interstate Commerce Commission and a cooperative enforcement program should be worked out among the Commission and other government agencies concerned.

(3) The farm placement service should be extended and strengthened as rapidly as possible in the interest of both seasonal employers and migratory workers. Federal funds for this purpose should be made available.

(4) Migratory workers should continue to have the protection of the Fair Labor Standards Act wherever it is now applicable to them. If any changes in this law are considered, they should be in the direction of extending—rather than contracting—its coverage.

(5) Children of migratory workers should be protected from employment too young, and after they reach working years they should have the same safeguards as youthful workers in full-time industrial employment. The full support of public opinion and community services is necessary to make these protections effective.

(6) The protection of the social security programs should be extended to migratory workers: in public assistance, by uniform and less restrictive standards of State residence; in the insurance programs—old-age and survivors insurance and unemployment compensation—by extension of coverage to agricultural wage earners.

*Relief for Migrants and Their Families.*—To meet immediate emergency situations, appropriate Federal programs such as the Work Projects Administration and Farm Security Administration should be financed and directed toward furnishing more effective aid to migratory workers. To provide for a continuing program of aid for this and other groups, a general relief program should be established on a Federal-State basis, Federal funds being made on a “variable-grants”

basis under administrative provisions similar to those provided in the public assistance programs under the Social Security Act and with added safeguards to prevent discrimination against migratory workers.

The suggestions are premised upon closer working relationships and better coordination among Federal and State agencies with responsibilities in the several fields involved.

In making these suggestions, the Committee recognizes that no public service or protection is a substitute for adequate job opportunities. While it believes the steps indicated are urgently needed, it urges also that continued study and effort be devoted to meeting the basic economic problems in which these and other immediate needs are rooted.