

**Training Manual**  
**Orientation and Training for Farmworker and Labor Organizations to**  
**Train Farmworkers on their Rights under the Law, their Rights under**  
**the Agricultural Justice Project Standards and on Health and Safety**

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**Developed by**

**The Farmworker Health and Safety Institute  
and  
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**NOTE FOR USING THE MANUAL:**

In general, the information that should be read or shared with participants appears like this.

*Instructions for the trainers appear like this.*

**The section titles and other notices appear like this.**

**The instructions to show a slide from the Power Point presentation appear like this.**

# INTRODTION:

## Overview of the Agricultural Justice Project (AJP)



### Objectives of this section are:

1. Introduction to the training – objectives and expectations
2. Importance and timeliness of AJP and this training
3. Introduction to the Agricultural Justice Project -
  - ☒ history
  - ☒ key players
  - ☒ goals
  - ☒ the Standards
  - ☒ pilot projects and off-shoots (i.e. DFTA)

### Methodology:

1. Presentations / Sociodramas
2. Group discussion
3. Vignette

### Materials:

1. Power Point Presentation
2. Carlos and Jesus Sociodrama
3. What's in the Salsa Sociodrama
4. Ball of string
5. Pictures of different labels

***NOTE: Prior to the training, Trainers should send all participants a copy of the AJP Standards. A letter should accompany the document explaining that everyone must read the documents, prior to coming to the training.***

***They should be sent at least 3 weeks beforehand so that the participants have time to read all the materials. Preferably, they should read all the sections of the standards. But, if this is not possible, then they should at least read the introduction to the standards, and the section about the relationship between the employer and the farmworkers.***

## **INTRODUCTION TO THE TRAINING**

### ***Introductions – Spider-web ice breaker***

#### **TRAINER:**

To learn more about each other and what we are going to be doing over the next couple of days, we are going to do an ice breaker called *the Spider-web*. Let's all form a circle. We are going to make a spider-web by passing around this ball of string from person to person (NOT the person next to you!). But, before passing the string to the next person, each person is going to say three things:

1. their name
2. their organization they represent
3. a brief explanation of what social justice in agriculture looks like/means to them

*One Trainer will facilitate the icebreaker, while the other Trainer will write down participants' responses to question #3 on butcher paper. Once everyone has introduced themselves and passed the string, Trainers will initiate a brief discussion.*

**QUESTION:** How does our vision of social justice connect us?

*Trainers can point out the similarities in the participants' different responses on the butcher paper as well as their actual physical connection of the spider-web that everyone has built together.*

## **Objectives of this training**

The Agricultural Justice Project (AJP) is a certification program intended to promote and raise the standard of living of all the people involved in the food system, from those who grow the food, to those who work processing it, those who sell the food, and ultimately those who buy

and consume the food. It is a project that envisions all people in the food chain being able to be sustained and enriched by the work they do to cultivate, harvest, process and sell food.

This training has two objectives. First, to prepare you to train the employees of the farms certified by AJP about their rights under the law, their rights under AJP, and health and safety on the farm. Second, to prepare you to serve as a general resource for those workers on AJP-certified farms. We want you to feel comfortable answering questions and concerns from the workers about their rights, and supporting them if there is a problem on the farm.

It is a requirement of the AJP standards that farmers train their workers in these areas and while they may choose to conduct this training themselves, it is likely that many farmers will not feel qualified or have the time to devote to conducting these trainings themselves. Therefore they may call upon worker organizations that are qualified to conduct this type of training for their workers.

### **Our expectations**

Why this project now?

AJP has now completed its pilot project in the Upper Midwest and is now a full certification program. Currently there are two certifiers participating (QCS and MOSA) and several farmworker organizations (CATA, Centro Campesino, FWAFF, and AWA in Canada) – with several others interested in being trained. AJP now has certified farms and businesses in Minnesota, Wisconsin, and western Canada, with others applying in Oregon, New York, and the Southeast.

In order for the project to be sustainable as it continues to expand, we need to have locally trained teams ready in different geographical locations that can be resources for training workers and fielding questions and concerns from workers on AJP-participating farms. This training will prepare you to play this role in the project.

Additionally, we need to have teams that are comprised of both organic inspectors and representatives from farmworker organizations that can work together to conduct the AJP inspections. If you participate in the inspections, another training will prepare you to play this role.

This is a critical step to expanding the AJP model at the national level. It's important that there are farmworker organizations that have been trained to interview workers for the inspection, and to serve as a resource for workers after the inspection.

The AJP certification model is the only fair trade and social justice certification system that includes a worker representative being part of the certification inspection on farms applying for AJP certification. It is important for the farmworker piece of the inspection to be done by a farmworker organization since there is a different level of trust and workers would be more likely to share information if there is a problem at the worksite with a worker organization than others. Farmworker organizations also bring to the table the experience and first hand knowledge of the challenges and needs for confidentiality that comes with exploring working conditions for farm workers.

Similarly, farmers or farmer advocates may at times be needed on AJP inspection teams to represent farmer rights and needs in the contact of relationship with buyers. At some point in time, we may do a training similar to this one for some farmers or their representatives.

### **Participants' expectations**

*Trainers:* Ask them the following questions:

- ☐ What do you hope to learn from the training?
- ☐ What would be most useful for us to cover during the next 2 days of this training?

*Trainers should write participants' responses on butcher paper and post on the wall. They can then refer back to these comments at the end of the training as part of the evaluation to see if participants' expectations were met in the training.*

### **Review of the Agenda**

*Go over the agenda with the participants and review what information will be covered during the next two days. Make any needed changes at this time.*

We have a lot to cover during the next few days and to accomplish this, it is important that everyone arrives on time for the start of the training as well as return on time after meals and breaks.

It is also important that you are present for the complete training. Each section builds upon each other and we will also be involved in some workshops with the organic certifiers during the course of our training.

*Explain about the physical location – bathroom, kitchen, smoking areas, food, drinks, etc.*

### **Ground rules - Optional**

*Take 5-10 minutes and have the participants come up with ground rules for the next two days – i.e. cell phones on vibrate/off, arrive on time, no side conversations, etc. Write on butcher paper and post on the wall.*

**To give more context: the skits**

We need three volunteers to read aloud the following story about Carlos's first day.

**Carlos' First Day**

**Narrator:**

*Today is Carlos' first day of work on an organic farm and he is very excited. He has heard that the farm doesn't use chemicals and is relieved since he has experienced firsthand the negative health effects of pesticides as well as seen his co-workers get sick. Carlos feels that this job will be different than all the others – no pesticides and he will be treated better. But Carlos was in for a big surprise.*

**Carlos:** Hello, I was told to come here and fill out my paperwork. I am going to be picking strawberries.

**Jesús:** Here are the forms. Fill them out now and then I'll show you around.

**Carlos:** *(reads over the forms before signing them).* I thought I would be paid more money than this – it isn't even minimum wage. I thought workers received health benefits on organic farms. We are expecting, and I need insurance so my wife can have prenatal care to make sure our baby is healthy.

**Jesús:** With this economy, you are lucky you have a job. Farmers can't afford to pay higher wages or health insurance. They would have to close down and move their operation to Mexico. Then you wouldn't have any work.

**Carlos:** With another baby on the way, I need this job, we need the money. What do the other workers say about all this?



**Jesús:** You better be careful about talking to the other workers. The farmer doesn't like any talk of organizing or unions. You'll be fired on your first day if you don't watch it.

Facilitate a discussion based on the following questions:

Has anyone worked on an organic farm or knows someone who has worked on one?

What was it like? Was it different than other farm operations where they use pesticides?

Would you expect it to be different? Why or why not?

After the discussion, share the following:

Whether workers are employed at organic or non-organic farms – they share similar concerns. The number one complaint for both groups is that they do not receive state minimum wage or overtime pay. In addition, the majority of farmworkers have no health benefits. In a 2006 report by the California Institute for Rural Studies, many organic growers did not want to include social standards in the United States Department of Agriculture's (USDA) certification. Many people think that organic means sustainable labor practices as well but this is not always the case with labor violations occurring on conventional farms as well as organic ones.

Many people think that if a food is organic, it also means that the farmer has respectful practices towards their workers. But that's not always true. Violations of the rights of workers occur on conventional farms and organic farms.

What is the Agricultural Justice Project or AJP for short?

What do you know about AJP?

*(Brief discussion)*

### **Introduction to the Agricultural Justice Project (AJP) – Power Point**

*Note to Trainers: use this presentation to not only to give an overview about AJP but also to elicit participation from the group by asking questions about different slides.*

**Show Slide 1: The Agricultural Justice Project**

The Agricultural Justice Project (AJP) is a non-profit initiative to create fairness and equity in our food system with the development of social justice standards for organic and sustainable agriculture.

**Show Slide 2: (summary of AJP)**

**The AJP Team consists of the following partners:**

**Show Slide 3: The Key Participants in AJP**

Comité de Apoyo a los Trabajadores Agrícolas (CATA)  
Rural Advancement Foundation International-USA (RAFI)  
Northeast Organic Farming Association (NOFA)  
Florida Organic Growers/Quality Certification Services (FOG)  
Fundación RENACE

**Show Slide 4: Structure of AJP**

Each of the groups in this unique partnership has decades of experience in grassroots change-making and community-organizing. They are leaders in the fields of sustainable agriculture policy, workers' rights, farmer's rights, community-based food systems, and organic certification.

These organizations came together in 1999, because organic certification, including the U.S. National Organic Program (NOP), did not address farmers or farmworkers – the people who make organic agriculture a real alternative to conventional agribusiness. NOP took into consideration animals but not the people who farm. This represented a big gap since social justice has historically been one of the basic principles of organic agriculture.

The immediate goal of the AJP was to create universal social standards for sustainable and organic agriculture; to codify in concrete terms what making a legitimate claim of "social justice" means. AJP partners knew that such a claim would be a powerful tool in the marketplace, and would need to be backed up by strong standards and a reliable verification system.

The farmers and food business owners who participate in AJP are unique in that they have a different mentality – they are **voluntarily** complying with the AJP Standards which are stricter than the law. In addition, they are all either organic farmers or farmers who follow strict Integrated Pest Management practices with reduced use of toxins. While it is not a prerequisite to be organic to participate in AJP, so far all participating farms are organic – if non-organic farms apply in the future, they must have strict protections in place for workers and a plan for reducing the use of any potential toxins.

**AJP has the intention of creating a new mindset among those who work in agriculture.**

Instead of conflictive relations between workers and the boss, on the farms that participate in the project, it is hoped that there develops a relationship of collaboration – in other words, that the workers have a voice in decisions made in their workplace, and therefore feel more connection and pride in their work. At the same time, it is hoped that the farmer has respect for their workers, given his/her voluntary participation in the project. We want to facilitate the participation of the workers in the process of making decisions on the farm and of creating positive relationships between the workers and their boss, while at the same time recognizing that workers must be empowered to protect their rights.

**Connection between AJP and this training**

To ensure that the AJP Standards are being implemented, a third party verification system is used. There are three main steps to verifying compliance with AJP standards.

1. The farm applies for certification. The AJP trained and approved certifier conducts an initial assessment of an operations' compliance by reviewing the AJP application and supporting documentation.
2. The certifier convenes an inspection team to visit the applicant's farm. The inspection team may consist of organic inspectors, worker representatives, farmer advocates and others. The inspection team verifies compliance with the standards through a series of interviews with farmers, workers, buyers of farm produce, and administrative staff during the AJP inspection.
3. Information gathered from all the inspection interviews and on-site observations and records review is reviewed by a qualified AJP approved certifier and then a decision is made whether to grant the farm AJP certification.

Some of you may be trained separately at a later date to participate in the inspections of farms.

Once farms are certified, all the workers on those farms will be trained in their rights under the pertinent Federal and State Laws, as well as under AJP. The purpose of this training is to prepare you all to facilitate those trainings.

**QUESTION:**

Do you think the time is right for the AJP?

What are some of the reasons why you think either: the time is right/the time is not right?

*(brief discussion)*

During the last ten years, we have seen more industrialized, globalized, large-scale, organic agriculture, which makes it more difficult for smaller organic farmers to compete. The AJP is a way for farmers to further differentiate their product while promoting fairness for all those

involved in producing food. The AJP is an alternative model that could demonstrate to farmers that they can do the right thing by practicing just working conditions for workers and fair negotiations with buyers and still have a successful business.

Given this, we feel that the time is right for the AJP.

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**TRAINER:**

We need three volunteers to come up and tell the story:

**What's in this salsa?**



**Narrator:** Two women are in the supermarket in the salsa aisle. They are both looking at all the different kinds of salsa and seem confused by all the choices they have in brands and flavors.

**Lupe:** (*picking up a jar of salsa and looks at the label*) I always thought salsa was mostly tomatoes and chile peppers. Look how long this list is of things inside this bottle and I can even say them. Chilepolyoxymono.....huh?

**Maria:** (*picks up another brand of salsa and begins to read the ingredients*) organic tomatoes, organic onions, organic garlic, organic cilantro, organic tomatillos and sea salt. What's this? It's a label that says it is a domestic fair trade product. What does that mean? I've seen the fair trade coffee, but I can't afford to buy it.

**Lupe:** I saw on the local news a piece on domestic fair trade and found it very interesting. They explained that it promotes fairness, equity and sustainability that support family farming, just conditions for farm workers, and farming organically, without the use of pesticides. This jar is a bit more expensive than the salsa I was looking at, but it is made without pesticides and both the farmers and farmworkers are supposed to benefit. We know what it is like picking and being stooped over in the fields and planes coming by and spraying on us.

**Maria:** But how do I know that it really is made with organic ingredients and that people working on the farm are going to get most of the money and not this supermarket? Also, I don't have time to stand around here reading all these labels. I have to get home and cook, clean, and then go to work tonight.

**Jessica:** I don't mean to eavesdrop ladies, but I couldn't help overhearing your conversation. I work on the farm that supplies the produce for this salsa. And with this particular label – AJP which means the Agricultural Justice Project, they are pretty strict. They come to our farm and interview us all including the workers to make sure that we are complying with their standards. So while all labels may not truly mean it is fairly traded, this AJP label really means what it says.

**Lupe and Maria:** Thanks Jessica. I guess we will give this salsa a try, but we would like more information about this AJP.

**TRAINER:**

There are different kinds of labels on the market saying different things. But not all labels truly reflect what they claim to do. That's why it is important to have a set of Standards, which is a formal document that establishes certain requirements or practices that have to be present and that backs up a label's claim. If a farm or company for example, complies with a set of established Standards, that need to be verified, then that operation would be certified and a label put on its product.

*(Trainer: take out the photos of different labels.)*

Here are some different product labels. Let's look at the labels on each one and talk about what they mean.

What is the difference between a label that says natural vs. organic?

It is important not only to look at the label, but also the company behind the label. Some companies have a better reputation and integrity than others. For example, Equal Exchange tries to buy more from campesino cooperatives.

A product can't have a label that says "organic" unless it has the stamp from the U.S. Department of Agriculture (USDA). This stamp doesn't include standards about treatment of workers.

The AJP label DOES include such standards. We are very strict so that critics are not able to say that the label doesn't reflect the true practices on the farm.



<http://www.fairtrade.net/>



<http://www.transfairusa.org/>





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# Chapter 2:

## Farmworkers Rights under Federal and State Laws



### **Objectives of this Chapter are:**

1. Review what farmworkers' rights are under federal and state laws
2. Review the agencies responsible for enforcing the laws.

### **Methods Used in this Chapter:**

1. Game based on Participants' Previous Knowledge
2. Presentations
3. Group discussion

### **Materials Used in this Chapter:**

1. Jeopardy Game Cards with Questions/Answers



In this section trainers will use a Jeopardy Style game to review with participants their prior knowledge of the legal rights of Farmworkers under Federal and State Laws.

The participants should divide into two teams. The Jeopardy Game can be set up on a Blackboard or wall in the front of the room, with a large paper on each side marked with each team's name. As each team chooses a question to answer and answers, if they get it correct, it should be placed on their paper indicating the number of points they have won.

The trainer should ensure to mention any extra information not covered by the participants' answer, which law it refers to, and who is the enforcement agency. At the end of this section there is an addendum with all of the questions used in the game and the answers.

At the end of the game, the trainers should review any questions / doubts that arise during the game.

- Which questions were and were not familiar to you?
- What types of situations have you encountered in the past where employers violated the rights of their Farmworkers? How did you respond?
- What parts of federal or state laws do you think need to be changed?

## **Farmworker Law Jeopardy!! (Federal and Florida State)**

### **Wages, Hours, and Benefits**

1. What is the minimum wage for Florida farmworkers on farms employing seven or more full-time employees per quarter?
  - a. \$7.25 (federal law covering all farmworkers nationally)
2. What is the minimum wage for Florida farmworkers on small farms (employing approximately 6 or fewer full-time employees per quarter)?
  - a. In Florida - \$7.25 (state law – this varies by state)
3. What are the overtime pay requirements for Florida farmworkers?
  - a. There are none (some states like NC do have overtime pay requirements for farmworkers).
4. Are Florida farmers required to pay into unemployment insurance for their employees?
  - a. No. (This law changes state by state.)
5. Which Florida farmworkers are entitled to workers' comp?
  - a. Workers on farms with 6 or more regular employees per year, or 13 or more seasonal employees per year

### **Pesticides and Field Sanitation**

1. Who is responsible for providing transportation to the hospital/clinic if a worker gets sick because of pesticides?
  - a. The employer
2. How long must workers wait before entering an area where pesticides have been sprayed?
  - a. Depends on the pesticide – whatever the re-entry interval for that chemical is, as listed on the label (4-48 hours)

3. What are the requirements for bathroom facilities for farmworkers under federal law?
  - a. Bathrooms and hand washing units (with soap, running water, paper towels), 1 for every 20 workers, no more than ¼ mile from the work area
4. What are some of the chemicals approved for use on organic farms that are toxic and require workers to take safety precautions?
  - a. Copper, sulfur, rotenone
5. Which workers are protected by the federal laws about field sanitation (drinking water, bathroom facilities, and hand-washing)?
  - a. Workers on farms of 11 employees or more – enforced by OSHA. Most states have equivalent laws protecting workers on smaller farms. May have to refer to different agencies (federal or state) depending on size of the farm.

## **Housing and Transportation**

1. Who must employers register with in Florida before providing housing to workers?
  - a. Department of Business and Professional Regulation (DBPR) (varies by state)
2. What are some of the requirements for safe housing for farmworkers under Florida state law?
  - a. Weather-tight and protect from the elements; heat to at least 68 degrees Fahrenheit; sanitary drinking and washing water; 50 sq feet per person for living space only; 100 sq ft per person for cooking, living, and sleeping; measures taken to prevent pest infestations; facilities for sanitary disposal of waste; etc.
3. If the employer provides transportation, what are the requirements?
  - a. Vehicles must be insured and meet basic federal safety standards
4. Where can farmworkers file a housing-related complaint in the state of Florida?
  - a. County health department or Bureau of Community Environmental Health
5. Which farmworkers are not covered by **federal** protections relating to housing and transportation standards for farmworkers?

- a. Workers on smaller farms, those employing 6 or fewer employees per calendar quarter. However, many states also have laws protecting workers on smaller farms.

## Right to Organize

1. Under federal law, do farmworkers have the right to organize at work? (to engage in collective bargaining, join a union, etc.)
  - a. No. There also are no protections for workers who are retaliated against for organizing at work.
2. Under Florida state law, do farmworkers have the right to organize at work?
  - a. Yes. The federal law that provides for a worker's protected right to organize (the National Labor Relations Act) excludes farmworkers. However, some states have laws to protect a farmworker's right to organize. In Florida, under the law, farmworkers have the right to 1. organize, be a member of, or not be a member of a union or other labor organization, and 2. to engage in collective bargaining. It is illegal for an employer to retaliate against an employee who reports or refuses to participate in an employer action that violates the law.
3. Under Florida state law, do undocumented workers have the **protected** right to organize? (in other words, if someone who doesn't have papers is retaliated against for organizing activity at work, and they bring their case to court, are there laws in place that enable them to win this case?)
  - a. Not directly. (The law doesn't specifically exclude undocumented workers, but it doesn't specifically include them either. So a workers' ability to win in a case of discrimination for organizing activity depends on the specifics of the case.)
4. Do H-2A workers have a legally protected right to organize?
  - a. No.
5. Florida is a "right to work" state. What does that mean?
  - a. "Closed shops" are prohibited – in other words, employees of a unionized workplace are not required to join the union. In other states, all employees of a unionized workplace automatically become union members on hiring.

## Grab Bag

1. What are employers required to provide to farmworkers with their paycheck?
  - a. Federal law: paystub with total earnings, deductions, reason for deductions, net pay. In Fla: hours worked must also be included on paystub. This is true whether paid in cash or by check.
2. If a farmer uses a farm labor contractor, who is responsible for guaranteeing workers the correct wages and all rights under the law?
  - a. The farm labor contractor AND the farmer
3. In Florida, who must farm labor contractors register with?
  - a. The Department of Business and Professional Regulation (DBPR). They must participate in a training on the rights of farmworkers under the law. (Note: at the federal level they must register with the Department of Labor.)
4. Who is responsible for enforcing minimum wage law?
  - a. Florida: Department of Business and Professional Regulation (DBPR)
5. How are the wages of H2-A workers determined?
  - a. They are the highest of the following: state minimum wage, federal minimum wage, prevailing wage (for particular crop, determined by DOL), and “adverse effect wage rate.” Often, this can be higher than the minimum wage earned by most farmworkers.

# Chapter 3:

## The AJP Standards



### Objectives of this Chapter are:

1. Review use of standards, certification programs, labels
2. Give an overview of the AJP Standards
3. Review in detail the farmworker section of the Standards

### Methods Used in this Chapter:

1. Presentations
2. Group discussion
3. Sociodrama

### Materials Used in this Chapter:

1. Farmworker Rights Pamphlet
2. Cards for Comparison Activity / Chart
3. Chart in hand-out form
4. Scenarios for Group Discussion

## **QUESTIONS**

How many people read the AJP Standards?

*Good to get a sense and see how to tailor the presentation (did people read, not read?)*

What are the AJP Standards?

Have you heard about Standards in other programs?

## **Overview of the AJP Standards**

### **1. Background**

**Show Slides 5-6: Creation of the Standards, and AJP Standards Document**

The Agricultural Justice Project's Standards were developed over four years of stakeholder input—involving farmers, farmworkers, and indigenous, retail, and consumer groups—and are an attempt to put into concrete terms what making a legitimate claim of "social justice" in organic and sustainable agriculture means.

El Comité de Apoyo a los Trabajadores Agrícolas (CATA), played a key role in the development of the worker section of the AJP Standards. Through a series of forums and meetings, CATA received input directly from the farmworker community on what to include in the Standards. In addition, other farmworker organizations who expressed interest in the project were invited to provide their feedback on the Standards.

Farmworker membership from CATA, UFW, FWAf, Centro Campesino, Agricultural Workers' Association, Community to Community, and UITA (an International farmworkers' union) provided input on the original document and subsequent drafts.

### **2. Actual Standards**

*Ask:*

What are some of the key issues addressed in the Standards?

The AJP Standards address:

**Show Slide 7 – 8: The AJP Standards Cover...**

**Trainer:**

We will go into more detail during this chapter on different points. Additionally, the Standards require participation in a conflict resolution process that is outlined by the AJP partnership.

As you can see, the AJP Standards are inclusive and include sections on:

- Section 1: Food Business Responsibilities to Farmers
- Section 2: Farmer Responsibilities to Buyers
- Section 3: Farmer Responsibilities to Farm Employees and Interns
- Section 4: Food Business Responsibilities to Employees
- Section 5: Grower Group Responsibilities

In addition, there is a section on Indigenous peoples' rights under development.

It is critical to have farmworkers' rights included in the AJP Standards. Farmworkers are not afforded the same basic rights that workers have in other industries in terms of collective bargaining and health and safety (agricultural exemptions) under the law.

Including workers rights is critical to the AJP standards, but the laws often provide less protection to farmworkers compared to other food business workers. This means there are variations in farmworker rights from food business worker rights in the standards to provide adequate protection for farmworkers.

While in this training we are focused on the Workers' rights protected under the Standards, we want you to be aware and understand that additionally the standards cover the rights of many others involved in the food system, including the farmers' rights to negotiate and receive fair prices, to organize with other farmers etc and buyers' rights to fair prices.

**3. Standards Revision**

**Show Slide 9: Standards Revision Process**

The AJP Standards will be continually reviewed and improved and the AJP team will update the Standards every five years. In August 2010 AJP completed a standards revision based on public input and based on lessons learned from pilot projects in the upper Midwest over the past four years. The goal of this process was not only to update the standards, but also to create a mechanism by which these standards may be revised in the future. Through this process of revision and development we created a fully operational program prepared for the



marketplace. To accomplish this, the AJP has put together a Standards Committee, consisting of representatives of membership organizations selected through a participatory process. This committee oversees the revisions to the standards, and thereby ensures that the Agricultural Justice Project continues to promote *social* justice in agriculture for years to come.

#### 4. Farmworker Labor Guidelines of the AJP Standards

Below are key aspects of farmworkers' rights explained in the AJP Standards:

##### Show Slide 10: Areas of Farmworker Rights Covered by the AJP Standards

- ☀ Freedom of association and right to collective bargaining
- ☀ Fair conflict resolution/grievance process
- ☀ Living wages
- ☀ Safe and adequate housing (if provided)
- ☀ Health and safety protections
- ☀ Training for farmworkers and interns
- ☀ Clear farm policies

The Farmworker piece of the AJP Standards was developed utilizing the following documents:

- International Federation of Organic Agriculture Movements (IFOAM) Social Justice Principles
- International Labor Organization (ILO) Conventions
- Social Accountable SA8000 standards
- Negotiated contracts of the Kaolin Workers Union
- Guidelines of the Food Alliance
- Eco-OK standards

#### QUESTION:

What is freedom of association?

What is collective bargaining?

## Freedom of association and right to collective bargaining

In some states such as California all farmworkers have the right to freedom of association, but in most of the United States this is not true.

***As part of the AJP, the employer has promised to respect farmworkers' rights to organize. If a worker is fired for organizing activities, this would be in direct violation of the AJP Standards. (In addition, the Standards protect the right of farmers to organize as well, in order to ensure that their rights and well being are respected as well!)***

### Show Slide 11: Freedom of Association and the Right to Collective Bargaining

This means that if they choose workers can:

- Negotiate as a group with the employer over wages or other terms of employment.
- Elect one or more workers as a representative to communicate with the employer about work-related issues.
- Speak with representatives of unions or other organizations whenever farmworkers wish, as long as it is not during work hours.
- Choose to form or join a union, if a majority of workers want to

## Fair conflict resolution/grievance process

Under AJP standards, the employer will respect all the workers' rights described in the AJP Standards. If a worker feels that the employer is not complying with any of these provisions, or has been fired, suspended, or disciplined by the employer unfairly, there is a Conflict Resolution Process (sometimes called a Grievance Process) that the worker can follow to resolve the disagreement.

The AJP standards require that employers (for example, farmers) have a stated conflict resolution process that is known to workers and that workers may use if they have a complaint or a disagreement or dispute. The employer is free to develop the specifics of their own company/farm conflict resolution process. The only guidance that AJP gives is that it is fair, clearly stated in written policies and communicated to workers, and that workers be allowed to have a representative of their choice present during the process if they wish.

In addition, the Agricultural Justice Project has an appeals process and a conflict resolution process that are described in the AJP Policy Manual. Although AJP encourages disputes and complaints to be settled at the most local level possible (in other words, between the parties with the disagreement if possible or with assistance from management when appropriate), AJP recognizes the need to have another tier of appeal and conflict resolution should it not be possible to resolve the issue on the farm. Another requirement of the standards is, therefore,

that farms who apply agree to participate in the AJP conflict resolution process if so desired by their workers or other participants in the AJP certification program.

The AJP conflict resolution process involves the following steps:

**Show Slide 12: Fair Conflict Resolution Procedure**

1. Attempt to negotiate / address the issue directly with the employer. Under AJP the employer has agreed to address complaints openly and fairly.
2. If this fails, the worker should contact the AJP worker organization they have contact information for, or alternately they can contact CATA - this will then be passed onto the AJP steering committee. (So for instance FWAF should inform CATA if they receive a complaint like this.)
3. Where the service is available, affordable and practical, the AJP steering committee may recommend that both parties engage in a mediation process in their region.
4. If this is not available, or if this also fails to bring a resolution to the conflict, a committee of the AJP Advisory Council will be established to investigate the issue and reach a recommendation.
5. If this also fails to bring a resolution agreeable to both parties, the final step will be to an independent ombudsperson designated by AJP for that purpose.

Some important notes:

- for an especially urgent matter, AJP can address the issue more quickly.
- this is the same right that a farmer would have, for example, if they had a conflict with a buyer.
- no one relinquishes his/her legal rights by participating in this process.

## **Living wages and benefits**

Ask:

What is a living wage?

As part of the AJP, the employer has promised to pay workers a living wage.

**Show Slide 13: Living Wage**

A **living wage** is not a specific pay scale – it means a salary high enough to cover all living expenses, such as housing, food, healthcare, the needs of your family, and a small amount for savings. The Standards do not define a specific pay scale for workers because it is different for each place which may have different standards of living according to the geographic area. For

example, workers may be provided additional benefits such as free housing. In this case, workers' wages could be less than workers who have to pay rent.

In some cases an employer may directly provide some of these things, such as housing or health insurance.

If the employer is not able to pay a high enough salary to cover all these expenses, workers have a right to know the financial status of the farm, how much profit it is making and how much the costs of operating are, for example. The employer has also promised to increase workers' wages as the farm makes more money in the future. For example, in today's economy even "good" farmers can't pay a high wage and provide housing and insurance for their workers.

In this case, they need to give a rationale for the pay scale and have a concrete plan to increase their employees' salaries and benefits over time as their business does better.

The employer will also provide workers the following benefits:

**Show Slide 14: Other Benefits under the AJP Standards**

- One day off per week. Working a seventh day, or more than 48 hours per week on average, is voluntary.
- Farmworkers will negotiate with their employer an overtime policy for all hours worked over 48 per week on average.
- They also will negotiate a seniority policy.
- Right to return to this farm for work next season or to take an unpaid leave of absence if there is a family emergency.
- Unemployment, Workers' Compensation, and Disability Insurance.
- It is recommended that the employer provide Social Security, or another means of saving for retirement (this can be part of the employer's "continuing improvement")
- Sick leave (unpaid at least)
- Maternity/paternity leave (unpaid at least)

In summary, firing a worker for organizing (and more generally firing without just cause) is a deal breaker and in violation of the AJP Standards, that can get an employer kicked out of the program. But, pay scale is a gray area in which the farmworker interviewers need to see the reasons and intent behind workers' pay scale. As interviewers, it is important to look at each farm individually and to find out the intentions behind specific actions.

Another example includes workers' access to a bathroom. In the AJP Standards, there are no exceptions – all workers have this right. But under the law, there are various exemptions for employers to provide bathroom facilities based upon the number of workers and the number of hours worked. Under new AJP Standards, if the farm can not provide bathrooms in the work area, then they must provide transportation to workers needing to use bathroom facilities (this time shall be considered working time and must be paid).

## Housing Rights

*If the employer provides housing, then workers have the following rights:*

**Show Slide 15: Housing Rights**

- All housing should be safe and in good condition (includes the following: “weather proof, solid, spacious enough to comfortably accommodate number of people living in it (including adequate space for socializing during non-work hours), have lighting, electricity, potable water, toilets, and cooking facilities (unless all meals are provided by employer), and be maintained at a comfortable temperature (60-80 degrees Fahrenheit, unless otherwise preferred by tenants.”)
- Workers have the right to have friends, family, representatives of worker organizations, and health care providers visit as long as the visits do not disturb others living there.
- A right to privacy – the employer has the right to enter the housing to inspect or make repairs but should give workers advance notice whenever possible.
- If the employer charges rent, it should be a fair amount based on workers’ wages and the housing.

## Health and Safety

### Show Slide 16

Even organic farms can be hazardous. ***The employer has agreed to do everything possible to prevent accidents or exposure to dangerous substances while employees are working,*** and to always use the least toxic alternatives available and/or continually decrease the use of toxic materials.

- Workers have the right to know about anything potentially toxic that is used or stored on the farm, including receiving a copy of the Material Data Safety Sheets.
- Any worker using potentially hazardous equipment or a potentially toxic substance must be adequately trained and given the necessary safety equipment.
- The employer will allow workers regular breaks throughout the workday, and constant access to clean drinking water and sanitary facilities.
- The employer has agreed to discuss all health and safety issues with workers on a regular basis. On larger farms (10 or more employees), it is required to have a Health and Safety Committee of workers that meets regularly with Management.
- The employer will create a buffer zone between workers and hazardous substances applied anywhere on the farm.
- In the case of injury, the employer will provide or facilitate transportation to care, and through workers' compensation insurance or other arrangement will cover costs of medical care for work-related injuries. Workers will have the opportunity to submit doctors to lists of qualified doctors for workers' compensation purposes.

**Workers are also afforded the following rights under the AJP Standards:**

### Respectful Treatment

### Show Slide 17: Respectful Treatment

***The employer has promised to treat all employees with dignity and respect.***

There will be no discrimination in the workplace based on race, creed, color, national or ethnic origin, nationality, gender, gender identity, age, handicap or disability (including HIV status), union or political activity, immigration status, citizenship status, marital status, or sexual orientation.

With regards to immigration status, all workers, whether they have papers or not, have the same rights under the AJP Standards. An employer cannot discriminate against an employee in terms of treatment, working conditions, pay, etc., based on perceived or actual status. Some people have criticized this position by the AJP Team.

### **Right to Full Disclosure**

**Show Slide 18: Right to Complete Information**

Under AJP standards workers have a right to the following in a language that they understand:

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- A copy of all workplace policies and terms of employment. This should include the following:
  - wages and method of payment,
  - location and type of work (job description),
  - hours of work and overtime requirements and rates,
  - access to trade unions, complaints procedure, conflict resolution procedure,
  - health and safety procedures,
  - holiday pay, sick pay or sickness benefit or leave, compensation for injury (e.g. worker's compensation),
  - worker's right to terminate the employment,
  - worker's right to recover wages in cases of farm bankruptcy and the right to make public the nature of any dispute if they so choose with the exception of disclosure of confidential or proprietary information, and
  - layoff and recall policies and criteria, and
  - other benefits such as pensions, maternity/paternity leave,
- A full understanding of the employer's discipline procedure *before* any problems occur
- A copy of the AJP standards and related documents
- Full access to their complete employee file
- Information on the financial status of the farm, if the farmer is unable to pay a living wage at the time,
- Information on any potentially toxic substances stored or used on the farm.
- Pay stubs with details of deduction, hours, and rates, and
- A stated conflict resolution process.

*There will also be an oral presentation given to all workers explaining their legal rights in general as well as their rights under AJP. They will also be given the opportunity to ask questions at this time to ensure that they fully understand their rights.*

## **Direct Hiring**

**Show Slide 19: Direct Hiring**

The employer has agreed to avoid use of contract labor. The employer is only allowed to use a contractor in extreme circumstances: they cannot find employees in any other way (this must include trying to recruit employees through a farmworker organization like FWAFF or Centro Campesino, which must be documented), or there is an emergency like a severe storm - and in that case only for the duration of the emergency. If one of these situations occurs and the farmer hires through a contractor, the farmer retains responsibility for making sure all workers' rights standards are still upheld.



*Hand out the AJP pamphlet “Workers’ Rights”*

**TRAINER:**

We have a pamphlet called “Farmworker Rights” that you will hand out to workers during the worker inspection interview. It is in both Spanish and in English and it briefly explains the AJP Standards.

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**Trainer:**

In this section on AJP Standards and the previous section identifying farmworker rights under federal and state laws, a lot of information has been presented. In order to provide the participants in the training with an opportunity to integrate all the information provided, we are including two activities. The first is to help participants distinguish between rights under the law and rights under AJP. The second will be a discussion oriented activity in groups to allow participants to work through scenarios as they could possibly play out during the project.

## **Comparison Activity**

*The purpose of this activity is for the participants to have the opportunity to better understand the differences between what the law says about their rights, and what the AJP standards say. In other words, for the participants to see that the standards go beyond the existing laws.*

*To do the activity – show the indicated slide from the powerpoint presentation. Ask that someone read it aloud, if possible.*

*Then, ask the following questions:*

- What do the standards say about this topic?
- What are the differences between the laws and the standards in this area?
- What additional protections are there under the AJP standards?

*(All of the questions are getting at the same idea – you can use the questions that work best with this group.)*

*After they share what they are able to about the content of the standards, show the next slide of the power point presentation, which has the information about the relevant standards.*

**Show Slide 20:  
Right to organize**

*Ask that someone read it aloud.*

**Trainer:**

- What do the standards say about this topic?
- What are the differences between the laws and the standards in this area?
- What additional protections are there under the AJP standards?

*(All of the questions are getting at the same idea – you can use the questions that work best with this group.)*

**Show Slide 21:  
Right to organize**

*Ask that someone read it aloud.*

*Note together that the standards offer a higher level of protection for workers.*

**Show Slide 22:  
Wages**

*Ask that someone read it aloud.*

**Trainer:**

- What do the standards say about this topic?
- What are the differences between the laws and the standards in this area?
- What additional protections are there under the AJP standards?

*(All of the questions are getting at the same idea – you can use the questions that work best with this group.)*

**Show Slide 23:  
Wages**

*Ask that someone read it aloud.*

*Note together that the standards offer a higher level of protection for workers.*

**Show Slide 24:  
Seniority Policy**

*Ask that someone read it aloud*

**Trainer:**

- What do the standards say about this topic?
- What are the differences between the laws and the standards in this area?
- What additional protections are there under the AJP standards?

*(All of the questions are getting at the same idea – you can use the questions that work best with this group.)*

**Show Slide 25:  
Seniority Policy**

*Ask that someone read it aloud.*

*Note together that the standards offer a higher level of protection for workers.*

***ET CETERA. NOW CONTINUE THE SAME PROCESS WITH ALL OF THE  
REMAINING SLIDES UNTIL THE END – SLIDE #39.***

## Discussion of Scenarios in Small Groups

In this second activity to enable participants' integration of the information presented thus far in the training, the participants should break up into 3 groups. Each group should be given a written scenario that provides a situation that presents a number of issues that come up at a participating farm. The training participants should read the scenario together and discuss the following questions. After 30 minutes, each group will present their scenario and discussion to the entire group.

### Trainer:

As a resource for farmworkers and other workers in AJP farms and businesses, your organization may receive calls for assistance or guidance regarding a situation at the farm or business.

- What problems can you identify in this scenario?
- Do these problems represent violations of federal law, state law, or AJP standards?
- How would you work with the Farmworkers on this farm to seek resolution of the problems identified? What other agencies, people, or bodies might become involved?

*(These questions can be written on the blackboard)*

### Scenarios:

1. You are contacted by 5 workers on a farm participating in AJP. The workers had been living in a small house on the farmer's property, but recently there were heavy rains and the roof had a major leaking problem. The farmer moved them out of the house and into a trailer in a nearby trailer park. It is only a small two bedroom trailer and one person is sleeping on the sofa. The farmer is paying the rent temporarily, but hasn't yet been able to make the repairs on their house, and isn't sure when he is going to be able to do the work. They feel frustrated because it is very cramped. The kitchen is much smaller than in their old house. In addition, now that they aren't living on the farmer's property, they are farther away. Usually they get picked up, but sometimes they have to walk which takes them 30-40 minutes.
2. You are contacted by Pedro. Pedro is a worker on a farm that is participating in the AJP program for the first time this year. He has been working there for 10 years. There are 3 total workers on the farm. The others have worked there considerably less time than Pedro (only 2-3 years). This year, as part of joining AJP, the farmer raised wages for all the workers. Now, all of the workers are earning \$10.00/hour. Pedro is upset because before this year, he earned more than the other two workers (they earned \$8.00/hour and he earned \$9.00/hour). He wants to talk to the farmer about it, but is unsure how.

3. You are contacted by several workers on an AJP-participating farm. They are concerned about how hot it has been recently, and would like the farmer to create a policy whereby no one is allowed to work when the temperature is over a certain temperature (maybe 98 degrees Fahrenheit), and they are compensated 25% of their normal wages for the hours out of work. They brought this issue up in the last health and safety committee meeting, and the farmer said that it's too expensive and instead she can give them an optional two-hour lunch break. The workers don't think this is enough because it still means people are working during the heat, even if they have more rest in the middle of the day.

**For the trainer – key points for the discussion:**

***You don't have to read these points directly, but they help to form a guide for the discussion.***

**Scenario #1**

- Under the law and under the AJP standards, if the employer provides housing and transportation for the workers, they have to have insurance and be of good quality, with sufficient space for all the workers.
- Here, we don't know if the workers have talked with their boss about the situation, but this would be the first step, to better understand why there are problems with the repairs to the house.
- The workers may be able to help develop solutions to the problem. For example, the boss could pay them for making the repairs to the house (instead of doing the regular farmwork).
- If the discussions do not resolve the problem, they can ask for support from FWAF or another farmworker organization.
- Under AJP, they have the right to ask the farmer for the farm's financial information if he tells them that he can't make the repairs because of the cost.
- Of course, under the law, the workers also have the right to ask for an inspection by the state and ask for their intervention.

**Escenario #2**

- Under AJP, the workers have the right to negotiate a seniority policy with their employer, and the employer has to communicate and implement this policy. So, although it appears that the employer is complying with the standards in terms of

providing a living wage, he or she is not complying with the seniority policy. The workers have the right to negotiate such a policy with him/her.

- Although we don't have all the details here, it seems that Pedro may be ashamed for wanting to earn more than the other workers.
- One way of resolving this situation would be for him to talk to the others first, to see what they think about the possibility of having a seniority policy so that those with more time working on the farm earn more. They might agree that such a policy should exist – because it will benefit them in the future. Or maybe they have another perspective. Hopefully through discussions, the workers could arrive at an agreement or a proposal to bring to their employer.
- Pedro can also speak directly with the employer without talking to the others. We don't know how this would affect his relationship with them and with the employer – it depends on the situation.
- As always, he can contact FWA and/or have access to the conflict resolution procedure if necessary.
- Overall, this situation demonstrates the process of dialogue about problems on the farm. AJP has as a goal promoting this kind of dialogue in order to create more open relations amongst the workers, and between the workers and the employer.

### **Escenario #3**

- In general, under AJP, the employer has committed to providing a safe and secure workplace. So, even though there isn't a specific requirement regarding the heat under the AJP standards, she does have a responsibility to develop a solution so that they don't have to work in dangerous temperatures.
- It's important to note that in this situation, the workers and the employer are talking about and negotiating specific proposals. This probably means that the workers have organized to develop a collective proposal, before talking to their boss – an important step.
- Under AJP, they can ask for financial information from the farmer if she tells them that she can't provide a break with partial pay because of the cost.
- In this situation, the workers may have to develop another proposal which takes into account both their safety needs and the economic limitations of the boss (can she provide shade umbrellas and more water? Or short, more frequent breaks during the day? Can she change the work schedule so that they start

earlier? Can they find out what are the practices of other farms in the area in order to be better informed about the options? Etc)

- If it can't be resolved this way, then they can also ask for the intervention of FWAF or AJP.
- Of course, under the law, the workers also have the right to ask the state to do an inspection and intervene.

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# Chapter 4:

## Train the Trainer: Farmworker Workshop on Labor Rights and AJP

### Training the Trainers



### Objectives of this Chapter are:

1. Demonstrate a 2-3 hour training that can be done with Farmworkers on participating farms to educate them on their rights under the law and under AJP
2. Prepare Participants to facilitate this workshop with Farmworkers on participating farms.

### Methods Used in this Chapter:

1. Presentations
2. Small Group Practice
3. Participant Demonstration with Group Feedback

### Materials Used in this Chapter:

1. Farmworker Rights Pamphlet
2. Binders with Train the Trainer manual
3. Sheets for Group Feedback

*Trainers will start this section by running through a demonstration of the workshop module developed by be done with Farmworkers on the participating farms.*

*Following the demonstration, a brief discussion can be held:*

- What do you think of this workshop?
- Does it accomplish the goal of educating workers on their rights under the law and under the AJP program?
- Do you think it provides workers the opportunity to see: to judge: and to act – using the popular education methodology?
- Do you think we should make any adjustments to the workshop before practicing it?

*After this discussion, the group should break up into 5 small groups. Each small group will be assigned two of the five sections of the training to practice, and they will eventually present one of the two sections they were assigned. They should be given an adequate amount of time to practice, then the groups will present the training. Between each section of the training, there will be a time to evaluate each presentation.*

# Farmworker Workshop on Labor Rights and AJP



- Section 1: Introduction (10)
- Section 2: Wages, Hours, and Benefits (20)
- Section 3: Housing and Transportation (15)
- Section 4: Right to Organize! (20)
- Section 5: Conflict Resolution Procedure (15)
- Section 6: Health and Safety on Your Farm (40)
- Section 7: Jeopardy! (20)
- Section 8: Conclusion (5)

*Note for the trainer:*

*In general, this manual functions as **a guide**. It's important to share the information in **each** section so that the participants understand their rights. However, you should feel free to make changes as you see fit, based on your experience as a trainer, with this and other trainings.*

**NOTE FOR USING THE MANUAL:**

In general, the information that should be read or shared with participants appears like this.

*Instructions for the trainers appear like this.*

**The section titles and other notices appear like this.**

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## Section 1: Introduction



### Objectives:

1. Participants will understand the reasons for participation in the AJP project, the objectives of this training, and the role of FWAF

### Methods

1. Sociodrama
2. Discussion and presentation

### Materials:

1. Sociodrama
2. Lámina with table of contents for the training
3. AJP Pamphlet “Workers’ Rights”
4. General AJP Pamphlet

*Facilitators should introduce themselves and ask participants to do so as well. (Make sure to include that you are from the Farmworker Association of Florida which is a farmworker support organization with five offices throughout Florida.)*

**TRAINER:**

We are here because your employer has decided to participate in the Agricultural Justice Project, or AJP. AJP is a program where farms promise to treat their workers properly and use the minimal amount of toxic substances possible. This way, people who buy the food know that it was produced under conditions that are good for them, good for workers, and good for the environment.

To continue understanding what AJP is, ask for three volunteers who are able to read to read aloud the following scenario:

**Carlos' First Day**

**Narrator:**

*Today is Carlos' first day of work on an organic farm and he is very excited. He has heard that the farm doesn't use chemicals and is relieved since he has experienced firsthand the negative health effects of pesticides as well as seen his co-workers get sick. Carlos feels that this job will be different than all the others – no pesticides and he will be treated better. But Carlos was in for a big surprise.*

**Carlos:** Hello, I was told to come here and fill out my paperwork. I am going to be picking strawberries.

**Jesús:** Here are the forms. Fill them out now and then I'll show you around.

**Carlos:** *(reads over the forms before signing them).* I thought I would be paid more money than this – it isn't even minimum wage. I thought workers received health benefits on organic farms. We are expecting, and I need insurance so my wife can have prenatal care to make sure our baby is healthy.

**Jesús:** With this economy, you are lucky you have a job. Farmers can't afford to pay higher wages or health insurance. They would have to close down and move their operation to Mexico. Then you wouldn't have any work.

**Carlos:** With another baby on the way, I need this job, we need the money. What do the other workers say about all this?

**Jesús:** You better be careful about talking to the other workers. The farmer doesn't like any talk of organizing or unions. You'll be fired on your first day if you don't watch it.

## **TRAINER:**

What does organic mean?

Has anyone worked on an organic farm or knows someone who has worked on one?

What was it like? Was it different than other farm operations where they use pesticides?

Would you expect it to be different? Why or why not?

For Carlos – was the work different on an organic farm?

## **TRAINER:**

In the US, we know that more and more people are paying attention to whether or not their food was grown with pesticides. This is a good step; and we also know that it's not the only step. Workers often want good wages and benefits, safe working conditions, and more than anything else a voice in making decisions that affect them. That's where AJP comes in.

The purpose of this training is to familiarize you with your rights under the existing laws of the U.S. and the state of Florida, and under AJP.

AJP is designed to go *beyond* the existing laws. Can anyone give us an example of a law right now that they wish were stronger? *(if needed, give an example: minimum wage, farmworker right to organize, etc.)*

We know that many laws don't do enough to protect farmworkers. Under AJP, your employer has promised to do *more* than what is required under the law to provide you with good working and living conditions. We'll be



talking in a lot more detail about what specifically the farmer has promised to do.

*At this point, go over the table of contents.*

*Then, hand out the AJP Pamphlet “Workers’ Rights.”*

The Farmworker Association of Florida is here to support you in exercising your rights under the law and under AJP. On the back of this pamphlet is our contact info (*show where it is*) so that you can get in touch if you have any questions, comments, or problems that you want to talk about more.

We also are handing out a general pamphlet about AJP to give you some more background.

*Hand out general AJP pamphlet.*

## **Section 2: Wages, Hours, and Benefits (20 min)**



### **Objectives of this section are:**

1. Workers understand what their rights are in terms of wages, hours, and benefits.
2. Workers understand some of the key differences between what is covered by law, and what is covered by AJP.

### **Methods Used in this Section:**

1. Small Group Discussions

### **Materials Used in this Section:**

1. Copies of the scenarios for the groups
2. Butcher paper with the summary of their rights for this section

**Trainer:** The AJP standards protect certain rights in the area of hours, wages, and benefits. To talk more about the protected rights, we're going to divide in groups to discuss some scenarios.

*The workers split into four groups (can modify depending on number of participants). Each group receives one of the four scenarios below. Groups should read and discuss for ten minutes, using the guiding questions provided.*

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### Scenario 1:

*You used to work in North Carolina, where you were picking strawberries, on a farm that was not participating in AJP. There, you liked your employer pretty well. He paid \$7.25/hour, and when you worked more than 40 hours a week he paid you \$10.88/hour (time and a half) for the hours you worked over 40. Now, you're picking oranges in Florida. The hours are long – 50 or 55 hours a week. Your employer says he doesn't have to pay you overtime. It seems like he's not keeping track of all your hours because you get paid the same amount every week – for 40 hours. He always pays you in cash and never gives you a paystub.*

- *What problems do you see with this situation?*
- *What would you do about it?*

### Scenario 2:

*You work on a farm that is participating in AJP. Your farm has a workers' association, which is currently in negotiations with the owner. You are on the wage committee, and your job is to figure out what is a fair wage to pay to workers.*

- *What does it mean to have a fair wage? What components go into that?*
- *What are the things that you need to pay for in order to provide a good life for you and your family? (you can make a list)*
- *What are the things that the farmer needs to pay for in order to run a business, and also provide a good life for herself and her family? (you can make a list)*

### Scenario 3:

*You work on an AJP farm. After many conversations and negotiations, you and the farmer have determined that a living wage would be \$14/hour. But,*

*the farmer says that production has been low this year and she doesn't have the money to pay that right now, so she will pay \$12/hour.*

- *What do you think about this situation?*
- *What would you do about it?*
- *What questions would you ask the farmer?*

#### Scenario 4:

*You work on a farm that is participating in the AJP program for the first time this year. You've been working there for 10 years. There are 3 other workers on the farm besides you. The others have worked there a lot less time than you (only 2-3 years). This year, as part of joining AJP, the farmer raised wages for everyone, and now everyone is making \$10/hour. Before this year, you earned more than the other two workers (they earned \$8.00/hour and you earned \$9.00/hour). You want to talk to the farmer about it but aren't sure what to say.*

- *Do you think it is fair in this situation for everyone to be making the same wages?*
- *What solutions would you propose?*
- *How would you talk to the other workers and the farmer about it?*

*After 10 minutes of small group discussion, return to large group. Each group will read their scenario, and then briefly present their answers to the discussion questions and other key points from their discussion.*

*During these presentations, the facilitator will draw out key points from participants' discussion. The key points from each scenario are listed below. **You don't have to read these points directly, but it's important that the participants understand the following. The key points form a guide for discussion.***

*It's best that the groups present their scenarios in order (first the group with scenario #1, then the group with #2, etc.). The scenarios were written so that each one follows from the one before.*

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## Key Points for Each Scenario for the Facilitator to Bring Up

### Scenario 1:

Notes to bring out in discussion:

- The law only guarantees workers the minimum wage. It varies from state to state, but is generally \$7.25.
- A few states like North Carolina guarantee overtime for their workers. Most don't, however. So unfortunately, the Florida farmer doesn't have to pay overtime.
- However, he DOES have to keep track of all hours worked and pay for all hours worked. So, if workers work 55 hours, they must be paid for 55 hours at least their normal rate. And, all employers have to give workers a paystub every time they get paid.
- Under AJP, all workers have the right to negotiate an overtime policy with their employer for hours worked over 48.
- Workers can organize together!
- They can also contact FWAF for support.

**TRAINER** *(after you have shared the information about the AJP standards):*

What do you think about these rules?

With these rules - how would this story be different?

How does it compare to experiences you may have had before?

### Scenario 2

- Under AJP, wages are based not on what the law says.
- Rather, the farmer has agreed to either pay a living wage or work towards this goal. The workers have an important role in making the farm successful enough to be able to reach this goal. Living wages are based on actual costs: the living costs of workers, and the living costs + business costs of the farmer. So, it's called a living wage. These costs should be transparent during negotiations.

- If the farmer can *show* that they can't pay a living wage, then they have agreed to create and share with workers a plan to move towards paying a living wage within a specific time period.
- Workers can organize to demand their rights from their employer.
- They can also contact FWAF.

### Scenario 3

- Under AJP, farmers are required to provide for all workers: unemployment insurance, disability insurance, workers' compensation insurance, social security if possible, sick days (unpaid at least), paternity/maternity leave (unpaid at least??), and, where possible, health insurance.
- Farmers are also required to pay a living wage, which takes into account your costs of living.
- For example, if your employer is providing health insurance and this saves you out-of-pocket medical expenses, that should be included in calculating your rate of pay. But, if the coverage is not good enough and your needs are not met, then you might have to pay some out-of-pocket expenses, which also needs to be included in the calculations.
- If the farmer can *show* that they can't pay a living wage, then they have to create and share with workers a plan to move towards paying a living wage within a specific time period.
- You also have the right to know the financial status of the farm (profit, operating costs, debt, etc).
- Workers can organize together!
- They can also contact FWAF.

### Scenario 4

- Under AJP, everyone must be making a living wage – so there is a basic minimum that everyone must receive.
- Your employer must create a seniority policy for workers who work continuously, or who come back season after season. He or she must explain this policy to you. This policy can include higher wages, preferential hours, etc. (However, the farmer is allowed to



base wage rates on skill and performance as well. Wages are not only based on seniority.)

- Additionally, your employer must:
  - hire back workers who return to work season after season, unless they have a good reason for not doing so
  - to the extent possible, provide workers who are injured on the job with jobs that they are physically capable of doing, at the pay rate based on their seniority
- If you have concerns about the seniority policy and feel like the farmer is not addressing them, you can appeal to the internal grievance procedure, and then the external AJP procedure.

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*To conclude this section, present the butcher paper with the key points of the AJP standards.*

## **PAPELÓGRAFO – section 2 – Wages, Hours, and Benefits**

### **Under AJP, you have the right to:**

- Earn a living wage, based on your actual living expenses
- Negotiate an overtime policy with their employer for hours worked over 48. Hours worked over 48 are voluntary – your employer can't force you to work them.
- Receive at least one day off a week.
- Organize to request better wages from your employer, without retaliation.
- Negotiate a seniority policy with your employer. This can include better pay, better hours or scheduling, etc. for more senior employees.
- To Know and Understand the different factors, in addition to cost of living, used to determine wage rates – skill, performance (not meaning piece rate pay), seniority, etc.
- Receive:
  - unemployment insurance
  - disability insurance
  - workers' compensation insurance if you get injured at work
  - social security if possible
  - sick days (unpaid at least)
  - maternity/paternity leave (unpaid at least)
  - where possible, health insurance
- If you are injured, return to work in a position that you are capable of doing, at a rate of pay in keeping with your seniority
- To not have to pay the cost of equipment you use for work

*After going over this, show them the part of the “Workers’ Rights” pamphlet that has this information, so that they can review it later.*

## Section 3: Housing and Transportation (15)



### Objectives of this Section:

1. Enable workers to identify what “adequate” housing is.
2. Review some other basic legal requirements for housing and transportation.

### Methods Used in this Section:

1. Group Discussion

### Materials Used in this Section:

1. Lamina with Picture of Inadequate housing
2. Lamina with Picture of Transportation
3. Butcher paper with review of rights for this section

*Show a lamina of poor housing to the group.*

**Trainer:**

What is wrong with this picture?

*Group Discussion*

**Trainer:**

What do you think are the requirements for “safe” housing?

*Group Discussion*

*Next, show the lamina of the guys riding in the back of a truck.*

**Trainer:**

Is this safe?  
What would make this situation safe?

*Group discussion.*

**Trainer:**

Employers who provide transportation must ensure that vehicles are insured and meet basic federal safety standards. Vehicles should have proper seats, seat belts, and be in good mechanical condition.

*To conclude this section, present the butcher paper with the key points of the AJP standards.*

## **PAPELÓGRAFO – section 3 – Housing and Transportation**

### **Under AJP, you have the right:**

- If you are living in housing provided by your employer, for your housing to be safe and sanitary in keeping with federal, state, and local housing laws
  - specifically, the housing must be weather proof, solid, big enough to comfortably accommodate number of people living in it (including space for socializing during non-work hours), have lighting, electricity, potable water, toilets, and cooking facilities, and be maintained at a comfortable temperature (60-80 degrees Fahrenheit, unless otherwise preferred by tenants)
  - it will not in any way be contaminated by hazardous materials
- If you have to pay rent, for your rent to be no higher than the local housing market, and your wages must include a calculation of your rent costs
- To have visitors (family, friends, representatives of worker organizations, health care providers)
- If you are picked up, taken home, or transported at any point during the workday by your supervisor, employer, or another worker, for the vehicle to be safe and in compliance with legal requirements (insurance, seatbelts, etc.)

*After going over this, show them the part of the “Workers’ Rights” pamphlet that has this information, so that they can review it later.*

## **Section 4: Right to Organize (20 min)**



### **Objectives of this Section:**

1. Ensure that workers understand that under the AJP program, they have the PROTECTED right to organize. Any violation of this standard means an immediate disqualification from the program if you or someone else notified the certifier and they confirm it.
2. Ensure that participants understand all the different activities that organizing can entail.
3. Have a discussion with participants about what types of things they might want to negotiate with the farmer.

### **Methods Used in this Section:**

1. Group scenario
2. Group discussion

### **Materials Used in this Section:**

1. Scenarios (in the text)
2. Butcher paper with this section of the standards

Read aloud the following scenario:

Lupe works on a tomato farm in Florida. The farmer has been spraying something made from chili peppers to deter insects. Lupe and some others have found that when they enter the fields to pick after they spray, their eyes get irritated, itchy and red. Lupe talks to some of her co-workers about it, but no one seems to really want to talk to her about it. The next day, the manager calls her into his office. He says that if she has a problem with anything she should speak to him directly. Also, it looks like they have enough workers picking tomatoes (which is from around 7AM-6PM), so he's going to put her on the crew that works in the farm's packer in the afternoon and then cleans up at night, which means her hours will be 10AM – 9PM. Lupe says that she can't work that shift because she has to take care of her children at night, but he says it's the only shift available and if she wants work she should take it.

Discussion questions:

- What would you do in this situation?
- Do you think that Lupe has the right to claim that her employer unfairly retaliated against her?
- What do you think retaliation means?
- Has anyone here ever been part of a union? Have you been part of organizing for your rights at work with or without a union? How did your employer respond?
- What kinds of support would have helped in this situation?
- What do you think would happen if this company was participating in AJP?

*Facilitate the discussion. Some key points to draw out:*

- Any kind of discrimination against any person standing up for their rights is not allowed under the AJP program. This can mean changing their pay or hours or kind of work, suspending or firing them, threatening to call immigration, or many other actions, even if your employer says it's not related to your speaking up. If your employer engages in these practices, they may be disqualified from the AJP program depending on the findings of an investigation.
- You have the right to report any discrimination for organizing to your internal grievance procedure and/or AJP's grievance procedure.
- It doesn't matter whether or not you have an official union – either way you are protected.

### Second Scenario:

Lupe works on an AJP tomato farm in Florida. The farmer has been spraying something made from chili peppers to deter insects. Lupe and some others have found that when they enter the fields to pick after they spray, their eyes get irritated, itchy and red. Lupe talks to some of her co-workers about it, and they decide to speak with the farmer about it. When they meet with him over their lunch break, he says that he has tried other things but nothing else has worked. The women suggest that maybe he could try spraying at the end of the work day, so that more time passes before they return to work in those fields. The farmer agrees to implement this change and to check with the women in another week to see how it is going.

### Discussion questions:

How is this scenario different?

What other things might the women have been able to suggest?

Can you imagine having a conversation like this with your employer?

*Facilitate the discussion. Some key points to draw out:*



- It is important to note that the women had a proposal to present to the farmer. They thought through some possible ideas on what he could do ahead of time.
- The farmer may have had another idea that he thought was better. It is a **dialogue** to figure out what is best for everybody.
- If it doesn't work, and there doesn't seem to be a good resolution to the problem, anyone can engage the conflict resolution procedure that we're going to talk about next.
- *(Although it doesn't deal directly with the right to organize – you can note that pesticides with actual re-entry times should always be respected. With a pesticide, it may not be safe just to wait overnight. Pesticide labels should always be consulted for the information on proper use.)*

*To conclude this section, present the butcher paper with the key points of the AJP standards.*

## **PAPELÓGRAFO – section 4 – Right to Organize**

### **Under AJP, you have the right:**

- To organize alone or together with your co-workers, with or without a union, to ask for changes in your workplace, without any kind of retaliation from your supervisor, employer, or anyone associated with the company
- Retaliation can include changing your pay or hours or kind of work, suspending or firing you, threatening to call immigration, or many other actions, even if your employer says it's not related to your speaking up.

*After going over this, show them the part of the “Workers’ Rights” pamphlet that has this information, so that they can review it later.*

## **Section 5: Conflict Resolution Procedure (15 min)**



### **Objectives of this Section:**

1. Participants understand the conflict resolution procedure

### **Methods Used in this Section:**

1. Group discussion

### **Materials Used in this Section:**

1. Scenario (in the text)
2. Butcher paper with summary for this section

*Read the following scenario aloud to the whole group:*

Your union is negotiating an overtime policy with your employer. The negotiating committee wants time and half for all hours over 40. Your employer says he can't afford that and has shared with everybody the financial status of the farm. Things are at a standstill and you can't come to an agreement on an alternate proposal.

**TRAINER:**

What can you do?

*Facilitate the discussion. Key points to draw out:*

- Under AJP, you have the right to negotiate an overtime policy.
- Under AJP there must be a process for resolving conflicts internally.
- If you and the farmer have already tried this internal process, you also have the right for AJP to mediate a conflict resolution procedure.
- This procedure can be used for disagreements in any context – not just in union negotiations.
- Can someone give an example of a time when you had a disagreement with your employer that you couldn't resolve so that everyone was satisfied?
- Would a conflict resolution procedure have helped in this situation? If yes, how?

*To conclude this section, present the butcher paper with the key points of the AJP standards.*

## **PAPELÓGRAFO – section 5 – Conflict Resolution Procedure**

### **Under AJP, you have the right to:**

- If there is a conflict at work, appeal to an internal grievance procedure created by your employer and communicated to you in a language you understand
- If that doesn't resolve the problem to your satisfaction, appeal to an AJP grievance procedure, which works like this:
  - **Step 1:** Attempt to negotiate / address the issue directly with the employer. Under AJP the employer has agreed to address complaints openly and fairly.
  - **Step 2:** If this fails, the worker should contact the AJP worker organization they have contact information for, or alternately they can contact CATA - this will then be passed onto the AJP steering committee.
  - **Step 3:** Where the service is available, affordable and practical, the AJP steering committee may recommend that both parties engage in a mediation process in their region.
  - **Step 4:** If this is not available, or if this also fails to bring a resolution to the conflict, a committee of the AJP Advisory Council will be established to investigate the issue and reach a recommendation.
  - **Step 5:** If this also fails to bring a resolution agreeable to both parties, the final step will be to an independent ombudsperson designated by AJP for that purpose.

*After going over this, show them the part of the “Workers’ Rights” pamphlet that has this information, so that they can review it later.*

## **Section 6: Health and Safety Mapping**



### **Objectives**

1. Identify potential health and safety hazards on the farm, for follow-up with the health and safety committee
2. Review legal/AJP resources available

### **Methodology**

1. Mapping exercise and discussion

### **Materials**

1. Flip chart paper
2. Markers
3. “Sticky dots” in 2 different colors
4. Tape
5. Butcher paper with summary of the standards for this section

**TRAINER:**

We are going to make a hazard map. A hazard map shows where there are health and safety problems at work.

*If the participants do different kinds of work or work on different areas of the farm, have them divide up by work area. If not, they can count off to divide into groups. Each group should gather around a table/area.*

*Give each group the following:*

- A piece of flip chart paper
- A marker
- A set of “sticky dots” in 6 different colors

**TRAINER:**

Each group should identify someone who wants to draw. That person should draw a picture of their work area including machinery, equipment, workstations, storage areas, doors and windows, rest areas, and bathroom facilities.

Then, think about the hazards that cause workers to get hurt, sick or stressed on the job. Identify which are CHEMICAL hazards and which are PHYSICAL hazards.

You should identify the chemical hazards with a (*first color*) dot. You should identify the physical hazards with a (*second color*) dot.

Everyone in the group should discuss as you go about identifying the hazards and putting on the stickers.

*Give the groups 10 - 15 minutes to draw hazard maps and put the dots on the dangerous work areas. Then have each group tape their map to a wall where everyone can see it. Ask someone from each group to explain the different types of hazards that are marked on their hazard map.*

*After each group has explained their map, ask these questions:*

**TRAINER:**

- What are the biggest health and safety problems for workers on your farm?
- Where are most people hurt?
- Where have there been changes in a job that makes the job more dangerous?
- What changes have been made to make your job safer? How did they come about? Could other changes be made that would make the farm safer?

**TRAINER:**

As part of the farm's participation in AJP, you have the right to convene a **health and safety committee**, on farms with 10 or more workers, which will meet regularly.

How would you like to select the health and safety committee?

How would the committee determine what is most important to ask the farmer about?

What is a reasonable timeline for the problems to be fixed?

*Facilitate the discussion.*



*To conclude this section, present the butcher paper with the key points of the AJP standards.*

## **PAPELÓGRAFO – section 6 – Health and Safety**

### **Under AJP, you have the right:**

- In general, to a safe and healthy workplace
- To receive all relevant health and safety trainings, including training on the Worker Protection Standard which protects workers from exposure to pesticides
- To have access to sanitation facilities (water to wash your hands, soap, and paper towels, and a portable or stationary bathroom) and clean water for drinking while working.
- If bathrooms and drinking/ washing water are too far away to walk, to have access to transportation to those facilities
- To participate in or be represented by a Health and Safety Committee (if less than 10 employees, regular meetings should be held to discuss H&S), which will have access to all relevant written and verbal information about health and safety
- To receive all relevant written and verbal information about any chemicals used in your workplace
- For the farmer to implement a plan to steadily reduce the use of hazardous and toxic substances and replace them with proven non-toxic alternatives
- If you're injured at work, to receive transportation from your employer to medical care
- If you're injured at work, to receive workers' compensation insurance which covers your medical costs
- To include a doctor of your choice in the list of doctors who are able to provide care and do evaluations in workers' compensation cases
- For your employer to provide a buffer zone between you and any dangerous substances used on the farm

*After going over this, show them the part of the “Workers’ Rights” pamphlet that has this information, so that they can review it later.*

## **Section 7 - Jeopardy**



### **Objectives:**

1. Review EVERYTHING!
2. Play a Game
3. Have FUN!

### **Methodology:**

1. Jeopardy Game!

### **Materials:**

1. Jeopardy Game
2. Answer Key

*In this section, trainers will use a Jeopardy-style game to review the topics covered in earlier sections, regarding farm workers' rights BOTH under the law and under AJP.*

*The Jeopardy game can be set up on a blackboard or wall in the front of the room, with a large paper on each side marked with each team's name. Each square of the board will have a paper with the point value, with a statement listed underneath.*

*The participants divide into two teams. One team starts by selecting a question/statement (IE, "Health and Safety for 30 points"). The facilitator should remove the paper with the point values so the statement is visible. The participant should read the statement aloud and say whether it's true or false. One team keeps answering questions until they get one wrong. Then it's the other teams' turn.*

*Everyone on the team should answer questions – not just one or two people. The team should establish a rotation of all team members so that everyone gets an equal chance to participate.*

*The trainer should make sure to mention any extra information not covered by the participants' answer, listed here below the answer to each statement.*

*At the end of the game, the trainers should review any questions / doubts that arise during the game.*

*At the end, **TRAINER:***

- *Which questions were and were not familiar to you?*
- *What types of situations have you encountered in the past where employers violated your rights? How did you respond?*
- *As a worker on an AJP farm, what could you do about these situations?*

## **JEOPARDY!**

### **On Farmworker Legal and AJP Rights**

#### **Wages, Hours, and Benefits**

1. Your employer is allowed to pay you \$6/hour.
  - a. FALSE
  - b. Florida: The minimum wage under the law is \$7.21 or \$7.25, depending on the size of the farm.
  - c. Under AJP, your employer has to pay you a living wage – what you and your family need to live in dignity. This is most likely higher than the minimum wage.
2. Your employer has to pay into unemployment insurance for you.
  - a. TRUE under AJP
  - b. Exception: There is an exception under federal law for certain small farms, so those small farms aren't required to under AJP either.
3. Your employer has to provide workers' compensation insurance for you.
  - a. Florida: TRUE, if farm has 5 or fewer full-time and 12 or fewer seasonal employees
  - b. TRUE always under AJP, or a reasonable alternative that accomplishes the same thing.
4. Your employer has to pay you overtime.
  - a. Florida: FALSE
  - b. But, under AJP, you have the right to negotiate an overtime policy. If your workers' association or union negotiates a system for overtime pay with your employer, then s/he must stick to it.

#### **Pesticides and Field Sanitation**

1. If you get sick because of the heat, you have to get your own transportation to the hospital/clinic.

- a. FALSE
  - b. Your employer is responsible.
- 2. You have to wait 2 hours after a field is sprayed with pesticides before working in that field.
  - a. FALSE
  - b. At least four hours, depending on which pesticide – it's listed on the label and can be 4 to 48 hours before you can go in safely
- 3. While you're working, your employer has to provide you with 1. bathrooms; 2. handwashing units with soap, running water, and paper towels; and 3. drinking water with disposable cups.
  - a. TRUE.
  - b. Bathrooms and handwashing units (with soap, running water, paper towels), 1 for every 20 workers, no more than ¼ mile from the work area. Drinking water with disposable cups.
- 4. On an organic farm, you don't have to worry about chemicals.
  - a. FALSE.
  - b. Even on an organic farm, dangerous materials like copper and sulfur can be used. Always follow the safety instructions on the label.

## **Housing and Transportation**

- 1. If your employer provides you with transportation, the vehicle has to be insured and safe.
  - a. TRUE.
- 2. If your employer provides you with housing, it has to be inspected first for safety, and pass regular inspections after that.
  - a. TRUE.
  - b. Some things that they are looking for include: a building that is weather-tight and protects from the elements; safe temperature control; sanitary drinking and washing water; measures taken to

prevent pest infestations; facilities for sanitary disposal of waste; etc.

3. If you live in housing provided by your employer, and you think there's something unsafe about your housing, the best thing to do is fix it yourself.
  - a. Most likely FALSE.
  - b. In some cases (if it's something that you know how to fix, you don't mind fixing yourself, it doesn't cost you anything, etc.), it might make the most sense to do that. But, don't forget that at the end of the day, your employer is responsible for making sure that your housing is safe. If you ask your employer to fix something, and they don't, you can use the internal conflict resolution procedure on the farm. If necessary you can file a complaint with a state agency, or talk to FWAF about how to get AJP involved.
4. Laws about safe housing and transportation only apply to workers on bigger farms. So if you work on a small farm you're not protected.
  - a. FALSE.
  - b. Most states (including Florida) have laws that protect the rights of all farm workers to have safe housing and transportation, no matter what size the farm.
  - c. Under AJP, it doesn't matter what size farm you work on: you're protected.

## **Right to Organize**

1. You and your co-workers have the right to organize at work in any way you see fit (to form a workers' association, to form a union, etc).
  - a. TRUE
  - b. This right is not protected by law in all states. But it's always protected under AJP.
2. You have a union at work. You think your employer doesn't like the leaders of the union and is giving them bad schedules on purpose.

But since it's hard to tell, there isn't really anything you can do about it.

- c. FALSE
  - d. Retaliating against a farmworker for organizing is illegal in some states. It is NEVER allowed under AJP.
  - e. Retaliating can mean many things, including intimidating union leaders by forcing them to have bad working conditions.
  - f. You can contact FWAF for help in this situation.
3. If you don't have papers, then you don't have the right to organize at work.
- g. FALSE
  - h. Under AJP, everyone has the right to organize, no matter their race, what language they speak, or whether or not they have papers.
4. You and your co-workers have been talking about a problem with the stove in your house that isn't working. After talking with them, everyone asks you to go talk to the employer about the stove. When you talk to the owner about it, he gets angry with you and tells you to just keep quiet or you might not have a job anymore. The next time everyone gets paid, there is a deduction that the owner says is to pay for a new stove. Did he retaliate?
- a. YES!
  - b. Additionally, the repair of the stove is something that the employer should provide as maintenance of the housing.
  - c. Remember that you can ask AJP for help if it seems like there isn't a direct resolution with the farmer.

## Grab Bag

1. Even if your employer pays you in cash, they have to give you a paystub each time they pay you.
- i. TRUE

- ii. This way you can keep track of how much you're paid to make sure your employer isn't breaking the law or any AJP standards.
- 2. If you're hired by a crewleader, then the owner of the farm isn't responsible for your pay or your working conditions.
  - iii. FALSE
  - iv. Under AJP, they're both responsible.
- 3. If your employer generally does a good job of keeping the farm safe, then they're not required to recognize your health and safety committee.
  - v. FALSE
  - vi. Even if your workplace is safe, under AJP you still have the right to have a health and safety committee if there are more than 10 employees. On smaller farms, regular meetings should be held to discuss H&S. The committee monitors health and safety conditions, and makes sure that workers have somewhere to go if something goes wrong.
- 4. Your employer isn't paying overtime like she promised to in union negotiations. Individual workers and the union leaders have spoken to her many times, but she hasn't changed. The only thing you can do is go on strike.
  - vii. FALSE
  - viii. Probably you can go on strike if that's what you and your co-workers want to do. But, you also have the right to have AJP intervene and require your employer to stick to her overtime policy.



## **Section 8: Conclusion**



### **Objectives:**

1. For the participants to evaluate the training and ask any questions that they have

### **Methodology:**

1. Group discussion

### **Materials:**

1. FWAF pamphlet, if you want to hand it out

*Reiterate that FWAF is available for any questions or doubts that come up.*

*Remind them that contact info for FWAF is in the pamphlet that was already handed out. In addition, FWAF may provide other literature if you'd like.*

**TRAINER:**

- Which information was most useful?
- Which was least useful?
- What would you change in the future?

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