

HOW FARM WORKERS PERCEIVE THE WORKER PROTECTION STANDARD OF U.S. EPA

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The Worker Protection Standard (WPS) of U.S. EPA was introduced in 1992 and, after a period of partial implementation, the remaining regulations were promulgated in 1996. WPS is the first comprehensive effort by a federal agency to address occupational health and safety risks associated with field worker exposure to agricultural chemicals.

Prior to WPS, comprehensive regulations to protect farm workers from the dangers posed by pesticides had been adopted in only a few states, most notably in California where significant rules have been in place for more than a quarter century. Nevertheless, even in those states, the new regulations mandate additional activities and safeguards designed to protect farm workers from injury or illness caused by pesticide exposures. WPS requires safety training for all workers who will enter crop fields where certain materials have been applied during the current crop year, as well as granting certain rights to workers, including a basic "right-to-know."

This report concerns whether farm workers in California are aware of the new regulations, whether and how they have received the required training, and whether they believe they are at risk to pesticide illness. Informal interviews were conducted in two California counties during the period June 15, 1996 - July 21, 1996. A total of 115 interviews were conducted at seventeen sites in Yolo County, including two public farm labor camps. An additional 373 interviews were conducted at nearly two dozen sites in San Joaquin County, including three public farm labor camps. All of the interviews were conducted in Spanish.

Findings include: fewer than one in five workers had ever heard of the WPS or of the U.S. EPA; most of those who claimed to know something about either could not provide anything substantive upon closer questioning; residents of the public camps were the most likely to have received some training (66%), but in most cases it was provided by non-profit agencies, not their employer; only a relatively few farm workers living at private camps had received training. Clearly, the news about WPS has not yet reached most farm workers in California.

Migrant Family Housing Centers

This map shows the cities where migrant family housing centers are located. This housing is seasonal and often full—so always contact a center before going, to be sure housing is available.



Location of Farm Worker Interviews

Yolo County - 115 Interviews

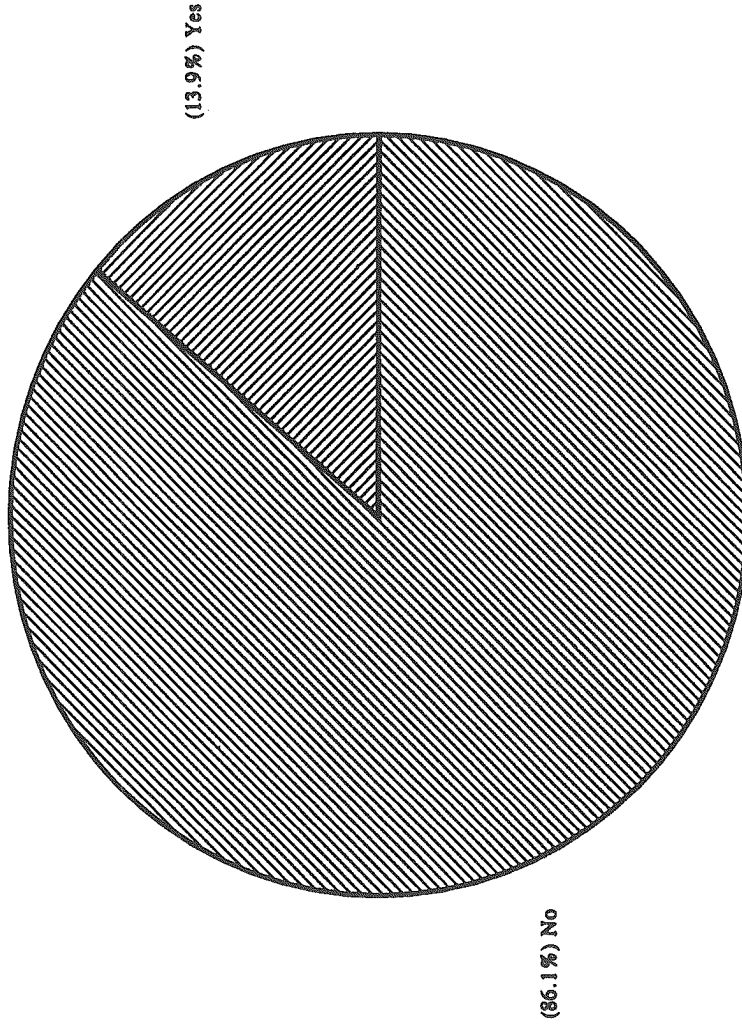
| | |
|--------------------------------------|-----------|
| Public Labor Camps (2) | 21 |
| Private Labor Camps (6) | 34 |
| Apartment/Motel Complexes (5) | 30 |
| Other Locations (4) | 30 |

San Joaquin County - 373 Interviews

| | |
|-------------------------------|------------|
| Public Labor Camps (3) | 100 |
| Other Locations (20) | 273 |

Knowledge of W.P.S.?

San Joaquin County, California, 1996, 373 interviews



Received Pesticide Safety Training?

Per Cent of Respondents Reporting “Yes”, by Location

Yolo County - 115 Interviews (any training?)

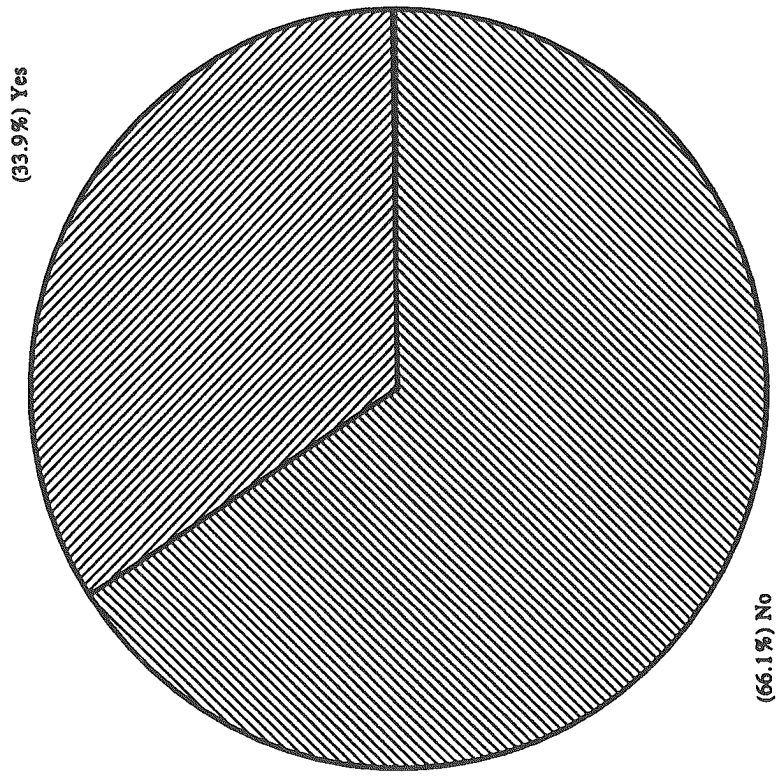
| | |
|----------------------------------|------------|
| Public Labor Camps | 67% |
| Private Labor Camps | 41% |
| Apartment/Motel Complexes | 7% |
| Other Locations | 30% |

San Joaquin County - 373 Interviews (employer provided?)

| | |
|---------------------------|-------------|
| Public Labor Camps | 51% |
| Other Locations | 0.4% |

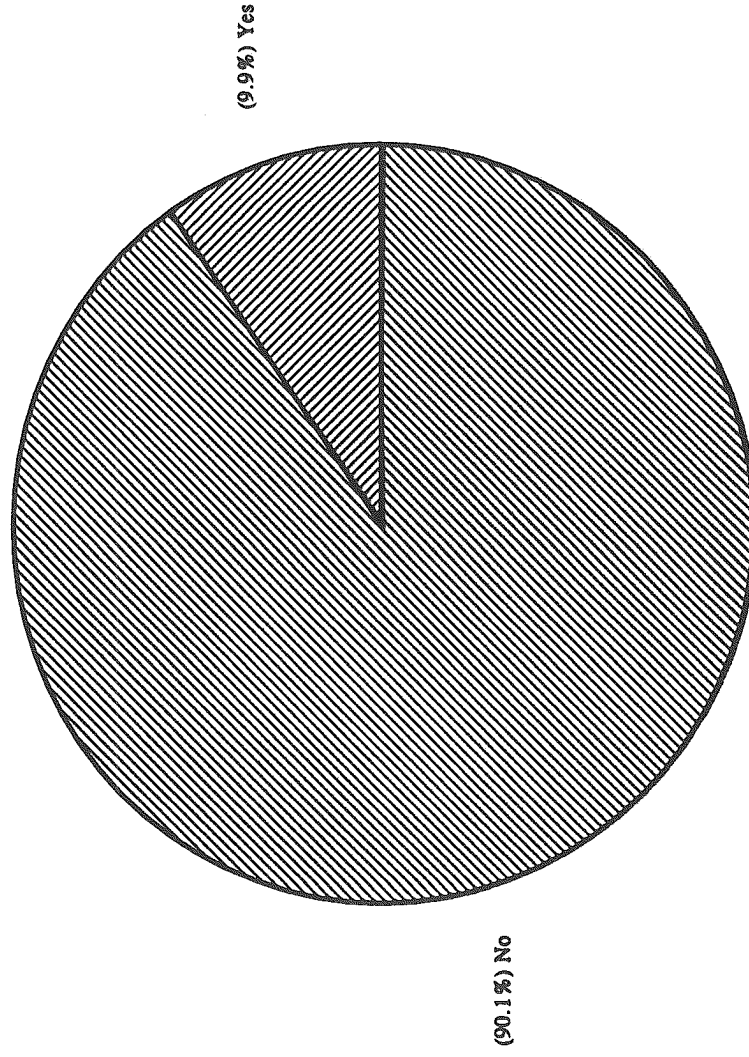
Received Pesticide Safety Training?

Yolo County, California, 1996, 115 interviews



Received Pesticide Safety Training from Employer?

San Joaquin County, California, 1996, 373 interviews



SUMMARY OF INTERVIEWS BY LUIS MAGANA AT ENVIRONMENTAL
PROTECTION AGENCY REGARDING WORKER PROTECTION STANDARDS
JULY 23 - 25, 1996 IN FRESNO AND SALINAS, CALIFORNIA

At Organizacion de Trabajadores Agricolas de California, we are preoccupied about the frequency of cases where workers working in the fields have been poisoned from direct exposure to the different and unknown pesticides.

This is due in part to the use of more chemicals at agricultural fields in the state of California. The use of pesticides in the state has increased from 160 million pounds in 1991, to 200 million in 1994. The rise in hazardous pesticide use, is affecting the health and life of the farm workers, as the risk of poisoning increases.

The majority of the cases where agricultural workers have incurred any type of pesticide poisoning, are not reported as poisonings for several reasons, among them are: farm workers do not receive immediate medical attention because of the fear of reprisals on the part of the employers, who fire workers for asking for medical care, and for the ignorance of medical providers in connecting poisoning cases with pesticides.

But, what preoccupies us more, is that farm workers do not know the basic points points of the federal or state laws that require protection of farm workers health from dangerous pesticides, and, the law, is not being implemented to force employers to comply with their responsibility of informing and training workers about pesticides.

And, in many cases, farm workers simply do not know that a law exists, for their protection and that the employers are responsible for providing training. They are the most recent migrant farm workers (the majority are undocumented), and indigenous groups of Southern Mexico and Guatemala are among those excluded from the protection of the law by the Environmental Protection Agency.

A few examples follow to support the issues that have been raised: The first example is about a farm worker in San Joaquin County, his name is Raul (I won't mention his last name), he has worked in diverse crops. During the 1994 asparagus harvest season, Raul was a foreman in charge of the supervision of 30 farm workers under a farm labor contractor. For several days, a tractor had been spraying field rows for a herbicide, right before harvesting. After a few days, Raul and five other farm workers had swelling and rashes that almost entirely covered their bodies, and later became open sores. He started to seek help from a doctor. Raul lived in the city of Stockton; the workers in a semi-abandoned camp.

The five workers who also became ill, decided to return to Mexico or to their country of origin, without (receiving) any offer of advice or medical assistance. Raul says, all of them were undocumented. They looked like "Oaxaquitas" or "Guatemalas" (as the indians from the state of Oaxaca, Mexico, and from Guatemala are called). The farm labor contractor did not give Raul a satisfactory explanation, because he himself was in doubt or ignored if this had been caused by pesticides. The grower did not want

to give him any information about the pesticide that had been sprayed.

After two years, Raul has been seeing different doctors and is under medical treatment for various illnesses. Raul says that he never received any type of information about pesticides, and, there was never any mention of the word pesticide where he was exposed or at other harvests where he has worked in the past.

In this case, Raul was the foreman, but it is very common for farm workers to make no mention of exposure cases to the foreman for various reasons: because the foreman or farm labor contractor may fire them from their jobs immediately, or they are made fun of by the other workers, who associate their illness with alcohol, venereal disease, allergies or simply because they "do not eat well."

Raul had never visited the county Agricultural Commissioners office, nor did he know that they could help investigate the name of the pesticide and how dangerous it was. On July 13, we went to this office. Only a secretary spoke Spanish, none of the inspectors, nobody else. They told Raul that he had to pay more than \$20.00 dollars to provide him the information, in addition, he had to pay for the copies and the extra time they took to help him. But, that was not all, they also asked him to provide the specific date and location of area where he was exposed to pesticides.

Faced with this situation, I decided to find out whether other Agricultural Commissioners offices have spanish speaking staff. I called 7 Agricultural Commissioners offices in seven counties around the central valley. Only 1 county has a bilingual person on staff. In another county, a spanish-speaking biologist works in the Agricultural Commissioners office, but, is not an inspector, and none of the inspectors speak spanish. One office said that the information was classified.

In the second example, I showed the differences found among farm workers who apply pesticides and the injustices by the employers with undocumented workers not only for exposing them to dangerous pesticides without any training, but also for paying them lower wages.

In the last example, I conducted a survey in San Joaquin County, to demonstrate if farm workers have knowledge of the Environmental Protection Agency regulations - Worker Protection Standard. Each worker answered yes or no to a total of five questions. The questions are as follows:

1. Do you know how dangerous pesticides are to your health, when you work in the fields?
2. Do you know about the regulations, Worker Protection Standards by the Environmental Protection Agency?
3. Have you received assistance from your employer, about training or information about such regulations?

4. Do you know that your employer is responsible for providing training and information, regarding pesticide protection when you work in the fields?

5. Do you think that the Environmental Protection Agency should improve implementation of the regulations?

Out of 100 farm worker men and women responded to the questions, at three state-funded camps for migrant families. The results are as follows:

| | | |
|-------------|----------|---------|
| Question 1. | Yes (91) | No (09) |
| Question 2. | Yes (51) | No (49) |
| Question 3. | Yes (37) | No (63) |
| Question 4. | Yes (86) | No (14) |
| Question 5. | Yes (94) | No (06) |

The rest of the 273 farm worker men and women who responded to the questions took place at different parts of the county. Approximately 100 in the city of Lodi. More than 100 interviews in the Stockton area, at parks, homes, stores and laundromats. I believe at least half of the workers who participated are undocumented.

| | | |
|-------------|-----------|----------|
| Question 1. | Yes (189) | No (84) |
| Question 2. | Yes (1) | No (272) |
| Question 3. | Yes (00) | No (273) |
| Question 4. | Yes (145) | No (128) |
| Question 5. | Yes (252) | No (21) |

The total of 373 total survey answers are as follows:

| | | |
|-------------|-----------|----------|
| Question 1. | Yes (280) | No (93) |
| Question 2. | Yes (52) | No (321) |
| Question 3. | Yes (37) | No (336) |
| Question 4. | Yes (231) | No (142) |
| Question 5. | Yes (346) | No (27) |

7/20/96

Sr. Luis Magaña,

Dear Sir, I greet you with the same affection as usual.

At the same, I wish to communicate to you my way of looking at this issue, regarding the harm that pesticides can cause farm workers.

These days it would seem that the circumstances force us to be more unprotected. I went to to see about a pear (harvesting) job, and there are so many people looking for work, that this week I was also out (of a job). And facing this situation, one would like for someone to give one a job, and you don't want to be left with the possibility of asking, How long has it been since the last time they sprayed (the field with pesticides)? What type of spray was used? How poisonous is it? Because the people you see working, you wonder what they had to go through to get the job and this is due to the enormous amount of people (myself included) looking for work.

And if we go to the tomato fields, I suppose the situation is the same, and if you go to the cucumber the situation is similar. What to do? Convince growers that when harvesting time is near, pesticide use should be used both effectively and moderately, considering the well-being of the many workers at risk from working at a hazardous job.

Yours truly,
Your Friend

Martin Perez

07-20-96

Sr. Luis Magaña.

Estimado Amigo, - Te saludo con el
afecto de siempre.

Ah mismo tiempo, deseo comentarte
mi modo de ver este asunto, del da-
ño que los pesticidas pueden causar
a los trabajadores del campo.

En estos días pareciera ser que
las circunstancias nos obligan a estar
mas desprotegidos, fui a ver el trabajo
en la Pera, y estanta la jente que
busca trabajo, incluso por eso en esta
semana tambien yo quede afuera, y
ante esa situacion, ya quisiera uno
que le den trabajo y no te queda
posibilidad de preguntar, cuanto hace que
espejaron la ultima vez, que clase
de spray usaron, que tan venenoso
es, porque los que vez trabajando,
como se las vieron para que les
den trabajo, y esto es dada la ca-
ntidad tan enorme de trabajadores
que andamos buscando trabajo.

Y si vas a los campos,
del tomate, me supongo la misma
situacion y si vas al pepino —

La situación es similar.
que hacer? Convencer a los rancheros
de que sus trabajos de Pesticidas
cuando estan cercas las cosechas
Sean moderados y a la vez efe-
ctivos por el bien de tanto tra-
bajador que hay el riesgo de
que entre a los trabajos con
Peligro.

Atentamente
tu amigo

Martin Perez.

ENCUESTA SOBRE PESTICIDAS

A Toda Persona Que Trabaja en el Campo

En 1992, la Agencia Federal para la Protección al Medio Ambiente (US-EPA), publico las *Normas de Protección para los Trabajadores* (WPS). Estas nuevas regulaciones protegen a los trabajadores agrícolas de exposición a pesticidas en el trabajo.

Les pedimos su colaboración para levantar una encuesta sobre el conocimiento que tienen sobre estas leyes que son para la protección de los trabajadores agrícolas. Por favor, marquen abajo la respuesta que ustedes consideren indicada.

Esta información nos ayudara a mostrarle a la agencia si hay conocimiento por parte de los trabajadores sobre esta ley de protección contra los pesticidas, para que la agencia haga cambios en su implementación, si es necesario.

Gracias por su cooperación . . .

Luis Magaña

Organización de Trabajadores Agrícolas de California

1-800 575-6822

Preguntas para los trabajadores agrícolas sobre la Ley de Protección de Pesticidas para el Trabajador, de la Agencia Federal de Protección del Medio Ambiente (EPA)

1- ¿ Sabe usted lo peligroso que son los pesticidas para su salud cuando trabaja en el campo ? si no

2- ¿ Conoce usted las Leyes de Protección de Pesticidas al Trabajador de la Agencia para la Protección del Medio Ambiente ? si no

3- ¿ Ha recibido asistencia por parte de su empleador de capacitación o información sobre dicha ley ? *Algunos Patrones nos hacen Felicitaciones.* si no

4- ¿ Sabe usted que es obligación de su empleador de darle capacitación e información sobre como protegerse de los pesticidas cuando trabaja en el campo ? si no

5- ¿ Cree usted que la Agencia de Protección del Medio Ambiente (EPA) debe mejorar la implementación de la ley ? si no

Martin Perez

Nombre

Condado