Maria M.

"Every teenager should do at least a day and see how it is to work a real job. You sweat. You walk until your feet hurt, you have blisters, and until you have cuts all over your hands," said Maria M., reflecting on her childhood working in the fields.

Growing up in a farm-worker family in rural Idaho, Maria said she was "always surrounded" by work in the fields. She started working at age 11 in order to help her parents. "I worked picking onions after school in about 6th grade," she told Human Rights Watch. "I didn't mind working in the fields. I just saw it as something we did, something my family had always done."

According to Maria, her young age was nothing unusual: "I worked with a lot of older people and younger. The ages were always varied, 11 and 12 year olds, even 10 year olds. They didn't get paid on check [on the books]; they'd just go and help their parents on the side. The growers know that. They see that—they would pass by when they drop off water. No one was going to say anything."

Maria said she worked 10 and sometimes 13 hours a day, earning less than the minimum wage. "The pay was terrible."

As she got older, Maria said, she mostly "was hoeing onions in the back country . . . sugar beets, zucchini, espiga [detasseling corn]. . . . When I worked in espiga, the growers would water . . .. We would walk down the rows getting really wet. The mud goes in your tennis shoes and you get blisters. You're in them all day."

Maria said everyone felt pressure to work fast. "The crew leader would egg the workers on and intimidate the workers who were slow. It almost became a tradition in the field; the person who was the fastest was the best worker . . .. [It's] something that has been instilled in us to work hard. Prove yourself, be a good worker."

One summer vacation in high school she harvested zucchini, bending down all day to pick the vegetables. "You had to go really fast," she explained. "You had to bend down for hours until your next break . . .. A lot of people who did zucchini before have back problems. I was young and I know how much my back hurt after one season . . .. I don't know if I blame the field, but ever since I worked in zucchini, I have had a lot of back problems. I don't know if it was zucchini or if it was just working for years in the field."

Maria was the only member of her family picking zucchini and one of only three girls in the field. "The first time we got there," she said, "the guys were just joking around and said this was a guy's job, it was no place for girls, that we should just go home." She added, "It wasn't an easy job . . .. Sometimes it was very frustrating because guys would tell you stuff." Because Maria's father was known in the community, she said, she was spared more serious harassment, but the men were verbally abusive to one of her co-workers.

At the time, Maria said, she did not know anything about pesticides but has since learned. "Now that I know about pesticides," she told us, "I'm pretty sure we entered many fields" with recently applied pesticides.

There was always white residue in the fields, especially zucchini always had residue on them . . .. [T] here were people who got sick but probably thought it was the heat. They never told us they were spraying, they would just say, "watering."

One summer . . . me and my older sister were working . . .. We were told when we saw the plane we had to get out. But they didn't say when, just "look for the plane." They were spraying things we didn't know what they were. We heard it was chemicals so [the plants] could grow, but we didn't know what they were. So we didn't think about that when we saw a plane. We were in the next field and you see it all the time in the country. It's always the next field but it drifts.

Maria is one of the rare farm worker children who have made it to college, where she says her experiences in the field continue to motivate her. "I'm not like some people who came to college because their parents made them or to party," she explained. "With me, my parents didn't force me to come to school. They didn't want me to put pressure on myself. In the long run when I finish school, I will help my parents. When there is an exam coming or I just want to go home because my parents need help financially, I think how much I'm going to help them when I get out. Some days I just want to go home and help them, but I think in the long run this won't help, so I think working in the fields had a big impact on me."

Marcos S.

"I really didn't have a childhood and I don't want [my own children] to go through what I did," 17-year-old Marcos S. told Human Rights Watch. "You're a kid only once. Once you get old you have to work."[2]

Marcos, who lives in North Carolina, said he started working in agriculture full time when he was 12 years old. Among other things, from late November to late December, he cuts Christmas trees. Marcos explained what his work was like when he was 12 years old. He said:

I did two things. One, I used a machine. It didn't cut the trees but it dug them out with the roots so we could take them somewhere else. These were heavy because of the trees and the soil. I had to hold the tree when they were digging. Then you carry it on your shoulder to the truck. It was so heavy you couldn't carry it by yourself so you had to do it in pairs.
Second, I cut the tree three to four inches from the ground. I put it in the machine to tie it. I put it on my shoulder and carried it to the trucks . . ..
When I was 12, the first day it was so heavy. The next day I didn't even want to get up because my body hurt so bad but I knew I had to because I needed the money. I said "never again" but I had to because that was the only job.
Marcos told us that the first year he "used a chainsaw a couple of times but that was it. If someone was doing something else, they'd say, 'Cut there.'" But when he returned to the same farm the next year at age 13, he used a chainsaw like everyone else. When asked if he was taught how to use it, he replied: "You just have to start it, that was the most important thing." Marcos admitted that he didn't always feel safe. "My uncle cut his leg using a chainsaw. Sometimes if you don't do it right, it can bounce back—it can happen in a flash. My uncle, it was bad."

While working, he said, he wore "just regular clothes, no gloves, masks, no protection. Regular shoes . . .. I never had any protective gear . . .. And it's cold, it rains. We still have to work."

Marcos said that pesticides were sprayed around him. "They spray to kill the insects that damage the trees. They do that for the trees that are still growing . . .. You don't cut all the trees, they're mixed in. They're marked with a red ribbon, the ones they want you to cut. So the ones they don't, they spray. You're right there . . .. A big tank on their back and they go around. They did it when I was working. It smells so bad."

He had never received any training on pesticides, he said. "They don't say anything. They just want you to get it done. The guys that spray, they don't even wear masks."

Marcos said no one ever asked him how old he was, "You just come if you can work." Still, he assumed his employers knew his age: "You can tell when someone is a kid, I mean, 12." And, he noted, "There's a lot of young kids working out there . . .. Last year [when I was 16] there were kids younger than me. When I was 13 . . . there were other kids. My cousin is the same age as me. He worked Christmas trees for other people."

Marcos said he normally works weekends and school vacations, on different crops throughout the year. But the Christmas tree harvest is during the school year, and "sometimes they say, 'We need you to come Monday.' So I say, 'I have school,' but they're going to pay me . . .. You pretty much have to choose work or school. They're not part-time jobs . . .. So sometimes I have to choose work . . .. But in school there's a limited number of times you can be absent . . .. Then I have homework to catch up on. I go to work, I come home. I stay up late to get it done."
Marcos said that no one in his family had made it past the tenth grade, and his two older sisters had already dropped out to work. "My mom tells me, 'You might want to get out of school and help me.' I listen to her and respect her but I want to choose my future. I want to go as far as I can go."

I. Summary and Recommendations

Hundreds of thousands of children under age 18 are working in agriculture in the United States. But under a double standard in US federal law, children can toil in the fields at far younger ages, for far longer hours, and under far more hazardous conditions than all other working children. For too many of these children, farm work means an early end to childhood, long hours at exploitative wages, and risk to their health and sometimes their lives. Although their families' financial need helps push children into the fields—poverty among farm workers is more than double that of all wage and salary employees—the long hours and demands of farm work result in high drop-out rates from school. Without a diploma, child workers are left with few options besides a lifetime of farm work and the poverty that accompanies it.

In 2000, Human Rights Watch published the report "Fingers to the Bone: United States Failure to Protect Child Farm workers." This study documented the exploitative, dangerous conditions under which children worked in agriculture and the damage inflicted upon their health and education. Highlighting weak protections in US law, it found that even these provisions were rarely enforced. Nearly 10 years later, Human Rights Watch returned to the fields to assess conditions for working children. We conducted research in the states of Florida, Michigan, North Carolina and Texas, interviewing dozens of child farm workers who had altogether worked in 14 states across the country. Shockingly, we found that conditions for child farm workers in the United States remain virtually as they were a decade ago. This report details those conditions and the failure of the US government to take effective steps needed to remedy them. Most notably, the government has failed to address the unequal treatment of working children in the Fair Labor Standards Act (FLSA), which provides fewer protections to children working in agriculture compared with all other working children.

In agriculture, children typically start working adult hours during the summers, weekends, or after school at age 11 or 12. Many children work part time much earlier, and Human Rights Watch interviewed child farm workers as young as seven. Seventeen-year-old Jose M., who described the shock he felt going to work at age 11, said that when he looks around the field and sees 12-year-olds, "I know how they feel. I used to feel like that. They have a face that says they don't want to be here." He added, "Teachers at school know when kids turn 12. They see the cuts on their hands. They know a child at 12 goes to work. No if's, and's, or but's."

Parents told us they took their children to work because they did not have childcare and because they needed the money to meet basic expenses and buy school supplies. The fact that the work is legal also presents it as a legitimate choice for parents, children, and employers. But several mothers later expressed regret over the choices they had made. One mother in Texas said she believed she had already stolen her 11-year-old daughter's childhood. Another said when she saw what work did to her two oldest children; she decided not to take her two youngest children to work.

Current US law provides no minimum age for children working on small farms so long as they have their parent's permission. Children ages 12 and up may work for hire on any farm with their parent's consent, or if they work with their parents on the same farm. Once children reach age 14, they can work on any farm even without their parents' permission. Outside of agriculture, children must be at least 16 years old to work, with a few exceptions: 14- and 15-year-olds can work in specified jobs such as cashiers, grocery baggers, and car washers, subject to very restricted conditions.

Children often work 10 or more hours a day: at the peak of the harvest they may work daylight to dusk, with few breaks. Children described working five to seven days a week, weather permitting. For example, 14-year-old Olivia A. said she worked from 6 a.m. to 6 or 7 p.m. picking blueberries in Michigan, seven days a week. Felix D., age 15, said he worked the same hours deflowering tobacco in North Carolina, six days a week.

For school children, work is often confined to weekends and summers, and before and after school. Children, who have dropped out of school, including "unaccompanied children" who have come without their families from Mexico and Central America, work these hours whenever work is available. Under US law, there are no limits on the hours children can work in agriculture outside of school hours. In non-agricultural settings, 14- and 15-year-olds cannot work more than three hours on a school day and eight hours on a non-school day.

Children working in agriculture typically make less than the minimum wage. Their pay is often further cut because employers underreport hours, and they are forced to spend their own money on tools, gloves, and drinking water that their employers should provide by law. For example, in the Texas panhandle region, children told us they made $45 to $50 a day for 10 or more hours of hoeing cotton, or at best $4.50 to $5.00 an hour, compared with the federal hourly minimum wage of $7.25. Where the pay is based on a piece rate, meaning workers are paid by the quantity they pick, it is usually much worse. Antonio M., age 12, said that picking blueberries on piece rate in North Carolina, he made at most $3.60 an hour.

With some notable exceptions, farm workers are legally entitled to minimum wage but not overtime, and rarely receive job-related benefits that much of the rest of America's workforce takes for granted. They receive no paid sick days, no health insurance, no paid vacation leave, and have no job security. They only get paid for the hours

they work. Laws that deny farm workers overtime, and in some instances minimum wage, combined with poor enforcement of existing wage laws, contribute to farm workers' poverty and financial desperation that compel children to work and make farm workers even more vulnerable to exploitation.

Farm worker youth drop out from school at four times the national dropout rate, according to government estimates. Human Rights Watch interviewed many children who had been forced to repeat a grade one or more times and who had never had anyone in their families graduate from high school. Several factors explain this. Around 40 percent of hired crop workers migrate each year to or within the United States for work. Children whose families migrate within the United States often leave school early—in April or May—and return weeks or even months after school has already started. Fifteen-year-old Ana Z. in Texas said: "I don't remember the last time I got to school registered on time . . . . I'm afraid it's going to hold me back on my education . . . . I got out of math because I was a disaster. I would tell the teacher, 'I don't even know how to divide and I'm going to be a sophomore.' I'm going from place to place. It scrambles things in my head and I can't keep up."

Children who try to combine working and going to school often find that school pays the price, in part because there are no limits on how many hours children can work in agriculture outside of school hours. Jaime D., who told us he dropped out of school at age 16 after he started picking tomatoes, explained, "I wanted to work and still go to school, but I couldn't concentrate on both. I didn't know how to do both."

Agriculture is the most dangerous industry for young workers, according to the Centers for Disease Control's National Institute for Occupational Safety and Health (NIOSH). Working with sharp tools and heavy machinery, exposed to chemicals, climbing up tall ladders, lugging heavy buckets and sacks, children get hurt and sometimes they die. From 2005 to 2008, at least 43 children under age 18 died from work-related injuries in crop production—27 percent of all children who were fatally injured at work. The risk of fatal injuries for agricultural workers ages 15 to 17 is more than 4 times that of other young workers.

Under current US law, children can do agricultural work that the US Department of Labor deems "particularly hazardous" for children at age 16 (and at any age on farms owned or operated by their parents). In non-agricultural sectors, no one under age 18 can do such jobs. Incongruously, some of the same jobs that are considered too dangerous for teenagers in non-agricultural settings are perfectly legal in agriculture: a 16-year-old who is barred from driving a forklift in a store warehouse, for example, may do so without restriction on a farm.

Use the data above to complete your assignment. The goal is to apply the information we have covered in this course to a real life problem (as documented above) just as an anthropologist might do in his/her career:

You are an anthropologist, working with farm workers in the U.S; you have been hired by the Department of Labor to evaluate the role of child labor in agriculture in the US and to suggest options for how to proceed. Use the data from the Human Watch report Fields of Perils as your own data collection. (Report above)

1. Briefly describe the situation from an etic perspective and an emic perspective, label each. Explain how each is subtly different in this situation.

2. What impact does our current system of agricultural work have on the social organization and opportunities for upward mobility of its workers over generations?

3. Do you think Conflict theory applies in this situation? Explain. How else might you analyze the data?

4. Make your report to the Department of Labor - What are your recommendations to the Department, explain. Have you taken the needs of the children and their families into consideration have you used an etic and/or emic approach to the problem. Have your solutions taken all parties involved into consideration? Try not to be vague or over generalize your response.
5. How does your training as an anthropologist help you evaluate and analyze this situation, uniquely? Explain the tools you use to understand a problem in a cross-cultural context, like cultural relativism, fieldwork interviews, and others.