Housing Issues of Agricultural Workers in Minnesota

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Agricultural Worker Project

- Extensive legal rights outreach from approximately May through October each year
- Visited over 500 agricultural worker housing sites and spoke with over 1,000 workers in 2018
- Main focus is on evening visits to workers at their housing
In what sort of housing do Minnesota’s agricultural workers live?

- Migrant labor camps
  - Claremont Center and Brooten migrant housing
- Cannery-affiliated housing
  - On-site, military-style housing
  - On-site/off-site, employer-owned manufactured homes
  - Employer-owned houses
- On-site, employer-owned housing for dairy workers
- H-2A worker housing
  - Both on-site and off-site
  - Manufactured homes, houses, apartments, motels, etc.
- Employer-unaffiliated housing
  - Rental housing, manufactured homes, motels, etc.
Migrant Labor Camps
Cannery-Affiliated Housing
Manufactured Home Parks
Dairy Worker Housing
H-2A Housing
What are the housing rights and challenges of agricultural workers in Minnesota?

- **Rights under the Migrant and Seasonal Agricultural Worker Protection Act**
  - Migrant agricultural workers
    - Ensure housing meets federal and state health and safety standards
    - Have an agency certify compliance before occupancy
    - Post certificate of compliance
    - These responsibilities extend to any person who houses migrant agricultural workers
    - Written disclosure at time of recruitment addressing whether housing will be provided and cost
What are the housing rights and challenges of agricultural workers in Minnesota?

- Rights under H-2A regulations
  - H-2A workers (and domestic workers in corresponding employment)
    - Free housing
    - Must meet applicable housing standards (OSHA or ETA)
    - Inspection required prior to occupancy
OSHA and ETA Housing Standards

- Bed for each worker elevated off the floor
- Adequate supply of hot and cold water
- Adequate heating during cold weather
- Screened windows
- A place to wash and dry clothes
- Additional requirements for shared bathrooms (certain number of toilets and showers per person)
- Additional requirements for shared cooking facilities
Repeal of Chapter 4630, Minnesota Department of Health, Migrant Labor Camps Rules

- Repealed April 2001
- Required permit to operate migrant labor camp
- Required annual inspection
- Permit revocation process
- Requirements regarding condition of housing, including housing site, water supply, waste disposal, heating, screening, lighting, toilets, bathing, laundry, cooking facilities, pest control, first aid, etc.
What are the housing rights and challenges of agricultural workers in Minnesota?

- **Rights under Minnesota Migrant Labor Act**
  - Recruited migrant cannery workers
  - Employment statement upon recruitment that addresses whether housing will be provided and deductions from wages
  - Right to stay in employer-provided housing until final wages paid

- **Additional rights**
  - Lodging allowance
  - 75% of minimum wage for one hour of work/day IF lodging adequate, decent, and sanitary
What are the housing rights and challenges of agricultural workers in Minnesota?

- **Challenges**
  - Inadequate supply of housing
  - Inadequate conditions of housing
  - False promises/violations by employers
  - Enforcement
    - Jurisdictional issues
    - Adequate response
    - Adequate resources
  - Workers’ fear/concern
    - Retaliation
    - Homelessness
Examples of Inadequate Housing Conditions
Want to learn more?

- **Watch**
  - Dolores (2017)
  - Food Chains (2014)
  - Harvest of Shame (1960)

- **Read**
  - With These Hands: The Hidden World of Migrant Farmworkers Today by Daniel Rothenberg

- **Visit**
  - Canadian Museum for Human Rights (Winnipeg, Manitoba)
  - [https://www.facebook.com/AgWProject/](https://www.facebook.com/AgWProject/)