Wrongful employment practices persist in the agriculture sector, especially affecting the migrant worker. My research investigated how grievances of injustices are addressed. Two instances—the Delano Grapes Strike and Boycott and Sabas Arredondo vs. Delano Farms Company—of migrant field workers addressing employer grievances against table grape farms were the focus of my research.

INTRODUCTION

Migrant field workers in the Delano Grape Strike and Boycott restricted their labor and consumption of grapes, acting in a monopolistic fashion. Nearly 50 years later, in the same city of Delano, California, migrant field workers addressed grievances through the legal system: Sabas Arredondo vs. Delano Farms Company. Before a labor law violation was determined, the court tried who is liable—the contractor or the farm.

Farms use contractors to hire labor because of the seasonal variation of crops. Weather patterns and volatile demand influences the quantity produced per harvest season, which is not determined until the season begins. Farms, thus, use contractors, who have a readily available staff, to accommodate the agriculture market’s seasonality. The seasonal variation of crops requiring the need for intermediaries is however often rejected. Escaping liability is perceived as the sole reason farms hire through contractors. In the instance a labor violation arises, farms can place the blame upon contractors, stating they are the true employer.

MATERIALS AND METHODS

Crops are not a constant entity. Weather patterns and changes in quantity demanded formulate unsteady production of most crops. It is unknown whether Delano Farms in Sabas Arredondo vs. Delano Farms Company chose to contract labor, rather than hire directly, because of the seasonal variation of table grapes or to eliminate liability of labor law violations. My research tested whether table grapes in Delano, California were subject to seasonal variation and if hiring practices matched this seasonal variation.

RESULTS

The California Agricultural Statistics Service, under the USDA, annually publishes Grape Acreage Reports, tracking the quantity of California grapes produced by variety and type in each county. My research used the information on table grapes in Kern County—home of Delano Farms. Bearing table grapes showed little seasonal variation. Non-bearing table grapes, however, represented all the planted vines unable to bear grapes and seasonal variation. Overall, table grapes in Kern County displayed seasonal variation—through non-bearing’s median percentage changes of 6.5—whilst still maintaining a steady increase in production. Delano Farms’ need for an intermediary is highly plausible considering the market trends, seasonal variation of table grapes.

Every month of every year, the state of California collects the data on hired labor within the agriculture sector. In addition to analyzing the data on production, I analyzed the data on employment. Unlike the USDA, the labor market information is separated by regions, rather than county. The employment data thus covers larger areas. Delano Farms is located in the region of San Joaquin Valley. This region demonstrated high seasonality during the harvest months of June, July, August, September, and October. Similarly, hired labor was subject to seasonal variation. The need for an intermediary, thus, is highly plausible.

When comparing the hiring trends against the Grape Acreage Reports, the data did not correlate. A negative relationship persisted between the quantity of grapes produced and the quantity of labor hired. Escaping liability is a plausible explanation of Delano Farms Company’s use of an intermediary.

CONCLUSIONS

The table grape market in Kern county was subject to seasonal variation. Hiring practices were, however, found not in correlation with this seasonal variation. Thus, escaping liability is a possible explanation of Delano Farms Company’s use of an intermediary.

Delano Grape Strike and Boycott and Sabas Arrendondo vs. Delano Farms Company demonstrate addressing grievances through collection action and the legal system, respectively. Collective action is not the easiest option: it requires hard work and dedication. Collective action is, however, able to preserve the narrative of migrant field workers by the ways in which they determine what injustice is and how to resolve it.

The legal system is unable to preserve the narrative of migrant field workers. Injustice is determined after liability is found and is determined by precedent. Precedent removes individual’s lived experiences, as valued narratives are only supported by past validated injustices. A more just legal system for the agriculture sector would create laws which focus more on the individual, rather than the productivity of the industry.

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ABSTRACT

Wrongful employment practices persist in the agriculture sector, especially affecting the migrant worker. My research investigated how grievances of injustices are addressed. Two instances—the Delano Grapes Strike and Boycott and Sabas Arredondo vs. Delano Farms Company—of migrant field workers addressing employer grievances against table grape farms were the focus of my research.

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