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## No Refuge From The Fields Vol. 2: Revitalization of Farmworker Housing Research

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**No Refuge From The Fields Vol. 2**  
**Revitalization of Farmworker Housing Research**  
**Manda LaPorte**

A Capstone Paper Submitted in Partial Fulfillment of the Requirements for the Degree of

MASTER OF SCIENCE

Applied Community and Economic Development Sequence

Department of Politics and Government

ILLINOIS STATE UNIVERSITY

2023

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## **Abstract**

Farmworkers in the U.S. are often subjected to substandard living situations. However, since they are primarily seasonal, migrant, or temporary work visa holders, limited attention is focused on their quality of life. Although farmworkers are some of the hardest working people, they are typically exposed to extreme weather and working conditions, have the highest percentage of people among the working poor, face restrictive access to education and health care, etc. While service providers, such as housing developers and healthcare specialists, are concerned about these individuals' well-being, there is still minimal research available about current farmworker trends. This report seeks to revisit the Housing Assistance Council's (HAC) 2002 farmworker report and provide an updated version that reflects the changes in farmworker housing trends in the previous two decades. Combined with annual data gathered by the Department of Labor (DOL) on the quality of life of farmworkers pulled from the National Agricultural Worker Survey (NAWS), this report investigates the current housing conditions of farmworkers around the United States as a starting point to future research by HAC.

## **Acknowledgments**

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Finally, thank you to my family, partner, and friends that have been by my side without hesitation. This report is just the beginning of a broader discussion and research, but it would not have been possible without each and every one of you. Thank you.

## **Introduction**

The Housing Assistance Council (HAC) was established in 1971 and is a national non-profit that supports affordable housing efforts across rural America. HAC has done this in a variety of ways. First, HAC provides below-market financing for affordable housing and community development. Second, the organization provides technical assistance and training to partner organizations. Finally, HAC researches and provides information to help policy formulation and solutions for rural communities. As a second-year Applied Community and Economic Development (ACED) Political Science graduate student at Illinois State University (ISU), I am working on various assignments with HAC's Research and Information team.

HAC's mission is "to improve housing conditions for the rural poor, with an emphasis on the poorest of the poor in the most rural places."<sup>1</sup> To accomplish this, the organization has focused on the most underserved areas of the nation, including the rural Southeast, Native American Lands, Appalachia, farmworker communities, and more. As a result, HAC has assisted in providing for over 70,000 homes in rural communities across the U.S. (HAC. 2022.). As someone who grew up in a farming community, HAC's first-of-its-kind, comprehensive report on farmworker housing trends is what drew me to do my professional practice with them. One of my priority projects with HAC and the goal of this research is to revitalize HAC's research in farmworker housing trends and provide an updated analysis of the current situation.

Farmworkers in the U.S. are often subjected to substandard living situations. However, since they are primarily seasonal, migrant, or temporary work visa holders, limited attention is focused on their quality of life. Although farmworkers are some of the hardest working people, they are typically exposed to extreme weather and working conditions, have the highest

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<sup>1</sup> [About HAC - Housing Assistance Council \(ruralhome.org\)](https://www.ruralhome.org/)

percentage of people among the working poor, face restrictive access to education and health care, etc.<sup>23</sup> While service providers, such as housing developers and healthcare specialists, are concerned about these individuals' well-being, there is still minimal research available about current farmworker trends. This report seeks to revisit HAC's last farmworker report, as mentioned above, and provide an updated version that reflects the changes in farmworker housing trends in the previous two decades. Combined with annual data gathered by the Department of Labor (DOL) on the quality of life of farmworkers pulled from the National Agricultural Worker Survey (NAWS), this report investigates the current housing conditions of farmworkers around the United States.

Although decades have passed since the DOL first implemented the NAWS in 1989, research suggests that the quality of life for these workers has not improved.<sup>45</sup> Simply tracking these individuals' demographics, wages, and general information has not ensured farmworkers the protections they are promised.<sup>6</sup> Although this research has highlighted the social disparities farmworkers often face and has offered solutions to combat these trends,<sup>78910</sup> poor working, health, and housing conditions persist. As data collection enhances, new insights are becoming

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<sup>2</sup> Nicholson, Erik. "'Essential'but Undervalued: Industry Must Do More to Protect Farmworkers." *Journal of agromedicine* 27, no. 1 (2022)

<sup>3</sup> [NoRefuge C1-vii \(ruralhome.org\)](https://www.ruralhome.org/).

<sup>4</sup> Carter, Sally A., and Roger C. Rosenthal. "Migrant Farmworker Housing: An American Tragedy, an American Challenge." *Clearinghouse Rev.* 30 (1996): 781.

<sup>5</sup> Arcury TA, Weir MM, Summers P, et al. Safety, Security, Hygiene and Privacy in Migrant Farmworker Housing. *NEW SOLUTIONS: A Journal of Environmental and Occupational Health Policy.* 2012;22(2):153-173. doi:10.2190/NS.22.2.d

<sup>6</sup> RICHARD, S., & PIERRE, S. L. (2021). Expanding California's law to increase protections for temporary guest workers benefits businesses. *Business and Human Rights Journal*, 6(1), 153-158. doi:<https://doi.org/10.1017/bhj.2020.26>

<sup>7</sup> Marsh, Ben, et al. "Understanding the role of social factors in farmworker housing and health." *NEW SOLUTIONS: A Journal of Environmental and Occupational Health Policy* 25.3 (2015): 313-333.

<sup>8</sup> Borrell, L. N.,D.D.S.PhD., & Kapadia, F.,PhD.M.P.H. (2021). Social justice for marginalized communities. *American Journal of Public Health*, 111(8), 1366. doi:<https://doi.org/10.2105/AJPH.2021.306426>

<sup>9</sup> Costa, Daniel. (2022). As the H-2B visa program grows, the need for reforms that protect workers is greater than ever. *Economic Policy Institute*, 1-25.

<sup>10</sup> Costa, Daniel. [Temporary Work Visa Programs and the Need for Reform: A Briefing on Program Frameworks, Policy Issues and Fixes, and the Impact of COVID-19](#), Economic Policy Institute, February 3, 2021.

increasingly available to track the number of farmworkers in U.S. agricultural programming and production and how to better serve and protect these individuals.<sup>11</sup> However, these sources lack a comprehensive overview of all farmworkers (migrant, settled, H-2A, unauthorized, etc.) and the consistency to track progress and program efficiency.

Below, I provide a literature review that examines the current research and data available on farmworkers living and working conditions, a summary of the NAWS, a background on the H-2A visa program, an explanation of the methodology behind this research, the implications of my findings, and areas for future research needed.

## **Literature Review**

Health issues and safety have been a constant concern for farmworkers who work demanding and often poorly regulated jobs. Even with targeted efforts to alleviate the barriers these individuals face, there are still limited resources, immigration restrictions, and cultural and communication hurdles that leave farmworkers vulnerable.<sup>12</sup><sup>13</sup><sup>14</sup> While it is challenging to obtain accurate data, the NAWS from 2017-2018 reported that 44 percent were unauthorized to work, and about 36 percent were undocumented.<sup>15</sup> This can make it increasingly difficult for workers to advocate for themselves and seek medical assistance. Furthermore, workers are less likely to

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<sup>11</sup> Costa, Daniel. (2002). Pg. 7.

<sup>12</sup> Steege, Andrea L,PhD., M.P.H., Baron, Sherry,M.D., M.P.H., Davis, S., J.D., Torres-Kilgore, J., & Sweeney, M. H., PhD. (2009). Pandemic influenza and farmworkers: The effects of employment, social, and economic factors. *American Journal of Public Health*, 99, S308-15. Retrieved from <https://go.openathens.net/redirector/illinoisstate.edu?url=https://www.proquest.com/scholarly-journals/pandemic-influenza-farmworkers-effects-employment/docview/215085698/se-2>

<sup>13</sup> Marsh, Ben et al. (2015).

<sup>14</sup> Liebman, A. K.,M.P.A.M.A., Seda, C. H., B.A., & Galvan, A. R., M.H.C. (2021). Farmworkers and COVID-19: Community-based partnerships to address health and safety. *American Journal of Public Health*, 111(8), 1456-1458. Retrieved from <https://go.openathens.net/redirector/illinoisstate.edu>

<sup>15</sup> [Findings from the National Agricultural Workers Survey \(NAWS\) 2019–2020 \(dol.gov\)](https://www.dhs.gov/naaws) Pgs. 6-7.



have health insurance, and their work and access to transportation make leaving their job extremely difficult.<sup>16</sup> Coupled with a fear of losing employment, farmworkers rarely seek medical attention to live healthily and sustainably.<sup>17</sup>

Many researchers have identified that these health issues trickle into farmworker housing.<sup>18</sup><sup>19</sup><sup>20</sup><sup>21</sup> From tracking residual pesticides into the home to the lack of sanitary facilities, workers experience health issues both on the job and in the home.<sup>22</sup> Some studies also note that restricted access to physical health care is linked to adverse mental health at home.<sup>23</sup> In addition, farmworkers are often separated from family members for extended periods, which can further exacerbate mental health issues.<sup>24</sup> As mental health becomes less and less taboo, federal and state regulations for farmworker housing are starting to directly link living conditions to health risks. Unfortunately, the enforcement of these protocols and tracking of housing conditions varies.<sup>25</sup>

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<sup>16</sup> Hoerster, Katherine D, PhD., M.P.H., Mayer, J. A., PhD., Gabbard, S., PhD., Kronick, R. G., PhD., Roesch, S. C., PhD., Malcarne, V. L., PhD., & Zuniga, M. L., PhD. (2011). Impact of individual-, environmental-, and policy-level factors on health care utilization among US farmworkers. *American Journal of Public Health*, 101(4), 685-92. Retrieved from <https://go.openathens.net/redirector/illinoisstate.edu?url=https://www.proquest.com/scholarly-journals/impact-individual-environmental-policy-level/docview/860165698/se-2>

<sup>17</sup> Arcury, Thomas A., and Sara A. Quandt. "Delivery of health services to migrant and seasonal farmworkers." *Annu. Rev. Public Health* 28 (2007): 345-363.

<sup>18</sup> Quandt, S. A., Wiggins, M. F., Chen, H., Bischoff, W. E., & Arcury, T. A. (2013). Heat index in migrant farmworker housing: Implications for rest and recovery from work-related heat stress. *American Journal of Public Health*, 103(8), e24-e26. doi:<https://doi.org/10.2105/AJPH.2012.301135>

<sup>19</sup> Arcury, T. A., Weir, M. M., Summers, P., Chen, H., Bailey, M., Wiggins, M. F., . . . Quandt, S. A. (2012). Safety, security, hygiene and privacy in migrant farmworker housing. *New Solutions: A Journal of Environmental and Occupational Health Policy*, 22(2), 153-173. Retrieved from <https://go.openathens.net/redirector/illinoisstate.edu>

<sup>20</sup> Arcury TA, Weir MM, Summers P, et al. (2012).

<sup>21</sup> Marsh, Ben, et al. (2015).

<sup>22</sup> Arcury, Thomas A., Ilene J. Jacobs, and Virginia Ruiz. "Farmworker Housing Quality and Health." *NEW SOLUTIONS: A Journal of Environmental and Occupational Health Policy* 25, no. 3 (November 2015): 256–62. <https://doi.org/10.1177/1048291115604426>.

<sup>23</sup> Quandt, Sara A., Carol Brooke, Kathleen Fagan, Allyson Howe, Thomas K. Thornburg, and Stephen A. McCurdy. "Farmworker Housing in the United States and Its Impact on Health." *NEW SOLUTIONS: A Journal of Environmental and Occupational Health Policy* 25, no. 3 (November 2015): 263–86. <https://doi.org/10.1177/1048291115601053>.

<sup>24</sup> Arcury, Thomas A., and Antonio J. Marín. "Latino/Hispanic farmworkers and farm work in the eastern United States: the context for health, safety, and justice." In *Latino farmworkers in the eastern United States*, pp. 15-36. Springer, New York, NY, 2009.

<sup>25</sup> Joyner, Ann Moss, Lance George, Mary Lee Hall, Ilene J. Jacobs, ED Kissam, Shelley Latin, Allan Parnell, Virginia Ruiz, Nargess Shadbeh, and Janet Tobacman. "Federal Farmworker Housing Standards and Regulations, Their Promise and Limitations, and Implications for Farmworker Health." *NEW SOLUTIONS: A Journal of*

For example, workers in California are working in unbearably hot weather,<sup>26</sup> while a study showed that farmworkers in North Carolina were living in situations where the heat index of their rooms reached dangerously high temperatures.<sup>27</sup>

Additionally, as with other marginalized groups, farmworkers were disproportionately affected by COVID-19.<sup>28,29</sup> Literature suggests that populations working in high-risk environments, such as farmworkers, are often challenged with less access to health care and economic relief.<sup>30</sup> Furthermore, because farmworkers were considered “essential,” their occupation put them at greater risk of contracting COVID-19.<sup>31</sup> Moreover, with the U.S. struggling to keep up with the food demand during the pandemic, extensions on farmworker contracts allowed workers, such as H-2A holders, to continue working in these poor conditions for longer.<sup>32</sup> In addition to often living in overcrowded housing, farmworkers may be unable to follow safety guidelines, increasing their risk of exposure.<sup>33</sup> For example, workers reported

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Environmental and Occupational Health Policy 25, no. 3 (November 2015): 334–52.  
<https://doi.org/10.1177/1048291115604390>.

<sup>26</sup> Bacon, David. (2022). “California Farmworkers March to Urge Newsom to Sign Voting Rights Bill Supporters say the legislation would protect farmworkers from employer intimidation.” *Capital & Main*.

<sup>27</sup> Quandt, Sara A., Melinda F. Wiggins, Haiying Chen, Werner E. Bischoff, and Thomas A. Arcury. "Heat index in migrant farmworker housing: implications for rest and recovery from work-related heat stress." *American Journal of Public Health* 103, no. 8 (2013): e24-e26.

<sup>28</sup> Haley, Ella, Susana Caxaj, Glynis George, Jenna Hennebry, Eliseo Martell, and Janet McLaughlin. "Migrant farmworkers face heightened vulnerabilities during COVID-19." *Journal of Agriculture, Food Systems, and Community Development* 9, no. 3 (2020): 35-39.

<sup>29</sup> Haley, Ella, Susana Caxaj, Glynis George, Jenna Hennebry, Eliseo Martell, and Janet McLaughlin, “Migrant Farmworkers Face Heightened Vulnerabilities during COVID-19.”

<sup>30</sup> Doãn, Lan N, PhD, MPH, Chong, S. K., B.A., Misra, S., ScD., Kwon, S. C., DrP.H., & Yi, Stella S,PhD., M.P.H. (2021). Immigrant communities and COVID-19: Strengthening the public health response. *American Journal of Public Health*, 111, S224-S231. doi:<https://doi.org/10.2105/AJPH.2021.306433>

<sup>31</sup> Liebman et al. (2021).

<sup>32</sup> Neef, Andreas. "Legal and social protection for migrant farm workers: lessons from COVID-19." *Agriculture and Human Values* 37, no. 3 (2020): 641-642.

<sup>33</sup> Handal, Alexis J., Lisbeth Iglesias-Ríos, Paul J. Fleming, Mislal A. Valentín-Cortés, and Marie S. O’Neill. ““Essential” but expendable: farmworkers during the COVID-19 pandemic—the Michigan Farmworker Project.” *American journal of public health* 110, no. 12 (2020): 1760-1762.

unreliable access to the Personal Protection Equipment (PPE) recommended by the Centers for Disease Control and Prevention (CDC).<sup>34</sup>

Migrant farmers are considered “individuals who establish a temporary residence for the purpose of employment in agriculture on a seasonal basis.”<sup>35</sup> A body of literature shows that these individuals’ housing conditions are often inadequate and make them vulnerable.<sup>36,37,38</sup>

Within this research, we can find an increased need for housing regulation enforcement.

Although housing arrangements are considered part of these workers’ compensation, the housing conditions are often insufficient, insecure, and unhygienic.<sup>39</sup> Said conditions can affect these individuals’ overall quality of life and their families. This literature seeks the justification for expanding housing regulations for migrant farmers.

Another set of literature focuses on the rise of H-2A workers<sup>40,41,42</sup> and their struggles within the temporary employment-based system. Even though these temporary work visa programs “represent a major component of the U.S. immigration system, little is known about the process compared to other aspects of immigration.”<sup>43</sup> For example, about 1 in 7 farmworkers

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<sup>34</sup> Nicholson, Erik. “‘Essential’ but Undervalued: Industry Must Do More to Protect Farmworkers.” *Journal of Agromedicine* 27, no. 1 (2022): 4-5.

<sup>35</sup> Arcury TA, Weir MM, Summers P, et al. (2012). Pg. 154

<sup>36</sup> . Quirina M. Vallejos, Sara A. Quandt, and Thomas A. Arcury, “The Condition of Farmworker Housing in the Eastern United States,” in *Latino Farmworkers in the Eastern United States: Health, Safety, and Justice*, eds. Thomas A. Arcury and Sara A. Quandt (New York: Springer, 2009), 37-69.

<sup>37</sup> Arcury, et al. 2012.

<sup>38</sup> Q. M. Vallejos et al., “Migrant Farmworkers’ Housing Conditions Across an Agricultural Season in North Carolina,” *American Journal of Industrial Medicine* 54(7) (2011): 533-544.

<sup>39</sup> J. Early et al., “Housing Characteristics of Farmworker Families in North Carolina,” *Journal of Immigration and Minority Health* 8(2) (2006). Pg. 180.

<sup>40</sup> Luckstead, Jeff, and Stephen Devadoss. “The Importance of H-2A Guest Workers in Agriculture.” *Choices*, vol. 34, no. 1, 2019, pp. 1–8. *JSTOR*, <https://www.jstor.org/stable/26758668>.

<sup>41</sup> Simnitt, S., & Castillo, M. (2021, 09). Use of H-2A guest farm worker program more than triples in past decade. *Amber Waves*, , 1-8. Retrieved from <https://go.openathens.net/redirector/illinoisstate.edu>

<sup>42</sup> Guerra, Lisa. "Modern-Day Servitude: A Look at the H-2A Program's Purposes, Regulations, and Realities." *Vermont Law Review*, vol. 29, no. 1, Fall 2004, pp. 185-214. *HeinOnline*, <https://heinonline.org/HOL/P?h=hein.journals/vlr29&i=195>.

<sup>43</sup> Costa, Daniel. (2022). “Second-class workers: Assessing H2 visa programs’ impact on workers.” *Economy Policy Institute*.

hold an H-2A visa. Unfortunately, since NAWS doesn't include these employees in their survey and data collection, there is limited empirical evidence on the quality of housing H-2A visa holders experience nationwide. Without this information, policy reform and advocacy become challenging.

However, the literature on farmworkers and their housing goes beyond migrant farmers and H-2A workers. While these employees have additional hardships, farmworkers generally face housing issues, including overcrowded living quarters and substandard housing options.<sup>4445</sup> The United Nations International Bill of Rights recognizes housing as a fundamental human right; however, farmworkers are often overlooked.<sup>46</sup> Research shows that the DOL has three agencies that help regulate farmworkers' housing; The Employment Service, Occupational Safety and Health Administration (OSHA), and the Migrant and Seasonal Agricultural Workers Protection Act (MSPA).<sup>47</sup> However, even though these entities should regulate housing standards, enforcement is often missing.<sup>48</sup>

Additionally, another body of literature suggests that U.S. Department of Agricultural (USDA) Section 514/516 (Farm Labor Housing Program) housing has been slowly declining despite an increasing farmworker population.<sup>4950</sup> Along with Section 515 Rural Rental Housing Program, Section 514/516 has been around since the 1960s to help provide decent and affordable

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<sup>44</sup> Holden, Christopher. "Bitter harvest: housing conditions of migrant and seasonal farmworkers." *The Human Cost of Food*. University of Texas Press, 2021. 169-195.

<sup>45</sup> Gentry, Amanda L., Joseph G. Grzywacz, Sara A. Quandt, Stephen W. Davis, and Thomas A. Arcury. "Housing quality among North Carolina farmworker families." *Journal of Agricultural Safety and Health* 13, no. 3 (2007): 323-337.

<sup>46</sup> Office of the High Commissioner for Human Rights. (2008). "Universal Declaration of Human Rights."

<sup>47</sup> Claucherty, Gordon L. "US Department of Labor Role in Improving the Overall Availability and Quality of Farmworker Housing." *In Defense of the Alien* 13 (1990): 125-127.

<sup>48</sup> Arcury, Thomas A., and Antonio J. Marín. (2009).

<sup>49</sup> Council, Housing Assistance. "USDA section 514/516 farmworker housing: existing stock and changing needs." *Housing Assistance Council, Washington, DC* (2006).

<sup>50</sup> Price, Richard Michael, and Rebecca Simon. "Preservation Issues and Strategies for USDA's Rural Housing Service Multifamily Direct Loan Portfolio."

housing to low-income rural residents and farmworkers.<sup>51</sup> Certain state health departments (DOH) also permit housing camps for temporary farmworkers.<sup>52</sup> As harvesting seasons expand and farmworkers become more settled, farmworker housing must also become more stable and permanent.<sup>53</sup>

It is important to note that the comprehensive research on farmworkers' housing is outdated and does not account for current trends, such as the increase in H-2A visa holders.<sup>54</sup><sup>55</sup> In addition, the NAWS survey administered by DOL purposefully leaves out H-2A workers.<sup>56</sup> Unfortunately, this means that the data is both outdated and biased. As such, this research provides an updated, comprehensive look at farmworkers' housing, including migrant farmers, settled farmers, unauthorized farmers, and H-2A visa holders. While this study utilizes data pulled from NAWS, it recognizes that the data is incomplete because it does not include workers on H-2A visas or a temporary agricultural worker program.

For this reason, it is necessary to take a multi-methods approach utilizing multiple datasets and reports published by farmworker organizations and government entities. In partnership with the Housing Assistance Council (HAC), this research seeks to provide a comprehensive overview of farmworker housing to influence and improve policies and programs surrounding farmer housing

## **NAWS Background**

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<sup>51</sup> Strauss, Leslie R., and Housing Assistance Council. "USDA rural rental housing programs." *Washington, DC: National Low Income Housing Coalition. Retrieved June 16 (2014): 2015.*

<sup>52</sup> Ray, Anne. "The Need for Farmworker Housing in Florida." (2007).

<sup>53</sup> Quandt, Sara A., et al. (2015). Pg. 271.

<sup>54</sup> Council, Housing Assistance (2001).

<sup>55</sup> Cavanaugh, David. (1980).

<sup>56</sup> [Findings from the National Agricultural Workers Survey \(NAWS\) 2019–2020 \(dol.gov\)](#)

Through the National Agricultural Workers Survey (NAWS), the U.S. Department of Labor (DOL) surveys 1,500 to 3,600 agricultural workers every year. Farmworker demographics have progressively changed over the years, and because of this, there are several different types of laborers. The U.S. Department of Labor (DOL) asks questions during its annual NAWS to categorize workers.

*Authorized workers* consistently provide answers that align with visa regulations, while *unauthorized workers* cannot. Additionally, *migrant workers* are individuals who have reported jobs at least 75 miles from each other or have moved more than 75 miles to obtain work for 12 months. Whereas *settled workers* have permanent living arrangements within 75 miles of their place of work. Although agricultural employers still rely on migrant farmworkers, the number of settled workers has steadily risen as the seasons change and become increasingly longer. Settled workers comprise more than 80 percent of this workforce, up 41 percent from 1996.

Using a multi-stage sampling design, the department has three interviewing cycles that help accommodate the fluctuating employment levels of the seasonal workforce. These cycles begin in February, June, and October. The number of interviews allocated during each cycle is proportional to the number of workers hired during that time.<sup>57</sup> Workers are sampled from each of the 12 regions during each interview cycle.<sup>58</sup>

Additionally, seven levels of sampling help solidify the randomization process; cycle, region, single county or grouping of counties (also known as farm labor-areas or FLA), county, zip code, employer, and crop worker.<sup>59</sup> FLAs are considered the primary sample unit (PSU).

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<sup>57</sup> This information is pulled from the USDA's Farm Labor Survey and National Agricultural Statistics Service.

<sup>58</sup> The 12 regions are aggregated from the 17 USDA-designated regions are interviewed: **NE1**: CT, ME, MA, NH, NY, RI, VT; **NE2**: DE, MD, NJ, PA; **AP** : NC, VA, KY, TN, WV; **DSE**: AR, LA, MS, AL, GA, SC; **FL**: FL; **SP**: OK, TX; **CBNP**: IL, IN, OH, IA, MO, KS, NE, ND, SD; **LK**: MI, MN, WI; **MT12**: ID, MT, WY, CO, NV, UT; **PC**: OR, WA; **MT 3**: AZ, NW; **CA**: CA

<sup>59</sup> See [Methodology | U.S. Department of Labor](#)

Since interviews are divided amongst each region during any given cycle,<sup>60</sup> a random sample of the 497 FLAs is selected using probabilities proportional to the size of the FLA's seasonal farm expenditures.<sup>61</sup> 90 FLAs are visited during each NAWS annual sample, ensuring that two FLAs are assigned for each region in each cycle.<sup>62</sup> Afterward, counties and zip codes are randomly selected. An iterative sampling procedure ensures that a sufficient number of counties is chosen for each region. Usually, most interviews are in the first county of the FLA. Once in the county, Zip Code Clusters are randomly selected and sorted—field staff contact employers in the first Zip Code Cluster before moving down the list. Employers are chosen randomly from this list and then contacted to gain access to the site.<sup>63</sup> The U.S. Department of Labor uses a simple random sampling at this level since probabilities to proportion size are too complicated. This method allows for a greater variety of farm sizes. Finally, crop workers are randomly sampled at their job sites before, after, or during work.<sup>65</sup> To ensure that interviews come from two or more employers in each FLA, the total numbers of interviews allowed for a given county or cluster are:

- Less than 25 interviews; the maximum number of interviews allowed per employer is 5
- 26-40 interviews; the maximum number of interviews allowed per employer is 8
- 41-75 interviews; the maximum number of interviews allowed per employer is 10
- More than 75 interviews; the maximum number of interviews allowed per employer is 12

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<sup>60</sup> The number of interviews allocated to each region is pulled from the USDA's Farm Labor Survey data on regional farm workers employment.

<sup>61</sup> A FLA's size is measured by multiplying a seasonality estimate (from the BLS QCEW) by the local farm labor expenditure data (from USDA's Census of Agriculture).

<sup>62</sup> 12 regions X 2 FLAs X 3 cycles = 72 FLAs. The other 18 are assigned proportionately using seasonal FLS data.

<sup>63</sup> These establishments are typically engaged in Crop Production (NAICS111) and Support Activities for Crop Production (NAICS1151) which are extracted from the Quarterly Census of Employment and Wages (QCEW) (businesses that participate in unemployment insurance program); for states that don't have UI coverage the sampling is supplemented with farms that are listed in commercial lists.

<sup>64</sup> Also known as secondary levels.

<sup>65</sup> Also know as tertiary levels.

Since workers are organized into crews, interviewers use probabilities proportion to pro-rate the number of interviews conducted across the selected teams based on each crew's size.<sup>66</sup>

In addition to not including H-2A workers, it is essential to note that a worker cannot participate in the NAWS for the following reasons:

- If NAWS interviewed them in the last 12 months in the same location;
- Works exclusively with livestock, other non-farm work, cannery/packing house, or landscaping company;
- Has not worked for the contracted employer in the last 15 days for at least 4 hours in one day;
- Is a family member and doesn't receive the same salary or benefits as other workers;
- Is the employer;
- Is a sharecropper involved in decision-making.

The multi-stage sampling design described above means that the data user needs to apply weights to the samples to account for any differences in sampling probabilities (i.e., non-response at the regional and cycle levels). Additionally, because strata<sup>67</sup> and PSU information are hidden from the dataset, NAWS recommends using balanced repeated replication to calculate the standard error.<sup>68</sup>

## **H-2A Background**

Around 2.5 million people work in the U.S. harvesting fields, farms, and orchards. As of 2021, over 317,000 jobs were filled by H-2A visa holders.<sup>69</sup> This is up 15% from 2020,

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<sup>66</sup> See [B \(dol.gov\)](#) Pg. 24

<sup>67</sup> Homogenous groups that are mutually exclusive and exhaustive.

<sup>68</sup> See [An Introduction to Analyzing the NAWS Public Access Data \(dol.gov\)](#)

<sup>69</sup> Philip, "A Look at H-2A Growth and Reform in 2021 and 2022."



indicating an increased reliance on these workers to keep our agricultural sector afloat. The H-2A program allows U.S. employers to temporarily bring foreign-born workers to the United States.<sup>70</sup> The DOL certifies employers to fill over 97% of jobs with H-2A workers if they demonstrate their unsuccessful efforts to hire U.S.-born workers.

In addition to comparable wages of regional agricultural workers, employers must “pay for application and visa processing fees, provide housing for their H-2A workers, and pay for their domestic and international transportation.”<sup>71</sup> Although these accommodations must be inspected and comply with health and safety standards, enforcement is limited, and requirements are regularly violated. In a report by Centro De Los Derechos Del Migrante, INC, in 2020, previous H-2A workers described their living situations as overcrowded and unsanitary. Even though H-2A guidelines prohibit it, 7% of those interviewed reported having to pay for housing, and 6% had to pay for transportation to and from work.<sup>72</sup> In 38 states, there is no regulation of farmworker housing or a dedicated agency to perform the required inspection. In addition, states that do have housing inspection systems in place are often under-resourced. For example, the Texas Department of Housing and Community Affairs (TDHCA) has \$30,000 budgeted per two years. This likely led to TDHCA’s lack of enforcement against operators of failed inspections and that 9 out of 10 migrant farmworkers did not reside in licensed housing. H-2A employers are subject to the Employment and Training Administration (ETA) and Occupational Safety and Health Administration (OSHA) housing standards if the housing is not a rental or public

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<sup>70</sup> Castillo, “U.S. Farm Employers Respond to Labor Market Changes With Higher Wages, Use of Visa Program, and More Women Workers.”

<sup>71</sup> Castillo, “U.S. Farm Employers Respond to Labor Market Changes With Higher Wages, Use of Visa Program, and More Women Workers.”

<sup>72</sup> Centro de los Derechos del Migrante, Inc. (CDM), “Ripe for Reform: Abuses of Agricultural Workers in the H-2A Visa Program.”

accommodation. State and local housing standards apply if the employer uses rental housing or public accommodations. If there are no state or local standards, OSHA housing standards apply.

The average worker is here for around six months.<sup>73</sup> This is equivalent to 125,000 year-round jobs. This makes up 11% of U.S. crop agriculture's 1.1 million full-time employment (FTE) jobs. Over half of the H-2A jobs are distributed amongst five states, California, Florida, Georgia, North Carolina, and Washington, corresponding to the twelve regions defined by the USDA.<sup>74</sup> Visa expiration dates are authorized on the temporary labor certification with the possibility to extend in 1-year increments, up to 3 years (maximum). A holder may reapply after three years, but only after returning to their country of origin for three uninterrupted months. The average age of visa holders has increased by about five years from 2008 to 2018. Additionally, the percentage of women working with H-2A visas increased from 18.6% in 2009 to 25.5% in 2019. As a result, farm wages have risen 2.8% per year in the last five years. In FY21, 80% of H-2A jobs were certified and issuance visas.<sup>75</sup>

## **Research Questions**

As introduced earlier, this report provides an updated comprehensive overview of farmworkers' current housing trends and conditions, similar to HAC's "No Refuge from the Fields" report in the early 2000s. As such, this study will start by asking the same questions asked previously by HAC. This is the first tier of questions:

1. "What are the typical housing structure types occupied by farmworkers and their families?"

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<sup>73</sup> Castillo, "U.S. Farm Employers Respond to Labor Market Changes With Higher Wages, Use of Visa Program, and More Women Workers."

<sup>74</sup> This information is pulled from the USDA's Farm Labor Survey and National Agricultural Statistics Service.

<sup>75</sup> Philip, "A Look at H-2A Growth and Reform in 2021 and 2022."

2. What are the characteristics of farmworker housing that is grower-owned as opposed to private market units?
3. What are the most prevalent health, safety, and structural problems found in farmworker-occupied housing? What portion of farmworker housing units lack full appliances and sanitary facilities, and how many units typically share such appliances and facilities?
4. What is the frequency of crowding in farmworker housing?
5. What portion of farmworker households have a housing cost burden, and how great is this burden?"<sup>76</sup>

However, this report will also ask questions that give a better understanding of H-2A farmworkers' living situations. This is the second tier of questions:

1. What are some common characteristics/housing types of H-2A workers?
2. Do H-2A workers feel safe and healthy within their living arrangements?
3. Are employers providing safe and adequate housing to their H-2A workers? Do these living accommodations meet the regulations listed in H-2A program?

## **Methodology**

Ideally, this research would include a farmworker housing survey, similar to the study conducted in HAC's first research report.<sup>77</sup> In that report, HAC partnered with farmworker organizations and service organizations based in Eastern, Midwestern, and Western migrant streams to survey farmworkers living in employer-owned and private market housing units.

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<sup>76</sup> Holden et al., "No Refuge from the Fields: Findings from a Survey of Farmworker Housing Conditions in the United States." Pg. 8.

<sup>77</sup> Holden et al., "No Refuge from the Fields: Findings from a Survey of Farmworker Housing Conditions in the United States."Pg. 6.

However, time is this report's greatest challenge. Although this updated report seeks to answer the same questions as HAC's previous report and beyond, it relies heavily on the National Agricultural Workers Survey (NAWS). While ultimately, HAC is seeking funding to invest in another national inclusive survey; this research serves as a step in helping it achieve this goal.

Additionally, during HAC's original research, the organization acknowledged the sample data was biased. Since HAC partnered with organizations that conducted these surveys in communities they had already surveyed, the sample selections were not random, creating a selection bias and a limitation in the research. While utilizing the NAWS data may avoid this bias, this research also has limitations. For example, as noted earlier, the NAWS data excludes farmworkers with H-2A visas. This means that NAWS data excludes a considerable portion of the population. However, this research adds supplemental information on H-2A's current housing situation through a report provided by Centro De Los Derechos Del Migrante and the Employment and Training Administration under the U.S. DOL.

This mixed-method quantitative and qualitative approach will comprehensively analyze farmworkers' current housing situations in the United States. Utilizing the most recent NAWS data provides answers to the first tier of questions. Using frequency outputs from the latest NAWS dataset on housing types, employer-owned and private units, available facilities, crowding, and cost of living variables establishes the baseline for these questions.

Additionally, interviewing a farmworker community heavily comprised of H-2A workers helps better understand these workers' current housing and living conditions excluded from the NAWS data. While this case study will not provide a complete picture, it will guide HAC in conducting another more comprehensive survey of this community.

## **Results**

Before responding to the specific research questions, a general overview of the findings from the NAWS 2019-2020 report is provided below to understand the current social characteristics, demographics, and economic status of those interviewed. By doing so, this research seeks to demonstrate the shift in historical trends throughout the decades.

### ***Social Characteristics***

Many national and international factors have contributed to the evolution of farmworkers in the United States in the past decade, including increased tensions around immigration policy, the COVID-19 pandemic, and the continuing battle against climate change. During the Trump administration, the focus on border security and immigration reform impacted the farmworker labor force. Although temporary work visa programs have been around since 1942, the Trump administration spotlighted immigration programming.<sup>78</sup> While the U.S. has become increasingly reliant on the H-2A visa program, this program has essentially linked immigration policy to the agricultural industry. This source of cheap labor has ultimately affected farmworker employment trends and patterns as H-2A visa holders are on the rise.

Like other industries, the 2020 COVID-19 pandemic hugely impacted agriculture. As supply chains were largely interrupted, farmworkers were classified as “essential workers” for the first time. This meant that while many Americans were quarantining and working from home, farmworkers were on the front lines and worked tirelessly to ensure the country had access to food staples. As a result, they minimized the gap caused by import/export disruptions. Working and living near each other made it difficult for farmworkers to follow CDC guidelines.

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<sup>78</sup> The Bracero program, was first signed by the U.S. and Mexico in 1942 to provide foreign contract laborers to the U.S.

Although these conditions put farmworkers at risk, the pandemic highlighted the living conditions and health risks this community faces.

Furthermore, climate change has altered growing seasons within the U.S. With more extended growing periods; many farmworkers are becoming settled. Since farmworkers stay in one region for longer periods, in junction with other factors, the demographics of farmworker populations are shifting. For example, families are now more prevalent than single men,<sup>79</sup> so much so that 57 percent of farmworkers identified as married in the 2019-2020 NAWS report. This shift from individual workers to families has created unique housing needs for farmworkers and has strained the already limited housing market.

Although farmworkers' age and marital status have shifted, farmworkers in the United States have consistently identified as ethnic minorities or immigrants. Approximately 78 percent of all farmworkers are of Hispanic heritage. Much has been reported about how the rapidly growing Hispanic population has impacted the face and the economies of many areas of the United States. The Hispanic population increased by nearly 12 million between 2010 and 2020 and now comprises 18.7 percent of U.S. residents. This growth accounts for 51 percent of the overall population growth in the United States throughout the decade.<sup>80</sup> Contrary to expectations, however, the increase between 2009 to 2019 in the total Hispanic population is not connected to the number of undocumented individuals. In fact, a recent report by the Pew Hispanic Center has noted that the number of unauthorized immigrants in the U.S. is at its lowest level in a decade.<sup>81</sup>

Fifty-six percent of farmworkers interviewed in the 2019-2020 NAWS had work authorization, leaving 44 percent as unauthorized. Of those authorized workers, 36 percent were

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<sup>79</sup> Ibid.

<sup>80</sup> Treisman, "Key Facts About The U.S. Latino Population To Kick Off Hispanic Heritage Month."

<sup>81</sup> Passel and Cohn, "U.S. Unauthorized Immigrant Total Dips to Lowest Level in a Decade from Mexico Continues to Decline, While Central America Is the Only Growing Region."

U.S. citizens. This rate steadily increased from 22 percent in 1998 to 30 percent in 2009. Eighty-five percent of U.S. citizens working in agriculture were born in the United States, and 15 percent were naturalized citizens. Nineteen percent of the authorized workers were permanent residents, and 1 percent were authorized through a visa program.<sup>82</sup> Additionally, farmworkers' share of "mixed status" families has increased. For example, in 1998, only 4 percent of farmworkers lived in a household with both citizen and unauthorized family members.<sup>83</sup> Based on the NAWS 2019-2020 dataset, 11 percent of farmworker households sheltered mixed-status families.

### *Demographics*

Eighty-five percent of foreign-born farmworkers have been in the United States for at least ten years. Residency figures signal a shift in the demographics of farmworkers, with farmworkers now entering the United States earlier and staying in this country longer than previously. Estimates indicate that in 1988, 27 percent of immigrant farmworkers had resided in the United States for over 15 years. Today more than 81 percent of immigrant farmworkers have lived in the United States for 15 years or more.

Consistent with their occupation's nature and physical demands, farmworkers are primarily adults who tend to be slightly younger than the general population. However, with increased demand, constraining immigration policies, a new emphasis on diversity, and technological advancement, the average farmworker is slowly changing. For example, in 1998, the median age of farmworkers was 31 years, but by 2019 the median age had increased to 39 years.

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<sup>82</sup> Daniel Carroll, Anne Georges, and Russell Saltz, "Changing Characteristics of U.S. Farmworkers: 21 Years of Findings from the National Agricultural Workers Survey."

<sup>83</sup> Ibid.

Farmworker households are unique and consist of a variety of family dynamics. Although some workers live as a family unit, others travel, work, and live alone or in groups of single men.<sup>84</sup> While most farmworkers (66 percent) are males, the number of female workers is steadily rising. More than half of all farmworkers are married, 50 percent have children, and only 14 percent live away from all their minor children. Only 38 percent of all farmworkers were defined as “unaccompanied” farmworkers, meaning they lived apart from all nuclear family members (e.g., parents, siblings, spouses, and children).

### *Economic Characteristics*

Harvesting crops is primarily low-wage employment, but for many, it serves as a stepping-stone into higher-paid and better work options. Yet, while the economy and mechanization have reduced the need for farm labor, crops are still harvested by hand, and many agricultural jobs still exist in the United States. Since many of the agricultural labor force are not native English speakers or undocumented workers, they are at an increased risk of being victims of labor rights violations and targets of anti-immigrant sentiment. However, the COVID-19 pandemic highlighted the need for these farmworkers when supply chains were interrupted—ultimately putting a brighter spotlight on these now essential workers’ living and working conditions.

Previously, migration has been an element of farmworker life. Traveling to a particular geographic area to harvest crops temporarily was typical in past decades. Under this framework, migrant farmworkers were categorized according to one of three migration streams: East, Midwest, and West. During the winter, migrant farmworkers typically resided in their home-base

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<sup>84</sup> National Center for Farmworker Health, Inc. (NCFH), “Overview of America’s Farmworkers.”



communities in California, Florida, Texas, Mexico, or other Central American and Caribbean nations. Then, they traveled along the respective streams to perform farm work.<sup>85</sup>

Current migration patterns have changed. Due to climate change and advanced technology, harvesting seasons are becoming longer, and farmworkers are increasingly settling and traveling shorter distances to work while generally remaining in a specific geographic area. With time, the proportion of migratory farmworkers has declined substantially, and in 2019, an estimated 85 percent of farmworkers remained in the same place throughout the year. In addition, the number of farmworkers reporting only one farm employer in the past year has increased in the past decade. In 2019, as many as 83 percent of farmworkers were hired by only one farm employer for the year, up from 65 percent in 1998.

An additional sign of greater stability in the farmworker population is increased work experience. In 2019, the average farmworker had 18 years of experience in farm labor, up substantially from an average of eight years of farm work reported in 1998. While work patterns are changing for this group, many farmworkers still travel to different regions and states following crop seasons and labor demand. Moreover, 15 percent of farmworkers are still considered migrant workers.

Farmworkers are among the poorest populations in the country. During the NAWS interviews, farmworkers were given ranges to indicate where their incomes fell rather than providing specific sums. In 2019, the average individual farmworker earned in the range of \$20,000 to \$24,999. To put these income levels into perspective, only 16.9 percent of all households nationally made under \$24,999 in 2019. While farmworkers have meager incomes, their average hourly earnings increased nominally and in real terms over the past decade. The

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<sup>85</sup> Ibid.

traditional farmworker earned an average of \$14.62 per hour, while an H-2A visa holder earned an average of \$13.68 per hour. Yet these income gains do not compare with those gained by nonfarm workers.<sup>86</sup>

Approximately 20 percent of farmworkers have below-poverty family incomes, roughly twice the national poverty rate. Poverty rates are decreasing for farm workers, however. For example, in 1998, approximately 46 percent of farmworkers had incomes below the poverty level compared to 20 percent today. The reduction is likely related to the greater stability of the labor force. Today, farmworkers are working more days of the year, earning higher wages, and living more often in two-income households than in 1998.<sup>87</sup>

Farmworkers' usage of public assistance programs has increased dramatically over the last decade. Between 2017 and 2019, an estimated 63 percent of farmworkers accessed public assistance programs, an increase from the 20 percent who used these services between 2007 and 2009. While contribution-based assistance such as unemployment insurance has remained constant, there has been a more marked increase in need-based aid – Medicaid; the Special Supplemental Nutrition Program for Women, Infants, and Children program (WIC); and food assistance.<sup>88</sup>

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<sup>86</sup> Carroll et al. “Changing Characteristics of U.S. Farmworkers.”

<sup>87</sup> Farmworkers who did not have prior calendar year income are not included in the poverty estimates produced by the NAWS. This stipulation eliminates about 15 percent of all crop workers from NAWS data. If the earnings of these omitted workers were calculated, the share of farmworkers with level incomes below poverty would likely be higher.

<sup>88</sup> Ibid.

**1. “What are the typical housing structure types occupied by farmworkers and their families?”**

Farmworker housing may also be categorized as “on-farm” or “off-farm” housing. Although there has been a considerable shift from on-farm housing to off-farm housing since the 1960s and 1970s, laws and regulations have been enacted to monitor the conditions of farmworkers’ housing accommodations. Today on-farm housing, while much improved from past decades, often only affords the most basic arrangements, such as simple concrete barracks or older manufactured homes; it is typically of lower quality than off-farm housing.

**Table 1: Farmworker Housing Type**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Mobile Home	412	9.2	18.2	18.2
	Single Family Home	1331	29.8	58.9	77.1
	Duplex/Triplex	45	1.0	2.0	79.1
	Apartments	378	8.4	16.7	95.8
	Dormitory/Barracks	75	1.7	3.3	99.2
	Hotel/Motel	5	.1	.2	99.4
	Other	14	.3	.6	100.0
	Total	2261	50.6	100.0	
Missing	System	2210	49.4		
Total		4471	100.0		

Note: Table on farmworker housing type pulled from U.S. Department of Labor NAWS data set 2017-2018. The 2019-2020 survey did not survey housing types.

Most farmworker housing units (86 percent) are in off-farm settings, with the remaining 14 percent on a farm. The number of on-farm housing units has declined over the past few decades. Before 1995, estimates indicated that 25 percent of farmworker housing was on-farm. Despite an increase in off-farm housing, such as Section 514/516 Farm Labor Housing, migrant and H-2A

workers are more likely to stay in on-farm accommodations due to the restrictions and requirements of off-farm units.

Although farmworkers are much more likely to rent their homes than other U.S. residents, with increased stability, farmworkers own homes at higher rates than ever before. For example, around one-third of farmworkers reported owning a home or manufactured home in the United States, compared to nearly two-thirds of all households. Similarly, around 35 percent of farmworkers are estimated to own a home in another country.

Farmworkers in the U.S. most commonly live in single-family homes (58.9 percent) since single-family homes are prevalent throughout the rural U.S. The shares of farmworkers living in apartments and manufactured homes are similar at approximately 16.7 and 18.2 percent, respectively. A more telling indicator of the precarious nature of farmworker housing arrangements is the 3 percent that live in dormitory or barracks settings, tents, motels, or other housing structures.

## **2. What are the characteristics of farmworker housing that is grower-owned as opposed to private market units?**

Roughly 14 percent of farmworker housing units are employer-owned; 11 percent are provided free of charge to the workers. The prevalence of employer-owned housing has declined markedly since 1995, when the employer owned nearly 30 percent of farmworker units. In theory, employer-provided housing is somewhat regulated for health and safety to protect workers. Employer-owned housing is not without problems, however. A situation with an employer as a landlord may compound an already asymmetric relationship. While there have

been many reports of housing violations,<sup>89</sup> some farmworkers may be uncomfortable complaining or making suggestions regarding housing to their employer.<sup>90</sup> Increasingly, regulations combined with the costs of administration and housing maintenance have dissuaded many growers from providing housing to workers.<sup>91</sup>

Unfortunately, the facts remain that the NAWS does not do an adequate job of tracking the housing conditions of farmworkers in either grower-owned units or in the private sector. While the NAWS provides some basic overviews of the number of individuals living in either, the fact remains that most information on housing conditions is anecdotal.

**3. What are the most prevalent health, safety, and structural problems found in farmworker-occupied housing? What portion of farmworker housing units lack full appliances and sanitary facilities, and how many units typically share such appliances and facilities?**

Farmworkers are subject to many housing inequities. This question focuses on the overall health and safety concerns of farmworker-occupied housing and any structural issues with the units. Adequate amenities like kitchens, bathrooms, and bedrooms are essential to healthy and sustainable living. Shockingly, 1.4 percent of farmworkers surveyed through NAWS indicated that their living quarters did not have a kitchen in the unit. While not high, almost 1 percent of workers did not have bathroom access in their homes. Although the number of bedrooms does not indicate whether or not there was adequate space within the home, 97 percent of households had 1 to 4 rooms dedicated as bedrooms.

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<sup>89</sup> Shannon Sollit. *Oregon farmworkers say they're 'being missed' from task force on agricultural housing*. Salem Statesman Journal. August 29, 2022.

<sup>90</sup> Julian Samora Research Institute (JSRI). *JSRI Research Analyzes Farmworker Housing*. NEXO VIII, No. 1. 1999. East Lansing, Michigan.

<sup>91</sup> NCFH. *Overview of America's Farmworkers*; JSRI, *Farmworker Housing*. East Lansing, Michigan; HAC. *USDA Section 514/516*.

The COVID-19 pandemic highlighted the invaluable need for farmworkers by realizing them to be “essential workers.” However, due to the nature of the work, the health risks of this industry were heightened. Workers were forced to work and live in close quarters, and their proximity to adequate health care, often in rural settings, made them more vulnerable than other populations.

Additionally, when analyzing the health and safety of farmworkers, it is imperative to look at their medical records. Nearly 75 percent of farmworkers stated they had to pay for the medical bill out of pocket, relied on free clinics or support from family members, or used other public services to pay for their healthcare. Under 16 percent stated having an employer-provided health plan. When asked about the major barriers to accessing healthcare, farmworkers noted that service providers don’t speak their language, the distance to the healthcare center was too far, or they were worried about not having identification.

Although not directly related to their living conditions, the NAWS questions workers on a few key areas that could impact farmworkers’ overall health. For example, workers are surveyed on whether or not employers provide clean drinking water, a toilet, and an area to wash their hands while working. Alarming 6.3 percent of workers stated they did not have access to clean drinking water while working, and another 8.9 percent said that while there was potable water, they did not have access to disposable water cups. In addition, around 7.3 percent of workers responded that they were not provided access to a toilet while working, and an additional 7.9 percent stated there was no place to wash their hands properly. This is concerning as 79.5 percent of farmworkers have reported working with pesticides in the last 12 months.

#### **4. What is the frequency of crowding in farmworker housing?**

Due to their low-income levels, farmworkers face various housing problems, including a lack of affordable housing options, substandard quality, and, for migrant farmers, short-term housing options. Farmworkers are more likely to face overcrowding because of their income restrictions. Crowded units include those with more than one person per room (excluding bathrooms). Excluding dormitories and barracks (structures designed for high occupancy), almost 30 percent of farmworkers live in crowded conditions, compared to 4.2 percent of United States households. Migrant workers are more likely to live in an overcrowded dwelling (39 percent) than settled workers (28 percent). At the same time, unauthorized workers were nearly twice as likely to live in crowded housing (41 percent) than authorized workers (21 percent). While many farmworker housing units are crowded, crowding is even more significant in some housing types. Just under 40 percent of apartments house farmworkers, and 38 percent of duplexes contain more than one person per room.

**Table 2: Reports of Crowded Living Conditions by Farmworkers**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	2649	70.5	70.5	70.5
	Yes	1110	29.5	29.5	100.0
	Total	3758	100.0	100.0	

Note: Table on crowded farmworker units pulled from U.S. Department of Labor NAWS 2019-2020 collection.

Substandard and structurally deficient conditions are endemic to farmworker housing; however, they are often exacerbated by crowding or lack of affordability. These units with numerous serious problems are often home to children. In addition to high housing costs, crowding, and substandard housing, farmworkers also encounter unique environmental hazards

related to housing, particularly exposure to pesticides in homes near fields. Additionally, they faced an increased risk of contracting COVID-19 with limited medical resources. Unfortunately, there is little information on the impacts of COVID on this community and minimal data on current farmworker housing conditions. As non-profit organizations and advocacy groups work tirelessly to provide case studies, surveys, and resources on farmworkers, consistent national surveys need to track farmworker trends efficiently.

**5. What portion of farmworker households have a housing cost burden, and how great is this burden?”**

While the NAWS has indicated that less than 1 percent of workers are making below minimum wage, 100 percent of those that mentioned receiving below minimum wage are currently in overcrowded living conditions. Nearly 29 percent of those making at least minimum wage or above are also experiencing crowded living conditions. Additionally, just over 20 percent of farmworker families live below the poverty line, making adequate housing increasingly difficult to afford.



**Table 3: Farmworkers Receiving Below Minimum Wage That Are Also Experiencing Crowded Housing Conditions**

			Receiving at Least Minimum Wage		Total
			Yes	No	
Farmworkers living in crowded housing conditions	No	Receiving at Least Minimum Wage	2556	0	2556
		Percent	71.5%	0.0%	71.3%
	Yes	Receiving at Least Minimum Wage	1021	7	1028
		Percent	28.5%	100.0%	28.7%
Total	Receiving at Least Minimum Wage		3577	7	3584
	Percent		100.0%	100.0%	100.0%

Note: Table on crowded farmworker units pulled from U.S. Department of Labor NAWS 2019-2020 collection.

According to the DOL’s Findings Report for the 2019-2020 NAWS, 51 percent of farmworkers pay \$600 or more for their monthly housing.<sup>92</sup> Sixty-four percent pay \$500 or more per month. Comparing these figures to farmworker families below the poverty line, over 12 percent are paying \$500 or more monthly for housing. This number does not consider the additional housing cost of migrant farmers, who tend to pay for their accommodation while working and their family’s housing.

<sup>92</sup> Gold et al., “Findings from the National Agricultural Workers Survey (NAWS) 2019–2020: A Demographic and Employment Profile of United States Farmworkers.”

**Table 4: Farmworkers’ Housing Cost In Relation to the Poverty Line**

		Housing Cost						Total
		Under \$200	\$200- \$299	\$300- \$399	\$400- \$499	\$500- \$599	\$600 or more	
Above poverty line	Count	44	75	97	101	133	472	922
	% of Total	3.8%	6.6%	8.5%	8.8%	11.6%	41.2%	80.5%
Below poverty line	Count	11	22	30	21	28	111	223
	% of Total	1.0%	1.9%	2.6%	1.8%	2.4%	9.7%	19.5%
Total	Count	55	97	127	122	161	583	1145
	% of Total	4.8%	8.5%	11.1%	10.7%	14.1%	50.9%	100.0%

Note: Table on farmworker housing cost in relation to the poverty line is pulled from U.S. Department of Labor NAWS 2019-2020 collection.

Housing is considered affordable when individuals spend 30 percent or less of their income on housing. In 2019-2020, NAWs indicated that 28 percent of farmworkers made below \$20,000 the previous year, and nearly 14 percent of those individuals paid \$600 or more per month on housing. For an individual making \$20,000, the max they could pay before their housing becomes unaffordable is \$500 per month. With 14 percent of individuals making \$20,000 or less and paying more than \$600 monthly, farmworkers are experiencing a significant housing cost burden.

**H-2A Results**

Unfortunately, as previously mentioned, minimal data are available on H-2A farmworker housing. The Employment and Training Administration under the U.S. Department of Labor tracks some information on H-2A workers, also known as Disclosure Data, mainly to keep track of the number of certified visa holders. This Disclosure Data provides information extracted

from nonimmigrant and immigrant applications within the Foreign Labor Certification’s management systems. Furthermore, this information is provided by “employers and system-generated metadata.” This report utilizes the Fiscal Year 2022 and Quarter 1 of the Fiscal 2023 report. This dataset provides some baseline information. It is important to note while this information provides some relevant details, it is incredibly flawed. Since the data points are records directly from the employers, variables are inconsistent. For example, although there is a housing type variable to determine the type of structure a worker may live in, there are 888 unique housing types. Depending on the spelling, a housing type can be duplicated multiple times (e.g., a mobile home has over 49 unique variables to choose from). Additionally, housing compliance data also seems to be self-reported. This calls into question the accuracy of the data. Although this report relies on this dataset, it will also utilize the previously mentioned “Ripe For Reform: Abuses of Agricultural Workers in the H-2A Visa Program” provided by Centro De Los Derechos Del Migrante, Inc.<sup>93</sup> to help fill in some gaps. Later, recommendations will be provided to improve the tracking of H-2A workers and their living conditions.

### ***Demographics***

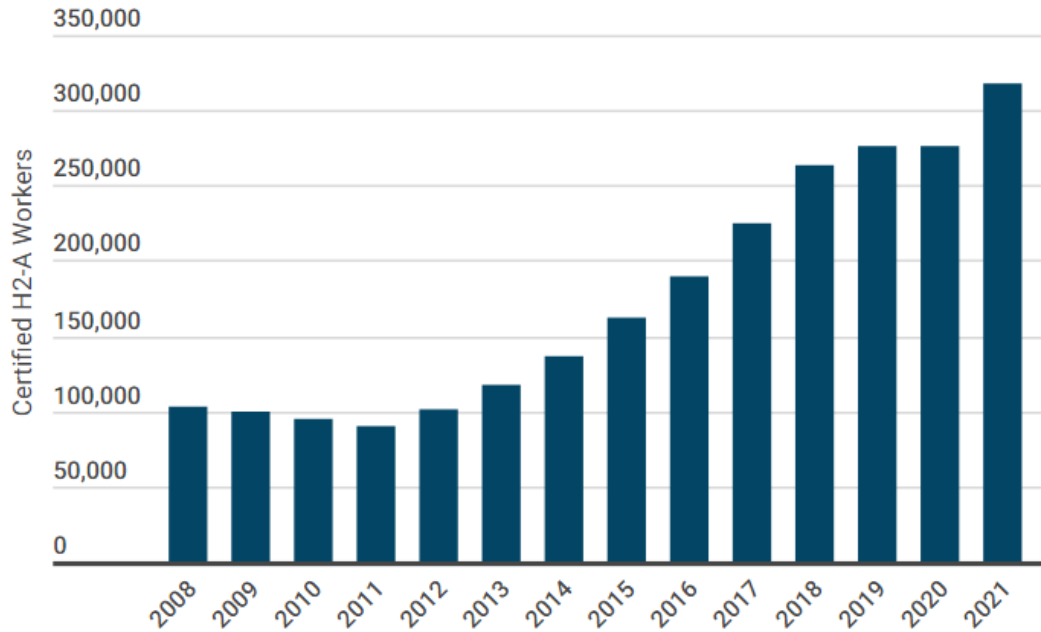
As a reminder, farm owners and employers are allowed to apply for H-2A farmworkers after providing some evidence that the U.S. labor force could not fill these positions. The DOL certifies that employers can supply 97% of jobs with H-2A workers if they demonstrate their unsuccessful efforts to hire U.S.-born workers. In addition, employers are required to provide

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<sup>93</sup> Centro de los Derechos del Migrante, Inc. (CDM), “Ripe for Reform: Abuses of Agricultural Workers in the H-2A Visa Program.”

comparable wages, pay for the application and visa process, provide housing free of charge, and cover domestic and international transportation.<sup>94</sup>

**Figure 1: H-2A Visas Have Transformed Farm Labor  
Certified H-2A Visa Workers, 2008-2021**



Note: Graphed pulled from HAC report using U.S. DOL’s Employment and Training Administration Disclosure Data (FY2008-FY2021).<sup>95</sup>

In FY 2022, 19,023 H-2A applications were received.<sup>96</sup> Of those, 18,560 were certified, making the current number of certified H-2A visas 371,619. This is nearly a 15 percent increase from FY 2021. Florida, California, and Georgia have the highest percentage of H-2A-certified positions in the country. These positions range from traditional farmworkers to agricultural

<sup>94</sup> Castillo, “U.S. Farm Employers Respond to Labor Market Changes With Higher Wages, Use of Visa Program, and More Women Workers.”

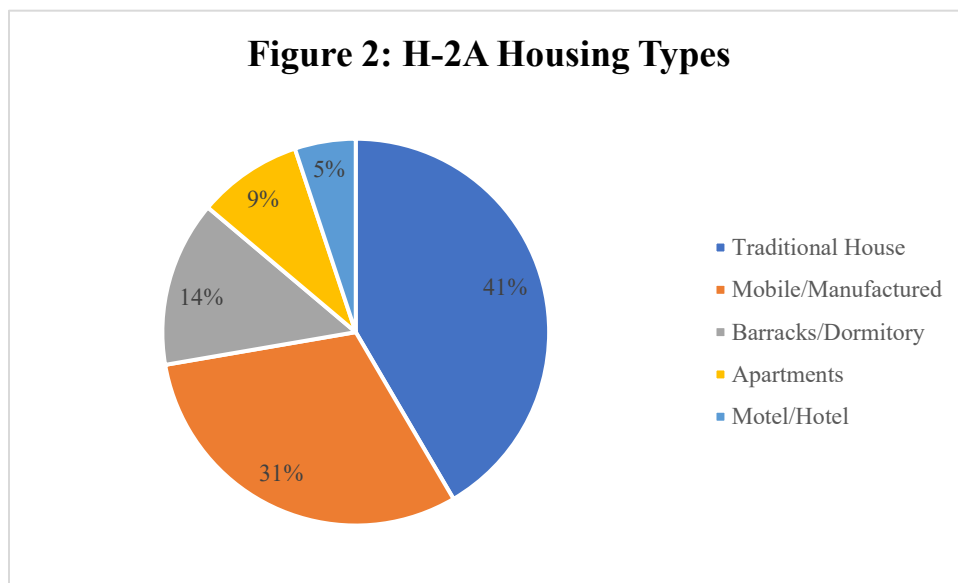
<sup>95</sup> Housing Assistance Council, “FARMWORKERS ARE ESSENTIAL TO OUR FOOD SUPPLY AND ECONOMY.”

<sup>96</sup> EMPLOYMENT AND TRAINING ADMINISTRATION, U.S. DOL, “OFFICE OF FOREIGN LABOR CERTIFICATION-2A Temporary Agricultural Program – Selected Statistics, Fiscal Year (FY) 2022.”

equipment operators to supervisors. While this may not come as a surprise, it is crucial to understand the increased skill levels needed by these workers to fill these roles.

### 1. What are some common characteristics/housing types of H-2A workers?

Due to the unconventional tracking nature of the data, as mentioned above, the housing type question is more complicated than a more traditional survey would provide. However, the most common housing types appear to be traditional houses, mobile/manufactured homes, apartments, barrack-style or dormitories, and motels/hotels. Again, the exact percentages are unclear. Below is a general graph showing the breakdown of unit types.



Note: The chart on H-2A housing types was estimated using the U.S. Department of Labor, Employment and Training Administration's FY 2022 Disclosure Data.

### 2. Do H-2A workers feel safe and healthy within their living arrangements?

Although neither NAWS nor the Disclosure Data ask this extremely relevant question, anecdotally, more information is available on farmworkers' sense of safety than H-2A workers

specifically. Luckily, Centro De Los Derechos Del Migrante asked their interviewees this question. Forty-five percent of H-2A workers interviewed felt they lived in dangerous conditions, while 35 percent stated they felt unequipped to work safely.<sup>97</sup> Some individuals living in barrack-style housing equated the conditions to an “iron chicken coop with bunkbeds.”<sup>98</sup> Furthermore, the report noted a lack of importance placed on the general security of the housing units, which also left workers feeling unsafe.

Overall, it is clear that H-2A workers are not provided with safe and adequate living arrangements. Moreover, there is little information on the quality of housing the employer provides. Although reports like the one published by Centro De Los Derechos Del Migrante are extremely valuable to understanding this population, they are few and far between. NAWS and the Disclosure Data provided by the U.S. DOL need to track H-2A workers and their housing situations so these farmworkers receive vast improvements in their living conditions.

### **3. Are employers providing safe and adequate housing to their H-2A workers? Do these living accommodations meet the regulations listed in H-2A program?**

Unfortunately, no dataset provides conclusive answers to the housing conditions of H-2A workers. While this report will share the limited information provided by the U.S. DOL’s Employment and Training Administration Disclosure Data, the dataset offers even less intel than the NAWS. However, organizations such as Farmworker Justice and Centro De Los Derechos Del Migrante, Inc. have provided some insight into H-2A farmworker housing conditions.<sup>99</sup> Substandard housing, inadequate waste and garbage disposal, and agricultural pesticides have

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<sup>97</sup> Centro de los Derechos del Migrante, Inc. (CDM). Pg. 29

<sup>98</sup> Centro de los Derechos del Migrante, Inc. (CDM). Pg. 29

<sup>99</sup> Centro de los Derechos del Migrante, Inc. (CDM). Pg. 29

negatively impacted farmworkers and their families living and working conditions. The Centro De Los Derechos Del Migrante report shows that 45 percent of H-2A farmworkers described their housing accommodations as overcrowded and unsafe. Additionally, 30 percent stated they saw no indication that government inspectors ever visited, which is part of the regulations of the H-2A program. H-2A workers are more likely to live in dormitory or barrack-style accommodations. The 2019-2020 NAWS data revealed that farmworkers in dormitory or barrack-style living arrangements were the most likely to experience substandard living conditions, with nearly 54 percent reported living in overcrowded conditions.<sup>100</sup>

The Disclosure Data provided by the U.S. DOL does ask H-2A certified visa holder employers or representatives whether or not the housing provided meets the housing requirements laid out by the local government, state government, and federal government. However, before giving the yes/no data from the “H-2A, Form ETA-790A, Addendum B – Additional Housing Information,”<sup>101</sup> below are some direct quotes pulled from the dataset.

*“Operational Hotel. 4 employees per room; no kitchen facilities. Laundry on-site. Hotel is in city limits within walking distance to stores.”*

*“Property consists of 1 single-family home (Occupancy: 12) and a Mobile Home (occupancy 10).”*

*“Bunkhouse - Housing Capacity - 100 persons”*

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<sup>100</sup> HAC tabulations. NAWS 2020 data.

<sup>101</sup> Labor, Administration, and Certification, “H-2A, Form ETA-790A, Addendum B – Additional Housing Information.”

Based on this information alone, many of these living arrangements would be considered overcrowded, according to the U.S. Department of Housing and Urban Development, which states that more than two people per room would be considered overcrowded.

Although at the federal level, H-2A housing compliance seems to be at its highest, with 95.4 percent meeting regulation standards, the more localized the perspective, the less compliance these housing units become. For example, nearly 9 percent of the H-2A housing units at the state level do not meet housing requirements compared to the 4.6 percent at the federal level. Even still, 14.4 percent of the H-2A housing units do not comply with local regulations.

**Table 5: H-2A Housing Units Comply With Local Regulations**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	470	14.4	14.4	14.4
	Yes	2784	85.6	85.6	100.0
	Total	3254	100.0	100.0	

Note: The H-2A local housing compliance table was pulled from the U.S. Department of Labor, Employment and Training Administration’s FY 2022 Disclosure Data.

According to the H-2A program, state and local housing standards apply if the employer uses rental housing or public accommodations. If there are no state or local standards, OSHA housing standards apply. The inconsistencies in housing compliance data are alarming, especially with the increased reliance on H-2A workers.

**Discussion**

Two key takeaways from the results presented above are 1) the majority of farmworkers are living in inadequate conditions, and 2) there is much room for improvement in tracking these



individuals to provide information and data about their living conditions. The U.S. relies on these workers to produce safe and affordable food products. Due to this reliance, the DOL has expanded programs, such as the H-2A temporary farmworker visa program, to meet the needs of the agricultural industry.<sup>102</sup> A more sophisticated and reliable approach to monitoring this industry and its workers is imperative if we adhere to our constitutional rights and moral obligations to these individuals.

Under NAWS, these results show that a quarter of farmworkers live in commonly unstable housing types, such as mobile homes or dormitory-style units. Although manufactured homes, such as mobile homes, have improved dramatically over the years, many safety and health concerns are still associated with these units.<sup>103</sup> For example, historically, mobile homes and manufactured homes are described as “tin boxes” that are often difficult to keep cool in the summer and warm in the winter. In addition, air conditioning is often limited in farming communities, where temperatures are usually high during harvesting seasons<sup>104</sup>—creating unsafe temperatures within these homes for these workers.<sup>105</sup> Although NAWS doesn’t necessarily address this issue, coupled with previous studies surrounding dangerously high indoor living conditions, these data points help paint a more comprehensive picture.

Moreover, farmworkers excluded from the NAWS, such as H-2A workers, are even more likely to live in dormitory-style housing than other farmworkers, 14 percent and 3.3 percent, respectively. Although, legally, more individuals are allowed to live in these arrangements and still be considered to have sufficient space and not be “overcrowded,” according to the

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<sup>102</sup> Farm Service Agency, “Farm Labor Stabilization and Protection Pilot Grant Program.”

<sup>103</sup> Drewry, Austin. “Internal and External Problems of the Manufactured Home Industry.” *Prefabricated Homes* (07, 1947): 17.

<sup>104</sup> Rusco, Frank. *Worker and Family Assistance: Home Energy Assistance for Low-Income Occupants of Manufactured Homes* United States Government Accountability Office, 2012.

<sup>105</sup> Quandt, S. A., Wiggins, M. F., Chen, H., Bischoff, W. E., & Arcury, T. A., “Heat Index in Migrant Farmworker Housing: Implications for Rest and Recovery from Work-Related Heat Stress.”

Disclosure Data provided by the DOL, these bunkhouses can fit upwards of 100 workers. With HUD indicating that having more than two persons per room in a household is overcrowded, these permissible living conditions must be questioned. Overcrowding conditions are an issue within all farmworker demographics, however. Nearly 30 percent of farmworkers surveyed by the NAWS live in overcrowded conditions. This compares to 14 percent of the general population nationwide. Understanding that farmworkers are two times more likely to live in these conditions than the rest of the U.S. is extremely important if we wish to tackle this issue.

Additionally, while there has been an improvement over time with the facilities provided within farmworker housing (i.e., functioning kitchens, bathrooms, etc.), 1.4 percent of NAWS surveyed farmworkers did not have access to a kitchen, and nearly 1 percent did not have access to a usable restroom. Even more alarming, in the Disclosure Data provided by the DOL on H-2A housing, 14.4 percent of the housing offered to these workers did not meet either the state regulations or OSHA regulation, which is in the program guidelines. This is unacceptable for individuals in charge of harvesting food in the U.S.

Finally, the results indicate that farmworkers do not receive sufficient wages. There has been a steady increase in the number of H-2A workers within the U.S., with additional plans to expand the program further. Domestic farmers are unwilling to continue working within this physically demanding industry for insufficient wages. In turn, these workers are experiencing a housing cost burden at higher rates than the rest of the population. The H-2A program, on the other hand, allows farm owners to pay minimum wage within an overly lacking program. Although the temporary work program requires employers to provide/pay for housing, some studies have indicated that workers are still charged for their housing arrangements. Programmatically, the H-2A program appears to be extremely flawed and problematic.

Tracking farmworkers' work conditions, living conditions, and overall well-being has left much to be desired. While there are systems to track these aspects of farmworker life, this research has demonstrated that there remain few accountability mechanisms. The Department of Labor is not prioritizing farmworkers' well-being and overlooking regulations they have put in place to protect these individuals. And on the other hand, employers are cutting corners, putting their profits above all else.

Although the DOL has been collecting and "monitoring" the working and living conditions through the NAWS since 1989, this report shows considerable gaps in the data. While the NAWS is an excellent opportunity to look at these under-represented populations, of the 232 questions within the NAWS, only a handful provide any helpful information about the quality of the unit. This equates to the presence of a kitchen or bathroom and the option to state if the housing unit is "overcrowded" or at least what the USDA and HUD have deemed overcrowded.

Organizations like HAC lobby for more housing-related questions to be added to the NAWS. Properly utilizing this system that is already in place could provide some much-needed information on farmworkers. However, it is essential to note that this is not an easy or inexpensive process. It costs hundreds of thousands of dollars and many more resources for a non-profit to add questions to a government-funded and sponsored survey. Entities such as HUD and USDA would have a higher success rate in making this a reality. While HAC is trying to work with HUD, this could take years, ultimately depending on government budgets.

Additionally, a massive data limitation of the NAWS is that it does not include H-2A workers. Although the DOL claims they are assessing the "feasibility of including H-2A farmworkers" in future surveys, this process has had few updates.<sup>106</sup> The results from this report

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<sup>106</sup> Gold et al., "Findings from the National Agricultural Workers Survey (NAWS) 2019–2020: A Demographic and Employment Profile of United States Farmworkers."

provide some insights into the housing conditions for H-2A workers specifically; however, it also recognizes the limitations. Much of it is qualitative, based on anecdotal descriptions. While not without their biases, these paint a picture we would otherwise not see, regardless of its academic soundness. If anything, these findings highlight that more work needs to be done to track, manage, and investigate the H-2A program and how its workers are being treated.

HAC is making a concerted effort to push this research even further. Until funding for another national farmworker housing condition survey is secured, HAC is dedicated to understanding this community and its housing needs. Although the organization has always invested in Section 514/516 Farmworker Housing, HAC seeks to expand the available information. At HAC, we understand that quantitative and qualitative data help influence policy, and policy directly impacts farmworkers. As HAC pursues conversations with farmworker advocates, experts, and organizations to deepen its understanding of this ever-changing population, they are constantly seeking funding opportunities to support another national farmworker housing survey. Only with an inclusive, comprehensive survey can we elevate the needs of farmworkers and create regulations that support them.

Aside from pursuing a survey, HAC wants to speak up more when policy suggestions arise. For example, in October of 2022, while this research was underway, HAC submitted public comments on Farm Labor Stabilization and Protection Pilot Program Docket ID FSA-2022-0013 issued by the Farm Service Agency.<sup>107</sup> This Pilot Program essentially pushed for an expansion of the H-2A visa program. While HAC focuses on housing-related issues, the organization recognizes that the housing conditions of these populations need to be addressed in its current capacity before considering an expansion. This can only be done through enforcing

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<sup>107</sup> Housing Assistance Council, “Public Comments: Farm Labor Stabilization and Protection Pilot Program ID FSA-2022-0013.”

current regulations and proper data collection and management of farmworker housing conditions.

## **Conclusion**

As my professional practice with the Housing Assistance Council (HAC) ends, this research will not. For one, HAC prioritizes revitalizing its presence within the farmworker community, intentionally seeking conversations and continued action on farmworker housing. I know this to be true as I will stay with HAC as a Research Associate. My primary project will be the ongoing efforts to research and understand farmworker housing. HAC recognizes the importance of the continued research of farmworker housing with the organization's overall goals of affordable housing efforts within rural America.

Additionally, farmworker organizations, advocates, experts, and workers are resilient groups who are not stopping until their housing situations are met. These are individuals with lived experience, communities that support their workers, and organizations dedicated to improving this population's lives. Although farmworkers have generally been a hidden group, ever since the Covid-19 pandemic, they have been more present in the news cycles. The U.S. finally recognizes this population as essential workers, impacting how we buy, produce, and consume food. Proper treatment and supportive programming are critical to ensuring farmworkers' safety and human rights.

This research has illustrated that more must be done at the regulatory and industry levels to provide safe, affordable, and decent housing for farmworkers. While this work is far from complete, the results are enlightening. Farmworker demographics are changing, and their needs are evolving. Understanding farmworker housing is critical to influencing agricultural policies and programs. There is a need for more robust data on farmworker housing, especially that of H-

2A visa holders. With time, HAC hopes to catalyze these efforts -providing information and resources to allow more informed decision-making and progress. Farmworkers deserve no less.

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