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CAMPAIGN FOR FAIR FOOD

Agreements: CIW has achieved hard-fought victories on behalf of tens of thousands of workers in Florida's fields. The agreements below represent a twofold change: an increase in the purchase price of a 32-pound bucket of tomatoes by a penny per pound—providing a 74 percent raise for each worker—and an agreement to abide by a Code of Conduct that protects workers and improves working conditions.

FAST FOOD CHAINS

- Yum! Brands
(including Taco Bell,
Pizza Hut, and KFC).....March 2005
- McDonald'sMarch 2007
- Burger KingMay 2008
- SubwayDecember 2008

FOOD SERVICE PROVIDERS

- Compass Group
(Bon Appetit
Management Co.).....April 2009
- Aramark.....April 2010

SUPERMARKETS

- Whole Foods.....September 2008

Tomatoes, Farmworkers, and Social Justice

by Fr. Fred Kammer, S.J.

In the hot Florida sun and in the aisles of our nation's supermarkets and fast food outlets, a small David contends with multiple Goliaths about what is fair and what is not, about human dignity and slave labor, and about what is the "common good" for those who harvest this nation's crops. "David" is the *Coalition of Immokalee Workers* [CIW] (supported by their colleague organization *Interfaith Action of Southwest Florida* and *The Student/Farmworker Alliance*), an association of about 4,000 largely Mexican, Guatemalan, and Haitian farmworkers founded in 1993. Its headquarters are in the small town of Immokalee in the remote heartland of South Florida. This David's goal is to have major purchasers of Florida's tomatoes—over half of our nation's fresh tomato crop—agree to pay one cent more per pound and sign a Code of Conduct guaranteeing certain rights and working conditions to tomato farmworkers.

Tomato pickers are paid on a "piece rate" basis, earning an average of 45 cents per 32-pound bucket of tomatoes—a rate that has remained stagnant since 1978. At this rate, workers have to pick 2.5 tons of tomatoes per day just to earn minimum wage. Workers often begin their days with a 6:30 a.m. pickup to ride to the fields, returning to Immokalee as late as 8 p.m. Excluded from the rights to overtime pay, union organizing, or collective bargaining by the 1938 Fair Labor Standards Act (FLSA),¹ farmworkers labor in the midst of dangerous machinery, toxic pesticides, heavy lifting, bending and stooping, using knives or machetes, and often without drinking water or toilets—hazardous and unhealthy conditions that most U.S. workers would not tolerate. This is why the majority of this nation's crop farmworkers, including those in Immokalee, are "unauthorized"² under our immigration laws.



Photo by Scott Robertson

Beginning with the boycott of Taco Bell in 2001, the "Campaign for Fair Food" of CIW has succeeded in achieving agreements with seven major purchasers of Florida tomatoes. (See box at left.) Supported by a number of campus, church, labor, and consumer organizations and funded in part by grants from the Catholic Campaign for Human Development, CIW has engaged the farmworkers in the struggle for human rights, educating and empowering them. Since 1997, CIW has helped investigate and refer for prosecution many of the eight farmworker slavery cases that have highlighted the worst of working conditions in the region. (See box on page 3.)

CATHOLIC SOCIAL TEACHING

In the annual Labor Day letter from the U.S. Conference of Catholic Bishops in 2007, Bishop Nicholas DiMarzio of Brooklyn summarized the long-term position of the church on the rights of workers, including farmworkers:

...human dignity is a gift from God, not a status to be earned. Fundamental rights to work, decent wages, safe working conditions, a voice in decisions, and the freedom to choose to join a union do not depend on

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where you were born or when you came to our nation. Human dignity and human rights are not commodities to be allocated according to where you come from, when you got here, or what documents you possess.³

Bishop DiMarzio singled out the accomplishments of CIW in promoting the rights of workers as a sign of hope among workers in this country. CIW members, he wrote, “organized, protested, fasted, demonstrated, insisted, and would not be pushed aside.” He went on to add, “When no one gave them much of a chance, they stood up for their own lives, dignity, and rights.” He also noted that it was a sign of hope for the church in Florida and nationally that it had stood shoulder-to-shoulder with the Immokalee workers.

CHALLENGES AHEAD

The challenges faced by the workers in Immokalee continue. Major purchasers of fresh tomatoes have been asked by CIW to join other buyers in the two-fold agreements about the purchase price of tomatoes and the Code of Conduct. Despite letters, requests for meetings, consumer support, church advocacy, and protests, the following have refused the agreements:

Kroger—The nation’s largest supermarket operator has 10 stores in *Alabama*, 32 in *Mississippi*, 9 in *Louisiana*, and 199 in *Texas*. Sales for fiscal 2009 grew 0.8 percent to \$76.8 billion dollars.⁴

Publix—With 1,011 stores in five southeastern states, including 727 stores in *Florida* and 39 in *Alabama*, Publix had sales of \$24.3 billion in fiscal 2009 and profits of \$1.2 billion, rising 6.6 percent from the preceding year.⁵

Ahold USA (Stop & Shop; Giant Food; Peapod; Ukrop’s; Martin’s)—This Netherlands parent company of various supermarket chains (2,909 stores in Europe and the U.S.) reports on its website 2009 net sales of \$27.9 billion, an increase of 6 percent over the previous year, with retail income of \$1.4 billion (5.15 percent of net sales).⁶

Sodexo—The 22nd largest employer in the world has 380,000 employees in 80 countries with 14.7 billion Euros in annual revenue. Its report for the first half of fiscal 2010 shows 7.5 billion Euros in revenues and 426 million Euros operating profit.⁷ Loyola University New Orleans contracts with Sodexo to provide food service on campus.

Chipotle Mexican Restaurants—This Denver-based chain of a thousand restaurants, with 2009 revenue of \$1.5 billion and net income of \$126 million (after taxes),⁸ has refused to sign the agreement with CIW. Instead, Chipotle bypassed CIW and arranged their own agreement with a Florida grower in September 2009 to raise the payment for tomatoes and to apply their own supplier code, not the CIW Code of Conduct.

WHAT CONCERNED CONSUMERS CAN DO

Actions by consumers and students include letters to corporate management and to local supermarket and food service managers, joining a campus-based Dine with Dignity program, joining marches such as the ones to Publix headquarters and stores held April 16-18 in Tampa, Plant City, and Lakeland, Florida. It all starts with educating oneself about the issues. See: Coalition of Immokalee Workers (www.ciw-online.org), Interfaith Action of Southwest Florida (www.interfaithact.org), and The Student/Farmworker Alliance at (www.sfalliance.org) for extensive resources and analysis.

Modern Slavery in Florida Fields

In an 11-year period, eight farm labor operations were successfully prosecuted for servitude in Florida—involving more than 1,000 workers and more than a dozen employers. CIW was involved in investigating most of these cases and their disclosure to authorities. These “worst cases” reflect the extremes of continuing “sweatshop” conditions for many workers.

U.S. vs. NAVARETTE In 2008, four family members from Immokalee were sentenced in federal court to as many as 12 years in prison for enslaving and brutalizing nine Mexican and Guatemalan migrant tomato pickers, including multiple acts of violence and chaining and locking workers inside U-Haul trucks.

U.S. vs. RONALD EVANS In 2007, an employer and family members were sentenced to as many as 30 years in federal prison on drug conspiracy, financial re-structuring, and witness tampering charges, among others. The defendants recruited homeless U.S. citizens from shelters across the Southeast with promises of good jobs and housing. In Florida and North Carolina, defendants deducted rent, food, crack cocaine, and alcohol from workers’ pay, holding them “perpetually indebted” in labor camps surrounded by a chain link fence topped with barbed wire.

U.S. vs. RAMOS In 2004, defendants were sentenced to 15 years each in federal prison on slavery and firearms charges, and the forfeiture of more than \$3 million in assets. The men, with a workforce of more than 700 farmworkers in Florida citrus groves and North Carolina fields, threatened workers with death if they tried to escape.

U.S. vs. LEE In 2001, one defendant was sentenced to four years in federal prison and three years supervised release on a slavery conspiracy charge. He pled guilty to using crack cocaine, threats, and violence to enslave Florida workers. The defendant recruited homeless U.S. citizens and created a “company store” debt structure through loans for rent, food, cigarettes, and cocaine.

U.S. vs. TECUM In 2001, one defendant was sentenced to nine years in federal prison on slavery and kidnapping charges. He kidnapped a young woman from her village in Guatemala, smuggled her into the U.S., and forced her to work against her will both in the tomato fields around Immokalee and in his home.

U.S. vs. CUELLO In 1999, one defendant was sentenced to 33 months in federal prison on slavery charges. He had held more than 30 tomato pickers in two trailers in isolated swampland west of Immokalee, keeping them under constant watch. Three workers escaped the camp, only to have their boss track them down later. The defendant ran one of them down with his car, stating that he “owned” them.

U.S. vs. FLORES In 1997, defendants were sentenced to 15 years each in federal prison on slavery, extortion, and firearms charges. More than 400 men and women workers, mostly indigenous Mexicans and Guatemalans, were forced to work 10-12 hour days, six days per week, for as little as \$20 per week, watched by armed guards. Those attempting escape were assaulted, pistol-whipped, and even shot.

Source: The CIW Anti-Slavery Campaign is reported at www.ciw-online.org/slavery.html

ENDNOTES

- From 1938 to 1966, FLSA excluded farmworkers even from basic hourly minimum wage protections.
- William Kandel, *Profile of Hired Farmworkers, A 2008 Update*, Economic Research Service, Economic Research Report No. 60, July 2008, pp. 12-15.
- The Most Rev. Nicholas DiMarzio, Ph.D., D.D., *Labor Day 2007: A Time to Remember; A Time to Recommit*, U.S. Conference of Catholic Bishops, September 3, 2007. CIW received explicit public support from Bishop Frank J. Dewane of the Diocese of Venice, Florida and was honored by an award from the Catholic Campaign for Human Development.
- Fresh Plaza, *US:Kroger 4Q profits down 27 percent*, Published 3/10/2010, at http://www.freshplaza.com/news_detail.asp?id=60250 (accessed 5/19/10).
- Kyle Kennedy, “Publix Profits Up for 2009,” in *The Ledger*, 3/1/2010 from <http://www.theledger.com/article/20100301/NEWS/3015046> (accessed 5/19/10).
- See Ahold website at www.ahold.com (accessed 5/19/10).
- See Sedexo website at http://www.sodexo.com/group_en/press/news/finance/2010/100422-first-half-results.asp for first-half of 2010 fiscal report (accessed 5/19/10).