

# Housing Issues of Agricultural Workers in Minnesota



Jessica Grosz, Director of Labor Standards and Apprenticeship at Minnesota Department of Labor and Industry (formerly Lead Attorney at Southern Minnesota Regional Legal Services, Agricultural Worker Project)

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# Agricultural Worker Project



- Extensive legal rights outreach from approximately May through October each year
- Visited over 500 agricultural worker housing sites and spoke with over 1,000 workers in 2018
- Main focus is on evening visits to workers at their housing



**Agricultural Worker Project**  
Legal Advocacy for Agricultural Workers  
Minnesota and North Dakota

We provide legal services to eligible agricultural workers in our service area in Minnesota and North Dakota. Our services include:

- Wage and hour law
- Family and medical leave
- Discrimination and retaliation
- Unlawful termination
- Labor contracting (OT, wage)
- Employment contract review
- Unemployment insurance benefits

If you cannot help with your legal problem, we will try to connect you with another attorney.

If you have legal questions or need an oral statement to take to your employer, please contact our office at the address or the number below. If you do not see the name you need, please call us at the number below.

We also offer educational presentations and materials about your legal rights. This calendar has information about your legal rights in agricultural worker housing in Minnesota and North Dakota. This calendar is free. Your rights and housing needs are our focus. Call us right away for help.

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Call us at 888-621-8733 (in Minnesota) or 1-888-621-8733 (in North Dakota). If you speak another language and interpretation is available, it is available in Spanish.

**El Proyecto Para Trabajadores Agrícolas**  
Defensoría Legal para Trabajadores Agrícolas  
en Minnesota y North Dakota

Ofrecemos servicios legales a trabajadores agrícolas en el área de nuestro servicio en Minnesota y North Dakota. Nuestros servicios incluyen:

- Pago de salarios y horas
- Licencia familiar y médica
- Discriminación y represalia
- Despedido injustificado
- Contratos de trabajo (OT, salario)
- Revisión de contratos de trabajo
- Beneficios de desempleo

Si no podemos ayudar con su problema legal, intentaremos conectarlo con otro abogado que pueda ayudar.

Si tiene preguntas legales o necesita una declaración oral para llevarla a su empleador, por favor llámenos en la dirección o el número de teléfono que aparece a continuación. Si no ve el nombre que necesita, llámenos en el número que aparece a continuación.

También ofrecemos presentaciones educativas y materiales sobre sus derechos legales. Este calendario tiene información sobre sus derechos legales en el alojamiento de trabajadores agrícolas en Minnesota y North Dakota. Este calendario es gratuito. Sus derechos y necesidades de vivienda son nuestro enfoque. Llámennos ahora mismo para obtener ayuda.

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Llámenos al 1-888-621-8733 (en Minnesota) o al 1-888-621-8733 (en North Dakota). Si habla otro idioma y se requiere interpretación, esta es disponible en español.

SUNDAY DOMINGO	MONDAY LUNES	TUESDAY MARTES	WEDNESDAY MIÉRCOLES	THURSDAY JUEVES	FRIDAY VIERNES	SATURDAY SÁBADO
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25 MONDAY	26	27	28	29	30	

# In what sort of housing do Minnesota's agricultural workers live?



- Migrant labor camps
  - Claremont Center and Brooten migrant housing
- Cannery-affiliated housing
  - On-site, military-style housing
  - On-site/off-site, employer-owned manufactured homes
  - Employer-owned houses
- On-site, employer-owned housing for dairy workers
- H-2A worker housing
  - Both on-site and off-site
  - Manufactured homes, houses, apartments, motels, etc.
- Employer-unaffiliated housing
  - Rental housing, manufactured homes, motels, etc.

# Migrant Labor Camps



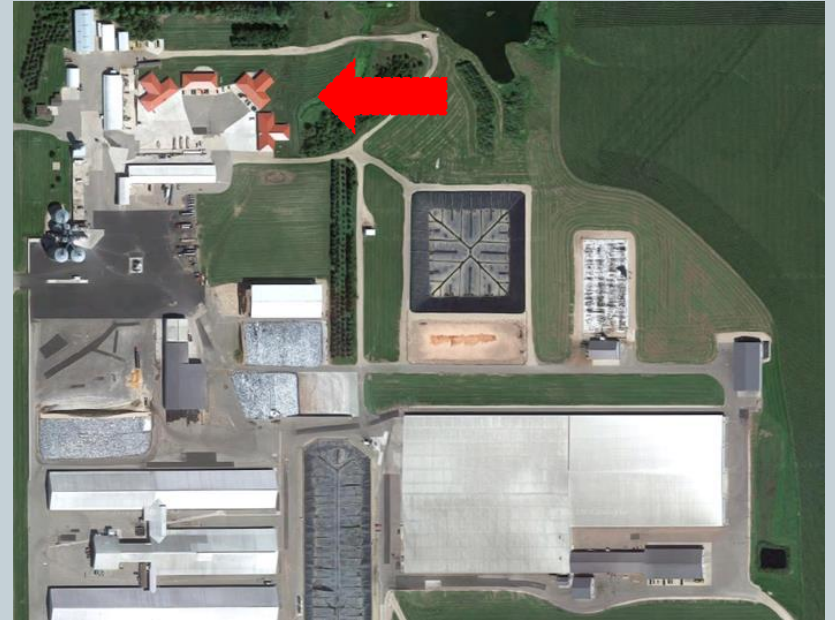
# Cannery-Affiliated Housing



# Manufactured Home Parks



# Dairy Worker Housing



# H-2A Housing





# What are the housing rights and challenges of agricultural workers in Minnesota?



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

# What are the housing rights and challenges of agricultural workers in Minnesota?



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

# OSHA and ETA Housing Standards



- Bed for each worker elevated off the floor
- Adequate supply of hot and cold water
- Adequate heating during cold weather
- Screened windows
- A place to wash and dry clothes
- Additional requirements for shared bathrooms (certain number of toilets and showers per person)
- Additional requirements for shared cooking facilities

# Repeal of Chapter 4630, Minnesota Department of Health, Migrant Labor Camps Rules



- Repealed April 2001
- Required permit to operate migrant labor camp
- Required annual inspection
- Permit revocation process
- Requirements regarding condition of housing, including housing site, water supply, waste disposal, heating, screening, lighting, toilets, bathing, laundry, cooking facilities, pest control, first aid, etc.

# What are the housing rights and challenges of agricultural workers in Minnesota?



- **Rights under Minnesota Migrant Labor Act**
  - Recruited migrant cannery workers
    - Employment statement upon recruitment that addresses whether housing will be provided and deductions from wages
    - Right to stay in employer-provided housing until final wages paid
- **Additional rights**
  - Lodging allowance
    - 75% of minimum wage for one hour of work/day IF lodging adequate, decent, and sanitary

# What are the housing rights and challenges of agricultural workers in Minnesota?



## ○ Challenges

- Inadequate supply of housing
- Inadequate conditions of housing
- False promises/violations by employers
- Enforcement
  - Jurisdictional issues
  - Adequate response
  - Adequate resources
- Workers' fear/concern
  - Retaliation
  - Homelessness

# Examples of Inadequate Housing Conditions



# Want to learn more?



## ◦ Watch

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

## ◦ Read

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

## ◦ Visit

- Canadian Museum for Human Rights (Winnipeg, Manitoba)
- <https://www.facebook.com/AgWProject/>

