

THE MIGRANT WORKER
IN NEW JERSEY

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Of New Jersey.

INTRODUCTORY NOTE

Several times during the past two years we have had occasion to report on the progress being made in our plans for Organized Migration of workers from areas of unemployment to areas of labor shortage. We have also been called upon to report on the gains made for New Jersey through the passage of her new Migrant Labor Law. However, the real motivation behind the preparation of this report came from an incident at the Rutgers Institute of June, 1945.

The highlight of the Institute came on the last day, when Henry Wallace was there as guest speaker. After his address several of us had the opportunity to chat with him personally, at which time our conversation drifted to the subject of migrants and what the Unions are doing to better their conditions. I had spoken on the second day of the Institute on "The Migrant Worker in New Jersey", but Secretary Wallace had not been present at that time. He showed great interest in the drive to improve conditions for migrants in the state, and asked me if I would prepare a report for him on just what is being done and who is doing it.

This is the report. We have mimeographed a limited number of copies and sent them to those persons whom we feel to be most vitally concerned with the welfare of migratory workers in the state.

I would like to take this opportunity to say that I believe the greatest credit for pointing out the deplorable conditions of migrants, and for making constructive moves to alleviate those conditions, goes to Miss Mary L. Dyckman, Chairman of the Migrant and Child Labor Committee of the Consumers' League of New Jersey, who carried the ball from beginning to end in the fight for introduction and passage of the Migrant Labor Act; to Mrs. Helen B. Sater, Regional Representative of the Women's Bureau, U. S. Department of Labor, who made the 1943 survey of conditions in migrant camps in the state; and to Dr. C. Melville Wright, of the Christian Laymen's Council, who has actively participated for years in the task of raising living standards for migrant workers.

This report tells their story, and includes the part which our Union has been able to play through our Organized Migration plan in cooperation with the Southern Tenant Farmers Union.

Other organizations and persons who have participated in the activity on the migrants' behalf are listed below.

Leon B. Schachter, President,
Meat & Cannery Workers Union,
Local 56, AFL, New Jersey.

August, 1945,
224 Federal Street,
Camden, N. J.

Organizations which submitted the "Brief Concerning Labor
Camps for Migrants in New Jersey" to Governor Edge:

- Commission on Social Education and Service of the New Jersey
Council of Churches, Robert D. Smith, Chairman.
- Consumers' League of New Jersey, Olive C. Sanford, Vice Pres.
- Metropolitan Council, National Federation of Negro Women,
Mrs. Bertell Wright, President.
- New Jersey League of Women Voters, Thelma V. Ingram, Vice
President.
- New Jersey Conference, National Council of Jewish Women,
Mrs. Julius E. Flink, President.
- New Jersey State Federation of Women's Clubs, Grace M.
Freeman, Recording Secretary.
- New Jersey State Federation of Colored Women's Clubs,
Maggie Beckett, President.

Other cooperating organizations:

State Commission on Post-War Economic Welfare - commissioned by Governor Edge to study the migrant situation.

Princeton Surveys (Dr. John F. Sly) - assigned the task of preparing the legislative plan to care for migrant needs, the Migrant Labor Bill.

State Federation of Labor, AFL, Louis Marciante, President, and Thomas Parsonnet, Legislative Representative.

National Farmers Union, Eastern Division, Ed Yeomans, Executive Secretary.

State Industrial Union Council, CIO, Carl Holderman, Executive Secretary.

New Jersey Welfare Council.

Citizens' Health Council.

The Migrant Labor Act creates within the State Department of Labor a Division of Migrant Labor consisting of the Commissioner of Labor and a Migrant Labor Board:

Harry C. Harper, Commissioner of Labor.

John G. Sholl, Secretary and Supervisor to the Division of Migrant Labor.

Appointed members of the Migrant Labor Board:

Jay C. Garrison, Farmer, Elmer, N. J., Chairman of the Board.

Leon B. Schachter, Organized Labor, South Jersey. (Meat and Cannery Workers Union, AFL).

John M. Seabrook, Farmer, Bridgeton, N. J. (Operating Manager, Seabrook Farms).

Mrs. Lenora B. Willette, Public, Belleville, N. J. (Welfare worker, Board Member of Consumers' League).

Rev. Robert D. Smith, Public, Shrewsbury, N. J. (Canon of social services of Protestant Episcopal Diocese of New Jersey, Secretary of Church Commission for Work Among Migrants.)

Ex-officio members:

Harry C. Harper, Commissioner of Labor.

John Boshart, Commissioner of Education.

Willard H. Allen, Secretary of Agriculture.

Dr. Sanford W. Bates, Commissioner of Institutions and Agencies.

Charles R. Erdman, Commissioner of Economic Development.

Col. Charles H. Schoeffel, Superintendent of State Police.

Lynn J. Mahaffey, Director of Health.

THE MIGRANT WORKER IN NEW JERSEY

The Union's Relationship To the Migrants	Page 1
New Jersey and the Migrants.....	3
The Organized Migration Plan.....	7
New Jersey's Migrant Labor Law.....	10
Summary and Conclusion.....	13

THE UNION'S RELATIONSHIP
TO THE MIGRANTS

The Meat and Cannery Workers Union, Local #56, is particularly interested in the welfare of migratory workers in the State of New Jersey because it counts a large number of migrants among its members. The Union has collective bargaining agreements with industries engaged in the growing and processing of food and food products, all of which without exception require the additional help of migratory workers during the peak season.

Local 56 is affiliated with the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL, an International Union which has organized quite a number of canneries in the East, the AFL having no International Union solely for the canning industry.

Local 56 has collective bargaining agreements with most of the large food processing plants in South Jersey, including the Edgar F. Hurff Co., Swedesboro, N. J.; the P. J. Ritter Co., Bridgeton, N. J.; F. H. Leggett, Landisville, N. J.; Stokely Bros., Trenton, N. J.; Venice Maid, Vineland, N. J.; H. J. Heinz Co., Salem, N. J.; E. Pritchard, Inc., Bridgeton, N. J.; and the Seabrook Enterprises, near Bridgeton, N. J.

The latter includes the Seabrook Farms, the Deerfield Packing Corporation, and the dehydration and frozen food plants. To our knowledge, the agreement which Local 56 has with the Farms is the only closed shop farm contract in the world. There the farmers get a week's vacation with pay every summer.

The migrants who work every summer for the above companies are represented by the Union through the collective bargaining agreements. Living and Working conditions for them have been definitely improved through the work of the Union on their behalf. The migratory workers become members of the Union immediately upon entering the industry because of Local 56's Union Shop provisions. However, they pay no initiation fee, and only 25¢ a week dues, (half the regular amount) until they have been working long enough to become regular workers, after which they may become full beneficial members of the Union.

The following report shows the part which the Union has played in the movement for better conditions for migrants in the state of New Jersey, both through the Organized Migration plan, and through the drive for passage of the Migrant Labor Act. And further, it points the way toward what may possibly be done in

the future, through further development of these two instruments for improvement.

NEW JERSEY AND THE MIGRANTS

New Jersey is a state with many seasonal industries including great fruit and vegetable producing areas in the central and southern parts of the state, as well as the many canneries where these foods are processed. For years the labor needs of the peak growing seasons have been met by recruiting workers outside the area of production, who come to the state for temporary employment. The usual estimate is that from 10 to 12 thousand men, women, and children are so employed in an ordinary year, chiefly for harvesting and processing fruit and vegetables from the asparagus cutting season, beginning at the end of April, through the summer and fall, until cranberry picking ends in October.

Because it is impossible for New Jersey communities to adequately house these seasonal workers, this responsibility is usually left up to the individual employers. Such housing is frequently provided in migrant camps or colonies on the employer's property as part payment in kind for the worker's services.

The camps may range from a few workers housed in an unused farm building on a small acreage, to great camps housing up to a thousand or more men, women and children. The workers come both singly and in family groups, including many women and children.

In addition to the employer-owned camps there are at the present time four government-owned and operated labor camps, as well as a very modern and complete Federal housing unit for employees of a large processing plant. The government camps are used chiefly for workers who come to this country through international agreement from such countries as Jamaica, Barbados, Porto Rica, and Bahama.

The Federal housing unit, completed late in 1944, is located at the Seabrook Farms in South Jersey, and is a model of modern and hygienic housing, including also adequate facilities for recreation and education.

During the summer of 1943 the conditions in both private and government camps were open to criticism. The appropriate Federal authorities immediately made investigations and set up minimum standards of housing and health protection to be enforced in their camps. These standards were reinforced by the international agreements which the

United States Government had previously made with the governments of the countries from which workers were imported.

But there were no such standards from American workers, since the responsibility for them is left up to the states, and New Jersey provided at that time no safeguards whatsoever. As a result, American citizens found themselves living, in many cases, under conditions which would not be permitted for imported workers, or for prisoners of war.

The farm migratory workers are in a class by themselves, not only in their living and working conditions, but in their legal rights as well. As agricultural laborers, they are completely excluded from the benefits of the Social Security Act, and all wage and hour laws; and in addition, the provisions for workmen's compensation for agricultural workers and for the prevention of child labor in agriculture are not strictly enforced.

Agricultural workers have never been protected by social legislation. The cannery workers are somewhat better off, because they are covered by social security. But they, too, have their own special problems.

Employees in all food-processing industries are completely exempt from the hour provisions in the Wage & Hour Act for a period of 14 workweeks in any calendar year. For an additional 14 workweeks, the employer is not required to pay overtime except for a workweek in excess of 56 hours. The choice of both of these 14 week periods is at the descretion of the employer, and logically it is to his benefit to choose them during the peak season in the processing of perishable foods.

* * * * *

This is the picture with which Unions and other progressive groups in New Jersey were faced when they started their drive to improve the lot of the migrants in this state.

The dangers inherent in such a system are obvious. It excludes migratory workers from the benefits of social legislation. It keeps them from exercising their political rights as citizens, and makes recourse to law to secure justice impossible. It disregards for them the important democratic tradition of compulsory universal education. It subjects them to a subsistence level of wages, and forces them to live in abject poverty and completely unhygienic conditions.

It makes normal family life for them impossible. The existence of such groups of disinherited people in the midst of small New Jersey communities develops intolerance, prejudice, unequal standards of justice. It develops a gross callousness on the part of public officials, and on the part of the migrants of a gross disrespect for the law.

THE ORGANIZED MIGRATION PLAN

Ever since Local 56 first started organizing the canneries in New Jersey, in 1941, the conditions in the migrant labor camps had been a matter of great concern to the Union. Some improvement was possible in the camps owned by companies with which the Union had contracts, but the process was very slow, and it became obvious that the only real answer to the problem was definite planning on a state-wide basis.

During the summer of 1943, the Organized Migration plan was worked out for the first time, and through it the Union was able to further improve conditions in some of the camps. It was during this summer that the labor shortage in the state of New Jersey first became acute, and the canneries and farms were continually faced with the problem of locating a sufficient number of workers to meet local needs during the peak growing and processing season.

The Organized Migration plan was worked out through exchange membership between Local 56 and the Southern Tenant Farmers Union, and during the past three seasons several thousand workers have been brought up from the South under this arrangement. The plans were worked out by Leon B. Schachter, President of the Meat and Cannery Workers Union, Local 56, and H. L. Mitchell, President of the Southern Tenant Farmers Union.

The biggest problem in working out this plan has not been to locate workers, but to free these workers from their home areas. The problem of "frozen workers" is not one which is peculiar to this war, and neither will it end with reconversion to a peace economy. It is unfortunate that the plight of Southern workers has not been more widely known throughout the country. Plantation owners have long been too successful in buying their workers to the soil by means of the "one-crop system." And in 1943, the planter-dominated Farm Bureau sponsored and obtained passage of a law to freeze farm workers in the counties in which they lived by means of prohibiting the use of government funds to transport workers out of the county unless each individual worker has the written consent of the county agent.

However, the "freezing" of these workers to the plantations is not the greatest tragedy in itself. Their problem is that King Cotton only supplies the laborers with five months of work a year, and that during the remaining seven months these people must find work elsewhere or starve.

The only way to surmount the legal obstacles was inter-Union clearance, because exchange membership between two Unions is always approvable. The War Manpower Commission has given tacit consent to the agreement, being glad for the help in recruiting additional labor from a surplus labor area to one of labor shortage.

Through this plan the Unions have been able to demand that certain conditions be met in the camps to which they will bring workers who are under their guidance. The plan has also helped to free the workers from the false promises of racketeer recruiters, at whose hands they were so often herded together like cattle and shipped off to some distant point to find themselves still homeless and jobless. Or, if the job was to be found, the conditions in which they had to live were as bad or worse than those which they left behind.

During the past two years, as a result of these employment opportunities for unemployed farm workers in the South, the wage rates, and the living and working conditions in that part of the country have been somewhat improved. A new bargaining power has been developed by the members of the Southern Tenant Farmers Union, since that organization has found a way to provide employment in other areas.

Further, the plan points the way toward a solution to the ever-present problem of the battle between men and machines. More and more farmers are sure to be replaced as tractors and cotton-picking machines make their presence known in the South. And by it a pattern has been set for meeting peak seasonal labor needs on farms and in industries throughout the country.

NEW JERSEY'S MIGRANT LABOR LAW

In 1943 a representative of the Women's Bureau of the United States Department of Labor made a survey of the "Employment and Housing Problems of Migratory Workers in New York and New Jersey Canning Industries." This report served to arouse considerable interest in the problems of migrants in this State.

The next step was a "Brief" which was presented to Walter E. Edge, Governor of New Jersey, outlining in detail the living conditions of migrant workers in the state. This "Brief Concerning Labor Camps for Migrants of New Jersey" was prepared under the leadership of the Consumers' League of New Jersey, with the cooperation of other civic and religious groups.

In their own words, this "brief" called attention to the need for State regulation of migrant labor camps within the State, camps in which thousands of agricultural and cannery workers and their families are housed every summer. Exhibits were attached showing that such camps became, too often, breeding places of disease and disorder. Also shown was the practical impossibility of correcting these conditions under existing laws.

And further, the "greatest need is for some agency in the state government to have clearly defined responsibility and the appropriate authority to regulate migrant camps and to enforce the minimum standards necessary to ensure their being decent places to live."

The Governor's response to this brief was a public statement of his concern about the conditions in the migrant labor camps of the State, and his

assignment to the Post War Economic Welfare Commission the task of preparing suitable legislation for the regulation of these camps.

Meanwhile, the organizations that sponsored and signed the brief continued to work together toward the solution of this problem through the Committee on Migrant Camps, an inter-organization committee.

Local 56 actively participated in the work of this Committee, and the New Jersey State Federation of Labor, through its President, Louis P. Marciante, supported the Migrant Labor Bill which resulted from the above succession of events. The Bill was introduced into the State Legislature by Assemblyman Gustave Huhn of Essex County.

The new Migrant Labor Act sets up a Division of Migrant Labor within the present State Department of Labor, this Division consisting of the Commissioner of Labor and a Migrant Labor Board. The Board consists of seven state officers, ex officio, and five additional members appointed by the Governor; two of these latter members are from among representatives of farmers and one from among representatives of Organized Labor. Leon B. Schachter, President of Local 56, represents Labor on the Board.

The new law sets up minimum standards of health and decency which must be met in all of the migrant labor camps in the state of New Jersey. It is very specific about these standards, including detailed hygienic regulations, such as provision for pure drinking water, toilet facilities, garbage disposal, adequate sleeping quarters, etc. It further provides for regular inspectional services, and for preventive and curative public health services.

The law requires that no person shall construct, establish, maintain, or operate any camp in violation of its requirements. Camps certified under the standards of the act will be known as "certified labor camps."

The most important gain made by the new act is that it coordinates the efforts of all groups in the state who are vitally interested in the welfare of migratory workers, and it sets up the means of enforcing these standards.

SUMMARY AND CONCLUSIONS

The "migrant problem" in New Jersey, as in the country as a whole, is not a wartime problem. It is rather one of the many problems which the war has brought more forcefully to our attention.

The task of maintaining adequate living and working standards for migratory laborers was with us long before this war, and will continue to be with us "as long as the crops grow in their seasons". Therefore, Unions and other progressive groups in the State of New Jersey must be concerned with these problems because so high a percentage of the state's industry falls in the seasonal category.

The seasonal workers who come to New Jersey will come largely from the South as long as cotton, also seasonal, remains the principal crop in that section of the country. Unemployment in the South will be further intensified by technological displacement.

The problem is nation-wide, and can only be met adequately by action taken on a national scale. However, the passage of such legislation as New Jersey's Migrant Labor law lays the groundwork for a more extensive program of action. Two other states, Pennsylvania and California, have passed similar legislation, but it is generally recognized that New Jersey's law is the most comprehensive of the three, laying the groundwork for a more effective program of action. The U. S. Department of Labor is strongly urging that all states pass such legislation, and has recently prepared a model bill which

-15-

it feels includes all of the essentials to an effective state program for the regulation of migrant camps. The Labor Department also urges the passage of "baby Tolan Bills" in the states, looking forward to the passage of the federal bill for the regulation of inter-state migration.

Such cooperative planning as Organized Migration is absolutely essential to protect the migratory workers from professional racketeer recruiters who make a business of exploiting the seasonally unemployed workers of the South. Further, Organized Migration accomplishes the "un-freezing" of the workers who are otherwise bound to the plantations by "planter's law." And perhaps most important of all, through such planning the workers receive the continuing protection of the two Unions between whom the agreement is made. The Organized Migration plan as worked out by the Meat and Cannery Workers Union of New Jersey and the Southern Tenant Farmers Union is only the beginning of what might be done in the future with the use of a little imagination and the more extensive cooperation of the employers who need the workers and the Unions through whose planning they can be made available and through whose collective bargaining agreements their rights will be protected.