



## **Giving Minimum Wage Coverage to Farmworkers House Bill 71, State of Idaho, 2001**

### **Overview**

Idaho, a large state with a population of only 1.3 million (U.S. Census, 2000), may be famous for its potatoes, but its treatment of workers who harvest the crops is close to infamous. In 1998, when the Idaho Collaborative began its work, farm laborers were excluded from minimum wage protections, and most lived well below the poverty level. In a state where the annual mean wage in 2001 was \$30,130, farmworkers averaged only \$14,880—if they worked full-time, year-round, which they most often did not. Furthermore, while the state’s population is 88 percent white, close to 98 percent of migrant and seasonal workers are Latinos.

### **The Policy**

In March 2001, Idaho Governor Kempthorne signed House Bill 71, to be effective January 1, 2002, which included provisions that:

- Extend the federal minimum wage to most farmworkers;
- Mandate that employers keep detailed records of workers’ hours, earnings, deductions from wages, etc.; and
- Specify education and enforcement procedures to be undertaken to ensure knowledge about and compliance with the new policy.

### **Impact**

There are conflicting predictions about how many farmworkers will benefit from the guaranteed minimum wage, but the campaign itself undeniably resulted in historic statewide mobilization across diverse constituencies. The Idaho Collaborative has been able to build on the momentum, one example of which is the quick passage in 2002 of legislation that requires contractors to be bonded as security in case they do not pay their workers.

The success of the farmworker campaign also energized grassroots activities that spread into the electoral arena. “The Latino Vote Project, which registered a record number of new voters, is an expression of that effort,” observes Idaho Legal Aid Services Executive Director Ernie Sanchez. Idaho Women’s Network’s Lolita Anastasio adds, “When people ask why they should register to vote, all you have to say is ‘remember farmworker minimum wage,’ and they sign up.” Finally, the campaign enhanced the visibility and credibility of organizations led by Latinos in the state. For example, in 2002 and 2003, in response to concerted opposition from the Idaho Hispanic Caucus, the Idaho legislature withdrew a bill that would have made English the state’s official language.

### **Key Players**

Idahoans for Farmworker Minimum wage was formed to launch this campaign. At the heart of this coalition was an ongoing collaboration among three statewide organizations: Idaho

Community Action Network (ICAN), which organized farmworkers and low-income families; United Vision for Idaho (UVI), a coalition of 24 progressive organizations; and Idaho Women's Network (IWN), comprised of 26 women's rights groups that mobilized human rights, church groups, and ally support. The Idaho Migrant Council and Idaho Hispanic Caucus played a central role in advocating for the legislation. The Idaho Progressive Student Alliance mobilized college students on campuses across the state. Representative Tom Trail (R) led the fight in the House in conjunction with Representative Ken Robison (D). The Idaho Farm Bureau strongly opposed the legislation.

### **Winning the Campaign**

For more than 20 years, Latino organizations such as the Idaho Migrant Council had advocated for workers' compensation legislation for farmworkers, and then-Governor Phil Batt championed its passage in 1996. Soon after, Latino leaders from across the state gathered and set winning a minimum wage for farmworkers as a priority.

For members of the Idaho collaborative, the minimum wage fight was a way to demonstrate their commitment to racial justice. ICAN had already been building a base of Latino members in Eastern Idaho as part of its self-help food program and had started to organize for farmworker minimum wage. IWN and UVI, building on several years of dismantling racism work within both organizations, focused their leadership on the need to prioritize racial justice issues.

IWN conducted issue-education trainings among its membership and helped organize media work, which included regular briefings with reporters, generating materials for the press, and an all-night vigil on the capitol steps. IWN also helped initiate a statewide "Fast until It's Passed" campaign. Several hundred individuals across the state, including church members and high school classes, agreed to fast once a week or once a month until minimum wage legislation was passed. UVI took on the task of helping student activists organize the Idaho Progressive Student Alliance (IPSA) at four of Idaho's largest colleges. IPSA organized campus forums and participated in marches and rallies. Students also worked with farmworkers to make a documentary film, *Voices from the Field*, which was shown widely in Idaho and has since been used in Texas and Oregon.

Building on its growing base in the Latino community, ICAN organized hundreds of farmworkers to be active in the campaign. "ICAN played a strong role in providing testimony," says Adan Ramirez. "We organized the real folks who could not speak English but wanted to tell their stories. What made the difference in the campaign was that farmworkers had the courage to go to the capitol and speak out."

Under growing public pressure, the Idaho legislature assembled an interim committee and held public hearings on the issue during the summer of 2000. When the committee recommended a measure that would not have provided any new protections for farmworkers, the collaborative fought back with a massive media campaign to educate the public about the issue. The partners met with the editorial boards of major newspapers, posted radio public service announcements, and organized weekly silent protests at events attended by the governor. LeeAnn Hall, director of both ICAN and the Northwest Federation of Community Organizations (NWFCO), states, "We were able to reframe the issue around civil rights and fairness. Everyone knew this issue

was implicitly about race and racial justice, about whether the migrant farmworkers who put food on our tables should have minimum wage protections.” After a final series of actions held in Boise in early 2001, the legislature passed one of the strongest farmworker minimum wage laws in the nation.

### **Challenges**

During the farmworker minimum wage campaign, data was a major challenge. The state did not have an official count on the number of farmworkers and the wages they were paid. ICAN conducted its own farmworker survey and because their findings closely matched federal data trends, their research became the bedrock of the data framing the campaign. However, data collection remains a challenge, and the official number of people benefiting from this law is still unknown.

While building a broad based coalition of allies was central to winning farmworker minimum wage, it was a challenge to ensure that farmworkers were leading the strategy. At times, coordinating the strategies of different constituencies being mobilized around this issue was difficult and caused some conflict.

Finally, the political environment since 9/11 has been less conducive to racial equity in Idaho. “Before September 11<sup>th</sup>, we were able to effectively frame the public debate around race and immigrant issues,” reflects LeeAnn Hall of ICAN. “Since September 11<sup>th</sup>, all rationality has been thrown out the window; there has been a one hundred and eighty degree turn around.” For example, recent efforts to pass an immigrant driver’s license bill have resulted in little progress.

### **Replicability**

Advocates in Idaho stress that passing minimum wage for farmworkers was only a partial victory. One in six Idaho farmworkers is paid indirectly through a contractor, and additional protections were needed to ensure that the wages paid by the farmer actually reached the farmworkers. The passage in 2002 of legislation that requires contractors to be bonded as security in case they do not pay their workers was critical to ensuring a real victory for farmworkers.