

FARMWORKER SABBATH

A call by the Justice for Farmworkers Campaign
in New York State for prayer, education and action
during the spring of 2017

Contents:

1. Sabbath Summary
2. Background on Situation of Farmworkers in New York State
3. Farmworker Sabbath options:
 - A) Judeo-Christian Scriptural Readings
 - B) Prayers
 - C) Reflections
 - D) Homily/Sermon
 - E) Prayer of the Faithful
 - F) Bulletin Insert
 - G) Action
4. Contacts

* * * * *

“I have worked on the farm for four years and I am still paid the same. Other people have worked here longer and they are also paid the minimum.” Antonio, a farmworker in New York State

1. Sabbath Summary

The purpose of this Farmworker Sabbath is to raise up the MORAL and ETHICAL voices of religious congregations/communities within New York State to focus on the plight of its farmworkers – and to respond to a long-standing injustice with prayer, education and action. Congregations are encouraged to adopt this focus at a regular worship service any weekend during the months of March, April, May or June, 2017. Using the materials provided, it is the hope of the Justice for Farmworkers Campaign (JFW) that a rabbi, minister, priest, imam, or worship-leader will, with minimal preparation, bring this issue to the attention of their congregation. If you have questions, do not hesitate to contact Jose Chapa, JFW Coordinator, or Rev. Richard Witt, Rural & Migrant Ministry's Executive Director. {Their contact information is provided on the last page.}

2. Background: the Situation of Farmworkers in New York State

{Below are two looks at the situation of farmworkers in New York State. The first comes from the Justice for Farmworkers Campaign. The second is a 2014 letter written by a New York State teenager to a State Senator.}

We, the Justice for Farmworkers Campaign (“JFW”), write to ask for your support as we seek the passage of legislation granting New York’s farmworkers basic labor rights and protections. Farmworkers are an essential element of New York’s \$4 billion agricultural industry. These workers harvest our vegetables; pick our apples and grapes; and feed, clean and milk the herds of cows that supply our dairy products. Most farm work is grueling and injuries are commonplace. Farms are recognized as one of the most dangerous work sites in America.

Despite the working conditions, most farmworkers earn little more than minimum wage, with no overtime pay. They are not entitled to a day of rest per week, nor is every farmworker eligible for workers’ compensation when injured on the job. And farmworkers do not have the protections of other workers if they choose to engage in collective bargaining.

How is it that in 2017 farmworkers are excluded from basic labor law? This statutory anachronism is a legacy of the Jim Crow era. When President Franklin Roosevelt advanced New Deal reforms broadening workers’ right, Southern

segregationists withheld their support unless farm laborers and domestic workers – then, predominantly African Americans – were excluded. In order to capture the Southern vote needed to pass this legislation, the Roosevelt administration agreed to exempt these workers from federal labor protections. New York’s farmworkers labor today in the long shadow of Jim Crow. And this injustice is still a matter of color and ethnicity. While African Americans once constituted a majority of New York’s farmworkers; today they are primarily Latino.

That farmworkers are excluded from the labor laws of New York State is a disgrace. The Farmworkers Fair Labor Practices Act would correct this injustice. This new law would:

- Allow farmworkers one day of rest each week
- Require that farmworkers are paid the minimum wage
- Establish an 8 hour workday for farmworkers
- Provide farmworkers with the right to overtime pay
- Give farmworkers the right to organize and bargain collectively for the purposes of representing and protecting their interests
- Ensure that farmworker housing facilities meet basic standards under the Sanitary Code, including: structurally safe buildings, clean water, adequate light and ventilation, and facilities for sewage disposal
- Provide farmworkers with unemployment pay should they be laid off from work
- Require all employers to provide workers’ compensation benefits to all farmworkers who are injured during the course of employment
- Require a foreman or supervisor who learns that a farmworker is injured on the job to inform the farm owner of that injury
- Allow farmworkers to receive disability benefits when unable to work due to non-job related sickness or injuries
- Prohibit employers from discharging or discriminating against a farmworker who requests a workers’ compensation claim form
- Require the posting of a notice in English and Spanish that informs farmworkers of their right to workers’ compensation benefits, as required by law

* * * * *

{A few years ago, a version of the Farmworker Fair Labor Practices Act, after being passed in the NYS Assembly, came to a vote in the Senate – and lost by four votes. The then-Governor had promised to sign the bill into law. So a victory for farmworkers *WILL* happen, even though farmworkers and their allies are up against a powerful and well-financed agri-business lobby. The question is, for how much longer will farmworkers in New York have to endure injustice, powerlessness and poverty? Ironically, when a new law is passed, it will be a victory also for agriculture in New York State, which is decades late in discarding blatantly racist practices -- unworthy of any state in the nation.}

* * * * *

The following letter, written by a then-NYS-teenager, is offered for your edification and use because of its clarity, conviction, and historical accuracy. Also, it represents the moral voice of young New Yorkers -- who are determined to end the exploitation of farmworkers in their state.

Dear Senator,

A man spent all twelve hours of sunlight each and every day sweating, all seven days of each and every week struggling in the fields of his backbreaking labor. He has worked that way for each and every year for the past ten years straight, without one day off, without one penny of overtime pay. He is the man I just got off of the phone with, the man who lives just a few hours' drive from you and me, the man who suffers outdated injustices. He is a New York State farmworker. You are one ... of the state senators who has declared you will vote against his emancipation, the Farmworkers Fair Labor Practices Act. Rather, your efforts will preserve the last of the Jim Crow laws, and freeze progress and deny the attainment of basic rights.

The founders of our nation, the writers of the Constitution, declared the farmworkers' rights in the very first lines: "Congress shall make no law...abridging the freedom of speech...or of the right of people peaceably to assemble, and to petition the Government for a redress of grievances." Acknowledging these fundamental human rights, we passed the New York State Labor Relations Act, requiring that workers' rights be guaranteed under law. The act recognizes the right to collective bargaining. Furthermore, it states that workers should be protected by an equal minimum wage for adults and children alike, overtime pay, disability insurance, a right to a day of rest, and by training or shortened working periods if they are in dangerous conditions. However, a discriminatory and unjustified provision to the Act, section 703, excludes and neglects farmworkers from both the federal and state recognition of workers' rights. So, just as the founders of our nation fought for fundamental rights two centuries ago, so, too, are New York State farmworkers fighting for their rights today. They need your help. Some have lost their jobs simply for advocating their rights. One farmworker I spoke with told me that he and his coworkers were threatened that they would be fired for any complaints, the mention of their rights, or even for speaking with anyone who does not work on the farm. They are shackled, have nowhere to turn, and so ... I hope you will not turn a blind eye to this injustice.

As a farmer yourself, you know how important farmworkers are to the survival of our farming communities, and you know that many farmers treat farmworkers with dignity and respect. Sadly, not all farmers treat the laborers well. Self-regulation by

farmers has failed to protect farmworkers across our state. So, farmworkers need to have the law on their side in order to protect their basic rights...

...The Farmworkers Fair Labor Practices Act does nothing more than extend to the 100,000 men, women, and children farmworkers who make up this great state the fundamental rights of labor protections that almost every other working American has been afforded since President Roosevelt signed the fair labor legislation bills in the 1930's. This legislation would give farmworkers what the New York State Labor Relations Act recognized as the basic necessities to which humanity has a right. These are fundamental rights, but rights that you are concerned will financially deplete your district. Your concern is understandable, as providing these basic justices sound expensive, but in reality, this legislation would be in your district's economic interest.

Your website recognizes that "Family farms are struggling across New York" and that "For the regional economy to recover and prosper, small farms must be given the tools they need grow." Giving farmworkers their rights would be the tool needed to give small farmers like you and those in your district economic opportunity. Eighty percent of New York farms, including many in your district, do not have any farmworkers. The small farmers who do employ farmworkers have few of them, and often provide housing for their farmworkers in their own homes, and often pay their farmworkers almost double minimum wage. On the other hand, large farmers provide mass housing in stacks of one-room shacks, which house large numbers of people with unsanitary bathrooms with twenty workers per toilet. They pay their farmworkers much less than small farmers do and provide none of the expensive benefits that small farmers often do, such as the healthcare you value, insurance, heat in winter, or air conditioning in summer. In effect, small farmers pay much more for farmworkers than large farmers do. Since small farmers already provide the minimal rights that farmworkers deserve, requiring large farmers to do the same will create an even playing field, and enhance small farmers' chance to compete.

I am confident that if I merely lay out the facts for you, you will see that there is truly only one option. There is only one moral decision as a Democrat, one right decision as an advocate for discriminated minorities, one logical solution as a champion of women's rights, and one humane decision as a conscientious human being. I have faith that you will make the right decision, and support human rights and support your district. I know that we will pass this legislation, because we have hearts that are filled with compassion, minds that are opened to opportunity, and state senators with dreams of creating a New York State that lives up to its most cherished values.

You have two months to back this legislation, to bring it to the floor, to deadhead leftover Jim Crow laws, toss sexism in the compost heap, and in their place grow the companion plant of long overdue equity...and make room for minorities and

small farmers to flower. By backing this bill you will help (your) district to cultivate its immense potential. Thank you for considering your ability to fulfill such tremendous rights, dreams, and needs, and support the Farmworkers Fair Labor Practices Act.

Sincerely,

Michaela Kennedy Cuomo

“Sometimes I get upset because Saturday and Sunday are supposed to be days for families to be together, but we are working.”

Lourdes, a farmworker in New York State

3. Menu of Farmworker Sabbath options:

A) JUDEO-CHRISTIAN SCRIPTURES

Selected Passages on Justice for Workers – from which one or more might be used:

Genesis I: 26 – 28; 2:15 *God the Creator.*

Genesis 2: 1 – 2 *God rested on the seventh day.*

Exodus 3: 7 – 8 *God heard the cry of the Israelites.*

Exodus 20: 8 – 11 *Remember the Sabbath.*

Deuteronomy 15:11 *Open your hand to the poor and needy.*

Deuteronomy 24: 14 – 15 *Don't withhold wages of poor and needy laborers – including those of “aliens”*

Psalms 72 *God will judge people with righteousness.*

Proverbs 21:13 *Don't close your ears to the cry of the poor.*

Ecclesiastes 4:1 *God sees the oppressions that are practiced.*

Isaiah 30:18 *God of justice.*

Isaiah 32:17 *Justice will bring peace.*

Isaiah 58:6 – 8 *The fast God chooses is to loosen the bands of wickedness.*

Jeremiah 21:11 – 12 *Execute justice.*

Jeremiah 22:13 *Woe to him who makes neighbors work for nothing and does not give them their wages.*

Jeremiah 34: 8 – 14 *Treat the alien well like God treated the Israelites.*

Amos 5: 22 – 24 *Let justice flow like a stream.*

Amos 8: 4 – 7 *Woe to those who trample the needy.*

Micah 6:8 *God requires us to do justice, love mercy and walk humbly.*

Matthew 6:24 *You cannot serve God and mammon.*

Matthew 22:39 *Love your neighbor as yourself.*

Matthew 25: 31 – 36 *The Kingdom is for those who feed the hungry,
Welcome strangers.*

Luke 4: 18 – 19 *Anointed to preach good news to the poor.*

Luke 10: 27 *Love your neighbor as yourself.*

Luke 16: 19 – 31 *Rich man who doesn't see the poor at his gate.*

John 3: 16 – 18 *Love not in word or speech, but in truth and action.*

Romans 12:21 *Overcome evil with good.*

Romans 12:26 *If one member suffers, all suffer.*

Philippians 2:4 *Look not to your own interests, but to the interests of
others.*

I Corinthians 3: 6 – 9 *Each will receive wages according to the labor or
each.*

James 5:4 *The wages of laborers kept back by fraud cry out.*

II Timothy 6: 18 – 19 *Rich people are to be generous and ready to share.*

B) PRAYERS

1) Farmworker Prayer – Cesar Chavez

*Show me the suffering of the most miserable;
So I will know my people's plight.*

*Free me to pray for others;
For you are present in every person.*

*Help me to take responsibility for my own life;
So that I can be free at last.*

*Grant me courage to serve others;
For in service there is true life.*

*Give me honesty and patience;
So that I can work with other workers.*

*Bring forth song and celebration;
So the Spirit will be alive among us.*

*Let the Spirit flourish and grow;
So that we will never tire of the struggle.*

Let us remember those who have died of justice;

For they have given us life.

*Help us love even those who hate us;
So we can change the world.
Amen.*

2) Prayer of Mindfulness – National Farm Worker Ministry

Let us begin by recalling the words of Cesar Chavez: “Every time we sit at a table at night or in the morning or enjoy the fruits and grain and vegetables from our good earth, remember that they come from the work of men and women and children who have been exploited for generations...” Almighty God, too often we don’t pay attention, we don’t stop to think that, even in this day and age, injustice remains an invisible ingredient in much of the food we eat. Shake us awake, Oh God, open our eyes to see our power and obligations as consumers to help put things right. Justice demands it. Love demands it.

3) Prayer for Forgiveness -- *Edie Rassel, National Farmworker Ministry*

God, we have failed to understand and accept the great demands placed upon us by your kingdom. We have joined causes, but have lost interest. We promised to be courageous, but find ourselves afraid. We want to be sensitive, but find ourselves hard and callous. We are confronted with great opportunities for service in the world of justice and peace, but fail to take advantage of them. Forgive us when we let our comfort stand in the way of the cries and struggles of the poor, the hungry, the sick and the prisoner. We have allowed self to blind us and have forgotten that whatever is done to any one of your children is done to you. Have mercy, O God, and hear our confessions. Take our limitations and turn them into possibilities for service. Amen.

4) Prayer of Praise

Bless the hands of the people of the earth,
The hands that plant the seed,
The hands that gather the harvest,
The hands that carry the burden of life.

Soften the hands of the oppressor,
Strengthen the hands of the oppressed.

Bless the hands of the workers.
Bless the hands of those in power above them
That the measure they deal will be tempered
With justice and compassion. Amen.

5) Prayer for Creation -- National Farmworker Ministry

Lord of all creation, give us the eyes to see your earth and every element with its intrinsic beauty and value; all people as sisters and brothers. Help us to build up a world where we can share the abundance of this earth through justice and peace, cherishing the beauty in each other, and in all your created world. Amen.

“Sometimes we as immigrants we work extra hard because we want our efforts to be recognized. That’s why we came here, to work, and we give the best of ourselves.”

Christian, a NYS farmworker

C. REFLECTIONS

1) Giving Yourself -- Cesar Chavez

We can choose to use our lives for others to bring about a better and more just world for our children. People who make that choice will know hardship and sacrifice. But if you give yourself totally to the non-violent struggle for peace and justice, you also find that people give you their hearts and you will never go hungry and never be alone. And in giving of yourself you will discover a whole new life full of meaning and love.

2) Beatitudes of the Farmworker -- National Farmworker Ministry

I was hungry, and you said, “We only deal with problems in the city, not in rural areas.”

I was imprisoned, and you said you were sorry but there was nothing you could do.

I was naked, and you looked the other way as you passed me by in your expensive three-piece suit.

I was sick with pesticide poisoning, and you never thought of the human cost in the vegetables on your table.

I was homeless, a migrant sleeping in my old car with my family of six, and you refused to see how your board members could make a difference.

I was grieving over my children who never had a chance to get an education, and you said “Too bad” and continued with your business as usual.

Whatever you do to the least of my people, make no mistake, you do it to me.

3) Personal Responsibility -- Pope Paul VI

“Let all the people examine themselves, to see what they have done up to now, and what they ought to do. It is not enough to recall principles, state intentions, point to crying injustice and utter prophetic denunciations; these words lack real weight unless they are accompanied for each individual by a livelier awareness of personal responsibility and by effective action. It is too easy to throw back on others responsibilities for injustices, if at the same time one does not realize how each one shares in it personally.

4) We Shall Overcome -- Rev. Dr. Martin Luther King, Jr., Nobel Peace Prize Lecture

I believe that unarmed truth and unconditional love will have the final word in reality. This is why right, temporarily defeated, is stronger than evil triumphant.

I have the audacity to believe that peoples everywhere can have three meals a day for their bodies, education and culture for their minds, and dignity, equality, and freedom for their spirits.

I believe that what self-centered men have torn down, other-centered men can build up.

I still believe that one day mankind will bow before the altars of God and be crowned triumphant over war and bloodshed and nonviolent redemptive good will be proclaimed the rule of the land. And the lion and the lamb shall lie down together, and every man shall sit under his own vine and fig tree, and none shall be afraid.

I believe that we shall overcome.

5) Yearning into Practice -- Cesar Chavez

Jesus’ life and words are a challenge at the same time that they are Good News. They are a challenge to those of us who are poor and oppressed. By His life He is calling us to give ourselves to the other, to sacrifice for those who suffer, to share our lives with our brothers and sisters who are also oppressed. He is calling us to ‘hunger and thirst after justice’ in the same way that we hunger and thirst after food and water; that is, by putting our yearning into practice.

D) HOMILY/SERMON

It is hoped that a rabbi, minister, imam, worship leader or someone else from the congregation would prepare a homily or sermon based on the selected Scriptural texts and the historical background offered above.

“You are ducking down all day. You get so tired that you don’t want to get up the next day.”

Cee, a NYS farmworker

E) PRAYER OF THE FAITHFUL

God, your prophetic word demands justice for all as you have chosen to stand with the lowly, the poor, the leper, the disenfranchised. Show us how to do the same.

ALL: God, hear our prayer.

God, as people of faith, we are dismayed by laws here in New York State that result in the unjust treatment of workers, that destroy dignity, that perpetuate centuries’ old racism. Have mercy upon us for our complicity in this sin.

ALL: God, hear our prayer.

God, help us to stand with those who provide our physical nourishment, and with you who provide our spiritual sustenance.

ALL: God, hear our prayer.

God, shatter our complacency; give us a sense of holy outrage about the legal and corporate and political indifference that undermines the work of farmworkers -- and of your creation.

ALL: God, hear our prayer.

God, bless those farmers who go beyond the limits of the law and pay their workers above the minimum wage and care for their health and safety.

ALL: God, hear our prayer.

ALL: God of Exodus, you went to your people in Egypt, saw their pain and set them free – free from the bondage of their oppressor. And you gave us the prophet Jesus who chose “the least among us” as his own. Inspire us to act with and for New York’s farmworkers on their journey to freedom, dignity and justice. Amen.

F) BULLETIN INSERT

This weekend, our congregation/community will be focusing on the situation of farmworkers in New York State. You may not be aware that farmworkers have been excluded from almost all labor rights enjoyed by most other workers. Farm laborers not only plant, prune, pick, process, and pack the food we eat, they also care for livestock that nourishes us and dairy products that we enjoy -- yet they are not entitled to even a day of rest each week! The long list of farmworker-exclusions dates back to the 1930's when, in order to gain sufficient votes to win the labor rights most of us in New York State take for granted – such as overtime pay and collective bargaining protections – farmworkers were excluded. Why? Because most farmworkers then were black people. As a Representative from Florida said during Congressional debate, “You cannot put the Negro and the white man on the same basis and get away with it.” Yet today in New York State, agribusiness is still getting away with it – only now most farmworkers are of Latino heritage. So we will raise up the cry of farmworkers today, during our worship service. And we encourage everyone to take action by contacting your state legislators.

G) OTHER ACTION

Although justice for farmworkers in New York will one day be gained through new statewide legislation, such as the Farmworker Fair Labor Practices Act, the Justice for Farmworkers Campaign also focuses on the Governor. He has significant power to bring about labor rights for farmworkers either through Executive Order and/or influence on legislators. You are encouraged to write Governor Cuomo, urging him to take action.

*Governor Andrew M. Cuomo
New York State Capitol Building
Albany, NY 12224*

4. Questions/Comments

For more information or with questions, contact:

Jose Chapa, Coordinator, Justice for Farmworkers Campaign in New York State:

Email: josechapajfw@gmail.com

Phone: 845-309-8424

OR

Brian O'Shaughnessy, RMM Advocacy Coordinator

Email: rmbrian@gmail.com

Phone: 518-526-2662

