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Symposium Transcript: Farmworkers' Rights

Rosalinda Guillen

CHRISTOPHER CASILLAS: We'll continue with our next speaker here, Rosalinda. She is the founder and executive director of Community to Community Development (C2C). She has worked with the relationship team of C2C in addressing issues with community organizers and the intersections of human rights, labor rights, and immigrant rights. So, I will turn it over to Rosalinda.

ROSALINDA GUILLEN: I want to thank you all for the invitation. It's always an honor to speak to lawyers. We need lawyers and we want you to know that we're here.

I'm in La Conner, Washington. My brothers and sisters are across the channel, and we've been close to them since we arrived in 1960 from northern Mexico. What I would like to talk about is this legal process that is supposed to exist in the United States for justice. I think that for farm workers, I want you to focus on farm workers as a rural issue because no matter where the agriculture industry is, across the United States the agriculture industry is producing in rural areas that are sometimes very remote. Our communities are in rural areas. Right now, the current political moment is a very dangerous space for Brown, Black, and Indigenous peoples. But I want to say that throughout history since the beginning of farmworker organizing in the southwest and many other areas, the injustices and exploitation have always been present. So, for us, the danger that COVID 19 presented was—it came from an already dangerous place, an already dangerous existence and made it doubly worse. Any kind of regulatory mechanisms to protect worker lives and safety in the workplace

in Washington State has never been enforced. And what does exist is not enough.

So, with COVID there was the perfect space, the perfect conditions for farm workers to die. I think the other thing you might have heard before is the agriculture industry almost immediately moved their political influence to call farmworkers essential workers. So, farmworkers have never stopped working. There was not even a pause. And the farmers made it very clear, the growers and corporate farming operations made it very clear that they were essential workers, and they couldn't stop despite the pandemic. The farm workers didn't know how bad the pandemic was and that there were protocols being issued throughout by health departments of social distancing, mask wearing, sanitation, and all of that. So that moved very slowly in the agriculture industry, and we believe, and I'll say it publicly, I think the agriculture industry did that on purpose because we were starting to get ready for the harvest and were beginning to finish the work in many agriculture areas so that they would have their regular good harvest.

I think that in our organization, Community to Community Development, our essential goal is to have the recognition among consumers, political players, and community members that farm workers or agriculture workers, whatever you want to call us, have always been essential but we're working towards equity and recognition of human beings in our communities the same as everybody else. There has been a cultural and social structure developed based on racism in the food systems and the agricultural industry specifically because the majority of farmworkers in the United States are Brown, Indigenous farm workers mostly from Mexico, some from El Salvador and other parts of South America.

In this legal conference which I'm glad I've been invited to, I want to talk to you as lawyers to urge you to take up labor law. I think that labor law intersects just about every issue that you can think of when you're looking at social justice, including climate justice, climate change, racism, and immigration. The reason we work on immigration is because we're

farmworkers. We know at least 60 percent of farmworkers are undocumented. So, if you want to address it, focus on labor. This is a capitalist society and corporations get rich by paying as little as they can on labor. In our world, as a farmworker myself, who has worked in the fields, who is an organizer and a leader trying to create social change, I believe that the agriculture industry is still looking for slavery for labor in the industry and that's how they have become rich.

So, if you decide to go into labor law, and you're going to work with some of the most exploited workers in the nation, look at the agriculture industry because that's the new territory for creating new dynamics to shift federalism and shift cultures especially in rural areas. Think about the process as a lawyer. Community lawyering, movement lawyering—the point is that there must be a relationship between the legal folks that understand the court system and the law and how it interacts with farm workers and workers on the ground that know very, very clearly what it is that they need, the relief and an opportunity for the future.

Basically, what we as farm workers are looking for is self-determination and the ability to have economic sustainability in our communities. Self-determination requires that lawyers listen to the farm workers' solutions and then translate them into legal remedies that can be as permanent as possible. So, when we're talking about becoming a lawyer and working in the justice system, we don't want administrators of the law as it exists. What we need are lawyers that take the law and use it to find and build and create justice for the people that need it. In our case it's farm workers. And then if you have that partnership that works and that's equitable, that is respectful and creative, then you come up with winning strategies that make a difference in the community but also the court system.

I want to say when others are talking about the court wins with *Familias Unidas por la Justicia*, the court hearings and cases took place in Mount Vernon, Washington, in the community where the industry was watching and able to observe other farm workers and other supporters were able to go

and listen and see the victory being presented. And in my opinion, there is nothing more beautiful and graceful than a good lawyer arguing in a courtroom with farm workers testifying and winning. The result of that is that the farmworker leaders that came out of this movement continue to influence other farmworker leaders like *Trabajadores Unidos por la Justicia* and that is something that grows and grows. You need to think about also as attorneys the resources that are needed because the law and justice cost money. They cost time and money. And I think that's another thing we need to really look at and strategically and creatively find the resources for young labor attorneys that are creating these new winning strategies.

The leadership of *Familias Unidas por la Justicia* is continuing to build more leadership with *Community to Community Development*. *Familias Unidas por la Justicia* focuses on the labor strategies for building farmworker unions. *Community to Community Development* builds on the structure around climate change, racism, and gender. As a women led organization, we are beginning to expand the view of farm workers in relation to working the lands and being close with Mother Earth. The commitment to improve conditions is so strong that the leadership of *Familias Unidas por la Justicia* was in Yakima within twenty-four hours of a call from the workers on May 6th, and they did not leave until December 31st; so they were there every day, side by side with the workers as we were coming in and out to support. So, I think that's the kind of commitment that's needed to really build real justice in the food system.

I want to say quickly that we are building in the political arena and in the legislative arena a process which we call tribunals or plenaries and people's movement assemblies. Since 2014, we have had a presence in our spaces that we lead at the legislature in Olympia. This year we're doing a farmworker plenary at the Latino civic alliances legislative day where I invite you all to join us. There will be registration. There will be testimony from some of the workers Kathy and I talked about.

I would like to close with one last statement. If you want to intern or need to do any kind of learning and you want to put in at least a year, you can spend an incredible amount of time with farm workers, perhaps building another union and building our movement. We need your help. We need young lawyers and even if u not a laureate but if you're going in that direction, you will get experience to really change the world for a better food system. Trust me, if you do that, you will be able to eat better knowing you're changing the food system, so your food will be safe and put on your plate without exploitation to farm workers and the earth.

CHRISTOPHER CASILLAS: Thank you Rosalinda, that was wonderful and probably the best pitch I've heard.

ROSALINDA GUILLEN: Thank you! Foodjustice.org—you can e-mail me there.

