

# HORT FLASH!!

Published by the **New York State Horticultural Society**, PO Box 462, Geneva, NY 14456  
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February 27, 2006

## AGRICULTURAL—LABOR

There is no question this year what issue dominates the scene both in the halls of Congress and in board rooms of agricultural organizations across the US, the question of availability of agricultural labor. In most winter sessions of legislation the issues that surface on the Hill vary from state, commodity and organization. This is not the same old business as usual. One topic has been elevated to priority number one by all boards across this nation. In short, we fix the immigration-labor problem or in many cases we "go home."

The discussions as to farm labor are certainly not new. In early pre-revolutionary America the limitations to the famous tri-angular trade enjoyed by the Colonies was limited by the Colonies ability to produce sufficient raw product. The key limitation then, as now, was an inadequate supply of farm labor. History goes on to elevate this issue to be a main proponent in the Civil War that nearly destroyed the Union.

Today, some 250 years later, we seem to be no closer to facing this issue head-on. The emotional turmoil of 9/11 has sent this nation into a protective shell unprecedented in modern history. This being said, it is not easy to attack the values that the immigrants to this nation have added to our Nation's economic growth and prosperity. To denounce immigration is to denounce a basic strength of our very fiber.

In December of 2005 the House of Representatives passed H.R. 4437. This bill is referred to as the Sennsenbrenner Bill. This bill passed with support from both sides of the aisle. It is a very simplistic bill in that it focuses border control on the employers ensuring they hire legal workers, and not on the border security of this nation. In short, if it can be shown that an employer is discovered to have hired an illegal immigrant they may be fined heavily for such actions. Second offenses are dealt with with even greater enforcement.

In discussion with many of our New York delegation that voted in favor of H.R.4437, they say they are aware that it is an unfair piece of legislation but felt they were under pressure to support such a bill at that time. They are in hopes that when the Senate receives this legislation they will rework it and submit a more favorable version for agriculture.

In discussions with both of our Senators from New York they are fully briefed and aware of our concerns. The Senate version of this bill will most likely be drafted by Senator Specter, from Pennsylvania. This is due to be on the floor in the Senate in late March. Senator Specter and other members of the judiciary committee have been visited by representatives of the New York industry in efforts to brief them on the importance of drafting sound legislation to balance the H.R.4437 submitted by the House.

Where we stand currently is that over the last weeks the message from all agricultural organizations is very similar. It will be impossible to sustain American agriculture if a strict border program is enforced. Our unemployment is currently under 5%. It is generally accepted that any such rate below 6% allows very little availability for new employment. We may see shifting from job to job but not new employment. If we are to remove the workers that are currently fully employed in the farming business that fall under the heading of not properly documented we will fail to have adequate labor supply to maintain current levels of production. Domestic labor is neither currently available nor willing to fill these job openings given the other domestic alternatives available to them.

Agriculture has been asked to be a player in Washington's policy of FREE TRADE. As a direct consequence we are in production competition with every farm on the globe. Agriculture is willing to accept this challenge but cannot do so if it does not have access to sufficient labor to sustain such enterprises. It is now the responsibility of Washington to allow a means of acquiring a legal work force to our communities. America is an ambitious nation which has flourished under the banner of free enterprise. Regardless if that enterprise is in construction, hospitality or agriculture there needs to be a way to legally acquire a labor force to meet these opportunities. There clearly is a qualified and willing labor force ready to fill this need in the world. We need to be wise enough to address today's the needs of supplying this to America.

## **WHAT ARE THE KEYS TO NEW LEGISLATION?**

For the present, there are currently two elements that are needed in new legislation:

- 1) Congress is being asked to come up with, at the very least, a means of allowing adjusted work status to those currently employed in domestic agriculture. This does not speak to any growth in the labor supply but it does allow farms to maintain loyal and well trained employees.
- 2) Congress needs to review the H2A and H2B programs. These programs were created in a time when there was serious concern with foreign workers replacing domestic workers in our economy. Our current economy has developed now to a level that this concern is no longer relevant. What is needed is a larger supply of seasonal workers in both categories to meet current labor needs.

## VOCABULARY LESSONS FOR TODAY

As this process plays itself out in Congress it becomes very important that those in agriculture become astute representatives of our issues. With this in mind, we need to review a few over-used terms by our industry.

- 1) **Illegal Workers** Too often I hear those in our industry refer to their work force as “illegal.” I seriously question if any of you know for 100% certainty that those in your employment are illegal. You may have suspicions but you do not know. We need to refer to our very valued employees as legal until otherwise proven.
- 2) **Undocumented** Here again I hear this term used incorrectly. As far as I am aware the farm employers are doing a very good job of having ALL new employees fill out an I-9 form. In so doing they are requiring proper documentation from the new employee.
- 3) **Amnesty** This is the politically incorrect word of 2006. Agriculture is not seeking amnesty for its work force. We do not wish to create an escape clause for our people. We wish to create an adjusted work status where those who wish to work on our farms may do so legally in this country. In so doing they would be required to pay the same taxes as any other US worker. Many of those currently employed on the farms are here to earn a living for their families; most of them have no desire to alter their citizenship.

### What can I do to help?

The next five to six weeks will be critical to the development of this issue. It is essential to continue to deliver the unified message that New York Farms must have availability to adequate and legal means of supplying their labor needs. If you can find the time you need to at the very least contact your local member of the House and deliver this message over and over again. The new version of what may come out of the Senate will go to Conference. If this happens, your House of representative needs to be clear as to your needs.

Second, we currently have two very strong US Senators that want to know how you feel about this issue. They are getting mixed signals from the infamous “man on the street” that all America wants is the border shut down and zero immigrants allowed in. This is a very emotional issue due to 9/11 and the terrorist’s threat that seems to be in the news daily. You can not afford to not be heard on this issue. Continue to work with your organizations to keep this message in front of those faced with drafting this legislation.

## MINUTES OF NYS HORTICULTURAL SOCIETY ANNUAL BOARD MEETING

### FEBRUARY 14, 2006, NYS VEG AND FRUIT EXPO

**CALL TO ORDER:** President Jim Bittner called the meeting to order at 1:45 pm. Jim introduced himself, Paul Baker, Bruce Kirby and Karen Wilson to the members present.

A motion for not reading last years minutes was made by Tom DeMarree and seconded by Bruce Kirby. Carried.

The yearly financial statement was made available to the members present. Jim made comments on key issues and stated that the NYSHS was in good shape now and was continuing to go in the proper direction.

Jim gave a brief background on the NYSHS new Executive Director, Paul Baker, and thanked George for all his excellent years as service as NYSHS Executive Director.

The nominating committee, represented by Jeff Crist, announced the nomination of NYSHS BOD to continue their service. They were Peter Barton, Jim Bittner, Dr. Terence Robinson and Tom DeMarree who were all nominated to continue their terms on the NYSHS BOD. Jeff explained that the terms are for three years with a maximum of three consecutive terms. The NYSHS BOD consists of twelve board members representing all areas of NYS.

A motion was made by Dave Kast to accept nominations and new terms and seconded by Colonel Phil Wagner. Carried.

A motion was made for adjourning the board meeting by Peter Barton and seconded by Phil Wagner. Carried. Meeting adjourned at 1:50.

# NYSHS

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