



Farmers find help with workplace issues

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In the midst of the hustle surrounding watermelon harvest at D&S Farms in Atwater, owner Mike Duarte says it's a lot easier to maintain a safe work environment during the busiest time of year with help from the experts at Farm Employers Labor Service.

Created more than 30 years ago, FELS helps farmers and their employees work safe, follow government mandated workplace regulations and address an ever increasing array of agricultural labor issues. And, with labor costs in California growing to nearly 30 percent of total farm operating expenses, the need for effective personnel management has never been greater.



FELS General Manager George Daniels converses with Rigo De La Cerda, FELS labor management specialist.

FELS services are subscribed to by more than 1,000 farm and ranch employers across California. Affiliated with the California Farm Bureau Federation, FELS has helped farmers and ranchers comply with labor laws and avoid labor relations problems for decades. The goal of FELS is to help subscribers avoid costly labor management mistakes.

According to a study just released by the California Institute for the Study of Specialty Crops at Cal Poly San Luis Obispo,

the state's farmers and ranchers spend nearly \$6 billion a year on direct-hire and contract-labor expenses, including wages, Social Security contributions, workers' compensation, insurance and pension plans. Only Florida farmers spend more on hired and contracted labor.

The study also found that, among domestic competitors, California farms have the highest workers' compensation insurance costs. California also has the highest percentage of farms employing migrant workers.

Agricultural workers in California are paid an average of \$9.25 an hour, according to the study. The state minimum wage is \$6.75.

"FELS is our safety training department," Duarte said as he directed action at Atwater Packing Co., where ripe watermelons were being prepared for shipment to some of the nation's largest grocers. "Their field reps help ensure we're prepared to meet Cal/OSHA requirements for an injury and illness prevention program. Our workers are trained in safe handling of pesticides, proper forklift operation and skills in first aid and CPR."

And, since the workforce at D&S Farms and Atwater Packing is predominately Spanish speaking, employees receive that training and information in the language they most readily understand.

FELS Labor Management Consultant Rigo De La Cerda provides training to D&S Farms field workers and offers liaison services between employees and management.

"We're like a part-time personnel department," said De La Cerda, who has extensive experience in claims adjusting and loss control for major insurance companies. He is a graduate of Fresno State University and is bilingual in English and Spanish.

"Safety training is an ongoing responsibility for growers as crops are harvested and changed or new equipment or job categories are added. Our training materials are geared to the interests of employees and at the same time we help employers meet the requirements and regulations of an ever-changing workplace," he said.

Dave Souza, who is a partner in D&S Farms and runs the company's field operations, said, "We think the on-site training our workers receive is paying off. We've had no instances of heat exhaustion or serious injuries. Our key employees are trained in first aid and CPR. And, although workers' compensation insurance rates are too high, we do see somewhat lower rates because we've had few injuries in recent years.

"FELS helps us resolve conflict over work procedures in the field, like who's responsible for bringing water jugs out or who needs to be responsible for restocking supplies in the portable restrooms."

At the height of watermelon season, D&S has about 75 employees harvesting and packing, Souza said. Sweet potato harvest, which starts in September, calls for about 100 workers, including those supplied by farm labor contractors. Full-time, year-round employees on the farm and in the packinghouse number about 40.

"One problem we have is getting our workers to understand how much we pay for employee benefits and the value of the benefits and training we provide," Souza said. "And we need for them to understand that we know the work. I've pitched

watermelons. I started working in the fields when I was 17 and know what it's like to do the work all day and how tiring it can be.

"Everybody here gets the same re-spect," he said. "We've all done the same jobs, but FELS helps us with the technical requirements and regulations that ensure we're in compliance as we work in the fields and in the packing shed."

FELS was created about 35 years ago to help farmers and their employees during a time of labor unrest and conflict, said FELS General Manager George Daniels. "Prior to the early 1970s, farmworkers weren't covered by as many state and federal labor regulations, but this has changed dramatically. Today, farm employers are bombarded by new labor laws and regulations."

He said FELS has evolved to help them meet the demand for top quality agricultural personnel management and training services. Those services now include labor management, personnel audits, an employer hotline for urgent workplace issues, group legal services, a monthly newsletter and an extensive collection of training manuals, videos and posters-in English and Spanish.

"One of the most satisfying aspects of this work for me has been the opportunity to work with multiple generations of farm families," Daniels said. "The most fun I've had is traveling all over the state and the most rewarding part of my job has been creating a highly respected Farm Bureau affiliate program that goes a long way toward meeting the day-to-day needs of growers.

"And, over the years, I've gotten to know a lot of great people. I'm truly fortunate."

In the process, Daniels has literally "written the book" on various aspects of workplace safety and agricultural labor relations issues. Widely recognized for his expertise, Daniels has conducted programs on agricultural supervision, agricultural labor relations, Industrial Welfare Commission wage orders, federal labor laws, Cal/OSHA regulations, Agricultural Labor Relations Board/National Labor Relations Board elections and employee relations.

Now, after nearly 30 years as FELS general manager, Daniels has decided to spend more time with his family and pursue leisure activities. As Daniels makes this transition, Roy Gabriel, CFBF's director of Labor Affairs, will assume responsibility for the day-to-day management of FELS.

Gabriel has been assisting FELS for the past several years, in addition to his ongoing duties as CFBF's legislative director of labor affairs. He is familiar with FELS' activities and is well versed in labor issues.

"The good news is that George is not retiring, but will continue assisting FELS on a part-time basis by answering labor questions, conducting personnel audits, editing the FELS newsletter, producing labor law compliance material and helping in other areas as needed," Gabriel said.

FELS can be reached at (800) 753-9073 or through its Web site at www.fels.org.

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