

GROWERTALKS

Cover Story

6/25/2012

Crossing Borders

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Catalino Mendoza and Francisco Castillo enter the conference room at Midwest Groundcovers' main location in St. Charles, Illinois. It's mid-morning and they've already put in more than a half-day's work at the perennial and native plants nursery. They settle themselves across the table from each other, prepared with notepads and pens, just in case. Catalino exchanges pleasantries, while Francisco rubs his eyes, which are still adjusting to the dim room lighting.

Francisco Castillo (left) and Catalino Mendoza, Midwest Groundcovers, St. Charles, Illinois

They bring with them the scent of the outdoors ... and perhaps a little trepidation. They know *GrowerTalks*—have seen it around the office—but there's a sense of wariness. They know I'm researching a story about immigration, but they don't know exactly what I'm going to ask. Catalino and Francisco's apprehension is understandable, so I try to make them more comfortable by asking them how they came to the United States.

Catalino answers first.

"When I grew up in Mexico, from my childhood, I see the men go back and forth, come to the United States. What I remember from my childhood is the men quickly throw their crops in the ground on the farms, and then left behind moms and children to grow it, and then they come to the United States. My dad went to California and then Michigan and picked the crops there, and then go back to Mexico and pick the crops in Mexico. As I grew up, I wanted to do something, so I came with my dad."

Francisco has similar memories from growing up in the Mexican state of San Luis Potosí, longing for opportunity in America.

"I go back all the way to 1982-83 when living in a village where most of the daddies come to the United States to find a job. I remember seeing my brothers come this way, and when they return to Mexico you saw a lot of them buying a used truck and you start to dream, 'Maybe I can go over there so I can buy a truck like the one

my brother got.’ Basically, all the work I have to do here, you think it sounds good. A lot of times you see the good side, but you never see the rest of [it] until you get here.

“I just think about when you see them nice and clean over there with a nice truck, but you come here and you start to see the people working in the rain, working in hot weather. I wasn’t aware of that. And I didn’t come from nothing. When I got hired at Midwest [Groundcovers], the first thing I felt was the cold. It wasn’t as good as I thought coming this way. It’s a lot of challenges. Basically, it’s a different picture from what you see when you face it here.”

Catalino and Francisco have worked at Midwest Groundcovers for more than 25 years. As with many immigrants from all over the world, both of them came to America for one thing: work. To make a better life for themselves and for their families. To build a future. When they crossed the border and found work in the early ’80s, according to today’s standards they would have been considered the non-politically-correct term of “illegal aliens.” In more modern terms, “undocumented” or “unauthorized.”

After President Ronald Reagan signed the Immigration Reform and Control Act in 1986, Catalino and Francisco received amnesty from the U.S. government, as did approximately 1.2 million other agriculture and floriculture workers. However, that act didn’t make provision for a workable, functionable guest worker program for the future. Like Catalino and Francisco’s fathers, many migrant workers were used to traveling back and forth between the U.S. and Mexico during the off-season. But as border security began to tighten, the option of crossing became highly risky.

Catalino and Francisco have since become proud U.S. citizens, choosing to remain here permanently. Amnesty earned them the right to go back to Mexico if they wanted, but for a lot of their peers, it was extremely challenging.

“I got married here and I had a family I needed to raise,” says Francisco. “I do believe in this country, so I think we’re going to have a future here. Things became more difficult at the border. It was very dangerous. [People] can sneak in, but it’s going to cost a lot more money. The Coyotes* out there ... they charge three times more than what they used to charge. It is a higher risk money-wise and also danger. A lot of people die, a lot of people get killed on either side.”

** The term for smugglers who facilitate the migration of people across the U.S. border. Once dominated by locals charging relatively small sums, the human smuggling business landscape has changed, as larger, well-organized syndicates have entered the smuggling industry in Mexico. Over the years, coyotes have become more sophisticated in their operations, as technological advances have allowed them to streamline and add further complexity to their business. Autonomous migrants pay coyotes a fee to guide them across the border. Fees are normally collected once the migrant arrives to a pre-determined destination—most likely border cities in California, Texas and Arizona. In recent years, the proportion of migrants hiring coyotes—also known as “polleros”—has increased drastically as a result of intensified surveillance along the border. Source: Wikipedia*

In a lot of ways, Catalino and Francisco are lucky. They were here at the right time and were granted a work

permit with the possibility of becoming permanent residents (a Green Card). But for the estimated 1.5 million unauthorized agriculture workers currently residing in the United States, border difficulties, strict state enforcement laws and government pressure on employers have made the future of migrant workers extremely grim.

So why bother coming here? Mexico's minimum wage was just increased to 62.33 pesos (\$4.60 USD); the U.S. minimum wage is \$7.25. Plus, many American employers pay above minimum wage, and offer other benefits such as health insurance and housing.

"I think it's worth it," says Francisco. "I mean, what are you going to do over there? Things are difficult in Mexico. But now, it's really tricky because we see some of the people afraid to come [to America]. I think you see less people coming this way."

Which is why this year, for the first time in many years, Midwest Groundcovers has experienced a labor shortage. Like the vast majority of farmers and greenhouse and nursery owners, the company only hires workers with the proper documentation and follows all government rules and regulations concerning employees. Company founder Peter Orum and his daughter, vice president Christa Orum-Keller said that they conduct an I-9 audit every year for their new employees. But because it's getting harder for immigrants to gain a temporary work visa, many have chosen to stay in Mexico.

Francisco shakes his head in frustration and sadness. "This is the worst year getting workers. I think now we're looking at two different things. Yeah, we can pay them [higher wages], but it's hard to get people here. There's not a lot of Mexican people around. And if we got non-Mexican people, they're not going to stick around for more than a week doing [the work] the Mexican people do."

"I think the Latino work force is being drastically reduced in many different ways," Catalino agrees. "The border is harder to come through. People are being deported for a walking fine [jaywalking] in the street or driving an old rusty truck or whatever it might be. So definitely the Latino work force has been reduced significantly, I would say."

Since 1986, the federal immigration policy in the U.S. has remained static. In 2006, Congress tried to pass the Comprehensive Immigration Reform Act—which George W. Bush was ready to sign into law—but it never got past the conference committee because of differences in the House and the Senate. The bill was subsequently killed.

In answer to the federal government's inaction, a handful of states have developed their own ways of dealing with immigrants. Although individual states can't change federal immigration laws, Arizona, Alabama and Georgia recently passed "enforcement laws" that make it a misdemeanor for an immigrant to be in the state without carrying the required documents. It also allows local and state police to attempt to determine someone's immigration status during a "lawful stop, detention or arrest" when there is "reasonable suspicion" that the person is an illegal immigrant. The point is to decrease the illegal immigrant population with "attrition through enforcement."

But through this attrition comes a snowball effect that reverberates from the home to the local economy. It affects the businesses that employ immigrants—from agriculture to hospitality to food service—so many are

forced to move or close their doors. Without the workers—many whom stay in rural communities—there isn't anyone to buy local goods or services. And these immigrant families are forced to uproot and sometimes go back to Mexico—even if they've been living here for decades and have American-born children attending the local school.

"Driving down to Mexico, it is sad to see vans with trailers heading south," says Francisco. "You see so many families just heading back to Mexico because the strict regulations in the United States. Families would just rather go back and try to make a living over there."

Catalino adds, "Also, what is more sad is to see these young kids, United States citizens, going to school in Mexico and not being able to understand, not being able to read, not being able to communicate with the teachers. It's creating difficulties."

Francisco sighs. "Thank God I became a citizen, that I can still have a decent job and hopefully save some money so I can send my kids to college. But think about the mom and dad ... they have no papers, but they still would love to raise their kids here. How can they do it? They've been pushed [away] every time."

Fewer migrant workers means more available jobs. With the U.S. unemployment rate hovering at 8%, why aren't out-of-work Americans lining up to fill these open positions at nurseries, greenhouses, farms, ranches and dairies? (See sidebar, "Immigration: Myths vs. Facts.")

"The unemployment rate shouldn't be 8%," answers Francisco. "I think a lot of people could work, but they don't want to come. We could have used another eight guys, right Catalino?" Catalino nods yes and Francisco continues. "So the number would be down. There are jobs."

Catalino shrugs his shoulders. "They don't like this type of work. I don't want to single out anybody, but it's happened twice this season where we needed help. We had all the good intentions to hire native workers here. One of them was kind enough to say, 'No, thank you. I'm not interested in working here'—which I understand. The other one was supposed to start today at 7 a.m." He looks up at the clock, which reads just after 10:30 a.m. "Up until now, I haven't heard from that person. He came for work. When we interviewed him we explained it's hard work. Even if we paid \$2 more an hour, it's still hard work. You still need to sweat." Catalino takes off his cap to show a disappearing sweat ring.

According to analysis by the American Nursery & Landscape Association (ANLA), at least 80% of the labor force that works in agriculture is from Mexico and Central American countries, like Guatemala, Honduras and Nicaragua. (See sidebar, "Who Are They?") Francisco and Catalino feel the reason why this percentage is so high is simple: the Latino culture has created an adaptable group of people who are used to extreme environmental conditions. This 50% Latina writer was born and raised in Chicago, where I could go to the store for my food, had shelter from the sun and rain, with air conditioning and access to a swimming pool during hot weather. Native Latinos aren't as spoiled.

"When you see Midwest Groundcovers, there are lots of people from San Luis Potosí and we're all from the same three or four different villages," said Francisco. "A lot of them from Guerrero. We were raised under the sun and playing with mud and going in the woods. We're not afraid of any of that. It was fun to see the rain so

that we can go out and make things in the water. It wasn't a problem for us. We were raised that way. We don't mind."

Catalino smiles and says, "Actually Francisco, you brought good memories. When it rained during the day, we were never inside. We were playing under the rain. It was fun."

But now that they're raising their children in the States, Catalino and Francisco are noticing the differences from their own childhood. It's apparent that they're both extremely grateful for their lives in America, but they've paid the price with a slowly diminishing heritage that's starting to show in the next generation.

"They will choose a different career," Francisco said about his daughters. "I think it's sad; things have changed a lot for them, too. If I ask my daughters to come to work ... yeah, they like flowers. I still encourage them to play with dirt and do some planting when I bring plants home. But when they see the first drop [of rain] coming, they're going to run inside. It is different."

Since gaining amnesty in 1986, Catalino and Francisco have been mainstays at Midwest Groundcovers. They could have used their new freedom to move to a better climate or different type of job, but their loyalty has earned them both management positions in the company. Catalino is in charge of order preparation and quality control; Francisco is nursery manager for groundcovers and natives, with seven people reporting directly to him, plus 45 indirect reports.

"It depends on how ambitious you are, but I think if you want to do a good job, I think you can grow in any company," says Francisco. "I stick around because I think it's a great company. They have helped me raise my kids, and some of my brothers in Mexico." His voice starts to waver with emotion. "Coming here and having a job ... it's a great place to work."

Catalino agrees. "I think in general the Latino work force, if they find something they like, and like Francisco says, with the ambition, you can grow up and say, 'I'm making a living, I'm paying my bills and bringing food to the table.' From time to time, when I get together with my friends, they ask, 'Are you still there?' And I say, 'Yes.' Everywhere I go I need to work and I need to do a good job. If I want to continue to grow, I need to continue to do a good job, so why would I jump around and back and forth? I know what I need and I know what I want, and like Francisco said, I see the opportunity at Midwest Groundcovers."

A typical scenario for new legislation is that everything tends to be copacetic on the surface, but "unintended consequences" rear their ugly heads after the dust settles. Sure, the Immigration Reform and Control Act of 1986 gave amnesty to millions of immigrants, but at the same time, the bill's other provisions failed to look at the big picture for the future labor force. Those people granted amnesty are now 25 years older ... and stricter enforcement has blocked the flow of new labor coming in to do the work.

Christa Orum-Keller put it this way: "By creating this wall where you can't get the people to go back and forth, you're creating problems everywhere. It's like taking a river and damming it and now you have to do something with that water on both sides."

What ANLA, the Society of American Florists and other associations and professionals in agriculture have been persistently vying for is immigration reform that helps growers and farmers accomplish three things: 1)

Have access to a consistent, legal work force now and in the future; 2) Keep quality up and costs down for the consumer; and 3) Maintain successful businesses that help everyone in the supply chain, including the local economy.

Francisco said that a comprehensive immigration solution would finally give him a full eight hours of sleep. “Because now you go home and you think about all the different things that could happen. I think [the reform bill of 1986], I think it was a great help. The country started running because you could see [Latino] people traveling more and think, ‘Now I can buy a house because I have a good job. And my number isn’t fake anymore.’ People would spend and buy more, so I think it would help a lot.”

Adds Catalino, “Yeah, I think it would help, but it has to be a solution for the long run. I think instead of trying to say, ‘Okay, we’re going to take care of all these people that are right here,” when that reaches the limit, okay, what’s going to be the next [step]? I think we’re going to be seeing the same thing if we don’t look at a solution that continuously works. Like temporary work [visas] or something like that. Something that can be easily and necessarily increased if we need more people—or less people—or whatever it might be.

“I mentioned we had positions that we need to fill,” he continues. “We need people. So where are those people? It is sad that somebody thinks that I came and stole their job. But if it’s a company that has the position that needs to be filled ... right now, we’re looking for someone who’s able to do a good job so we’re able to get the job done.”

Peter Orum ends the conversation. “We have it all here—we have the land, the know-how, the water. The whole thing. We just need some people.”

Who Are They?

After the Immigration Reform and Control Act was signed in 1986, the National Agricultural Workers Survey was conducted to find out exactly who these immigrant workers were. Because of this statistical gathering program, we know more about farm and nursery workers than we do the national immigrant population, said Craig Regelbrugge, VP of Government Relations & Research for ANLA.

Here’s the lowdown on immigrant workers for the ag/hort sector:

- 85% of farm workers are foreign born and roughly 80% of ag immigrants are from Mexico and Central America. Caribbean countries like Puerto Rico and Asian countries such as Mongolia follow, but are very small percentages.
- 70% of ag/hort immigrants are likely unauthorized. Immigrants—legal and unauthorized—represent about 15.8% of the civilian workforce, though they are concentrated in particular industries. Roughly half of unauthorized immigrants entered legally but overstayed, like students who overstayed their visas or tourists.
- Most of these unauthorized workers are using a phony Social Security number when applying for jobs. “Employers are generally meeting their legal obligations when hiring,” said Craig. “They use a Social Security number to pay taxes, but they don’t know the papers are fake.”
- It’s easy for an unauthorized worker to obtain fake documents. “It is reasonably easy to get good fake

documents for \$50 or so,” Craig explained. “If the documents appear legitimate, it would be at your own peril that you ask too many questions.”

- 1.83 million immigrants are hired on farms each year. Of this, 1.4 million are primarily crop workers and approximately 430,000 are livestock workers (dairy farms, ranches).

Immigration: Myths vs. Facts

To get more background information about immigration, including facts and figures, we went to the industry experts at ANLA. Executive VP and *GrowerTalks* columnist Bob Dolibois and Craig Regelbrugge, VP of Government Relations & Research, talked at length about the challenges that growers are facing without a comprehensive immigration solution.

Not surprisingly, there are many facets to this hot-button issue—including “measured arguments on conceptual levels,” said Bob. Supporters of immigration reform continue to hammer the point that, not only does it affect local businesses and the economy, you can’t ignore the human/personal aspect that is at the crux of the issue, i.e. these are human beings with families and children. Anti-immigrant proponents, or “restrictionists,” argue that we live in a nation of laws and that we should follow them without question—if you don’t have the right documents, you’re here illegally and you should leave.

Bob explains why that kind of thinking isn’t realistic.

“Nazi Germany was a nation of laws. The Soviet Union was a nation of laws. The problem is that those laws were bad laws and there was no way to change them because they were dictated. In this country, we very seldom come up with a good law at the very beginning of it. Once in a while, you get a law that’s built with good intentions, but it can’t be enforced and as a result of that they change the law. Slavery is an example. Prohibition. Women’s suffrage. Segregation. You think about these game changers. Those were all laws of the land. And if we had just rested on what is the biggest argument for not changing the laws in immigration is because ‘we’re a nation of laws,’ you couldn’t have a beer, my daughter and my wife couldn’t vote. We’d have four drinking fountains. It’s just specious to depend on that as a rationale for not doing anything about this system.”

Bob listed five myths about immigrants and provided the facts to debunk them.

Myth #1 They’re taking our jobs.

- Fact: Many ag/hort jobs are too seasonal. Most people want something full-time.
- Fact: Most ag/hort jobs are done outdoors in less-than-appealing environments.
- Fact: It’s hard, physical, manual labor. “It requires a skill set that people don’t natively respond to,” said Bob. “There is just no cultural affinity for doing this.” Plus, a number of unemployed Americans are either too old or not physically able to do the work even if they wanted to.
- Fact: Most of the unemployment problems are not in areas where ag/hort jobs are, which is in mostly rural communities.
- Fact: Productivity is not the same. Research shows that it takes three to four native workers to do the job of one immigrant worker.

Myth #2 A vast majority of immigrant workers are being paid under the table.

- Fact: 75% of immigrant workers are on payrolls where the employers are paying the payroll tax.
- Fact: Roughly \$8 billion a year is going into FICA from unauthorized workers from which there will never be a claim.
- Fact: Employers are withholding state and federal income tax from which there will be no claims.

Myth #3 They're not contributing to the community in the same way as natives.

- Fact: Immigrant workers mostly pay the same taxes as everyone else, including rent, property taxes (if they own a home) and sales tax.
- Fact: They do not unfairly take advantage of social services like most people think. For instance ...

Schools. A number of students from immigrant workers—particularly in rural areas—are keeping many local schools open. “Most public school systems are funded through a set of taxes, whether it’s real estate taxes or sales taxes or fund sharing on a per-student basis with state tax in the state and federal government,” explained Bob. “There is no distinction if you’re an illegal worker; the school system does not get less for the child of an unauthorized worker than they get for anybody else.”

Emergency room visits. “There are more elderly people who don’t have a physician or are on Medicare, which costs more than treating an unauthorized person who needs medical treatment,” said Bob.

Welfare. “You can’t qualify if you’re here illegally,” Bob said. “Even if you had fake papers, why would you move here to go on Welfare?”

Craig adds, “There are legitimate concerns about costs, but there are also contributions. Having folks on a legal visa would help to ensure that they are paying their fair share.”

Myth #4 They don't assimilate into the American culture.

- Fact: Immigrants aren’t unwilling to learn English. Francisco said that he enrolled in classes at a local community college to help him speak better English. “People complain that there is too much Spanish being spoken in the U.S.—they have to remember that it’s the native tongue of more than one country,” said Bob. “So while it may seem like we’re being overrun, the reality is we’re being overrun only in terms of people speaking Spanish, not that everybody is coming from Mexico. The number of languages spoken during the immigration boom was numerous; the current group of immigrants are from Spanish-speaking countries.”
- Fact: Marketers are catering to the Latino population because they’re consumers like everyone else. So the reason why you see signs, billboards and packaging in Spanish is because Pepsi, Coke and Kraft want to make it easy for Latinos to purchase their products. Good ‘ol American capitalism. Bob said, “It’s a reflection of the critical mass of immigrants coming in.” He also pointed out that it’s the same in other ethnic communities—you don’t see a Caucasian face promoting products in an African-American neighborhood.
- Fact: In general, the Latino community holds a high regard for family values and has a strong spiritual

faith, supporting many local churches and religious organizations.

Myth #5 My business is surviving without them—why can't everyone else's?

- Fact: There are just not enough people in this country to fill all of the ag/hort jobs. "Agriculture has traditionally been a gateway employer for immigrants or for anybody else in the sense that they work that until they can get another job and when they get another job they don't come back," explained Bob. "So while it is perfectly reasonable that there are plenty of businesses in this country right now that are surviving without being dependent on immigrant workers, if the immigrant workers were suddenly ineligible to work for whatever reason, there would likely not be enough people in the work pool anyway."

"Major efforts in the late 1990s through 2012 to recruit and replace Americans into farm work were utter failures," stated Craig. "The point has been proven over and over in many states."

Bob agreed, "If we know there's a shortage of workers, if we know that there's 7.5 million unauthorized workers filling jobs and all of a sudden those people have to be gotten rid of—and that includes 1.5 million in agriculture—doesn't that make sense that there's going to be a degree of churn out there that is going to displace workers? It would be an unintended consequence. And I don't see even businesses in our industry that are currently enjoying the willingness of the American workers to work for them necessarily staying under that environment." **GT**