

Testimony by Chad A. Forcey
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On the Subject of the Agricultural Workforce
Before the Senate Agriculture and Rural Affairs Committee, and the Senate Labor and Industry Committee

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Chairmen and members of the Senate Committees, thank you for holding hearings on this issue and inviting me to testify today. My name is Chad Forcey, and I am the Director of Government Relations for the Pennsylvania Landscape & Nursery Association (PLNA). PLNA is the leading green industry organization in Pennsylvania, representing production nurseries, landscape contractors, garden centers, and related companies. Ours is \$5.6 billion industry, growing at an annualized rate of 11% per year. We employ nearly 100,000 Pennsylvanians, and we are the fastest growing segment of Pennsylvania agriculture.

We regularly survey our members to rank the top matters of concern facing the industry. Leading the list year after year is the problem of labor. Why, you may ask, is labor such a challenging problem for our thriving businesses? The answer lies in the nature of the work our members perform. Whether harvesting trees in the field, installing a stone path in the landscape of a corporate campus, or watering plants in a sprawling garden center, entry-level workers in our industry perform physically demanding jobs, typically under the hot spring and summer sunshine. These are jobs that most Pennsylvania young people would rather not do.

We have experienced this, time and time again: labor intensive entry-level jobs, especially those in agriculture, are not typically sought by Pennsylvania workers. To buttress this point, let me mention the testimony of Dan Eichenlaub - a landscape contractor and PLNA member in Allegheny County - who recently testified before the U.S. Senate Judiciary Committee. Mr. Eichenlaub noted that the H-2B visa program for seasonal and short-term labor requires him to advertise in the Pittsburgh papers to attempt to fill an open position with an American worker. Only after advertising, and not finding an American worker, does the program allow for the recruitment of a foreign national. The H-2B program requires Mr. Eichenlaub to pay a federally-mandated rate that is higher than minimum wage. Due to program limitations, especially the artificial cap on allowable visas, Mr. Eichenlaub risks investing time and money in a worker who may not obtain authorization to return next season. Even with these difficulties the program is indispensable: Mr. Eichenlaub sees very few American applicants for entry-level jobs at his company. In fact, the last time Mr. Eichenlaub advertised, not a single American responded to any of the ads.

While the difficulties of finding labor are readily understood and recognized within our industry, some outside of the business and agricultural communities have questioned this idea. Yet, as Representative Art Hershey recently noted, the statistics with respect to our farm labor force are quite compelling:

- In 2002 Pennsylvania farmers employed 67,672 hired workers.
- 26,066 were employed 150 days or longer, with the rest in more seasonal jobs.
- In 1998, a Department of Labor survey showed that 52% of farm workers self-admitted they lacked work authorization. In a regional Northeast breakout (including Pennsylvania), 65% admitted they lacked work authorization.
- Also in 1998, an astounding 99% of new entrants into the farm labor force lacked proper status. This clearly shows we lack domestic labor seeking work on our farms.
- Private estimates suggest that the overall percentage of farm workers who lack proper status is approaching 75%.

- The average farmworker wage in Pennsylvania last year was \$9.76 per hour. This is not a problem of “minimum wage work.” Without foreign workers, we would not have a labor force. It is that simple.

We have found that these federal statistics match up with our “on the ground” observations. However, you as policymakers know too well that numbers can be extrapolated, and spun. So let me ask you this question: if we are wrong about the availability of American workers for these jobs, why was the lettuce production in California 35,000 workers short last year? Why did much of the lettuce crop in California’s Imperial Valley rot under the hot sun, and remain unharvested? Closer to home, why do nursery owners in Bucks County call me to say that they will scale back their plans to expand? Why do I get 5-6 inquiries every week about the H-2B and H-2A visa programs? Surely our critics don’t believe that we are making this stuff up.

The question, then, is how will we meet our labor shortages, and continue to grow our agricultural industries? This is a huge challenge, and there are no easy answers. Certainly, losing our trusted workers, including many who are now in managerial positions, is not a solution. Yet, that is exactly what some in Congress have proposed. Thankfully, our senior Pennsylvania Senator, Arlen Specter, sees otherwise. Senator Specter has worked hard with Congressional allies to craft a bi-partisan bill; one that we believe will begin to solve our labor crisis. Senator Casey has also supported these efforts. However, these bills will take a great deal of time to move forward.

We know the history of agricultural labor, and we recognize that we did not create the current chaotic system. Some would place the blame for this situation squarely upon the shoulders of farmers and small business owners. Yet we know that the government historically encouraged foreign workers to seek employment in our farms and businesses, beginning with the Bracero program in the 1940s. This program solidified the tradition of foreign workers coming to the U.S. to work in our farms. During World War II, the Bracero program was the lifeblood of American agriculture, as most young Americans were engaged in military service in Europe and the Pacific. After World War II, the program continued to be an important source of labor, as our national workforce increasingly transitioned to higher-paying and white-collar jobs. Only in the 1960s was the Bracero program discontinued. Today, the H-2A program has replaced the Bracero program for farms, and the H-2B program exists for seasonal industries such as landscape contracting. These programs can be helpful, but they are also bureaucratic and regulatory nightmares to use. The alternative is hiring folks closer to home, and that is increasingly difficult, if not impossible for most of our members. Consider the cost of living increase awaiting a farm worker in York County if he moves to suburban Philadelphia where most of our nurseries, garden centers and landscape contractors are: his groceries will cost 36% more, his housing will cost 41% more, and his healthcare will cost 25% more. Even with wages well-above minimum wage throughout our industry, living and working where are nurseries and garden centers tend to be can be quite costly.

So we ask for your help today to meet the labor crisis that our agricultural industries are facing. We need creative solutions, and new investments to deal with the problem. Without the access to labor that is required for a growing agricultural sector, our industry’s expansion cannot be sustained. Thank you.