THE HARVEST OF FARMWORKERS NEVER ENDS: FARM LABOR CONTRACTORS AND THE REPRODUCTION OF PRECARITY IN THE WILLAMETTE VALLEY

by

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DISSERTATION ABSTRACT

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Farm labor contractors are third-party employers and critical components of international labor chains that prevail worldwide through the recruitment and management of temporary workers. While the public often focuses on the dichotomy between farmworkers and growers, the agriculture industry's reality is more complex. This dissertation analyzed the reproduction of precarious labor conditions among farmworkers employed by farm labor contractors in the Willamette Valley, Oregon. Through on-site observations and in-depth interviews, I analyzed agricultural contractors' and workers' migration process with their experiences of labor conditions that lack standardized arrangements, job security, living wages, union representation, non-dangerous workplaces, and well-funded enforcement institutions to prevent employers' illegal practices. I address the reproduction of precarious labor in the agriculture industry by asking: first, how do farm labor contractors reproduce precarious labor conditions? The secondary questions I ask are: how does the process of becoming a contractor reproduce precarious labor? What entrepreneurial and managerial strategies do

contractors design to reproduce precarious labor? What are farmworkers' tactics to survive precarity through contractors' employment?

The Willamette Valley offered a unique context for the study of precariousness in agriculture: Oregon has some of the most significant agricultural productions in the country, an industry where farm labor contractors provide from one to two-thirds of the employment, unfunded enforcement institutions that lack personnel to punish abusive employers, as well as state regulations that deny farmworkers' access to labor benefits, union representation, and collective bargaining.

Through the lenses of borders epistemology, I addressed different research questions to understand how precarious labor conditions are reproduced in agriculture, and analyzed the multiple borders that farmworkers and farm labor contractors have crossed and those that have represented constant limitations: the borders between countries and states, between strategies and tactics, between formal and informal economy, and between precarity and standardized labor conditions.

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En memoria de mi sobrino

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quien estuvo presente en mi corazón en cada palabra escrita de este proyecto.

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CHAPTER I
INTRODUCTION

To show that history is a constant process in which opposing social interests clash, Marx begins The Eighteenth Brumaire of Louis Bonapart of 1852 with the famous words: “Hegel remarks somewhere that all great world-historic facts and personages appear, so to speak, twice. He forgot to add: the first time as tragedy, the second time as farce.” (Marx 1913) So let me begin this dissertation with a tragedy.

On the evening of Friday, November 29th, 2019, a pickup truck driven by a 19-year-old white man crashed into a van transporting 16 farmworkers—ranging in age from 14 to 64—from Guatemala and Mexico near Salem, Oregon. This “accident”—as several newspapers and reports called it (Selsky 2019; Thomas 2021)—killed three migrant farmworkers and left eight more severely injured. This crew had been working for a few weeks at a Christmas tree farm—one of the most important sectors in the multi-million dollar Oregon agriculture economy and the most important production of this commodity across the country (USDA 2021)—employed by a farm labor contractor (FLC). It was payday Friday, and after the work shift, the farmworkers drove to the contractors’ home office in Salem to pick up the weekly payments. Once each of them had their checks, they started their way back to different locations in Woodburn and Gervais where they resided. Some crew members had settled in the Willamette Valley years ago, and others had just arrived months and weeks before. The van belonged to one of the workers who would charge a few dollars to the rest for the daily commute. One and a half miles away from the I-5 highway, the pickup truck intercepted the van at the corner of Northeast Sunnyview and Cordon Roads, destroying the van against the intersection light post.

Minutes later, police officers, rescue crews, family members, and the farm labor contractor arrived at the scene. Newspapers (Selsky 2019; Thomas 2021) emphasized that the contractor was feeling troubled as he had provided a chicken Thanksgiving dinner to all his farmworkers a week before, and also mentioned that some of the migrant workers fled before the police arrived, fearing deportation. Most of these migrants were not undocumented but refugees registered in California and waiting for their years-long process to receive a work permit. During this time, they were neither legally authorized to work nor move to Oregon.

Without a doubt, this tragedy left survivors, family members in Guatemala and Oregon, and the Latinx and migrant community of the valley in general in pain and collective trauma. During the following weeks, a series of fundraisers were organized to return the bodies of the deceased workers back to their families and economically support the survivors with their medical bills. Unlike the Christmas trees farm's owner, the farm labor contractor provided funds and support. In March of 2021, the U.S. Department of Labor announced penalties of $32,500 against the farm labor contractor, which he, his farmworkers, and migrants' advocates in the valley considered an unfair punishment. This third-party employer does not formally offer transportation nor housing for his labor force, and many farmworkers consider him one of the most supportive, responsible and least abusive agricultural employers in the region.[1]

What is the tragedy and what is the farse in this dreadful incident? On the one hand, calling this incident an accident is a farce because the Oregon agriculture industry fails to secure the conditions for farmworkers to survive, making these incidents happen as regular labor conditions. Calling it an act of terrorism would be a more appropriate definition, as it cost lives and applied terror to an entire community of migrants of color. Considering this contractor as a

[1] This was mentioned by newspapers, reports and interviews I conducted months before this incident and days later to employees of this contractor.

good employer for his well-intended actions is also a farce, as he fails to secure workers' basic living conditions and wages. Blaming the farm labor contractor for this incident is another farse, as third-party employers like him do not create an entire industry that risks farmworkers' safety.

On the other hand, this tragedy is not a singular, isolated case. During the time I conducted research for my dissertation, tens of workers in the Willamette Valley died or became permanently injured while commuting with *raiteros*[2] and in the workplace due to extreme heat, wildfire smoke, rape, pesticide usage, and dangerous managerial practices reproduced by farm labor contractors. Thousands more were victims of contractors' unfair and illegal labor practices like unjustified layoffs, wage theft, and retaliation.

This story's real tragedy presented as a farce is the subcontracting system. Oregon growers have fostered it to maintain wealth and create profit in competitive international markets by disregarding the life of farmworkers and by blaming farm labor contractors (Costa, Martin, and Rutledge 2020) for their own negligence. Paraphrasing the sociologist Pierre Bourdieu (Bourdieu 2006), growers control the rules of a game in which migrants of color, FLCs and farmworkers, are the players occupying different positions on a football field.

This dissertation centers on the tragedy that keeps turning into more farce; it centers on the subcontracting system in agriculture that ultimately benefits growers of the Willamette Valley. I address the reproduction of precarious labor in the agriculture industry by asking: first, how do farm labor contractors reproduce precarious labor conditions? The secondary questions I ask are: how does the process of becoming a contractor reproduce precarious labor? What

[2] *Raiteros* are drivers in charge of taxiing farmworkers back and forth from the housing to the workplace. Sometimes they are members of a crew of farmworkers and charge each worker between $5 to $10 for the trip each way. Most of FLCs do not formally provide transportation and use *raiteros* as an informal alternative. This way, only the driver is responsible for the maintenance of the van and farmworkers' safety during the commute.

entrepreneurial and managerial strategies do contractors design to reproduce precarious labor? What are farmworkers' tactics to survive precarity through contractors' employment?

Subcontracting Systems

Barrientos classifies third-party employers into 5 categories (Barrientos 2013): labor agent, based on contractual employment arrangement between workers and producers; quasi-labor agent, who supplies workers to the producers, but the producers supervise the workers; labor contractors, who supply workers and also supervise them, and workers and producers have no contractual relation; and *ad hoc* labor contractors, very informal figures of a worker who recruits other workers to work for the same employer, with no explicit contractual relation. Labor and *ad hoc* contractors are the most prevalent form in the agricultural industry of the U.S. agriculture industry. As Barrientos states, these contractors are intermediaries between workers and producers, in charge of supplying the labor force, supervising workers' performance and processing payroll. In other words, the work of contractors is carried out in two aspects: the distribution and circulation of the labor force, and in the management of workers (Barrientos 2013; Hernández-León 2012; Jimenez-Sifuentez 2016; LeRoy 1998; Ortiz, Aparicio, and Tadeo 2013; Zlolniski 2016, 2019).

According to the State of Oregon's Bureau of Labor and Industries, a farm labor contractor is any "person who, for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform labor for another in the production or harvesting of farm products." (BOLI 2019).[3] This definition echoes Barrientos's classification and puts the role of

[3] A farm labor contractor generally is involved in obtaining labor for the production and/or harvesting of farm products on either private or public land, or the gathering of certain wild forest products from public lands … Any person who, for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform

contractors in the employment mediation to recruit, transport, supervise and pay farmworkers for growers.

This is not an isolated phenomenon in the U.S. Instead, it is part of a global process and this subcontracting system expanded across more countries as governments implemented neoliberal policies and free-trade agreements (Barrientos 2013; Zlolniski 2019). By the end of the 1990s, farm labor contractors were present across the Americas (Ortiz et al. 2013), becoming essential components of chains in global production networks (GPN) that provide labor for food and agriculture industries in international markets that connect production, labor and commodities geographically separated. Barrientos (Barrientos 2013) also points out that, although labor contractors have been present in the global economy for decades, there has been a worldwide increase in the regulation and formalization of contracting companies. This process indicates constant efforts in relocating public resources in industrialized countries to institutionalize and normalize the flexible labor, job insecurity and temporary jobs that contractors produce.

Different authors (Hirsch 1997; Lindio-Mcgovern 2003; Munck 2010; Otero 2011; Sassen 1998, 2000; Silver 2003; Stephen 2001) point out that globalization and the growth of transnational businesses are the main components that shape the industries' internal labor markets. Sassen (Sassen 1998) highlights that the deregulation of markets with the implementation of neoliberal policies around the world allowed the rapid circulation of money

labor for another in the production or harvesting of farm products; Any person who recruits, solicits, supplies or employs workers for an employer who is engaged in the production or harvesting of farm products; Any person who recruits, solicits, supplies or employs workers to gather wild forest products; Any person who furnishes board or lodging for workers in connection with the recruiting, soliciting, supplying or employing of workers to be engaged in the production or harvesting of farm products or in the gathering of wild forest products; Any person who bids or submits contract offers for the production or harvesting of farm products or the gathering of wild forest products; Any person who subcontracts with another for the production or harvesting of farm products or the gathering of wild forest products. (BOLI 2019).

and contributed to massive growth in the demand for services in all industries. From the 1980s, we see a development of the service sector in industrialized countries, generating a greater polarization in workers' wages and salaries and increasing inequalities within the sectoral labor force. With the expansion of international markets, regionally-oriented businesses—like those in food production—began negotiating the complexities of international borders and the regulations of different countries. The demand for legal, accounting, managerial and logistic services within industries also fostered the emergence of high-profit-making and modest-profit-making businesses that provide these services to larger employers.

This process has also reduced companies' demand for full-time workers with training and medium career skills defined by on-the-job-training mechanisms (Cappelli 2014; Cowen 2015). This process reduces "further chances for upward mobility," both within and across companies, as jobs with career mobility decrease and labor markets become highly localized, restricting employment opportunities by region for many workers. At the same time, outsourcing companies have increased, given the demand for more professionalized services requiring formal training that companies are not providing on the job. As Sassen points out, expanding outsourcing systems offers "occupations under highly flexible conditions." Modest-profit-making and third-party businesses have grown the most within each industry since the 1980s, showing a gendered process since still, men have benefited the most from this development (Sassen 1998: 153).

In this context, we find the enactment of the Migrant and Seasonal Protection Act (MSPA) of 1983 in the U.S., which established regulations for farm labor contractors to register their companies and labor force formally, as well as to standardize their administration, transportation, and payroll. Therefore, this act is an effort to institutionalize the increasing demand for service jobs in the agriculture industry and the rise of modest-profit-making

businesses that provide them. This process allows us to understand at a structural level why male farmworkers' main forms of upward mobility are subcontracting companies, also part of the growing service sector, including management and administration tasks. In the agriculture industries of the US, Mexico, South America, and Europe (Barrientos 2013; Ortiz et al. 2013; Sánchez Gómez and Sierra Yordi 2013; Trigueros Legarreta 2015; Zlolniski 2016), the labor trajectories where migrant farmworkers became the field supervisors and recruiters of more male migrants for the same employer or farm are no longer the most predominant pattern of upward mobility. These career paths within the same company or employer have also decreased in agriculture with the increasing demand for subcontracting companies, making farm labor contractors the only higher position in the occupational industry ladder available for first-line supervisors. As I will discuss in-depth in Chapter II, this form of upward mobility requires investment and administrative training that very few farmworkers can access and shows that still mainly available for men due to the high levels of devaluation of women's labor in industrialized agriculture.

Entrepreneurs

I include the analysis of contractors in the economic process in which on-the-job training and labor trajectories were broken across many industries to climb the job ladder in internal occupational hierarchies. In moving upward from farmworkers to contractors, workers go from being employees to becoming entrepreneurs in the subcontracting sector. As shown by some authors on different industries in the U.S. (Pessar 1995; Portes 1995; Portes and Rumbaut 2014; Zarrugh 2007), poor entrepreneurs emerge with medium or low incomes and very high debts, facing the same or higher level of job insecurity than when they were employees.

However, this type of entrepreneurial small business owner is not new. They have existed since before the development of capitalism and have managed to reproduce business models, competition, and primitive forms of labor control to the present day. Richards Edwards proposed a way to define them:

> A single entrepreneur, usually flanked by a small coterie of foremen and managers, ruled the firm. These bosses exercised power personally, intervening in the labor process often to exhort workers, bully and threaten them, reward good performance, hire and fire on the spot, favor loyal workers, and generally act as despots, benevolent or otherwise. They had a direct stake in translating labor power into labor, and they combined both incentives and sanctions in an idiosyncratic and unsystematic mix … This system of "simple" control survives today in the small-business sector of the American economy, where it has necessarily been amended by the passage of time and by the borrowings of management practices from the more advanced corporate sector, but it retains its essential principles and mode of operation (Edwards 1979: 18).

This definition of entrepreneurs is particularly relevant for this analysis for two reasons: first, Edwards defines entrepreneurs from material conditions and concrete employment relations. I argue that labor control is the main element that defines this type of employer, characterized by their personal involvement in the production process to make workers productive. At the same time, he offers us a definition of simple or personal control over workers, which has been reproduced over the years. This form of control has survived the development of capitalism thanks to the fact that it has become more complex, acquiring resources from new technologies and more advanced management systems. Second, this concept of entrepreneurs makes a description of the basic elements that characterize contractors in agriculture. These are employers who step in personally to oversee all aspects of their small businesses: accounting and administration, as well as workforce training, supervision, transportation, and distribution. In the case I examine, personal control is accompanied by the constant use of cell phones,

mayordomos,[4] first-line supervisors, control over worker transportation, peer-surveillance dynamics (Crowley et al. 2010), and personalized strategic relationships (Collinson 1992; Edwards 1979; Mendez 1998; Zlolniski 2006) to control agricultural workers.

Labor contractors design control strategies that have allowed them to adapt for more than 100 years to changes in agricultural production in the U.S. For example, let us consider that contractors have been present before, during, and after the Bracero Program. This dissertation partly helps us understand how these entrepreneurs who embodied forms of labor control prior to industrialized capitalism, adapted and remained key players in the modern agricultural industry.

Consent and the Skills to Produce Consent

Managers play a key role in eliciting workers' consent to exploitation and in reducing their resistance to meeting production goals (Burawoy 1982). Burawoy finds that "making-out games" are central to the production of consent in the workplace. I define these games as workers' actions framed within informal arrangements agreed upon between them and specific management segments. One example is the piece-rate system (payment by pieces), where achievement activates conflicting, competitive, and cooperative reactions among workers. The cause of these games is found, Burawoy argues, in the experiences of unpleasantness and job deprivation associated with the working conditions under capitalism.

Burawoy defines conflict from the Marxist tradition (Burawoy 1982: 14) but relativizes its application according to the historical changes in the mode of production. In this sense, the conflict stems from class contradictions in capitalism. From this theoretical adherence, Burawoy

[4]*Mayordomos* are members of a crew of farmworkers who perform first-line supervising tasks and earn around $1 to $2 more per hour than the rest of the workers. Although women are appointed to this position, their supervising work is unpaid, and only men receive the bonus and the title of *mayordomos*.

employ historical macro-relations of power within the workplace and makes possible the analysis of the daily experiences of workers and managers.

The deliberate managerial production of conflicts expresses the strategic control of workers, activating interactions that create competition, disputes, and the requirement of informal agreement to meet production goals. Its scope involves intra- and inter-hierarchical conflicts among managers and workers, leading to a re-elaboration of regulations and reestablishing a higher goal.

By considering the workplace as an arena of action intentionally organized by managers to promote consent, Burawoy weakens the possibilities of collectively negotiated orders. I argue that strategies to produce consent go beyond the actors' own co-optation to the point of suppression. Let us remember that the contexts in which games are produced have a provoked indeterminacy or an apparent contingency, functional for control purposes. In this regard, Burawoy affirms that the guarantee of workers' cooperation is based on a minimum but perceptible uncertainty. In Political Economy terms, farmworkers harvest their own consent.

To shed light on how, without formal or professional training, farm labor contractors create consent and oversee numerous crews of workers performing different tasks and farmworkers perform these farm jobs with high dexterity, I engage two different scholarly traditions that emerged from the Thesis I on Feuerbach (Marx and Engels 1981). To criticize the passive position in which the materialist tradition had conceived people's actions, Marx mentioned:

> The chief defect of all hitherto existing materialism – that of Feuerbach included – is that the thing, reality, sensuousness, is conceived only in the form of the object or of contemplation, but not as sensuous human activity, not as practice, not subjectively (Marx and Engels 1981: 13).

In this quote, Marx puts people's bodies (sensuousness), subjectivity, and social practices as a single unit at the center of his theory. He points out that the problem for the materialists was to conceive this unity only as a contemplative object. While Marx recognized that the material world shapes people's subjectivity, people are not simply contemplative copies of the material. In this sense, Marx emphasizes that people are themselves a constant dialectical process, a product of both the material world and sensuous human activity, practice, and subjectivity.

When we analyze the skills of contractors and farmworkers in the light of this quote, we see that although the production process and the workspace shape their bodies and subjectivity, they develop skills in daily practice. Following this dialectical logic, Michael Polanyi (Polanyi 2009) develops the concept of tacit knowledge, which refers to embodied forms of personal knowledge, including knowledge that develops in the constant practice of a task and body memory. For Polanyi, it is difficult to explain how tacit knowledge was obtained since it is chiefly based on repetitive actions that are not recorded by rational thought. However, they are part of the strategic decision-making process in the workplace. For the author, explicit knowledge is the rationalized and verbalized form of the tacit one.

Hence, when a contractor trains workers to prune a plant, they rationalize and verbalize the knowledge acquired during their previous experience as farmworkers. Likewise, the methods of training workers start from the tacit knowledge they embodied when other supervisors trained them. Tacit knowledge is only the basis of practices, and the rest of the experiences and actions make each worker and FLC generate individual and distinctive skills. However, the different uses of the concept of tacit knowledge (Pereira de Malo et al. 2019; Pérez-Fruillerat, Solano-Ruiz, and Amezcua 2017; Polanyi 2009) remain at the level of the conscious and unconscious minds.

Lefebvre uses the concept of habitus[5]—present in the materialist philosophical tradition since Aristotle (Abbagnano 2004)—to talk about the contextual dispositions that people embody. Lefebvre (Lefebvre 2000) defined *habitus* as the relationship between the individual and the lived space. For this author, capitalist industrial zones shape how and where people live and how they work. Therefore, these spaces also reflect the labor practices of contractors in them. For Lefebvre, individuals are like spiders that, after interiorizing their environment, modify the streets journeyed to commute and in the space they occupy inside the workplace.

Therefore, the contractors' skills would not only be the product of the recurring practices of a task, as Polanyi said, but also of the habitual occupation of a space. Dialectically, FLCs transform the space through their recurrent skills and practices. Following Lefebvre and Polanyi, we understand that workers and contractors develop their skills both from the tasks they carry out repeatedly and from the spaces in which they carry said skills. The workplace and skills are, in turn, a product of the daily work of workers and contractors.

I argue that these theoretical frameworks help us illuminate, on the one hand, how contractors learn to manage farmworkers and establish forms of personal and regional control. On the other hand, how workers develop skills that help them individually negotiate with contractors and decide whom to work for. As I will discuss in the following chapters, contractors distribute job ads in different cities, generating an impact on space and conditioning farmworkers in search of jobs to travel to those spaces. They also use *raiteros* to distribute the labor force in different farms and houses, affecting and changing the space. Following Lefebvre's analogy, we could say that the Willamette Valley is a network that contractors have built and from which

[5] For Aristotle, Lefebvre, and Bourdieu, habitus conditions the forms of the social practices people reproduce, but it is not the origin. Although Bonilla Silva uses Bourdieu's theory, the race scholar considers that the White habitus is the origin of the social practices that white people reproduce.

farmworkers generate skills that modify these networks. Regarding labor control, this means that, in order to manage farmworkers, contractors must first establish control over the space.

I expand the discussion on managerial skills by bringing Michael De Certeau's distinction between strategy and tactic. De Certeau (de Certeau 2011) indicated that the distinction between these concepts emerges from people's body, and their location in the physical and social space, making strategies and tactics ontological concepts. The strategy seeks to predict and control the movement of bodies in a specific space. In other words, the strategist seeks to condition how other people use the space. In this sense, managerial strategies must first reproduce control over workers' mobility, both outside and within the workspace. On the one hand, mechanisms such as the debt system, *raiteros*, and cell phones facilitate their implementation because they shape workers' mobility outside the workplace. On the other hand, contractors position themselves on strategic panoptic locations in the workplace and reproduce peer-surveillance practices from which they observe, calculate and theorize to manipulate farmworkers' actions. They, too, perform physically close surveillance to observe in detail farmworkers' skills and collect more knowledge about each of them, which is used in the future to establish personalized forms of control.

Tactics are, therefore, deliberate actions shaped by strategies and the space control exercised by the strategist. In other words, while the strategy is based on autonomous control over space to condition the actions of others, the tactic lacks autonomy. It is based on the calculated use of time over a space controlled by a strategic force. In this sense, the tactic depends on the occasion, given its lack of control over the space. I argue that the concept of tactics allows us to understand that the labor practices of workers and their skills are not a mere reproduction of the managerial strategies and training of FLCs. On the contrary, they are ways of

reacting and resisting the forms of control that contractors develop (de Certeau 2011; Hodson 1995).

Why an Analytical Approach from Precariousness?

In The Capital (Marx 1990), Marx used the concept of precarity to describe the increasing deterioration of material and living conditions for workers as a result of more significant pressure on workers' means of employment and higher labor productivity. In this sense, surplus labor is an important condition for the reproduction of precariousness, as capital accumulation places downward pressure on wages, allowing capitalists to impose more discipline on those who remain active in the labor markets. For this reason, many scholars and activists center their efforts on fighting for the union representation of workers, as collective organizing is a critical factor in counterweighting capitalist accumulation's pressure on the working class.

Concepts of precarity, precariousness and precarious jobs have been used to analyze a temporary distinction in industrialized countries between post-World War II job markets featured by high numbers of standardized and formal employment, in contrast to post-Fordist markets reproduced by neoliberal policies and characterized by extreme flexible conditions, temporary and insecure jobs, uncertainty, informality, and lack of union representation, labor protections and benefits (Armano, Bove, and Murgia 2017; Kalleberg 2000, 2011). For the last several decades, a series of economic, social, political, and demographic changes worldwide have "aligned to make work more precarious" (Kalleberg 2009).

Worldwide, migrant workers are disproportionately affected by the expansion of precarious labor (Mahmud 2014; Mezzadra and Neilson 2013). The scholarly literature on precarity tends to define the labor experiences of migrant workers as a constant state of exception and hyper-precarity for those who do not have work authorization (Lewis et al. 2015;

Mahmud 2014). Researchers (Flores-Yeffal and Zhang 2012; Hira-Friesen 2018; Ku and Matani 2001; Landsbergis, Grzywacz, and LaMontagne 2014; Liebman et al. 2013; Nissen, Angee, and Weinstein 2008; Ponce, Nordyke, and Hirota 2005; Rathod 2016). Researchers have found that migrant workers in the U.S. are disproportionately represented in precarious jobs. They are particularly affected by low wages, employment instability, short-term jobs, barriers to social and institutional benefits, lack of union representation, and absence of regulatory workplace protections.

On the one hand, studies of the relationship between labor contractors and migrant workers' precariousness and labor conditions have recognized a pattern between the increase and formalization of contracting business, and the increase in precarious labor (Barrientos 2013; Jimenez-Sifuentez 2016; Mahmud 2014; Rosales 2014; Sánchez Gómez and Sierra Yordi 2013; Serrano 2017; Stephen 2007; Wise 2009). This is because contractors produce temporary jobs that lack labor benefits and rights, and employ a sector of the working class worldwide that does not have access to employment stability (Jonna and Foster 2016). On the other hand, today's farmworkers in the U.S. occupy different jobs and hierarchical positions inside and outside agriculture (PCUN 2019; Solares Pineda et al. 2017). Reflecting these changes in farmworkers' labor trajectories, we find unions like Pineros y Campesinos Unidos del Noroeste (PCUN) in Oregon defining farmworkers as those who spend part of their work in agriculture. They include non-farm needs, migrant workers, and workers of color in other industries in their political goals, such as housing, reproductive justice, and access to education (PCUN 2019). In addition, the country's agriculture industry includes occupations that have not always been defined by precarity, such as managerial, administrative, accounting, legal, and transportation positions (BLS 2021).

In this context, the concept of precariousness allows us to make comparisons within different labor experiences in the industry, contrasting the complexity of agriculture that often goes unnoticed, as most studies focus on farmworkers and only discuss the other occupations secondarily to highlight their effects on farmworkers' labor experiences (Costa et al. 2020; Galarneau 2013; Holmes 2013; Mallory 2018; McCauley et al. 2001; Nelson 2007; Sánchez Gómez and Sierra Yordi 2013; Saxton 2021; Serrano 2017; Solares Pineda et al. 2017; Stephen 2001, 2007; Wells 1996; Zlolniski 2016, 2019). It allows us to highlight that many agricultural workers in the Willamette Valley have other temporary or seasonal jobs that are equal to or more precarious than those offered by agriculture. It allows us to highlight that in this industry, there are occupations of higher position, such as supervision or management. Although having higher salaries, still lack standardized conditions, labor benefits, union representation, and job security. Moreover, it allows us to realize that upward mobility within the industry continues to be described by precariousness. Finally, by focusing on the reproduction of precarious labor conditions in agriculture, I emphasize that precariousness is not natural, inseparable and intrinsic to agricultural labor; it is the result of historical labor relations and we must keep fighting for an agriculture industry without precarity.

Borders Epistemology

A borders epistemology, as some authors have noted (Anzaldua 2012; Gago 2017; Mezzadra and Neilson 2013; Stephen 2007; Walia 2021), implies placing the concept of the border at the center of the analysis and studying the social processes that emerge from them. It also implies distinguishing the difference between border and frontier (Mezzadra and Neilson 2013): while the former refers to limits, boundaries, barriers, and the meeting point between the

end of one system and the beginning of another, the latter refers to a space of expansion seen as uninhabited or inhabited by lesser valued humans, in which a system is still under construction and development—let us think of the episode openings of the Star Trek show, in which Spok defines the universe as the "last frontier" that civilized societies have yet to know and conquer.

It is fundamental to look at the events that create borders and that today frame the labor and migrant experiences of contractors and farmworkers. Economic and geopolitical processes have established borders to define where people can live or where they can no longer reside. For this reason, different authors have placed processes of population displacement at the center of a borders epistemology (Gago 2017; Mezzadra and Neilson 2013; Stephen 2007; Walia 2021). Precisely because displacing people from a territory is a material and historical form of designing national (among other) borders as part of the process of settler colonialism, which involved different forms of elimination of Native peoples.

In this logic, I understand the North American Free Trade Agreement of 1994 between the U.S., Canada, and Mexico as a political and economic process that created borders inside Mexico by displacing people. This trade opened the borders of domestic industries in Mexico to global markets, causing substantial imbalances in the productive sector as many factories closed and others entered restructuring processes. In the agricultural industry, the sugar sector entered a crisis, as well as the grain production, livestock, and poultry sector, which had to compete with imported producers subsidized by the U.S. public budget.

One of the main requirements of NAFTA included amendments to the Mexican constitution, particularly the abolition of Article 27, a victory of the 1917 revolution that guaranteed national control over natural resources and protections for communal lands (Durand 2016; Saxton 2021; Walia 2021). After NAFTA, indigenous and peasant lands that used to be

collectively controlled became the private property of individual landholders. In the years after 1994, the subsidies that allowed farmers to keep their land in production disappeared. They fell into unpayable debt, and more than 1.3 million farmers went bankrupt, ultimately causing U.S. agribusiness and multinational mining companies to appropriate their land.

In addition, NAFTA forced Mexico to eliminate tariffs and more subsidies, allowing U.S. food producers and genetically modified seeds to dominate the Mexican domestic market, impoverishing many more peasants and indigenous families who lost food sovereignty (Durand 2016; Saxton 2021; Walia 2021). In this context, the Mexican government eliminated state-controlled prices on basic supplies that used to support more than 1.2 million families, increasing the prices of these products and making it almost impossible for many families to buy the food necessary to survive daily. In this process, thousands of peasants were forced to leave their lands and migrate to the north of the country to work in maquilas that were 90 percent US-owned (Durand 2016; Saxton 2021; Walia 2021). Therefore, it is impossible to say that during the second half of the 1990s, poor people decided to seek better opportunities in the U.S., when, in fact, NAFTA established new borders to protect private property on what used to be communal land, displacing nearly 3 million people and forcing many of them to cross to the U.S., as other domestic industries were also collapsing.

As some authors (Gago 2017; Mezzadra and Neilson 2013; Stephen 2007; Walia 2021) show, the borders epistemology allows us to present more complex analyzes of migration than the transnational perspectives (Portes, Guarnizo, and Landolt 1999; Waldinger 2010). The second approach does not put the construction of borders at the center of the analysis. However, it takes them for granted as abstract concepts that materialize only in the form of violence and national borders when people cross them. As Lynn Stephen (Stephen 2007) has shown, we

cannot reduce the borders analysis to national limits between countries. There are violent borders beyond the national ones that indigenous and mestizx migrants have had to cross to settle in Oregon. She also shows that border surveillance mechanisms are reproduced thousands of miles away from the wall between California and Baja California. The transnational perspective also does not allow us to analyze how, after crossing national borders, as Gago shows in Argentina (Gago 2017) migrants cross the border between the informal and the formal economy or why many do not cross it and generate frontier economies.

For this reason, when studying international migration and agricultural labor, we cannot deny that borders play a central role. Most of today's migrant contractors and farmworkers in the Willamette Valley moved to the U.S. after NAFTA created borders and displacement. They also crossed the border between California—a state where, for example, undocumented migrants could obtain driver's licenses and achieve union representation in agriculture—and Oregon—a state where, until recently, they did not have access to driver's licenses and cannot legally unionize. In this sense, contractors are part of a frontier economy, guaranteeing the state to collect taxes from farmworkers with fake documents, fostering the expansion of informal business networks such as unlicensed *raiteros* and *polleros*[6] that distribute the labor force, and allowing landlords to host farmworkers in dangerous living conditions.

Centering borders in my analysis allowed me to develop interview questionnaires and plans for on-site observations that helped me analyze the borders that contractors and farmworkers have crossed. From this approach, we understand that many first-generation citizens have not been able to leave rural areas to obtain less precarious jobs and better living conditions due to regional borders. There are borders preventing poor workers from leaving their

[6] *Polleros* are in charge of transporting migrants from the border to their workplace or housing in the U.S.

precarious living and working conditions. Lack of access to transportation, education, and racial segregation in space are forms of borders that limit them from experiencing upward social mobility.

This approach also allowed me to see that for farmworkers, there is a clear border between the formal and informal economy that many cannot cross or constantly cross due to the lack of work permits and false documents. However, what lies beyond the border of formal labor markets is not the end of the formal economy. It also allowed me to analyze why even though a few migrant farmworkers have managed to become entrepreneurs and owners of their own outsourcing companies, they have not managed to cross the borders of precarity—as I will discuss in Chapter Two.

Farm Labor Contractors at the Border between Formal and Informal Economy

Forms of subcontracting in U.S. agriculture have been present for over a century and have developed alongside wage labor in the same industry. However, during the 19th century, subcontracted workers were also employed by the same contractor for non-farm jobs. In his studies on the suppression of the slave system, Du Bois (Du Bois 1896) mentioned that more third-party employers emerged to recruit and transport the newly free men and employ them in agricultural and construction work. Nakano Glenn (Glenn 2010) pointed out that southern states passed laws that converted petty crimes into felonies, allowing for long-term sentences at the end of the same century. In many cases, convicted men of color–but mainly black men– were loaned out to contractors who sent them to work in agriculture, railroads, and mining.

Scholars (Jung 2015; López 2006) have pointed out that during the last third of the XIX century. States like California and Oregon had strong restrictions to prevent hiring black, Asian

and indigenous people, increasing the use of contractors, better known as *enganchadores*, who recruited and transported workers from Mexico. *Enganchadores* networks developed across both sides of the border, recruiting workers from southern Mexico to work in Mexico City or build highways throughout the country. Other *enganchadores* recruited from these new workplaces to transport labor across the border into the U.S.

However, the modern form of labor contracting specific to agriculture developed after the National Labor Relations Act (NLRA) of 1935 and the Fair Labor Standards Act (FLSA) of 1938 (Ness 2005), as they established regulations and protections for workers in most industries, but excluded agricultural workers and undocumented migrants. From this date, the labor unions began to put obstacles against using contractors who recruited migrant workers and farmworkers to be employed in other industries and labor contractors specialized in different sectors of the economy. This form of exclusion had structural impacts that continued to reproduce intense conditions of precariousness in agricultural work, since farmworkers were excluded from receiving minimum wage, the right to union representation, job security, and benefits. This way, the NLRA and FLSA created the conditions for developing networks of farm labor contractors, who have only offered temporary jobs and often not paid until the end of the contractual period, generating debt among their farmworkers. These acts happened in the context of massive deportations of Mexican migrants and Mexican Americans between 1929 and 1939, supported by the development of white supremacist ideologies among labor movements (Hoffman 1979).

Deportations and new labor regulations did not end the use of farm labor contractors. Rather, they fertilized an informal labor market in which contractors operated because many growers continued to seek cheap migrant labor. Each industry has informal labor markets with economic practices that have both legitimate and illegitimate means and ends defined by the

social context and generate profits that are not captured by public institutions in the form of taxes (Gago 2017; Webb et al. 2009). The informal economy in which agricultural subcontracting systems have developed is by default illegal since their activities take place outside the limits of formality established by racist ideologies that exclude migrant workers from formal markets. However, it was mainly fostered by growers who benefited from access to a flexible and unprotected workforce.

Seven years later, The Bracero Program solidified the use and importance of farm labor contractors in the agricultural industry. This program, regulated by the US and Mexican governments, began as a labor recruitment system common among industrialized countries in the late XIX and early XX centuries. This model opened the door for Mexican migrant workers to fill vacant jobs from those who went to war and imported an average of 200,000 braceros annually from 1942 to 1964 (Durand 2016; Jimenez-Sifuentez 2016; Loza 2016).[7]

From this program onward, illegal *coyotes*[8] and US-based labor contractors became a great help for employers who wanted to avoid the series of time-consuming and expensive formal regulations and bureaucratic procedures (Bender 2012; Chomsky 2014; Jimenez-Sifuentez 2016). The role of contractors and *coyotes* became more structurally organized when Texas was expelled from the program for not meeting the minimum human and labor rights. Instead of penalizing Texas growers, the US government allowed them to use contractors and *coyotes*, who often engaged in human trafficking networks. Additionally, contractors began

[7] The program was also conceived as a political and economic strategy to make migrant laborers work in precarious conditions, to control labor movements in the US, and to "civilize" indigenous workers in Mexico (Wells 1996; Loza 2016; Portes and Rumbaut 2014). During the Bracero program, the agricultural labor force was systematically pushed to work in precarious conditions with little freedom and knowledge to demand the fulfillment of their labor rights, and were used as scabs to contain labor movements and weaken strikes (Wells 1996; Portes and Rumbaut 2014, Jimenez-Sifuentez 2016, Loza 2016). For this reason, one of the main characteristics that employers privileged to recruit braceros was lack of education to read and understand their contracts.

[8] *Coyotes* are smugglers in charge of transporting undocumented migrants acorss the U.S.-Mexico border informally.

recruiting Mexican-American and Mexican women to work in the US agriculture, as only men were allowed to participate in the program formally (Jimenez-Sifuentez 2016; Loza 2016).[9]

According to Jimenez-Sifuentez (Jimenez-Sifuentez 2016), Braceros and farmworkers in Oregon[10] who received good letters of recommendation from their previous employers –that is, workers who did not complain about injustices– could find work with contractors without having to go through the institutional system. In this context, farm labor contractors across the west coast became independent entrepreneurs who assembled one or several crews of 20 to 35 workers and provided transportation, housing, basic supplies, loans, and equipment. The most common way for contractors to generate profits was to withhold between 10 and 20 percent of workers' wages, creating an incentive scheme in which they benefited by recruiting more crews and making them work for extended work shifts every day (Martin 2003).

As the number of Mexican Americans in supervising positions in agriculture increased, a demographic shift among contractors began. In the mid-1950s, contractors changed from being White and Asian, to predominantly Mexican American. The growing industrialization and competition in Texas motivated many Tejanos (Mexican-American from Texas) to move to the Pacific Northwest (Jimenez-Sifuentez 2016), a region that, compared to California, had fewer Spanish-speaking citizens. Given that Tejanos related more easily to workers –for having a Mexican background and speaking Spanish– they soon became the new contractors and ended up controlling the labor market. In this process, contractors across the states changed from being

[9] Some authors (Bender 2012; Loza 2016)mention that, although women were a minority, the difference between living and working conditions between men and women was radically noticeable, the latter being those who faced the worst working conditions.

[10] The situation in Oregon was different from that in California and other states that were part of the Bracero program. Braceros could not be forced to be scabs, and they composed a more political and defiant labor force. Many of these Mexican workers in Oregon had gone to school, and knew how to read and write. Some from Mexico City had greater knowledge of their labor rights. Therefore, they were a difficult labor force to control, and growers kept contacting farm labor contractors to supply farmworkers informally (Loza 2016).

employment agencies that match workers with growers and began to do more personal supervision of workers in the fields. Under this earnings scheme, contractors managed to earn 42 times more money than an entire family of workers in Oregon. By the mid-1980s, contractors with 100 workers managed to earn between $30,000 to $40,000 in six months in California.

Along with the increase in the use of contractors, the numbers of abuses, wage theft, and dangerous working conditions that farmworkers faced also increased. In 1963, the U.S. government invested more efforts in formalizing contractors with the Farm Labor Contractor Registration Act. In subsequent years, amendments and new acts were implemented to regulate the type of employment contractors offered, until finally being considered formal employers in 1983 by the Migrant and Seasonal Protection Act (MSPA) and rectified in 1997 by the Final Rule (LeRoy 1998). The MSPA sought to protect migrant and seasonal workers by establishing wages, housing, transportation, and payroll standards. Although this act has formally required contractors to register their business and labor force, the U.S. Department of Labor did not enforce it, allowing contractors to keep operating informally and abusing farmworkers (Martin 2003).

The main success of the contracting system for the west-coast agriculture industry lay in the field of labor movements during the 1970s and 1980s (Jimenez-Sifuentez 2016; Loza 2016; Martin 2003). Farmers would simply fire workers who complained about workplace abuses and poor housing conditions, and turned to contractors to acquire a new workforce.[11] In Oregon, contractors were also used to mitigating labor organizing efforts. Until the late 1970's, the tree

[11] In California, contractors became the primary tool for putting down boycotts and strikes organized and inspired by the United Farm Workers. However, beginning in the late 1970s, California's experience regarding farm labor began to drift away from other states because the California Legislature adopted the Agricultural Labor Relations Act in 1975, which allowed farmworkers to seek union representation for purposes of collective bargaining. So far, the only state that has adopted such an act.

planters market was controlled by white-men co-ops that had achieved more labor rights and benefits. This changed when growers started hiring contractors who would recruit undocumented migrants and pay under minimum wage. In the 1980s, Pineros y Campesinos Unidos del Noroeste (PCUN) established itself as one of the country's most influential organizations for farmworkers–after the United Farm Workers in California–maintaining a constant struggle that has gradually improved labor conditions for agricultural workers and migrants in general. However, to this day, contractors have played a fundamental role in mitigating strikes and boycotts organized by PCUN.

In the late 1980s, after the enactment of the Immigration Reform and Control Act (IRCA) of 1986, farm labor contractors played a central role in the settlement process of migrant communities from Mexico and Central America –particularly Guatemala– in the Willamette Valley. IRCA established provisions to regularize undocumented migrants who had been present in the U.S. since 1982, and workers who had worked in agriculture for at least 90 days during the previous year, under the Special Agriculture Worker (SAW) program.[12] Farm labor contractors played a critical role in maintaining a steady flow of labor for agriculture. Thousands of migrants moved to urban areas or other states and sought employment outside of agriculture once they got their work permits and permanent residence. IRCA also imposed, for the first time, sanctions on employers who hired undocumented workers, and the reinforcement of border control (USDHS 2004), but the U.S. Department of Labor never had the financial and personnel resources to enforce these regulations (Martin 2003). In addition, IRCA maintained the same hiring criteria

[12] After this regulation, around 2.7 million people became permanent residents–1.6 million demonstrated having resided in the U.S. since 1982 and 1.1 million as part of the SAW program (Trigueros Legarreta 2015). This reform also included an amnesty program that allowed migrants to achieve family reunification by filing petitions for the resettlement in the U.S. of their immediate family members back in their hometown communities. In addition to creating legal channels to migrate and settle in the U.S., IRCA also promoted the migration of undocumented migrants through networks of family and friends who did not meet the requirements to apply formally or did not have the financial resources to pay the expensive fees.

established by MSPA in 1983, and agricultural employers, both FLCs and growers, only had to receive a copy social security number and a work permit from workers without having to check whether the documents were false. In this sense, the growers continued to use contractors to satisfy their demand for labor, to avoid the expenses related to the recruitment and administration of the workforce, and, not frankly, to avoid the risks of hiring undocumented migrants.

Data and Methods

According to the Oregon Bureau of Labor and Industries (BOLI), between 2017 and 2020[13] there were approximately 390[14] licensed FLCs, most being allowed to employ twenty-one workers or more. Based on the available data and all interviews, I estimate that today, the vast majority of FLCs are migrants who have settled in the region since the late 1980s; about 70 percent from Mexico, 10 percent from Guatemala, and 20 percent Mexican American and white U.S. citizens. Contractors speak at least English and Spanish, and few Mexicans have Mixtec proficiency.

I conducted ethnographic research in the Willamette Valley, Oregon, from 2018 through early 2020, as this region has the most significant agricultural production and proportions of farm labor contractors and farmworkers (BLS 2021; USDA 2021). I started by contacting licensed contractors from the public data that BOLI offers on its websites. With help from farmworkers (snowball sampling), non-profit organizations, and friends, I also reached out to more participants. I conducted on-site observations in thirty-two workplaces controlled by different contractors and growers. I interviewed thirty-seven contractors, forty-five farmworkers, and several growers, advocates, labor organizers, and personnel from BOLI and the

[13] The years before and after I conducted most of my data collection.
[14] This number presents a slight variation from month to month.

Occupational Safety and Health Administration (OSHA). Additionally, I conducted one focus group with seven women famworkers, where they discussed the advantages and disadvantages of working for farm labor contractors. Finally, I also took notes from the informal conversations I had with tens of farmworkers, *mayordomos,* and growers while conducting on-site observations on agricultural fields.

Most of the interviewed FLCs did not complete elementary school because they have been part of the workforce since they were minors, they learned English language and business management on their own, only 9 percent finished high school, and two contractors had associate degrees. Their businesses would be best described as small family businesses that depend on the participation and unpaid labor of all household members, including minors. The annual labor force of my participants ranged from 650 to 8 workers per contractor, and family members would perform the administration of documents, payroll, taxes, supervision, transportation, recruitment, negotiation with growers, and many other tasks. Twenty contractors were male and seventeen women, although most of the latter would not perform in-person supervision: ten women commented that they own a front company and a male partner or family member was actually in charge of the business but lacked work permits or license to be the formal owner; two owned and managed their subcontracting companies, but outsourced in-person supervision in the fields to a male partner or family member; and five of them owned their companies and performed or oversaw all the tasks.

I conducted forty-five interviews with farmworkers, of whom twenty-two were women and twenty men. Eighty percent were Mexican, Salvadorean, and Guatemalan migrants who spoke Spanish, and 20 percent were U.S.-born farmworkers whose first languages were English and Spanish. A third of all interviewed farmworkers also spoke indigenous languages like

Mixtec, Mam, and Purepecha. Two-thirds of migrant interviewees had work permits through work visas or green cards, and one-third were unauthorized workers or refugees without work permits who broke their ankle monitors to be able to work. Seventy percent of farmworkers did not finish elementary school because they have been part of the workforce since minors, 15 percent finished high school, and 15 percent had college studies or associate or bachelor's degrees. In this research, I did not interview undocumented migrants tied to agricultural employers through debt and whose labor conditions would be better described as unfree and forced labor. This type of labor force is harder to access and normally is contained in hyper-surveilled work camps, not allowed to move freely, and I faced higher risks attempting to reach out to them.

My methodological approach is engaged ethnographic research and activism in the way Saxton (Saxton 2021) describes them. Activism requires being part of organized resistance with tactics and objectives defined by groups politically invested in improving collective conditions. I became involved in the work of Pineros y Campesinos Unidos del Noroeste (PCUN), "walking" with them in their struggles and listening to their experiences to learn about resistance. During this time, I collected information to help PCUN produce a toolkit for farmworkers on pesticides and sexual violence in the fields. I carried out outreach work to inform workers about their labor rights. I collaborated as a programmer in the PCUN community radio. In a morning show--when many workers were in the early hours of their jobs or commuting--I discussed news from Mexico, Guatemala, and El Salvador, about immigration policy in the U.S., and shared communication from the Zapatista international network, and experiences of labor struggles led by migrants and farmworkers worldwide. I had the opportunity to interview activists of all ages who have spent years fighting for better conditions in agriculture, such as Chicanx youth from

the valley, labor organizers in agriculture from Washington state, and union leaders in northern Mexico.

Individual workers' everyday resistances also shaped my engaged ethnographic research and an unfinished effort to organize them. Many farmworkers shared that the goals and tactics of the organizations that advocates for them in the valley did not represent their daily resistance, did not know of their existence, or were skeptical of their work—I will delve into these points in Chapter Five. The main reason was their awareness of organizations' economic and political limitations and that a large part of their work consists of securing resources to pay their staff. In addition, I faced skepticism from most of my participants about the scope of academic work. Both seasonal and resident farmworkers in the valley mentioned that researchers focus on collecting their experiences to write reports that only help scholars graduate or keep their jobs. Yet, they remain in precarious jobs with low wages and unhealthy living and working conditions. On different occasions, they told me that they were not interested in me writing reports to raise awareness since they consider that society, in general, is aware of their working conditions and continue to turn its backs on workers. I also invited them to speak about their experiences in my classes and academic presentations and received only denials. A worker who has been in agriculture for 17 years commented that I consider representative: "we are not circus animals. This only makes the university's people feel sorry for us." A 23-year-old migrant from Guatemala who arrived in the U.S. in 2015 mentioned: "everything is on YouTube and Instagram, there they can see many videos about how we work and live," reinforcing her lack of interest in participating in my academic activities.

Therefore, during my research work, I took advantage of interactions with workers to inform them about their labor rights and discuss tactics to fight against employer abuses. For

example, organizing workers to make dozens of calls to OSHA reporting multiple contractors. Also, organizing workers with cars to get the workforce out of the workspace during the shift and take them to another employer with better wages or less precarious conditions and willing to pay the shift so that workers' incomes were not affected. Moreover, sometimes they asked me for advice on boycotting employers and preventing them from recruiting more workers.

In addition, I became an information merchant and provided help to meet their immediate needs. Chisme, a form of gossip and sharing news, was my main currency, providing workers with information on agricultural employers that offered better wages and working conditions. They asked me to collect information from contractors' managerial style to negotiate individual agreements. On numerous occasions, they asked me to mediate individual negotiations between them and their employers or to drive them to work, homes, pick up and cash checks, and for groceries at supermarkets. It is important to note that in these petitions, the workers highlight a constant nonconformity and disorganized resistance to being exploited and abused. I also became a system navigator and learned about the procedures for accessing their children's health, legal, and educational services.

Unlike the farmworkers, farm labor contractors who had been in the market for less than seven years were more willing to share their experiences. They were interested in me writing reports or newspaper articles to create positive publicity for their business. Most of them asked me for information on the management strategies that other contractors and growers use to understand their rivals in the market better and be more competitive. They also asked me for advice on labor management to reduce turnover, payroll, and administration or for information on teaching materials, learning groups to practice English, and classes on small-business management. On the contrary, most farm labor contractors with more years in the market refused

to be interviewed and to provide me access to their workspaces. At the end of 2019, they threatened and intimidated me into stopping researching contractors. From then on and during the first months of 2020, I stopped conducting on-site observations and focused only on doing a few follow-up interviews and snowball sampling with FLCs and workers who already knew me.

From these practices, I gained the participants' trust to conduct interviews and access to perform on-site observations at the workplaces and offices. In addition, I also related my own experience as a migrant of color to talk confidently about their immigration processes.

As some authors (Holmes 2013; Saxton 2021; Vasquez 2011) have reflected on their ethnographic research with migrants and Latinxs, ethnicity, gender, and sexuality played an essential role in shaping my data collection. Most interviewees did not read me as a Mestizo at first glance. On the one hand, my beard was longer when I started conducting interviews and on-site observations, and I am taller than the average people from southern Mexico and Central America, making them think I was a migrant from Eastern Europe or the Middle East. Workers and contractors often referred to me as “El Ruso” (The Russian). Finding out that I was a Spanish speaker and a Mexico City native raised their curiosity about my work and showed a willingness to participate in my project. The vast majority of my interviewees have never been to Mexico City and have only heard good and bad stories about that place. During my interviews and informal conversations, they would ask me to share anecdotes about the city while they would tell stereotypical jokes about people like me that grew up in the city—they would say that I only wanted to steal their wallets or car parts, and make funny comments about my accent.

On the other hand, although many knew Latinxs and migrants with college degrees, they were still curious about interacting with a male Mexican migrant who studied in Mexico and was now doing a Ph.D. in Oregon. Here is where masculinity and sexuality played an important role

since women constantly commented about wanting me to marry their daughters or wishing their daughters or themselves could meet a man like me, with my education. Many times, I was asked to talk to their youth about continuing their education and stopping consuming drugs and alcohol. Women would also ask me to talk to their male partners or husbands about respecting women and consuming less alcohol.

On the contrary, men took longer to trust me as they felt challenged by my masculinity and read me as a threat when women felt comfortable interacting with me. These gendered interactions during my on-site observations also caused conflict when women workers preferred to chat with me instead of them, mainly when women prepared food for me on a few occasions. Afraid that my interactions would foster more misogynistic actions in the future, I would spend more time with men, compensating them with symbolic and material gifts. I would also share experiences of organized indigenous women in Mexico and their positive effects in their communities or Biblical stories from the interpretation of the theology of liberation that helped them problematize their own gender dynamics without them feeling lectured by me. As an ethnographer, I performed this type of containment work to be ethical and responsible, knowing that my research process had different levels of impact among the population I participated with.

My methods were also informed by what Margarethe Kusenbach calls the *go-along* method (Kusenbach 2003). I accompanied participants in their familiar and daily routes and commutes to explore their perception of the environment, spatial practices, biography, use of space, and social relations in the workplace. These "accompanying tours," as Diana Arias (Arias 2017) calls them, imply approaching participants from a horizontal perspective, in which they become "tour guides" in the public space and workplaces. After the interviews, I asked FLCs to let me walk with and shadow them during their commute and full working days. This allowed

me access to workspaces and the details of daily interactions with their employees and family members. I would meet with them in the morning when they picked up their crews, commuted with them, shadowed them while supervising workers, and visited their homes, offices, and workplaces. Interviews with other participants and on-site observations helped gather data on labor conditions and control mechanisms from different points of view.

The data from the interviews and on-site observations were transcribed to be coded and analyzed, although I also coded audios, videos, photographs, and maps drawn by the interviewees during the interviews. I used Atlas.ti to organize and code the materials and analyze the data.

Dissertation Outline

In Chapter II, I address the research questions: How do farmworkers become contractors? How do Mexican migrants become entrepreneurs in the agriculture industry? What elements of precarity are reproduced in this process? To answer these questions, I draw upon interviews with farm labor contractors (FLCs) in the Willamette Valley on migration and entrepreneurial trajectories through formal and informal economies. While farmworkers perform their labor under precarity, I argue that FLCs live, work, and start their entrepreneurial path in precarious conditions that later they reproduce with their future employees. Their narratives illustrate that becoming a contractor starts and results in indebtedness, job insecurity, and limited economic and social benefits, making their managerial and entrepreneurial labor cheap and flexible—even though they are higher in the farm labor hierarchy than field workers. In other words, to conduct a comprehensive analysis of the precarious conditions that characterize farm labor, it is necessary to study how the industry creates a sector of precarious migrant managers from poverty, debt, and without labor benefits, no health insurance, no job security. This way, the agricultural

industry ensures that farmworkers remain in precarious conditions even after they have experienced some upward social mobility. To support this argument, I show how five different stages in the process of becoming contractors each contribute to precarity. They include the migration process, informal training, the formalization of flexible labor, financing, and surviving initial struggles.

How do they control and distribute farmworkers across the Willamette Valley? How do their regional control strategies reproduce precarious labor conditions? In Chapter III I address these questions and argue, first, that contractors reproduce precarious labor conditions through their strategies to establish regional control over farmworkers' transportation, workplace location, and access to jobs. Second, I argue that the competition for the regional control of farmworkers only intensifies the precarity that already defines agricultural jobs in the valley. To elucidate the connections between contractors' regional control and farmworkers' precarious labor conditions, I divide contractors' strategies into three analytical categories: regional recruitment, regional competition, and regional surveillance.

Chapter IV focuses on the work that farm labor contractors do to control the labor force in workplaces. Beginning with an account of what work FLCs do, I center the strategies used by contractors to keep farmworkers compliant and productive in the workplace and analyze how these strategies reproduce precarious conditions for workers. Following Burawoy's work on managers' strategies to create consent among shop-floor workers (Burawoy 1982), I present three arguments: in the first section, I argue that contractors use strategies to create consent among workers based on the incentive schemes with which they pay. In other words, contractors incentivize farmworkers to work for hourly wages or piece rates, and then use specific strategies in each incentive scheme to keep them compliant and productive. In the second section, I argue

that each incentive scheme produces different wage violations while exposing workers to imminent dangers. Finally, in the third section, I argue that FLCs impose forms of individual negotiation among workers that reproduce precarious labor conditions, while discouraging structural improvements for all workers with occasional short-term solutions. This chapter aims to detail contractors' management methods to fill a gap in the literature and contribute to the scarce publicly available data on labor law violations experienced by farmworkers in Oregon.

Finally, Chapter V centers on the experiences of migrant and US-born workers employed by FLCs in the Willamette Valley by asking the following questions: Why do part of the labor force work for farm labor contractors? How do farmworkers respond to contractors' managerial strategies? What tactics do farmworkers use to bargain with contractors for better labor conditions? In the regions of the Willamette Valley where agriculture is the primary industry, farmworkers can only access direct and third-party employment characterized by temporary jobs, low wages, 10-to-12-hour work shifts, wage violations, multiple unfair and illegal labor practices, and lack of labor rights, benefits, and health services. I argue that workers design tactics to survive these conditions from the informal economy and labor flexibility that contractors reproduce. On the one hand, having access to the informal and formal economy allows farmworkers to find employment and maintain a regular income. On the other, individual and unsystematic bargaining tactics are crucial for workers to gain control of their labor arrangements to manage poverty and indebtedness, fit together multiple jobs, and care for dependents. This chapter aims to show that farmworkers engage in daily struggles to challenge precarity imposed on them in the agriculture industry, gain employee-driven labor flexibility, and dignify their devalued yet skilled farm labor. Although these individual bargaining efforts are not collectively directed to improve the labor conditions for all workers, without them, farmworkers

would be facing higher obstacles to survive precarity, and agricultural production would be less efficient.

CHAPTER II
BECOMING A FARM LABOR CONTRACTOR

While contractors are often seen as separate from farmworkers, in fact, most contractors are migrants and farmworkers themselves. How do farmworkers become contractors? How do Mexican migrants become entrepreneurs in the agriculture industry? What elements of precarity are reproduced in this process? To answer these questions, I draw upon interviews with farm labor contractors (FLCs) in the Willamette Valley on migration and entrepreneurial trajectories through formal and informal economies. While farmworkers perform their labor under precarity, I argue that FLCs live, work, and start their entrepreneurial path in precarious conditions that later they reproduce with their future employees. Their narratives illustrate that becoming a contractor starts and results in indebtedness, job insecurity, and limited economic and social benefits, making their managerial and entrepreneurial labor cheap and flexible—even though they are higher in the farm labor hierarchy than field workers. In other words, to conduct a comprehensive analysis of the precarious conditions that characterize farm labor, it is necessary to study how the industry creates a sector of precarious migrant managers from poverty, debt, and without labor benefits, no health insurance, no job security. This way, the agricultural industry ensures that farmworkers remain in precarious conditions even after they have experienced some upward social mobility. To support this argument, I show how five different stages in the process of becoming contractors each contribute to precarity. They include the migration process, informal training, the formalization of flexible labor, financing, and surviving initial struggles.

Each stage reproduces precarious conditions in the journey to become farm labor contractors, and although we can make temporal and qualifying distinctions among them for

analytical reasons, they appear disorganized and simultaneously in the life trajectories of migrant contractors. In the first section, I discuss how contractors' migration process creates indebtedness and coercive work situations with long-term economic vulnerability. The second stage describes how they acquired managerial skills and business networks through both informal migration and precarious supervising jobs. In the third stage, I show how becoming formal labor contractors increases economic vulnerabilities, while institutionalizing flexible labor in Oregon's agriculture industry. In the fourth section, I center contractors' struggles in acquiring initial capital and the role of continued indebtedness (prior indebtedness from costs of coming to the U.S.) in starting and running subcontracting companies. The lack of capital and the accumulation of debt is the primary reason that prevents many farmworkers from starting their own companies. In the final section, I discuss strategies that contractors have used to survive in the subcontracting market during the first three years of operations. Job insecurity, long working shifts that involve unpaid labor from family members, and growers' unpredictable paydays are among the main problems FLCs experienced. At the end, I summarize main points to show how the process of becoming a contractor reproduces precarious labor conditions for both FLCs themselves and their future employees.

Stage One: The Migration Process

Most farm labor contractors (FLC) in today's Willamette Valley are Mexican migrants who crossed borders into the U.S. agriculture industry between 1987 and 2001. In this section I want to discuss the conditions that pushed them into indebtedness and the coercive labor conditions they encountered through the migration process. What social conditions shaped this pattern? Scholars (Durand 2016; Holmes 2013; Saxton 2021; Stephen 2007; Walia 2021) have

shown that the North America Free Trade Agreement of 1994 pushed low-income families to leave Mexico, escaping from the worsening economic conditions triggered by its neoliberal project. On the one hand, this agreement permitted community land privatization, worsening the conditions for many Mexican farmers and indigenous communities. For them, NAFTA involved a loss of supports and markets flooded with corn and other products from the U.S. that continued to be subsidized. On the other hand, Mexican companies could not compete with the international free market that this agreement opened, which increased unemployment rates in many working-class regions all around the country. Manuel, a 45-year-old male contractor from Veracruz, provided an example of this process:

> Many people in the town became unemployed when the textile factory went bankrupt [in 1995]. For a year or two, I couldn't find any job that would last more than one or two months and then nothing for another two months … So, I told my son and my brother that we had to become like those neighbors who left to the north.

His words exemplify the worsening conditions for workers and farmers in Mexico after NAFTA. The local production in his hometown in Veracruz went bankrupt and full-time jobs with low wages quickly vanished. Like Manuel, all of the contractors I interviewed narrated how the living conditions in their communities worsened during the 1990s, fostering an increased out-migration toward the northern borderlands or the U.S. As the research on international migration has shown (Curran and Saguy 2013; Flores-Yeffal 2013; Massey 2008; Massey et al. 1993; Menjívar 1997; Orrenius 1999; Riosmena and Liu 2019; Rosales 2014), Manuel's decision to migrate with his son and brother was also shaped by the migration trajectories that other people in his community had already traced, showing that unemployment and precarity were general conditions systematically pushing people out of their hometowns, for the sake of implementing a neoliberal economy in the region.

Their migration was directly connected to two political agreements with clear international labor and migration implications: the Immigration Reform and Control Act (IRCA) of 1986 and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996. These acts increased the numbers of Mexicans obtaining citizenship—who later became able to sponsor the migration of other family members—and also fostered undocumented migration until the increase of security and surveillance at the border after 9/11 in 2001 (Durand 2016; Martin 2003; Martin and Calvin 2010; Trigueros Legarreta 2015).[15]

Since no legal avenues were open for people without the social and economic resources to apply for work visas before migrating to the U.S, most came undocumented. Many paid large amounts of money for their passage, resulting in high levels of debt that placed them in coercive work situations. Two-thirds of the contractors interviewed traveled through informal avenues, using *coyotes*, *polleros*, and fake documents; in this process, they became indebted to cover the costs of border crossing, transportation, housing, and food. The other third of my interviewees—most of them women—arrived using formal migration avenues, such as family reunification programs or marriage green cards. In both cases, migrants lacked the resources to be economically autonomous in the U.S. or were coerced into hazardous living arrangements and low-paying jobs with all kinds of illegal labor practices. Their migration trajectories highlight this pattern of high debt and minimal autonomy in choosing where and how to work.

Muffat

[15] IRCA allowed about 2.7 million applications and IIRIRA increased the fees for applications, which, among other punishments, increased poverty by 125 percent among Mexican migrants. Legal petitioning for family members often takes up to 20 years in the case of Mexico.

Muffat is from a Mixtec community in Oaxaca, Mexico.[16] At ten, he, his father, and his older brother were recruited to work in agriculture near the border area. In 1986, when he was twelve, a Mexican-American contractor recruited them to work in the Willamette Valley. For the first four years, they lived in a small broken van parked at a farm and did not receive wages until their increasing debt caused by the transportation, food, clothes, utilities, and rent was completely paid out. They continued working in agriculture, after moving into better living conditions. Although Muffat's migration process was informal, years later, he formalized his migration status through IRCA's agricultural workers' program.[17] That was a matter of timing.

Salomon

Salomon[18] and his older brother migrated to Oregon in 1997 when he was 15. They dropped out of school in Guanajuato because they wanted to earn money. For a couple of years, their parents struggled with the small restaurant they owned and did not object to Salomon's migration project. They would usually receive vans and buses at the restaurant with workers on their way to the northern border, so they used these informal networks to arrive in the Willamette Valley and work at a farm with more people from the same hometown. Nevertheless, their journey resulted in considerable debt of 3,000 USD each.[19] Once in Oregon, they were housed in

[16] Muffat has been a contractor for 22 years, and now his wife, daughters, and son are his business partners. At the time of the interview, he had projects with about 21 farms, canneries, and nurseries and employed approximately 650 workers.

[17] His mother, sisters, a younger brother, and grandparents stayed in Oaxaca, dependent on the remittances the male migrants would send back. Muffat's youngest brother and other male relatives migrated to California and Oregon between 1996 and 2001 after becoming a contractor.

[18] Salomon has been a contractor for eleven years. He worked as a *mayordomo* for a contractor until he married his employer's daughter and started his own subcontracting company in 2007 using loans from family members and informal moneylenders. At the time of the interview, he had projects with about nine farms, canneries, and nurseries and employed approximately 300 workers.

[19] This is equivalent to 5,310 USD in 2022 after adjusting for inflation. Although in 2022, undocumented migrants have to pay between 10,000 and 15,000 USD to cross the border and get connected to an employer.

an old warehouse and were never allowed to leave the farm. The first two years, the employer retained their wages, charged them for housing and food, and threatened them with hurting their families in Mexico if they complained. After moving into better living conditions, Salomon kept working in agriculture and regularized his migration status through DACA after 2012.[20]

Karina

Karina migrated through transborder care chains within her kinship network in 1994.[21] She is from Puebla and had an aunt in California who asked for her to take care of two elderly relatives. Karina was 13 years old, and her aunt's job offer presented an excellent opportunity for her to drop out of school and make money for her and her family. Karina was provided with a cousin's documentation to cross the border, and her aunt used her undocumented status to manipulate her, to instigate fear, and retain her money. When the elderly relatives died in 2000, she regularized her migration status through IRCA's family reunification program and moved to Oregon with a cousin. She started working in agriculture when her oldest child was four years old, as she needed a second job with flexible schedules that she could negotiate.

Magdalena

[20] On 2012, the Department of Homeland Security announced that it would not enforce deportation of undocumented migrants who arrive to the U.S. as children. During Obama administration, this program received the name Deferral Action of Children Arrival and granted temporarily work permits and access to public services, similar to the migrants with permanent residency.

[21] Karina started her company in 2013. Before becoming a contractor, she worked as a farmworker and made extra money driving other workers back and forth between workplaces and home. Karina and her partner started the company using capital from formal and informal moneylenders. The company is under her name only because her partner is undocumented. At the time of the interview, she had projects with five farms and nurseries and employed around 55 workers.

Magdalena was 18 years old in 2001 when she arrived in Oregon from Michoacan with her eldest sister and a former boyfriend.[22] She dropped out of elementary school and started working for a small clothing shop her mother and grandmother owned. Magdalena and her sister migrated to the US to support the rest of the family. People in her community had been migrating to California and Oregon since the Bracero program, weaving the informal networks that Magdalena used to migrate without documents. Once in Salem, Oregon, she started working for a cleaning company owned by a *paisana* who provided housing in a small apartment with three other families. For about four years, they did not have free access to their wages and were forced to buy food and supplies from their employer. After paying their debt, they moved into the farm where her ex-boyfriend had worked since 2001, and Magdalena started working in agriculture full time. Although Magdalena's migration process was informal, she formalized her migration status in 2016 by marrying a permanent resident.

Pola

Pola is from Zacatecas and arrived in Willamette Valley in 2002 when she was 24, shortly before finishing college in Mexico.[23] Unlike most contractors, she was granted a marriage green card and migrated using the formal route. Her boyfriend at the time had been living in Oregon for twelve years already, and once married, they applied for her permanent residency.[24]

[22] Magdalena started her company in 2017 using loans from relatives and informal moneylenders shortly after receiving her first work permit. Other contractors and small farmers employ her to provide an additional labor force, namely during summers, when harvest increases the demand for workers. At the time of the interview, she only worked for one producer and employed around seven women workers.

[23] Pola started her company in 2014 using her and her current partner's savings, along with other loans from relatives and informal moneylenders. After getting divorced, she worked at a nursing home and as a farmworker, picking grapes and blueberries to earn extra money for her family in the summers. At the time of the interview, she had projects with six farms and employed around 32 workers.

[24] The process took about three years to finalize, and they spent around 5,000 USD on legal and application fees. Pola was not allowed to travel to the US until the green card was granted.

The application process was expensive, time-consuming, and emotionally exhausting. She was limited to low-paying jobs because the Oregon education system did not transfer her college credits from Mexico.[25] After getting divorced, she worked at a nursing home and in agriculture to gain more economic autonomy. For five years, her then ex-husband tried to maintain control over her income and mobility until she became legally allowed to divorce her green-card sponsor.[26]

Migration, Gender, and Labor Coercion

Men and women contractors left their home communities and settled in the Willamette Valley to improve their own and their families' economic well-being. Although these examples oversimplify the multiple forms of coercion that contractors experienced through their migration, they show that for most, this stage involved coercion through debt, through limited access to essential social and economic resources, and through limited mobility. Before commenting about the patterns among these cases, let us look at the patterns among women contractors, as they differ from men's migration experiences. While women used a variety of means to arrive in the U.S., most came undocumented. Their work situations, however, did not involve farm jobs but usually caring for relatives or others in their family and community networks who were in the U.S. Although care work was provided to relatives, it did not mitigate the possibilities for exploitation. In fact, kin obligations reinforced the pressure women feel to follow the directions of relatives. Unlike men's experiences, agriculture was not the entry job market for women contractors right after migrating to the U.S. They arrived in non-farm jobs that required skills considered the result of women's role in Mexico's gendered division of labor (Côté et al. 2015;

[25] Her English proficiency was also low.
[26] Her first husband would not let her drive or leave the house independently.

Curran and Saguy 2013; Hondagneu-Sotelo 1994; Hondagneu-Sotelo, Estrada, and Ramírez 2011; Loza 2016; Parrado and Flippen 2005; Pearce, Clifford, and Tandon 2011; Pedraza 1991; Riosmena and Liu 2019). Farm labor became a second and sporadic form of employment. Scholars have shown that agriculture is a common entry job market for women and men in the western United States (D'Aubeterre Buznego 2013). Nevertheless, among all the migrant women in agriculture I interviewed, only those whose first U.S. job was non-farm related managed to own a contracting company in the Willamette Valley.[27]

Most contractors in the valley migrated through the informal migration industry (coming as undocumented migrants and paying large sums to smugglers) and accumulated debt that set them in indebtedness and coercive labor conditions during the first years after arriving in Oregon. Employers—in some cases family members—retained and stole those wages, controlled their mobility, and forced them to pay for essential supplies, including food, rent, and utilities. Regularizing migration status is a requirement to start a formal business, making it highly unlikely to find formal contractors that are still undocumented.[28] However, as Pola's experience exemplifies for men and women, their application process was expensive, time-consuming, and emotionally exhausting, both affecting their well-being and increasing their economic vulnerabilities. Women contractors with permanent residency upon migration faced other patriarchal constraints in Oregon, as the legal process legitimized their green-card sponsors to claim control over their income and mobility.[29]

[27] This pattern may suggest that migrant women whose first U.S. job was in agriculture faced more struggles to start a formal contracting business, but there is a need for further research to confirm these suggestions.
[28] There are undocumented contractors who use a family member with a green card or citizenship as a front to open a formal company.
[29] In addition to Pola, three more women contractors shared similar experiences, and other interviewees shared more cases from their friendship and kin networks. Half of the cases were not sponsored by partners but by other family members who also exerted similar forms of control.

This pattern of coercing people of color into precarious labor and living conditions is not new. Different forms of coercion have been used throughout the history of the U.S. to control racialized wage workers, including debt as one of the most common. For example, through a debt peonage system in the 19th century, Black sharecroppers were granted farmland and credits with very high-interest rates to cover basic living and production expenses. Hence, sharecroppers became tied through debt to the institutions that gave them the credit (Du Bois 1896; Glenn 2010). Like debt peonage, Mexicans' migration experiences before becoming contractors show that they were coerced into indebtedness with employers, relatives, and spouses, creating long-lasting economic and legal vulnerabilities that, as I will discuss, forced them to provide cheap and flexible labor for many more years. Research (Anderson 2010; Armano, Bove, and Murgia 2017; Baey and Yeoh 2015; Gago 2017; Mezzadra 2012; Mezzadra and Neilson 2013; Walia 2021) has shown that nowadays, precarious jobs devalue migrants' labor and increase economic vulnerability as people survive a new context, pay back debts, send remittances, and experience some upward social mobility.[30] For Oregon FLCs, the increase of debt and coercion during the migration process were critical factors that increased future economic obstacles to starting a contracting company. Nevertheless, following Silvia Federici (Federici 2020), it is crucial to understand indebtedness in the migration process as a form of coercion and as a material result of the increasing impoverishment NAFTA fostered in Mexico (Saxton 2021; Stephen 2007; Walia 2021).

[30] This same pattern is true for migrant farmworkers in Mexico (Velasco Ortiz and Contreras Montellano 2011).

Stage Two: Informal Training in Precarious Labor

The second stage that reproduces precarious conditions in contractors' trajectories is the informal training in business and management they received through their migration and labor experiences, which cultivated their initial idea of becoming contractors. All interviewed FLCs shared that their primary reason for starting a company was to experience upward social mobility and to acquire some economic stability and job security. The narrative of Romeo, a 39-year-old male contractor, is particularly representative of contractors' experience:

> I've worked in meat packing, I've been supervisor in a cannery, I was a *mayordomo* for years. But none of this position gave me enough money. You normally get paid few dollars more than the rest of workers and it was not enough to escape from poverty and not even enough for the amount of work … I knew one contractor was making about 70,000 a year … It's about what I make now, not much, but it is better than 30 the most. I have 3 teenagers that get more expensive day by day.

Romeo commented that he tried multiple farm jobs and positions, including supervising positions, looking to earn more money to escape from poverty. Throughout his labor trajectory, he became aware that most jobs in agriculture were not paying enough for the supervising work he was providing. In those supervising positions he was making around 30,000 USD after taxes a year, which did not represent stability for a family of four.[31] Other contractors shared similar experiences, and some added that because these jobs lacked security and benefits, they had to work more hours than farmworkers, and during the harvest season they were still making more money harvesting.

For most interviewees, their employers played an important role in raising the entrepreneurial idea of becoming a contractor, both implicitly and explicitly. They started toying with the idea after an employer or grower asked if they could recruit more workers or suggested starting a formal subcontracting company. For example, Venancio, a 44-year-old male

[31] His wife passed away shortly after giving birth to their third child.

contractor, commented that when he was a farmworker his employer "kept making jokes about me being everyone's boss and finally thought that I should do it for real." Others, like Donatello, mentioned that the original idea came more explicitly: "The owners told me they liked my way of working with people and wanted me to be their formal contractor." Migrants experienced these forms of encouragement when they lived marginalized and in poverty and without access to other forms of professional training. That encouragement fostered transitions to an entrepreneurial path. This is a kind of internalization of the social context, something that Bourdieu (Bourdieu 2000) referred to as a desire to participate in a field, to be interested, and to respect the field's rules that is acquired by internalization of dynamics and the accumulation of capital at stake in the field. In the case of Oregon's contractors, their entrepreneurial project developed as they acquired necessary resources, but growers played an important role by presenting them with the possibility of escaping poverty and precariousness in an industry where any other job position only promises more poverty and precariousness.

Most of the interviewees held precarious supervising jobs in agriculture, where they acquired entrepreneurial and managerial skills and the social networks to start working as contractors. These jobs were usually field managers or first-line supervisors tasked, in addition to farm labor, with disciplining workers, providing daily instructions, surveilling and collecting information, keeping track of punch cards and lunch breaks, rearranging workers in the workplace, and managing communication between growers and workers.[32] Abelina, a 33-year-old woman contractor, mentioned that she used to be asked to supervise her crew as a farmworker: "I asked that they give me all the information and explain to me why things are done in a certain way. Why one irrigation method is better than others, for example. Why a

[32] Unlike contractors, these managerial positions do not have enough autonomy to negotiate with growers or establish labor arrangements, such as work schedules, payroll, wages, crew size, and weekly goals.

certain fertilizer and not another one."[33] Her words exemplify how farmworkers in supervising positions in agriculture develop their managerial skills through informal and unsystematized training. Aside from these supervising positions, some of those who had access to driver's licenses in Oregon or California also earned extra money as *polleros* or *raiteros* from the transportation and circulation of migrant workers.

These supervisory positions were still organized around precariousness and informality as low-paying jobs that reproduce unfair labor practices without labor rights, benefits, health insurance, or formal contracts. Instead, they establish informal contracts (Gago 2017) through verbal agreements unregulated by formal legality. For this reason, occupying these positions before being contractors represented a form of upward social mobility but also a reproduction of precariousness that differentially impacted how women and men started their companies.

Most male contractors began as *mayordomos*, a type of first-line supervisor that embodies different forms of unfair labor practices and precariousness in the agricultural industry, before becoming entrepreneurs. *Mayordomos* are the most experienced and skilled male workers in a crew and are assigned to discipline other workers, earning 15 to 20 percent more in wages than the rest of the crew. When interviewees occupied this position, they never received or signed a contract detailing their new legal benefits and responsibilities. Additionally, while undocumented, some held this position in indentured servitude conditions on their employers' farms and were expected to provide managerial and farm labor amounting on average to 19 or 20 hours each day, every day, while paying debts to their coyotes.

[33] Abelina started her outsourcing business to gain more financial autonomy after divorcing her first husband. She lives with her two children (born in Oregon) and her current partner, an undocumented immigrant from Guatemala who works at a brewery.

My data also show that although women farmworkers supervise crews and manage fields full time, they are systematically denied the title of *mayordomas* and more importantly the additional 15 to 20 percent wage (like their male counterparts). As one of the women mentioned, "They never paid me more, but I was the one providing all the instructions to the rest of the workers." This exemplifies a constant pattern of unpaid managerial labor from women farmworkers. All interviewees, without exception, mentioned having never met a *mayordoma*. This informal work organization increases the economic vulnerabilities they face daily and echoes other studies (Acker 1990; Brody, Rubin, and Maume 2014; Preibisch and Grez 2010; Srivastava and Sherman 2015; Stainback, Kleiner, and Skaggs 2016; Stainback and Kwon 2012) showing that women's managerial and agricultural work is systematically devalued.

In addition to labor experiences prior to their work as contractors, it is crucial to look at migration trajectories in understanding precarity. Carole, a 53-year-old woman contractor, commented on how her immigration experience through informal networks informed her work as a contractor:

> My first workers didn't leave me because I always made sure they had everything, cold water, and if someone did not bring lunch, I would send them something immediately. I will never forget that when I crossed that border for the last time, I did it thanks to food, water, and the support of the people with whom I traveled.

This reinterpretation of her migration experience shows that she developed managerial skills for her work as a contractor based on her experience crossing the border.[34] Because she faced extreme weather conditions while crossing, Carole makes sure that her workers have, at least, the minimum to survive during long working days under severe heat, rain, and wildfire conditions. Other contractors shared similar processes by which crossing the border shaped their treatment of their workers in securing their basic survival.

[34] In Chapter 4 I will discuss contractors' strategies to maintain coercion among workers.

In addition to managerial skills, contractors also acquire business connections in migration experiences to develop a distribution network of farmworkers. Echoing Carole's words, Nicholas, a 56-year-old male contractor, shared how his immigration experience shaped his process of becoming a contractor after I asked about the differences between Mexican-born contractors and Mexican-Americans:

> I think the difference is our own migration. We have traveled places and lived things that they (Mexican-American) have not. They were born here, but (migrant) workers and we understand each other better. Look, I used to travel to California a lot for workers. Many still arrive the same way I did, so I would only go to the same place where I had arrived. Like twice a month, at least one. I also traveled a few more times to Mexico (without documents) and asked about the safest and fastest routes, the costs, the times. It takes time and money.

Nicholas adds that from his own immigration process, he learned about places and informal strategic networks that now allow him to recruit, transport, and manage workers as a contractor. Until a few years ago, he traveled to recruit workers to the same place in California where he was once first recruited as an undocumented migrant years ago. With his travels north and south of the border, Nicholas kept his information up to date as a strategic investment for him in his business, as he kept paying smugglers to cross each time in both directions. This type of knowledge is the product of his experiences migrating through informal networks of the migration industry (Griffith 2016; Hagan, Hernandez-Leon, and Demonsant 2015). These experiences help him design strategies that can only work in the same borderland context between informality and formality.

Interviewed contractors shared different migration experiences that shaped how they started their companies. Their words suggest that, in the present agriculture subcontracting system, experiences gained in the migration process are essential for the recruitment, transportation, and management of migrant workers. Their narratives resonate with experiences

described in studies like *The Skills of the Unskilled* (Hagan et al. 2015), which analyzes how migrants develop skills from their migration processes and experiences in the formal and informal economies in the U.S. The authors demonstrate that low-paying jobs depend on the devalued labor that skilled migrants produce. Likewise, FLCs transformed life experiences into skills for economic integration in the US informal and formal economies as entrepreneurs and managers, but usually in a context of precarity and connectedness to their own migration experiences.

Stage Three: Formalizing Flexible Labor

The third stage that reproduces precarious labor in starting a subcontracting company is the formalization process. All the contractors interviewed who own a formal company started from the informal economy. For this reason, they acquired financing, labor, and entrepreneurial practices through informal mechanisms and networks. However, in the present agriculture subcontracting system of the Willamette Valley, four factors prevent informal contractors from operating in the market and long term. First, the Migrant and Seasonal Agricultural Workers Protection Act (AWPA/MSPA) of 1983[35] established that all farm labor contractors in country must be registered and licensed in order to recruit, transport and manage farm workers. Although the lack of enforcement has allowed contractors to operate informally, this labor regulation created the institutional means to formalize subcontracting companies in agriculture. Second, unlicensed and informal contractors do not represent a real benefit for growers, as the latter look for formal ways to outsource the risks and costs of employing farmworkers. Third, migrant

[35] This Act replaced the Farm Labor Registration Act of 1964 and 1974. AWPA requires agricultural employers to secure certificate from the Department of Labor before operating, provide insured transportation and housing that meet safety and health standards, written proof of wages.hours and compensations, and maintain written payroll records.

contractors were trained within interwoven networks in the informal economy and retained these practices and connections after formalizing their companies, making them more complex and better prepared for the market as they work across formality and informality. Fourth, farmworkers avoid working for informal contractors in searching for more stable labor arrangements and consistent income. For these three reasons, informal subcontracting companies are destined to disappear either under the formalization or closure of operations: they cannot absorb the legal responsibility for the exploitation of workers, their operations are minimal since they only work on the informal side of the economy, and they pose a greater risk to farmworkers.

The formalization of subcontracting companies is not specific to the Willamette Valley. Studies of subcontracting labor and migrant workers highlight a worldwide increase in formal contracting companies as an indicator of the institutionalization and normalization of flexible labor. A wide range of authors (see Barrientos 2013, Hernández-León 2020, Hondagneu-Sotelo et al. 2011, Kilkey et al. 2013, Rosales 2014, Saldaña 2016, Zlolniski 2006, 2016, 2019, Rosales 2010, Delgado Wise 2015) explain that the formalization of contracting business reproduces precarious labor by institutionalizing temporary jobs that lack labor benefits and rights and by employing a sector of the worldwide working class that does not have employment stability. Temporary employers reproduce precariousness in workers, but there are still gaps to fill concerning how the formalization process in the agricultural industry reproduces precarious management and financial vulnerabilities among contractors.

The bureaucratic process of becoming a formally licensed and registered contractor also affects the economic vulnerabilities of those who already accumulated debts from years living as undocumented migrants and working without a living wage and without labor or social benefits. Most who become contractors take time from their jobs, reduce their income, and take on more

debt to pay for their application. Obtaining a commercial farm labor contractor license means meeting the requirements established by the Bureau of Labor and Industry (BOLI) and the Internal Revenue Service (IRS), and once they begin to employ workers, following the regulations established by Occupational Health and Safety Administration (OSHA). This process requires an application fee of 150 USD (2019), a financial responsibility bond of 30,000 USD if the business employs more than 21 workers, and proof of car and workers' insurance if the contractor license includes transportation. Both BOLI staff and contractors mentioned that the bureaucratic application represents an additional challenge since most of the applicants have little experience navigating public institutions in the U.S. In addition, some have low English proficiency and formal Spanish on translated applications is also strange to them. As a result, it has become common for a proportion of applicants to make mistakes in the initial process causing the revocation of the license. Most of the interviewees made mistakes at least twice: they had to pay the application fees again and reinvest time on nights and weekends to fill out the documents. Some of the interviewees commented that they hired banking and insurance companies, which charge between 1,500 USD and 5,000 USD, to complete the licensing process.

Stage Four: Financing

The fourth stage is the initial financing of their companies. Different studies of migrant entrepreneurs ((Portes 1995; Zarrugh 2007)) identify indebtedness through loans or credits as common processes in acquiring primary resources and starting a business. Willamette Valley contractors are not exempt from this pattern since the conditions of poverty and precariousness that have marked their migration and labor trajectories make it challenging to accumulate capital

before opening their subcontracting companies.[36] Who is interested in financing these migrants? Who has access to financing? In what way does the financing process reproduce precariousness? These secondary questions guide us through this fourth stage in the trajectory of becoming a contractor.

Most FLCs borrowed initial capital from friends, family, or small co-ethnic moneylenders to acquire essential supplies, such as a sanitary unit, a water station, and a van.[37] However, they sought more stable forms of financing as producers requested both more workers and a formal company to absorb the legal responsibility of hiring migrant labor. Interviewees mentioned some common expenses—higher than what their family finances could bear—leading them to acquire more debt: office rent or the cost of making one at home, office equipment, designing and printing business material, material to recruit workers, printing all the informative material required by OSHA and the BOLI, an ID printer, punch cards, work tools, and above all, robust savings in bank accounts with good cash flow for writing checks.[38] As previously mentioned, debt was used to keep contractors working in hyper-precarious conditions and unfree-wage labor during their first years in the U.S. Now a different kind of debt, business financing debt, institutionalizes and formalizes the precariousness of the managerial and entrepreneurial work contractors perform in agriculture.

My data show two general patterns for how FLCs get into debt to finance companies, and in both cases, debt is used as a coercion mechanism. In the first one, FLCs find financing capital

[36] Interviewed FLCs stated that their companies from 2008 onward earned an average of 22 and 25,000 USD a year.
[37] The literature on ethnic enclaves (Pessar 1995; Portes 1985; Portes and Rumbaut 2014) has already mentioned that migrants tend to resort to kin and friendship networks and to co-ethnic credit unions to request first loans. These general patterns are reflected in the first loans that contractors take out to start their companies from the informal sector.
[38] As I will discuss later, growers pay contractors under unpredictable schedules. Therefore, they outsource the legal reasonability of paying on time, because contractors, as actual employers of the labor force, become the ones to punish when late payments happen.

on their own from formal institutions such as banks, insurance companies, and moneylenders, or from informal sources like family members, *paisanos*, and informal money lenders. In the second pattern, contractors are financed by an employer, which is an offer that only men receive.[39]

Most FLCs go into debt independently and not through their employer. Vladimir commented on his sources to cover the initial unexpected and increasing expenses: "I found a moneylender in Salem a bit expensive … banks don't believe in me and were barely lending me any money. I still had to buy the ID printer because here, all the farms asked me for it before getting started. My family couldn't lend me more money." He had already reached the limit that his family and a formal financial institution could provide, so he turned to a moneylender to cover the remaining expenses necessary to start working as a contractor on farms in his area. His narrative exemplifies how contractors struggle to find enough funding and therefore increase their indebtedness with relatives and moneylenders who charge higher interest.[40] All interviewed contractors faced obstacles and high interest rates for loans and credit from formal financial institutions as they lacked savings and had a long history of unpaid debt. This prompts them to seek financing from formal and informal moneylenders that charge even higher interest and carry more risk than banks. This is not an isolated process, as research has shown that migrant entrepreneurs generally face more obstacles in finding funds to start a business in agriculture

[39] Echoing feminist scholars (Federici 2020; Gago 2017), interviewees show that indebtedness is a gendered process that impacts women and men differently. Unlike male contractors, interviewed women contractors did not have access to funding and training provided by an employer to cover initial expenses, despite holding managerial positions in farms, nurseries, and canneries.

[40] In addition to Vladimir's narrative, during my on-site observations, a crew of farmworkers shared the experience of a FLC in their kinship network. This contractor had been getting loans from informal moneylenders to start the formal company, as formal institutions denied more credit due to his unpaid loans. Nevertheless, after two years with barely few projects with producers, the contractor closed his business and returned to Mexico to avoid penalties from having unpaid debts with the lender, unpaid wages to workers, unpaid fees to the state for missing BOLI's requirements, and unpaid taxes. This example shows that the lack of access to formal financial institutions pushes contractors to look for lenders with higher risk and interest.

(Portes and Rumbaut 2014; Zarrugh 2007). Additionally, this process creates more debt ties between contractors and different financing capital; contractors pay interest not to one institution but to a network of formal and informal institutions, which increases their economic vulnerability and precarity in their managerial work.

In the second pattern, FLCs go into debt through an employer. Aureliano is a 29-year-old male contractor, and his experience provides an example. He worked as a *mayordomo* for six years at a farm in the Willamette Valley. Unlike previous jobs, at this farm he received some labor benefits such as yearly bonuses and contribute to medical expenses, including his family's medicines and dental and eye bills. Once he obtained his green card, the farmer convinced him to get his own contractor's license and provided him with the money to cover all the initial expense and training to complete the application process:

> [The farmer] has enough acres and occupies a good amount of labor, and wanted me to bring more reliable people, so he would always ask if I had the green card yet and would tell me to study the (FLC) handbook carefully. So, by the time my green card arrived, I already had some projects and business plans with him. We did the paperwork and everything in a couple of months … With his money ... I bought everything and another van that my brother uses to drive workers ... I brought the best workers from all the valley, that is why [the farmer] appreciates me, because I make money for him. Because of him, I get invited to the winemaker's events ... I paid him back in three years, and he's been my bank guarantee.

After obtaining the green card, Aureliano was offered and financed to become a formal contractor instead of being offered a wage increase, stability, or more benefits.

He recognized that the producer provided the economic capital for the company because it was a profitable strategy. The initial loan was used for the license application, tools, sanitary units, and office equipment without resorting to other financial institutions. Once he started his contracting company, he benefited from his employer's social capital to expand his market, as his subcontracting company was recommended to other producers in the valley and Washington

state. The farmer, too, benefited: Aureliano was able to recruit and manage even more farmworkers and be legally responsible for their employment—and the farmer stopped paying his bonus and medical bills. Finally, formal financial institutions also benefit, as they profit from the interest for which the farmer has performed as backup capital.

Like Aureliano, other undocumented migrants[41] in trusted positions were financed and trained by their employers to start a formal contracting company while regularizing their migration status.[42] In these cases, interviewees indicated that acquiring a work permit was also profitable for the employers. It is a shared investment. Nevertheless, my data also showed that when it is not profitable for employers, they create more hindrances for still undocumented *mayordomos* who want to regularize their migration status. "The boss is not helping us, he doesn't want us to get our papers because we could leave and work somewhere else, he says," said Felipe, an undocumented *mayordomo,* showing that his employer exerts power over his legal status since, as a permanent resident, he might leave and work for a different employer. These patterns suggest that when trusted undocumented workers regularized their migration status, they gained more autonomy as their employers lost control over their labor.[43] For this reason, I argue that by imposing debt in financing a contracting company, employers retain control over less coerced managerial labor and institutionalized flexible labor in the valley.

[41] Interviewees mentioned that this process is not a general pattern for all contractors but is still quite usual. Farmworkers, contractors, advocates, and BOLI workers mentioned knowing different contractors who started the same way. Along with Aureliano, six more male contractors shared a similar process, where they became indebted with previous employers for a few years to start their subcontracting companies. Augustus, for example, did not live in conditions of indentured servitude at his employer's farm, but his employer had been lending him money for the legal fees to regularize his migration status. He also received more loans and support to start the company with more credit from formal moneylenders.

[42] Aureliano was already in the process of obtaining his green card when he moved to the farm.

[43] Reinforcing this pattern, all contractors who were undocumented migrants mentioned having experienced obstacles from previous employers to regularizing their legal status.

Contractors' experiences suggest that indebtedness in financing their formal business was a mechanism that institutionalized precarious labor in Oregon agriculture because it creates formal coercive links with financial and state institutions to establish long-term subcontracting companies that provide flexible farm managerial labor. Echoing early capitalist coercion mechanisms like debt peonage, migrant contractors from the Willamette Valley entered into more complex debt processes that tied them to a variety of formal financial institutions and informal lenders, instead of a single employer or green-card sponsors.

The financing process of formal agriculture subcontracting companies helps us understand that this employment form generates profit for growers, and banks, insurance companies, and formal and informal moneylenders. In volume three of Capital, Marx (Marx 1990) makes a distinction between primary and secondary exploitation to analyze the capitalist accumulation process, noting that the former is characterized by the extraction of surplus value produced by workers, and the latter refers to an accumulation of profit based on the collection of interest or income outside the production process. In the context of Oregon's agricultural subcontracting sector, farm labor contractors benefit from the primary exploitation of farmworkers in the farms, nurseries, and canneries, whereas formal and informal financial institutions create profit from the secondary exploitation of the labor force after capitalizing subcontracting business. This distinction helps us understand how the formal outsourcing of farm labor is reproduced and maintained in the Oregon industry. Although it is crucial to identify secondary exploitation in the initial financing of subcontracting companies, it is not limited to this initial debt. On the contrary, it continues to the extent that formal companies exploit workers efficiently in the valley.

Stage Five: Struggling to Survive in the Market

To better understand how precarious conditions are reproduced in the trajectories of becoming contractors, I focus here on the strategies they use to overcome the obstacles faced in the first three years.[44] For many of them, these obstacles forced them to lose their licenses and close their companies. Understanding these processes illuminates both the choices that people in similar labor and migration situations might ponder and the economic forms that rely on coerced labor. There are three categories within the diversity of obstacles that contractors shared in their narratives: entrepreneurial skills, late payments, and care work. In this section, I will focus on the narratives of women contractors because they exemplify the processes that affect women and men in the subcontracting sector.

The first group of obstacles is characterized by both the lack of English proficiency and entrepreneurial skills to negotiate contracts with producers, study financing options, meet IRS requirements, and manage company accounts. Most contractors mentioned the lack of this knowledge and not having time to learn, putting their companies in jeopardy during the first few years. For example, Carole did not finish formal elementary education, and she mentioned: "I taught myself with my children's books how to do math because I didn't know anything. Imagine how the taxes went the first year. I did them all wrong." She overcame the systematic lack of access to formal education that she faced by using her children's books as a pedagogical resource and learned on her own how to keep track of her company's accounting during the first year of operation. Abelina commented that she "learned on the internet, watching videos on YouTube. I tried to study every night, from 9 to 11 pm" how to use Excel to be in charge of the accounting. Additionally, Pola added that, although she had access to college education, "poor

[44] I selected a three-year period as a reference based on previous research questionnaires on related topics (Stephen 2007).

English and the lack of knowledge about accounting and taxes in the US," she said, presented with more challenges than managing workers. She "found Facebook groups with more Hispanic women to practice English. One friend from the group told me about the accounting software that I use."[45] She shows that she used social media to weave a support network of more Hispanic women to confront these obstacles. Her narratives exemplify the situation of valley contractors, as most have faced a systematic lack of access to formal education, and during their first years as contractors, they have to learn the skills necessary to run a formal business.

The second obstacle is characterized by delayed payments from growers to contractors, which, according to the interviewees,[46] is a common practice in the valley agriculture industry. On the one hand, growers are "consistently inconsistent" about paying farm labor contractors the agreed amounts in the agreed period.[47] On the other hand, to start working with their first producers, contractors are expected to charge at the end of the project to incentivize growers to hire new contractors.[48] Delayed payments force contractors to seek more credit and loans from formal and informal financial institutions to cover wages and other costs until they complete the project. Silvia, a 35-year-old woman contractor, talked about how systematic late payments from growers worsened her family's financial situation during the first two years.

> I still owe money everywhere. I owed the truck and the insurance, and now add workers' salaries, gasoline, lunches, tools ... and it took them almost a year to pay me everything. That is why the second year we were worse: some workers no longer wanted to work with me, for not paying on time; see that you are losing workers, and they give you less work.[49]

[45] Pola's narrative is related to the experiences of other migrant women who have established their economic autonomy through women's support networks (Flores-Yeffal 2013; Menjívar 1997).
[46] This includes contractors, advocates, and producers.
[47] The timeframe for this work is very wide. Agricultural projects such as transplantations may take one or two weeks, whereas trimming or harvest may take one to three months. For precise data, see OSU enumeration studies (Mallory 2018)
[48] Contractors referred to this practice as a double-edged sword, mentioning examples of how they applied this strategy to avoid being replaced by other contractors looking for the same projects.
[49] According to BOLI data, Silvia stopped renewing her license in 2020.

Silvia mentions that this practice increased her economic vulnerability since it increased her debts and affected her reputation among both workers and growers.[50] At the beginning of her second year, she had more debt, fewer workers, and fewer agricultural projects.

Echoing Silvia's narrative, Abelina shared her methods of surviving this practice and remain in the market of contractors.

> The trick was to charge almost nothing and work with one crew only. This way, when they paid at the end of the project or when they didn't pay me on time, I knew I could still pay my workers with another loan. And at the end of the year, I had my funds and my account ready to renew the license without any problem.

The "trick," said Silvia, was first to reduce the cost–devalue–her managerial work to encourage growers to hire her; and second, she only recruited a minimum number of workers throughout the year, knowing that she needed to ask for loans in order to pay their wages on time. Through this method, she could complete her first projects, pay wages on time and avoid worker complaints, meet BOLI's requirements to renew the license, and remain in the market. Like Silvia, all contractors mentioned depended on more loans and credit from informal and formal moneylenders to remain in the market during the first years due to systematic delayed payments. They were constantly negotiating new credit to pay ongoing debts.

Finally, the third obstacle women contractors in particular face in starting their companies is continuing to perform household labor and needing additional unpaid labor to make their enterprise function. This is an obstacle that most contractors face as their income averages 60 to 80,000 USD a year, for families that still have to pay for labor benefits they do not get, like health insurance, out of pocket. These rates of family income make it hard for many of them to hire accountants or administrative workers. As is the case with many migrants' small family

[50] The former looked for other employers since she was slow to pay wages and was no longer a reliable source of income. The latter interpreted their lack of capacity to retain workers as a reliable source of labor exploitation.

businesses (Portes and Rumbaut 2014; Webb et al. 2009; Zarrugh 2007), agriculture subcontracting companies are organized based on the gendered division of labor within the household and depend on the unpaid work that children and partners can provide. This way, Oregon's agriculture subcontracting system shapes the dynamics of social reproduction within contractors' family structures. Pola mentioned that when she began to be a contractor, she "did not stop being the only woman in the house, whom no one helps with anything in the house," showing that patriarchal structures organize the division of labor in her home: on top of her jobs, she does all the housework and cares for her children and partner.

In addition to Pola's experience, Karina shows how the dynamics of household labor within her family were coupled with managerial practices to ensure the company's survival during the first couple of years.

> Things became easier for me when I learned to coordinate the two of them. My children woke up at 4:30 am to call the *raiteros.* Since they spent hours on the phone, I gave them that task … and my children helped me make sandwiches for workers, and we saved food for the whole weekend. They even told me that they preferred when I cooked for the workers because food was yummier.

Karina shared the strategies she developed to start a subcontracting company and the difficulties other contractors face while providing care for their families. Her children began to wake up early in the morning with the managerial goal of waking up the drivers who pick up the workers. In addition, she highlights that by making sure her company survived in the market the first couple of years, her managerial strategies (making food for workers) became deeply part of her family's eating habits and tastes, embodying precarious labor through the daily social reproduction dynamics at home (Bourdieu 1984). It is a sign of precarity that a contractor prepares food as a managerial strategy. Like Karina, all interviewed FLCs mentioned how fundamental it was to incorporate her domestic work into her contracting job. It was only

possible for her to be a contractor to the extent that her older children could adapt their time or do some work for the subcontracting business. Their experiences, on the one hand, show that the subcontracting system in Oregon's agriculture reproduces conditions of precarity within contractors' families in their attempt to survive during the first years in the market. On the other hand, they suggest that FLCs failed to adapt their social reproduction dynamics at home into subcontracting business management and schedules.

Reaffirming this point, Lorena, a former contractor, mentioned that leaving the subcontracting company her husband started before his death was an act of independence from the agricultural industry's exploitation:

> The only thing we've done all our lives is work in the fields. And I understand that my husband wanted his children to have the business, but it is a lot of work for everyone. My children and I want to be free from agriculture, do you understand me? And being a contractor consumes you, all day and all night. I want my children to finish high school ... We want to have a different life.

Lorena's narrative reaffirms that contractors' work blurs the borders between agricultural work and care at home, allowing the agriculture industry to control all aspects of her and her children's daily lives. Her justification for shutting down the company is not about a person who failed as an entrepreneur and could not continue with her subcontracting company. On the contrary, it is the story of a woman who decided to stop giving her and her children's lives to the precariousness that outsourcing reproduces in Oregon's agriculture industry. She showed that behind the proportionally fewer numbers of women contractors in the valley, there are stories of resistance against the precariousness that is reproduced both in the managerial and farm labor of the agriculture industry.

Conclusions

Although migrants experienced an improvement in their working and living conditions while becoming contractors, these continue to be characterized by debt, coercion, lack of labor benefits, and job insecurity. For this reason, contractors as entrepreneurs and employers could only reproduce more precarious conditions among their future employees.

One of the main elements that allowed migrant farmworkers to start an entrepreneurial path as contractors was access to work permits, which is not a homogeneous process for everyone. Migrants who arrived in the US undocumented had to wait for many years and faced more barriers and more debt to access this legal resource. Those who arrived through the formal routes also encountered extreme expenses and waited for many years before they could obtain work permits. In both cases, migrants faced forms of coercion and poverty that forced them to accept precarious conditions and offer their work at low costs and greater flexibility. Their trajectories echo the experiences of migrant workers in other industries (Armano et al. 2017; Flores-Gonzalez et al. 2013; Mezzadra and Neilson 2013; Walia 2021), showing how different economic sectors systematically benefit more from migrants' labor power than from citizens, as the former are pressured to accept more exploitation and coercion than the latter.

However, having work permits does not guarantee a path to becoming FLCs. In most cases, the entrepreneurial idea came from the growers they worked with before. They found a benefit in these migrants meeting the formal requirements to recruit, transport, and manage workers without hiring them as full-time managers. The costs and time of this formalization process are the main obstacles that prevent most migrant farmworkers from becoming contractors even if they want to. Many of those who try, acquire more outstanding debts and end up closing their companies during the first three years. They could not meet the necessary expenses to buy equipment or guarantee transportation and wages for workers.

Furthermore, the lack of economic resources to hire staff forced many FLCs to depend on the unpaid administrative work of the whole family. As the experiences of women contractors show, this factor made family members adapt to the labor dynamics involved in managing farmworkers. For this reason, having a subcontracting company did not represent greater upward social mobility. Their experiences help us understand part of the reasons behind the low number of women contractors in the state. Following Gago and Mezzadra (Gago 2017; Mezzadra and Neilson 2013), we would say that the domestic care work women provide for their families multiplied by the managerial work they perform as contractors without proportionally increasing their family income.

CHAPTER III
REGIONAL CONTROL: LABOR FORCE COMPETITION AMONG FARM LABOR CONTRACTORS

This chapter asks how farm labor contractors compete for the control of farm labor and workplaces: how do they control and distribute farmworkers across the Willamette Valley? How do their regional control strategies reproduce precarious labor conditions? I argue first that contractors reproduce precarious labor conditions through their strategies to establish regional control over farmworkers' transportation, workplace location, and access to jobs. Second, I argue that the competition for the regional control of farmworkers only intensifies the precarity that already defines agricultural jobs in the valley. To elucidate the connections between contractors' regional control and farmworkers' precarious labor conditions, I divide contractors' strategies into three analytical categories: regional recruitment, regional competition, and regional surveillance.

Most studies of precarious jobs and agriculture (Holmes and Bourgois 2013; Jimenez-Sifuentez 2016; Loza 2016; Maldonado 2006; Saxton 2021; Zlolniski 2019) center on forms of labor control in the workplace. Nevertheless, in order to reach a comprehensive analysis of the ways in which FLCs reproduce precarious conditions, we must pay attention to the individual and cooperative strategies they use to control workers in the region, outside the workplace. The necessity of this regional control comes from the forms of incentive that regulate the subcontracting market. Contractors make profit from the number of hours worked by each farmworker they recruit and supervise ((Jimenez-Sifuentez 2016; LeRoy 1998; Martin 2003; Zlolniski 2019)!), but as some studies (Mallory 2018) and my interviewees have shown, the number of workers available in the state is insufficient for what the agricultural low-paying jobs demand. Under conditions of labor shortage, this incentive makes contractors compete for the

labor force and for workplaces to put that labor force to work. In the next sections of this chapter, I analyze the different ways in which contractors establish control over the labor force in the region.

I first provide a brief profile of the FLC regional market using data from public surveys and my own interviews. In the second section of this chapter, I focus on *regional recruitment*, where I discuss five elements in the recruitment process for most contractors in the valley, a process that prevents other employers from recruiting the same labor force. I also highlight the ways in which these elements in the recruitment process create precarious labor conditions for workers. I continue with an account of *regional competition*: I analyze two strategies that contractors develop to compete against other contractors for both agricultural projects with growers and for workers. The fourth section of this chapter focuses on *regional access to income*. I discuss the how contractors use ID cards and paychecks to establish regional control over the labor force, and examine the negative effects that these strategies have on farmworkers.

Profile of the Farm Labor Contractors' Market

In this section, I use both data from my ethnographic research and from surveys conducted by other scholars and institutions to provide a general picture of the subcontracting market, including the size of the labor force, and the workplaces where they control the workforce. Let us begin with the monetary incentives that regulates this market. According to my interviews and data from the Quarterly Census of Employment and Wages,[51] between 2017 and 2020, FLCs were paid between 15 and 18 USD per hour per worker. From this amount,

[51] Bureau of Labor and Statistics. Geographic Cross-Sectional Tables: All Counties, One Industry for NAICS 111 and NAICS 1151.

contractors retained between 2 and 5 USD for their managerial work, equipment, and the rest of expenses involved in the recruitment, transportation, and management of workers.[52]

During the same period, FLCs represented around 15 percent of all farm employers in the state of Oregon, of which 65 percent were located in the nine counties that make up the Willamette Valley.[53] According to various surveys, we can expect FLCs to employ at least 36 percent of the farmworkers in the valley.[54] However, key interviewees estimated that about two thirds of the labor force work for contractors, as either primary jobs or side jobs for a few hours throughout the year, involved workers who, on top of their primary jobs, worked a few hours picking berries during the summers.[55] Therefore, somewhere between 36 percent and 70 percent of farmworkers are employed by these third-party employers throughout the year. BOLI agents, advocates, contractors, and farmworkers mentioned three processes that hindered data collection in making sense of the range between these two different estimates. First, the most common reason is that census surveys do not manage to capture seasonal farmworkers who travel along the west coast throughout the year looking for jobs. Furthermore, surveying undocumented migrants presents additional challenges in any industry. Second, FLCs do not formally register some of their workers as employees, particularly those who are minors or lack work permits. Third, interviewees also noted that in some cases, farmworkers do not know whether they work for contractors or directly for the farm, especially when they are recruited out of Oregon, creating misinformation when surveys are taken. Additionally, many farmworkers mentioned

[52] For instance, contractors that employed 50 farmworkers for a total of 40 hours in one week, made an approximate 6,000 USD after paying workers and before taxes to pay for their business and living expenses.
[53] This includes the counties of Lane, Benton, Linn, Polk, Marion, Yamhill, Clackamas, Washington, and Multnomah.
[54] The 2018 OSU enumeration studies (Mallory 2018) estimated a total of 86,400 agricultural workers in the state per year.
[55] Key interviewees included contractors, advocates, BOLI agents, workers, and growers.

having worked temporarily for contractors using someone else's documents, as in two people working under the same social security number.

To get a clearer picture of the structure of the regional contracting market in the valley, let us look at the cases of Clackamas and Marion Counties, which have the largest workforce in the Willamette Valley.

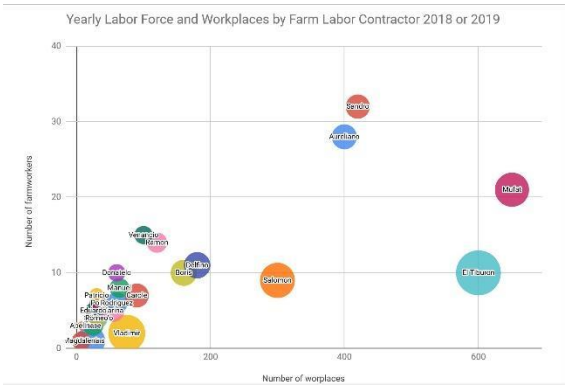
Table1

2017-20 Averages of Farmworkers Employed by Growers and Farm Labor Contractors in Marion and Clackamas Counties, Oregon

County	Marion		Clackamas	
Employment	**By Growers**	**FLC**	**By Growers**	**FLC**
2017-20 Annual Av. Establishments	314	97	239	26
2017-20 Annual Av. Farmworkers	5,234	2,860	2,312	1,298
2017-20 Annual Av. Farmworkers per Employer	17	29	10	50
January 2017-20 Av. Farmworkers per Employer	13	21	10	39
July 2017-20 Av. Farmworkers per Employer	21	56	14	96

Source: Quaterly Census of Employment and Wages - Bureau of Labor and Statistics. Geographic cross-sectional tables: All Counties, One Industry for NAICS 111 and NAICS 1151.

Figure A



Source: Data from interviews with 27 farm labor contractors across the 9

Table 1 shows workforce estimates for those hired directly by growers and FLCs in the counties listed. This data ranges from 2017 to 2020 and include one year before and after my fieldwork was conducted. We can see that the number of subcontracting companies is less than the number of growers (third row), and the number of workers employed by contractors is less than the number of those directly employed by the farm (fourth row). However, row five shows the relative proportion of workers per employer. Between 2017 and 2020 each contractor employed more workers than each grower. In the case of Marion County, there were approximately 12 more workers per contractor, and 40 in the case of Clackamas County. Finally, the last two rows

show averages for January, which represents the month with the lowest labor demand in the valley, and July, the month with the highest labor demand. On average, each contractor employs more workers than each grower, even in the months with the lowest labor demand and particularly in July, which shows an average of 96 workers per contractor in Clackamas County.

Although a large part of the workforce is hired directly by growers, proportionally each subcontracting company employs many more workers in only temporary jobs without benefits or protections (Armano, Bove, and Murgia 2017; Kalleberg 2011). Ultimately, this system benefits the growers because the labor costs fall only on FLCs.

Figure A provides a picture of the labor force distribution by contractors in the valley based on my 27 interviews. The horizontal axis is the number of workplaces each contractor engages with; the vertical axis is the number of total workers each contractor employs. The diameter of the bubbles indicates the number of workers per workplace. The bubbles of contractors with the greatest number of farmworkers and workplaces stand out. These include, for example, the contractor named Muffat with 650 workers in 21 workplaces, Sandro with 420 workers in 32 workplaces, and Aureliano with 400 workers in 28 workplaces. Contractors with more than 100 farmworkers rely on the use of temporary seasonal workers for harvests, which is when the demand for workers is greatest.[56] In Oregon, this is generally between May and October. Of the FLCs in this chart, the majority recruited between 21 and 90 workers and had between 3 and 10 workplaces.

[56] Seasonal farmworkers do not reside in the Willamette Valley. They come for the harvest season and then travel to other states following seasonal agricultural jobs.

Regional Recruitment

As I will discuss in this section, in the recruitment process, contractors establish control over farmworkers' mobility, which ultimately works to prevent other employers from recruiting the same labor force: control over workers' living arrangements and locations, how and when workers commute from housing to workplace, and what their workplace locations and schedules will be. Today, most FLCs compete locally to recruit farmworkers[57] settled in the Valley, as well as out-of-state seasonal workers arriving with *polleros*[58] or on their own.[59] However, until the early 2000s, farm labor contractors in the Willamette Valley were namely described (Jimenez-Sifuentez 2016) as informal *enganchadores*[60] who recruit migrant workers directly in their home communities or the borderlands, tying them to forms of indebtedness for the cost of border-crossing and transportation. This form of out-of-state recruitment is still present in the valley, but no longer represents the main pattern.[61]

Contractors focus their recruiting efforts in the Woodburn, Salem, and Portland metropolitan area because these cities contain the highest Hispanic and migrant population density in the Willamette Valley. Some of the interviewed contractors commented that they

[57] Although they target workers with agricultural skills and experience, they also hire people with non-farm backgrounds and jobs in other industries.
[58] *Polleros* are transporters of, namely but not restricted to, undocumented migrants. The concept refers to the Spanish word for chicken transporters since these trucks have been used to hide and transport migrants.
[59] For example, this refers to groups of seasonal farmworkers who share a car or a van to travel across the west coast states looking for different agricultural jobs depending on the season.
[60] The scholarship (Bender 2012; Chomsky 2014; Durand 2016; Hernandez 2010; Sánchez Gómez and Sierra Yordi 2013; Zlolniski 2019) shows that *enganchadores* subject migrant workers to indebtedness by withholding workers' wages during the first years to cover transportation, border crossing, food, clothing, and housing. Before saving money and sending remittances back to Mexico, migrants work longer periods receiving less money than expected or nothing at all. This debt system was the backbone of contractors' management because it subjected migrants to pay the debt with labor power, allowed contractors to retain workers and established coercion among them, and increased exploitation as workers lost all control over their income. Like in the *enganchadores* system, current contractors use indebtedness as a central element of labor control, but their main recruitment patterns no longer center on Mexico, Central America, and the borderlands.
[61] Because this system creates indebtedness in the recruitment process, researchers (Chomsky 2014; Martin 2003) have shown that it creates almost full control over migrant workers' capacity to decide where to live, work, and commute.

recruit both foreign- and US-born Hispanics/Latinxs because common language and cultural background facilitates their managerial strategies. The majority commented that they are more likely to find workers with the required skills and work experience within this population. Woodburn and Salem are located in the heart of agricultural production, where most contractors have established their companies. Woodburn's downtown, for instance, features Mexican and Central American businesses, including stores, currency exchange offices, and restaurants, where FLCs post job offers on walls, windows, and doors with telephone numbers to contact them.

Below, I analyze the case of Sandro's recruitment process from the data I collected by conducting on-site observations at his office and from my interviews with him. He is a 40-year-old male contractor and his process is representative of the strategies used by others to recruit locally and establish regional control over the labor force. Sandro has been a contractor in the valley for over 15 years, and in 2018 he was employing nearly 420 workers in different workspaces, including farms and non-farm jobs in food production. I will discuss five types of strategies present in the recruitment process that contractors perform: job advertisements and *polleros*, incentive schemes, the formal production of farmworkers, farmworker IDs, and housing and transportation. This section analyzes the role of FCLs in securing a distribution network of farm labor for the Willamette Valley and establishing regional control over the labor force through the recruitment process.

Job Advertisements and Polleros

Sandro's daughter designs and prints the job posters, and his nieces travel around the Salem, Woodburn, and Portland metro area to post them at different Latinx restaurants, markets, and stores. They are also in charge of the Facebook and Craigslist accounts, where Sandro's jobs

are also advertised. This strategy focuses on recruiting both the labor force that lives in the valley and the seasonal migrants who arrive in the valley on their own. Job posts are written in both Spanglish and English, and include the type of work, transportation, and phone numbers.[62] "I pay a few dollars to each place that lets me put up my posters, and if they take down other contractors' posters," Sandro added, indicating that to promote his company, he pays other businesses to establish a region where only his jobs are advertised. This way, he increases the chances of controlling more of the labor force and preventing other contractors from hiring workers in the same region. During the time of our interview, a few farmworkers came in the office looking for jobs and mentioned having found the information on a poster or online.

A second strategy is the use of *polleros*, those who transport migrant workers from the borderlands and California to Oregon. While I was conducting on-site observations at Sandro's office, a van parked outside and a group of seven men and three women walked into the office. The *pollero* asked aloud if there were enough job applications for everyone and an administrative worker had them sit at one of the tables to fill out the forms. The *pollero* remained standing by the door, chitchatting to the contractor's *mayordomos*: "We have just arrived from Manteca (California)," said the *pollero*. Minutes later, during the interview, Sandro commented that "many *polleros* arrive during summers. I have been working with them for several years. I can't spend time and gasoline looking for people in California. I have to supervise all the fields here." In this way he shared the economic calculation that leads him to prefer to hire smugglers rather than personally recruit workers from the borderlands. His words also show that contractors' migration experiences are crucial in generating these networks. Contrary to what Sandro pointed

[62] As I will explain in more detail in the section about managerial strategies, contractors do not share the names or addresses of their workplaces until after the recruitment process; this way, they retain more control over farmworkers' mobility and daily schedule, and avoid having other contractors showing up at the workplace with their own crews trying to earn an additional payment for recruiting and transporting workers.

out, the minority of contractors who formally migrated or did not work in California for a few years commented that they faced more difficulties finding *polleros* or making deals with them. In their case, they were not able to build these networks through their migration process.

Incentive Schemes

Workers who came to Sandro's office were looking for two main types of incentives: piece rates and hourly wages. "We want to work by the hour because we are not good at picking and barely make any money," one of the workers who arrived in the van told Sandro's administrative worker, who responded saying that the contractor had many projects and that there was plenty of work. Because this on-site observation happened in May, most farmworkers came looking for harvest jobs under piece rates. Later in this chapter I will go into more detail about these incentives; for now, I want to emphasize that in order to recruit a larger number of workers, Sandro needed both incentive schemes, particularly in the summer and fall, when most of the seasonal migrants are looking to make as much money as possible in short periods under piece rates. Without having both schemes, workers would keep looking for other contractors with the type of incentives they want. In this sense, having two incentive schemes also becomes a recruitment strategy. Finally, Sandro commented that contractors generally offer higher hourly wages than growers, meat packers, and canneries with the goal of attracting more workers.

ID Cards

There are two ID cards that are required and created during the recruitment process. In order to recruit migrants who lack work authorization, Sandro informs them of places and businesses where they can get fake ID cards and SSNs for 100-200 USD: "I only need

photocopies. I assume their documents are real." Based on this assumption, Sandro lets the responsibility for using false documents fall solely on the worker, and he proceeds to hire them using the information on those documents. Large contracting companies like Sandro's also provide an unofficial identification to each worker, which helps contractors exert more control when they employ hundreds of workers at the same time and facilitate their administration and payroll. Additionally, some large producers in the area, including transnational agri-food companies, require contractors to provide a photo identification to their farmworkers, who must present it at the workplace entry. Contractors charge farmworkers about 5 USD per ID, and normally deduct the money from the first paycheck.[63]

Formal Production of Farmworkers

In order to comply with BOLI and OSHA regulations regarding the hiring process, walls at Sandro's office were covered with posters with information on what to do in case of an emergency in the workplace and on the use of pesticides and safety equipment. There were four women administrative workers in charge of receiving farmworkers, filling out job applications, billing, answering phones, printing advertisements, and other tasks.[64] They provide job applicants with all the required information in Spanish and English and offer examples and advice for workers filling out forms knowing that many migrant workers speak other languages or are not familiar with the documentation and its vocabulary. For those who are illiterate, the contractor's staff fills out the application or the farmworker simply copies verbatim from the office's examples. Formally registering all workers is essential for Sandro, as growers ask him to provide

[63] Workers may turn in their applications, get the ID, and never show up to work with that contractor. In that case, the contractor does not collect the 5 USD.
[64] Sandro's office was one with the largest number of administrative workers that I documented. All of them were women and family related to the contractor.

this information to know with more certainty how many workers they employ at each workplace per hour, per day.

When workers apply for employment with false documents, Sandro's administrative workers advise them on how to fill out the forms in order to pay less taxes, by, for example reporting more children than they actually had. They also help workers fill out the application when there is information that they ignore, such as the housing address, as most seasonal migrants do not know this information. Many investigations (Chomsky 2014; Gonzales and Vargas 2015; Lorentzen 2014; TORO-MORN 2013) indicate that undocumented migrants often do not have access to most public benefits even though they pay taxes. Therefore, these actions represent a short-term benefit for the workers and ultimately increase the conditions so that the workers do not look for other employees. In this process, the contractors do not help workers better understand the labor laws or the legal responsibility of the producers, employers, or public institutions. On the contrary, they generate more confusion and flexibility in the contractual relationship.

Housing and Transportation

At Sandro's office, the *mayordomo* provided the *pollero* with information about places in the area that offered housing for farmworkers, adding that in two of those, the landlords offered women-only rooms, in case the women in the group who arrived from California were interested.[65] During the interview, I asked Sandro about housing and transportation for the workers, and he responded that contractors generally do not offer housing directly but have a network of residents who rent spaces for workers:

[65] In general, *polleros* leave the workers in the housing where they will live for the season and return to California. Once in the valley, contractors use *raiteros* to transport workers.

> We do not offer housing, but I take them to where they rent to someone else. There are many small farmers who now make more money renting rooms for workers, than investing on their crops ... For those who do not have a car, I try to place them in housing in the same area so that my *raiteros* pick them up in the morning and drop them off after work.[66]

Sandro's words also allow us to see new economic practices emerging in agriculture in the valley. Local producers are increasingly at a disadvantage when competing with growers with more resources from California and transnational companies. For these local farmers, renting spaces to workers has been presented as a new source of income. He added that in the recruitment, he also accommodates seasonal workers without a car in the same area to facilitate their distribution using *raiteros*, who pick them up in the morning and return them at the end of the day. Hence, from the moment Sandro recruits them, he exercises regional control over the mobility of the workers, where they will live, and the means of commuting.

These five elements allow us to see the patterns in the recruitment strategies through which FLCs establish regional control and reproduce precarious conditions among workers.

1. First, even though there are contractors recruiting workers in California or south of the border, most contractors resort to the *polleros* market and competition for local labor. The *polleros* market has helped FLCs reduce costs and risks related to finding migrant workers and transporting them to the Willamette Valley. It reproduces precarious conditions among farmworkers as these distribution networks are informal: they lack insurance to protect workers, they lack training for *polleros*, and they lack regular mechanics' provisions to secure workers' safety established for the distribution of workers and products in other industries.

[66] Furthermore, according to BOLI records, most FLCs with licenses do not include field camps or housing. Many of them, as well as other employers and landlords, do house workers in camps inside the workplaces. My data show that this type of housing is not namely controlled by FLCs.

2. Second, contractors that only offer hourly wages mentioned that during the summers, they lose workers and find it difficult to recruit more, showing that managing different incentive schemes is an essential strategy to maintain regional control. Instead of offering higher wages to attract more workers, contractors offer two forms of incentives that reproduce and normalize low wages across different workplaces.
3. Third, since the e-verify system is not implemented in the state's agricultural industry, contractors only ask for photocopies of an ID and social security card for documentation, allowing them to reduce the risks of employing workers without work permits.
4. Fourth, although most contractors only inform migrants where to buy false documents, some contractors have printers to make fake ID cards and social security numbers, or work with someone who makes them. Regarding the ID cards for internal control, they are becoming an increasingly common dynamic due to the constant development of large agribusinesses in the valley, establishing more standardized labor-control mechanisms than local growers with smaller productions. Contractors mentioned that if one of the many the growers they work with asks for workers' IDs, they must give one to all of their labor force.
5. Fifth, the local housing market favors contractors because they do not bear the costs and responsibilities. Contractors constantly looked for workers with cars who could work as *raiteros*; in part, Oregon did not grant driver's licenses to undocumented migrants from 2007 through 2020 so contractors needed to secure transportation. These networks of landlords and *raiteros* reproduce precarious

conditions for workers while establishing control over location, transportation, and housing conditions—transportation without insurance, training, or mechanic checks and housing that does not comply with OSHA regulations.

Finally, we can see that through these recruitment strategies, contractors transform individuals into social capital (Bourdieu 2000), which, in turn, is invested to generate profit.[67] Following Bourdieu, we understand this concept as a form of accumulation within capitalism that is product of labor power and embodied in social relations. In the logic of capitalist accumulation, contractors use strategies to recruit as many workers as possible to then produce profit from the hours each of them works. The different ID cards, the photocopies, and the work applications in an industry that does not have an e-verify system are the material tools used to carry out this transformation of people with different legal and migration backgrounds into capital. As I discussed in the case of Sandro, through *polleros*, *raiteros,* and housing, contractors establish regional control to keep other employers from hiring workers in the same region. In the next section, I will discuss two strategies that contractors use to compete for regional control of workers.

Regional Competition

I locate the terrain of the contractors' market in the dynamics and strategies that contractors reproduce to compete against each other for the control of both the labor force and projects with growers. By centering competition among FLCs, this section fills a gap in the literature on farm labor, which has overlooked competition practices among contractors. I focus on two strategy patterns that I name *front contracting companies*, or creating new contracting

[67] This circulation makes the labor force a form of capital (Bourdieu 2000) and not a mere collection of commodity-workers.

companies under the names of family members and trusted workers, and *contractors*' *associations*, which are created to share resources, information, and projects with farmers. Although these patterns do not represent all the strategies used by FLCs to compete in this market, I affirm that they play a central role in developing secondary competition dynamics through the reproduction of debt among contractors and the regional control of farm labor. This section also demonstrates that regardless of contractors' individual entrepreneurial and managerial practices, competition and indebtedness in the market will ultimately lead to more precarity for farmworkers.

Front Contracting Companies

As discussed in Chapter II, creating forms of indebtedness to control contractors has become an important strategy in order to recruit more farmworkers and acquire regional control of the labor force and the workplace. This section discusses how contractors created indebtedness to exert complete control over the new FLCs that ultimately operate as a front business through a financing process. I refer to financing these contracting companies as a strategy because, despite being formally registered as independent FLCs, these newly financed contractors lack managerial autonomy to negotiate with growers, compete against others, or recruit and manage farmworkers.[68]

Interviewees would make comments like "everyone knows he's not the actual boss," to evince front contractors and stress the normalization of this strategy. For example, an interviewee mentioned that his "cousin (a front contractor) is not the real boss. He is more like a *mayordomo* because the other contractor owns everything, and my cousin doesn't make his

[68] This means they are formally registered with financial and state institutions, such as IRS, BOLI, and OSHA.

own decisions."[69] This way, he showed that front contractors, like his cousin, are tied to a debt that limits their autonomy to make the managerial and business decisions that characterize FLCs. While making phone calls to different contractors from the public lists on the BOLI website, I found that twenty-two front contractors mentioned having the contracting company under their names, but being managed by another contractor.[70] Therefore, these front contractors lack autonomy in the recruitment of workers and workplaces, and in wages, managerial strategies, the arrangement of crews, work schedules, and negotiations with growers.

Additionally, few contractors who have financed and retained control over front companies, shared their experiences. "Recently, I opened the second one under my son's name and the third one under my sister's name … I run everything, but this way I pay fewer taxes," Muffat commented.[71] El Tiburon, a 47-year-old male contractor, added that "it became tough to pay and manage so many workers from the same company … I had this *mayordomo* open another one." Both contractors work for tens of growers and employ more than 500 farmworkers each a year, which gives them enough capital to finance family members and trusted workers as they open front companies.

Other FLCs shared similar reasons, emphasizing that they all resorted to this strategy when their first companies lacked the personnel to recruit, supervise, and perform administrative tasks, as well as to break down their gross income into different companies under different names and to pay fewer taxes. Their narratives echo research (Miller 2021) that has shown that resorting to formal and informal ways to pay less taxes is one of the few options that labor

[69] Delfino, a FLC, shared during the interview how his cousin also opened a formal contracting company with the money of a contractor the cousin works for.
[70] These phone conversations are considered part of the ethnographic data, but are not treated as data from interviews, since they mentioned not having the knowledge or the authority to answer to my questionnaire.
[71] This contractor is introduced in Chapter 2.

contractors can access to increase their regular income. Therefore, we could expect other FLCs in the valley to have similar reasons for opening front companies. Finally, advocates added during the interviews that contractors also create front companies to shield their primary business from legal liability. This way, contractors may impose unfair and illegal labor practices (like wage violations) without having reports and complaints against them directly.

Although Muffat and El Tiburon were explicitly motivated by paying fewer taxes and managing more workers, these strategies have important effects on the FLC's job market. Contractors commented on how this process impacts the regional market. Aureliano mentioned that competing against a Teodoro, a contractor that has developed a network of front companies, "is like being a little coffee shop and wanting to compete against Starbucks, with franchises everywhere."[72] He sees himself as unable to compete specifically because of Starbucks' regional control and capital. When asked to elaborate on this analogy, Aureliano continued:

> Those contractors, they all pay the same, use the same type of IDs, same ways of working, and Teodoro supervises everyone, field by field ... Teodoro has a large fleet of *raiteros* for all his contractors' workers, and I think he does not charge them the *raite* … I ended up losing my workers because I only had jobs in a nursery in that area. When the number of jobs went down, my workers went to this other contractor. This guy Teodoro and his contractors have almost all the nurseries and farms in the same area … So my workers stayed with Teodoro, and the nursery no longer renewed my contract for the following year. As I told you, like a small coffee shop trying to win against Starbucks.

Aureliano explained that Teodoro homogenizes labor control (such as managerial strategies, wages, and identifications) in the region through his front companies. Teodoro's regional control over the different workplaces also plays a fundamental role in the competition for workers, since Teodoro's front companies increase the probability of offering jobs to farmworkers each month of the year. As we can see, contractors' control over front companies establishes dynamics that

[72] This contractor is introduced in Chapter 2.

allow them to recruit and control more of the workforce, thus intensifying the competition among contractors who lack the resources to create a network of front companies. Echoing Aureliano's experience, other contractors mentioned providing unpaid managerial work (charging growers only for farmworkers' wages, i.e. $12 instead of $16 per hour per worker) to find enough employment for their workers and avoid losing them to another contractor.

By establishing these front companies, contractors also homogenize and strengthen qualities to reduce turnover and attract more workers.[73] For example, these contractors have agricultural projects throughout the year, which prevents farmworkers from seeking employment with a different contractor and creates a regular pool of new people looking for jobs in the region. This way, contractors move workers from one front company to another, from one workplace to another, ensuring the labor offer that growers demand. As for agricultural projects, contractors interviewed commented on the impossibility of entering regions where better positioned contractors and their front companies maintain a regional monopoly over the workplaces.[74]

Overall, data from interviews and on-site observations showed four characteristics that front companies have in common:

[73] As mentioned at the beginning of this section, contractors generally compete against each other for the insufficient workforce in the valley by offering better working conditions and arrangements and better wages.

[74] Rodriguez, a 42-year-old male FLC, provides an example from an area south of Corvallis where he tried to compete for agricultural projects: "Look, they have the nurseries and the two canneries. They are the only contractors, and they pay workers low wages and charge low fees … I cannot charge so little because I pay my workers more and pay the *raitero* van's insurance (many contractors transport workers in uninsured vans)." Rodriguez refers to a contractor that keeps recruiting and labor management costs low to benefit growers but sacrifices the well-being of workers and precludes competition with other contractors who could provide better wages and labor conditions. As we can see, this form of spatial control also prevents workers from resigning and finding contractors with better labor conditions, which encourages growers to renew their contracts.

1. In order to create front companies, contractors commonly finance trusted workers or family members, creating forms of indebtedness that limit their capacity to make business and managerial decisions.
2. Contractors provide equipment (such as tools, sanitary units, ID printers), training to meet licensing requirements, and a network of formal and informal businesses (such as growers, *luncheras*, *raiteros*, *polleros*, housing staff, and stores to cash workers' checks) to their front companies.
3. Contractors make decisions regarding front companies' managerial strategies, labor arrangements, wages, and projects.
4. Regardless of the lack of managerial autonomy, front contractors run their own offices, and recruit, supervise, and process payroll.

These four elements show how front companies do not represent additional competition for those contractors who created them. On the contrary, indebtedness—and control over negotiations with growers and business networks—allows them to nullify front contractors' capacity to make competition and managerial decisions. And as indicated by Aureliano, front companies allow contractors to establish more agreements with growers throughout the different seasons and to increase the chances of renewing these agreements.[75]

These networks also homogenize labor management, benefiting growers, as contractors' front companies fix and reduce costs and wages for workers, limiting the ability of other contractors to negotiate higher rates that can provide better wages and conditions for

[75] Michael, a human resources manager at a winery, commented on this situation: "We have been with the same contractor for seven years ... it is the same guy, but for tax reasons, we've been signing with two different guys that work with him." This is an example of the use of front companies to maintain projects with growers for more extended periods, and it also shows that this strategy is standardized and accepted, at least in the winery for which he works. Michael added that, "it is not necessary to look for someone else because he always brings good workers, they work hard and he supervises them," which implies that as long as the contractor brings in the workforce and supervises it, they will continue to renew the agreements with him.

farmworkers. This way, producing front companies exemplifies how subcontracting systems multiply, creating more third-party employment to secure the reproduction of flexible and temporary labor conditions and prevent farmworkers from accessing better jobs and wages.

Contractors' Informal Associations

The second strategy used to develop regional control of farm labor consists of the informal associations created among FLCs.[76] According to the interviewees, these partnerships have emerged in recent years in response to the networks of front companies, as well as to share information, the costs of equipment, *raiteros*, agricultural projects, farmworkers, as well as to set more competitive costs and wages. Unlike front companies, contractors are associated as equals, despite accounting for unequal numbers of farmworkers and projects with growers. On the other hand, they tend to dissolve after a few months or a couple of years. Donatelo, a 30-year-old male contractor, has tried for a few years to establish these associations regularly. He mentioned:

> When I lack workers, I need someone else to send me a few. And when I have extra workers, I need to have another contractor to send him my workers, so workers can keep their regular income. "I have two *raiteros*, take one." "That company is planting more acres and needs two crews. Here's the contact." That kind of help, you know?

Donatelo illustrates how contractors share labor force information about growers and *raiteros* within these associations, helping maintain the number of workers required to not lose projects with growers. In counties with the highest agricultural production, like Clackamas or Marion, there is a large number of FLCs, making it reasonably easy for growers to find new ones when workers are not provided.

[76] As opposed to formal associations, for example, those registered as non-profit organizations include the Oregon Contractors Associations, Associated General Contractors, and Oregon Landscape Contractors Association.

Within these associations, contractors also share their networks of informal business. Aurelian added that, "it worked for us because my brother (a *pollero*) started bringing workers for El Wero (a FLC he partnered up with), and he introduced me to the farmer that owns those apartments (where their workers pay for rent)." This way, Aureliano and El Wero shared informal businesses in charge of distributing (*polleros*) and housing (local farmers) seasonal farmworkers brought from California and south of the national border. Interviewees also referred to other aspects of this informal business network, including the share of food trucks that drive to associated contractors' workplaces, as well as local businesses that cash paychecks of undocumented migrants and workers with fake IDs. To build these networks, FLCs establish trust relations with restaurants, stores, travel agencies, money lenders, and money exchange businesses that will accept and cash the paychecks they deliver to workers. This element of trust was highlighted by a local business owner I interviewed, who commented that, "if I don't know them or another contractor who vouches for them, I don't cash their paychecks. Who assures me they have enough funds?" For this owner, accepting checks from unknown FLCs represented a risk that could be reduced through these associations, by having known contractors as vouchers.

Patricio, a 55-year-old male contractor who has participated in more than one association, added that these associations have also helped contractors promote their companies among growers and obtain business training for Latinx entrepreneurs:

> This year (2019) we attended two trainings for Latino entrepreneurs on finances, accounting softwares, how [to] apply for loans and what programs there are to support our businesses. One month, three of us took it and then another three took a different one, and we shared the materials and supervise each other's workers … we go in groups to the wineries and farmer's events to deliver business cards. We tell farmers that we work together to ensure more workers and standardized services.[77]

[77] This was facilitated by the Oregon Small Business Development Center Network.

Patricio exemplified two ways in which creating associations benefit FLCs, first by sharing supervising tasks in attending business trainings, and second, to promote collectively their associations. Through this marketing strategy, contractors also show a regional control of the labor force, which offers growers more chances to secure farmworkers when needed considering their claims of labor shortage (Highland Economics 2021). Patricio's words also emphasized that, unlike networks of front companies, contractors' associations provide conditions for them to acquire more business skills, increase potential clients, and provide more efficient services, affecting the competition among contractors in the market as well. It is worth noting that these forms of support among FLCs are business-centered and guided by capitalist accumulation logics to increase their profit. These strategies do not reflect any decrease in the unfair labor practices that farm labor contractors are known for reproducing countrywide (Costa, Martin, and Rutledge 2020).

Nevertheless, both Donatelo and Patricio also showed that contractor's unequal positions in the market created unequal necessities and goals that they struggled to negotiate within the associations, resulting in prompt dissolutions. Donatelo mentioned that,

> […] we were about 13, but it's almost impossible to agree and make them last longer. Some need to pay less, others need to charge much more. Everyone has different needs ... And more problems when they start, "lend me 5,000 because the farmer did not deposit me on time." "My workers worked 40 hours for you, you owe me their money. When are you gonna pay me?" And so on. So little by little, the association disintegrates.

This lack of agreement increases when sharing costs and lending money and workers creates indebtedness that contractors struggle to pay back and generates power hierarchies among them. Moreover, as mentioned by Donatelo, all contractors commented that growers' late payments are a constant factor that destabilizes their associations. Fernando, a 32-year-old male FLC, added that "the real problems arise when nobody gets paid on time. Farmers never pay on time,"

suggesting that late payments are a constant practice among growers that foster the dissolution of associations and intensify inequalities within the contractors' market.[78]

In addition to the constant disagreements fostered by debt and growers' late payments, half of the contractors interviewed spoke against these associations, arguing that the inequality of resources makes long-lasting agreements impossible. It was mentioned that contractors without at least one project throughout the year and who lack economic and social resources to cooperate with others are more likely to depend on those better positioned.[79] Contractors also emphasized that many growers require them to provide an ID to each worker, complicating the association with contractors who lack ID printers in their offices.

Finally, women contractors showed that the systematic devaluation of women's work at the managerial level (Brody, Rubin, and Maume 2014; Srivastava and Sherman 2015; Stainback and Kwon 2012) is another factor that destabilizes partnerships. They sought strategies other than associations with contractors because they lacked enough economic resources and workers to commit to their agreements. The 23 percent of women contractors who tried to partner with other FLCs were unwilling to accept agreements that disregarded their experiences, as men in their associations did not listen to and take women seriously within the associations. In this way, sexist ideologies about women in farm labor and patriarchal divisions of labor (Preibisch and Grez 2010) are detrimental to more suitable labor conditions for contractors collectively and individually, as shown by Patricio and Donatelo. Furthermore, 59 percent of them are front contractors and lack the authority to find other partnerships.

[78] Although data do not show that growers delay their payments to contractors intending to destabilize their associations, the systematic reproduction of this practice works as a mechanism to control contractors based on indebtedness.

[79] Some contractors are established in very isolated areas and prefer a subcontracting market with no associations at all.

Competition among contractors has become an essential element for the subcontracting system in Oregon agriculture, as it has only led to the increase of flexible labor controlled by third-party employers and is available when and where growers need it. In this sense, both strategies, front companies and informal associations, have aimed to control farmworkers within and across workplaces. Following de Certeau's concept strategy (de Certeau 2011)—which centers spatial control of people's actions at the heart of any strategy—contractors' narratives reaffirm that labor control and spatial control are two inseparable managerial conditions in farm labor. They showed that indebtedness is an essential mechanism for competition as it facilitates regional control over more labor force and workplaces while hindering the creation of associations.

Finally, contractors' informal associations and front contracting companies show the two main characteristics of social capital in the way that Pierre Bourdieu (Bourdieu 2000) defined it: first, as an accumulation process that requires constant effort to be increased, maintained. and invested; and second, when this form of accumulation is at stake in the social field, it shapes the social practices within the field. In this sense, building up networks of front companies and informal associations (accumulated social capital) has become a common set of strategies to compete for more labor force and workplaces (social capital at stake) to profit. Even if contractors aimed to provide the most suitable labor conditions and higher wages for workers, competition pushes for the emergence of practices that can only prioritize the increase of profit to remain in the market, in exchange for more precarity for farmworkers and for them as managers.

Regional Access to Income

In addition to recruitment and competition practices among contractors, it is important to mention two contractors' mechanisms to gain regional control over the workforce. The first is generated using checks as the main way of delivering payments. Let us remember that payment by check is the standard method among contractors, since it is a requirement to maintain licenses and establish contracts with most growers, leaving the use of cash as an occasional and marginal practice. Although avoiding cash payments to workers is standard in most industries, the use of paychecks has particular effects that both benefit the managerial work carried out by contractors and negatively affect workers' income.

Payment generates spatial control over workers as many contractors pay only one day a week from their offices, making workers commute up to one and a half hours from where workers live to collect the checks. Then workers without work permits have to travel to cities with businesses that accept fake ID cards to cash checks. In this case, the regional control of the contractors is more present because they condition workers to cash checks in businesses that trust or know the contractor. This practice helps reduce turnover because if workers want to change regions or states, they would still have to spend the time coming back for their last paycheck and then cash the check in the region where there are businesses that take them.

This payment process helps increase the precarious conditions of workers, since

1. most of them do not have access to a car and have to pay *raiteros* or coworkers for transportation, further reducing their low income;
2. it exposes undocumented migrants to the risk of being detained by ICE on the commute or to cash paychecks;
3. workers lose approximately 3 to 4 hours in the process, which could have been used for rest or leisure;

4. it is common for contractor accounts to be temporarily out of funds, and workers may have to wait a week or two to be able to cash the checks or have access to transportation to do so.

These elements show the ability of contractors to control worker mobility and, at the same time, guarantee the labor flexibility that growers demand.

The second form of regional control is established by using photo ID cards. As I mentioned in the section on recruitment, more contractors have been providing IDs to workers, primarily as a requirement by growers with large productions. With these ID cards, contractors deliver paychecks and record workers' names and numbers at the beginning and end of the work shift, along with the hours worked or the amount of work performed under piece rates. Contractors also commented on these IDs within the networks of front contracting companies and contractors' associations. In Delfino's words, "In the last association we formed, all of us had to use IDs, so it was easier to share workers and pay them, because that way we all had the same record with name, number, and a photo. It was the first time we didn't get all confused about whose workers worked for whom." ID cards benefited the control and administration of farmworkers when contractors shared their crews. With this method, they could keep a better record of the hours and work that each worker performed for different contractors, and execute a more efficient payroll.

IDs are also helpful for punishment and retaliation practices against workers. Rodriguez, a 42-year-old male FLC, argued that this tool allowed him to expose cheating workers:

> He was a very tricky worker, he was always looking for ways not to work, to leave early. I let him work a few times as *mayordomo,* and workers complained because they ended up doing things by themselves while he slept in his truck … I finally fired him, and passed the information on to the other contractors. We have the photos of the IDs, the name, the SSN. So, no one here in the area hires him.

Rodriguez's narrative shows how he exerts regional control over the workers. Even though he had already fired that worker, he exerted control over his working conditions by preventing other contractors from hiring him. This illegal practice has profoundly negative consequences for farmworkers in racially segregated areas, where only low-paying farm jobs are available and contractors have become the gatekeepers of these jobs.

Rodriguez is not alone in carrying out this illegal labor practice. Workers who live in the region shared personal or acquaintances' stories of facing this practice and being unable to find employment with any contractor in the region after making informal and formal complaints against them. Apolonia shared the experience of her brother, Guacho, highlighting how IDs facilitate this practice of retaliation. They both are migrant farmworkers from Guatemala, in their early twenties, and both lack work authorizations:

> He (a contractor) would take one hour a week from my brother's paycheck, and when he complained to the contractor, he (the contractor) stopped giving Guacho work for one week and no one else in the area hired him either during those days. Other contractors didn't hire him because they said he was a crybaby and showed him photocopies of his ID and the photo of his face that the contractor had already distributed.

After Guacho complained about this wage violation to the contractor, he was not fired; instead, the contractor prevented him from working for a week. The contractor did not give him any job for a week and to make sure other contractors would not hire him during those days, he distributed photocopies of Guacho's ID and the photo taken when recruited to other contractors in the region. He also described Guacho with adjectives associated with whistleblowers. Since Guacho did not have a work permit to work legally for the contractor, this ID card became an efficient mechanism for contractors to identify him. Furthermore, Guacho had no choice but to return to work with the same employer after a week. His case exemplifies a form of retaliation

that worsens workers' precarious conditions because it prevents them from earning wages and finding another job.

These narratives show that ID cards have material consequences for people's lives and bodies. They have personal data and photographs with phenotypic descriptions to identify workers, facilitating control of each of them. I argue that given the lack of formal mechanisms to identify migrant farmworkers, FLCs have developed a complex informal identification system. Providing ID cards is a homogenizing mechanism that allows contractors to exert control over a labor force made up of farmworkers with a variety of legal statuses and work permits. This argument echoes previous research (Stephen 2004, 2007) highlighting the constant daily surveillance under which migrant farmworkers live.

Conclusions

Contractors' intermediary position in the agriculture industry leads us to analyze how they exercise regional control over farmworkers outside the workplace. As I discussed in this chapter, this control derives from the need to prevent workers from being hired by other employers. FLCs design strategies to recruit, transport, and locate workers in the region, as well as to compete against other contractors. This competition broadly defines both contractors' market and labor control strategies within their workspace. However, it is essential to remember that the competition is at the same time created by the low wages and precarious working conditions that growers have imposed on the state's agricultural industry. These conditions make the local industry unattractive to other workers in the valley and from other states, creating a relative shortage of the agricultural workforce.

Subcontracting systems, regardless of the industry, reproduce precariousness inasmuch as they only offer temporary jobs with no labor benefits. However, competition among contractors intensifies these conditions by reproducing other elements, such as low wages. As long as contractors profit from the size of the labor force they recruit and the hours employees work, the subcontracting market can only reproduce conditions that affect workers. Most of the valley's contractors earn $2 per hour per worker and use this money to cover the cost of equipment, office supplies, transportation, tools, sanitary units, administrative workers, and insurance costs. Under this incentive scheme, FLCs seek to establish regional control that prevents workers from being hired by other employers and intensifies rivalry among them. Because of these competition logics, although there are contractors with good intentions to respect the workers' rights, provide higher wages, and obtain training to offer more ethical and formal jobs, the subcontracting market will only reproduce conditions adverse to the workforce.

As discussed in this chapter, strategies to establish regional control over farmworkers' transportation, workplace location, and access to jobs intensify precarious labor conditions. On the one hand, contractors provide all the information regarding workers' rights and health and safety regulations that OSHA and BOLI require during the recruitment process. However, they also communicate to workers that these institutions are the main ones responsible for low wages and job insecurity, creating confusion among the workforce regarding whom to turn to when their rights are not respected. On the other hand, FLCs force undocumented migrants to obtain false work permits and social security numbers to be hired, thereby exonerating themselves from the responsibility of illegally hiring workers. Furthermore, the Migrant and Seasonal Agricultural Workers Protection Act of 1983 established that contractors must provide transportation and housing for workers that meet safety and health standards. In order to reduce labor costs and

more legal responsibility, most FLCs in the valley outsource these services by using other workers with vans to transport farmworkers and residents who offer unlicensed housing.

In addition to the precarious conditions that intensify in the recruitment process, the increased use of IDs to control workers in the workplace helps to reproduce retaliation practices against farmworkers. These practices have a regional impact as contractors share subversive workers' photos and names to prevent them from finding other regional jobs. In addition to these IDs, the cashing paychecks also reproduce adverse conditions for workers since they can only cash them in specific businesses that are difficult to access for the majority of the workforce, given the lack of access to transportation.

CHAPTER IV
PERSONAL CONTROL: INCENTIVE SCHEMES AND STRATEGIC PERSONALISM

This chapter focuses on the work that farm labor contractors do to control the labor force in workplaces. Beginning with an account of what work FLCs do, I center the strategies used by contractors to keep farmworkers compliant and productive in the workplace and analyze how these strategies reproduce precarious conditions for workers. Following Burawoy's work on managers' strategies to create consent among shop-floor workers (Burawoy 1982), I present three arguments: in the first section, I argue that contractors use strategies to create consent among workers based on the incentive schemes with which they pay. In other words, contractors incentivize farmworkers to work for hourly wages or piece rates, and then use specific strategies in each incentive scheme to keep them compliant and productive. In the second section, I argue that each incentive scheme produces different wage violations while exposing workers to imminent dangers. Finally, in the third section, I argue that FLCs impose forms of individual negotiation among workers that reproduce precarious labor conditions, while discouraging structural improvements for all workers with occasional short-term solutions. This chapter aims to detail contractors' management methods to fill a gap in the literature and contribute to the scarce publicly available data on labor law violations experienced by farmworkers in Oregon.

Creating Imminent Dangers in the Workplaces through Incentive Schemes

Within the multiple elements that characterize precarious jobs, such as low wages and a lack of labor rights, we also find insecure workplaces (Armano, Bove, and Murgia 2017; Arnold

and Bongiovi 2013; Baey and Yeoh 2015). I focus on imminent dangers as a proxy to understand how FLCs' managerial strategies reproduce precarious conditions in agriculture. According to OSHA, imminent danger "means that you must believe that death or serious physical harm occur within a short time" for OSHA's agents to investigate (OSHA 2022). Unlike recent research that has explored the multiple risks related to inclement weather conditions, growers' pesticide usage, and substandard housing (Saxton 2021), this section will focus on the managerial strategies that contractors use to make farmworkers compliant and productive, while exposing them to imminent physical and sexual violence, death, injuries, and chronic health problems.

But how do contractors produce consent among farmworkers while exposing them to imminent dangers? In the PNW's agriculture industry there are two primary payment schemes that incentivize workers to apply for employment and be compliant and productive in the workplace: piece rates and hourly wages. Following authors who have compared these two schemes in agriculture and other industries (Holmes 2013; Martin 2003; Zlolniski 2019), I analyze them as central managerial elements that create different strategies to establish personal control in the workplace and that reproduce precarity among workers. As I will discuss, during the harvest seasons, piece rates are more common in fruit farms and this scheme attracts more workers that have the skills to earn more than in one workday under hourly wages. Who decides which incentives contractors should use? Although contractors have some autonomy to make decisions over incentive schemes, growers have the final word regarding which scheme should be implemented, leaving contractors more room to make decisions about transportation, equipment, payroll, and supervision and training. As Burawoy showed, each of these two schemes require different managerial strategies to control the labor force in the workplace by creating consent.

Description of Managerial Style under Piece Rates

Piece rates are the most common form of payment during fruit harvests. In this scheme, contractors pay workers according to the amount of fruit they harvest; therefore, the more each worker picks, the more money they earn. This way, contractors impose a system in which farmworkers compete against each other, relying on their extraordinary dexterity to quickly pick fruit in perfect conditions and large quantities. Since many workers make more earnings in fewer hours than in other temporary and low-paying jobs, this incentive attracts the most significant proportion of the workforce each year. Based on this incentive, contractors develop micro- and self-management dynamics to keep large numbers of farmworkers compliant and productive in the same workplace.

Contractors set new daily piece rates and make strategic calculations about time and space to shape worker earnings. During my fieldwork, contractors paid between $0.36 to $0.60 per pound of berries or $2.50 per bucket of grapes. Under these rates, they would incentivize workers to pick around 48 pounds of berries or 6 buckets of grapes per hour. Following Burawoy's study of piecework systems (Burawoy 1982), we see how time plays an essential role in creating consent among workers the fruit harvest: in 8 to 10 hours, workers have to pick as much as possible to get at least the equivalent of the state minimum wage. However, the piecework system allows contractors to use time flexibly and create unpredictable shifts, shortening or lengthening workdays to get workers to pick more or work faster. For example, informing at the beginning of day that the work shift will last only 5 hours, which applies pressure on workers to work faster and meet their own living earnings.

In addition to time, contractors strategically use space to control workers: most workers use their own means of transportation to arrive to workplaces under piece rates—opposed to using contractors' *raiteros*. On the one hand, growers decide day by day where and how much fruit will be harvested, causing the work locations to change daily or after a few days. "Every day I have a harvest, but at 7 or 8 at night, growers confirm where we are going to pick, and I text or call workers at night or early in the morning," commented Manuel, a contractor. Exemplifying how growers have unpredictable dynamics in determining the location of the workplace, contractors end up providing workers directions just hours before the next shift. Within the workplace, contractors set limits on what workers can pick, regulating the amount of fruit available for each working day. Starting from this rate-time-space configuration, contractors decide the number of supervisors and workers they need per field and how to increase fruit production and quality.

This scheme requires two types of in person supervision in the workplace:

1. supervisors in charge of recording the amount of fruit picked by each worker, evaluating the quality of the fruit, and disciplining those who do not meet the requirements.
2. supervisors in charge of walking the furrows to monitor and train the workers while they pick.

The first type of supervisors are generally contractors' relatives or *paisanos* temporarily hired for the harvest seasons. Contractors perform the second type, along with the most experienced supervisors and *mayordomos*.

Contractors walk across the fields to micro-manage the labor force. They personally supervise workers' skills, the movement of their hands and fingers, the position of the back and knees, and the placement of the buckets; they help for a few minutes those who are struggling

with the plants and train them to develop better techniques. They also discipline those who waste fruit on the ground, harvest outside their designated area, or steal fruit from other workers.[80] However, micro-management is not the only goal of this form of direct personal control. In their walks, contractors also promote self-management and peer-surveillance practices (Crowley et al. 2010; Crowley and Hodson 2014) among the labor force through which workers surveil and discipline each other. In the next section, I delve into these practices and the ways in which they expose farmworkers to imminent dangers in the workplace.

Imminent Dangers Under Piece Rates

Research shows that peer surveillance in the workplace takes gendered forms (Collinson 1992), and FLC management is not an exception. Hence, to better understand the ways in which contractors' managerial strategies cause imminent danger to farmworkers, I pay special attention to gender patterns. Contractors turn gender policing into micro-management strategies in which they challenge male workers' masculinity when harvesting less than expected or for not "working hard enough." Contractors make comments, such as: "You need to pick faster, the women are beating you." "Can your wife pick more than you?" "Is he already tired? His woman is going to leave him for being weak." These comments challenge masculinity, and contractors make them out loud to put one specific worker on the spot, ensuring that more workers listen, join the dynamic, reproduce it, and on many occasions, participate in it: "Please, go to tell his girlfriend she should find another man who can work." "At the end of the day, you'll come and tell me who picked the least, so I can send him tomorrow with the high schoolers instead." This

[80] In addition, through this supervision practice, contractors hang out with the workers, talk about their personal lives, their families, hometown festivities, and establish personalized relationships that facilitate the management of the workforce across different agricultural workplaces (I will delve into this in the section on strategic personalism).

way, whether through explicit comments or implicit humiliation and threats, workers end up surveilling each other's labor while policing masculinity and penalizing and rewarding each other for being less or more productive. Additionally, as Burawoy described, piece rates also aim to create rivalry among workers to facilitate conflict, supervision and make workers consent to work, and contractors do so between men and women. David Collinson (Collinson 1992) has already studied how these masculinity games are micro-management strategies through which workers surveil, discipline, and consent to maintain productivity among each other. Following this analysis, I argue that contractors facilitate supervision in large fields with an extensive workforce with peer surveillance—and as I will discuss in the next section, masculinity humiliation and threats are not as present under hourly wages. Once these micro-management strategies are established among workers, they continue with their walks to implement them among other workers.

In addition, FLCs intensify these practices using gambling and alcohol. It is common for contractors to encourage workers to bet against each other with money or beers at the end of the workday. As other authors (Holmes 2013; Jimenez-Sifuentez 2016; Loza 2016) show, workers generate these dynamics to make the working hours less tedious, less boring, and because alcohol is a primary source of entertainment and coexistence since they do not have access to other forms of recreation. However, contractors leverage them to make men increase their productivity: "What are you betting today? Or are you afraid to bet? "Who gets to pay for beers at night?" "If you don't have cash to bet, I'll loan you some money for the beers." Contractors encourage workers to gamble with money, alcohol, or anything else with these comments. Men start debt relationships with their coworkers and contractors, since it is common for the latter to lend money or advance the payment so that the former can pay their bets at the end of the day. In

some cases, the farmworker who picks the most gets rewarded by the rest of the group. This way, contractors use gambling and alcohol to encourage peer surveillance among workers and increase productivity without the need to micro-manage them personally every minute. In addition, indebtedness through gambling also generates the conditions to reduce turnover, since indebted workers are more likely to return to work the next day and increase productivity to avoid increasing their debt.

These dynamics also increase dangers and unsafe behaviors in the workspace, as workers are more susceptible to injuring their bodies by picking under pressure or falling with full buckets when they run to the tables to weigh their buckets. During each and every day of my on-site observations, I recorded workers tripping and dropping their buckets while hurrying to pick more fruit, workers hurting their knees and backs trying to rush at the strawberry harvest (which already demands that workers squat for hours), workers falling from the ladders after trying to pick more apples, and workers cutting their skin with scissors at the vineyards because they were hungover after losing a bet and paying for all the beers the night before.

Women are not left out of these peer-surveillance dynamics. Contractors also make jokes and gender comments, trying to put women workers on the spot. During one of my on-site observations at a strawberry farm, the contractor shouted: “This girl is tired. Let a strong man come and help her!” The worker replied, saying she did not need help, and sped up her work. Like the comments directed at men, this example drew attention to one specific worker, making the rest continue with the dynamic established by the contractor. In this example, gender roles were the means for that contractor to create self-management dynamics that make workers work faster out of coercive situations, encouraging women also to monitor and discipline each other.

However, the most common form of peer-surveillance applied to control women is sexual harassment, which consistently exposes women to immediate danger in the name of increasing their productivity. As many scholars have already shown (Loza 2016; Preibisch and Grez 2010; Saxton 2021; Thacker 1992), informal and personal forms of control become channels that encourage sexual harassment, especially in precarious jobs that lack labor rights and enforcement mechanisms, like in agriculture. To turn this form of violence into a peer-surveillance practice at the workplace, FLCs create the conditions for their systematic reproduction: on the one hand, they do not create any formal or standardized mechanism to prevent; on the other, they foster sexual harassment through other peer-surveillance dynamics applied among workers, including comments that put one worker on the spot, comparisons between men and women, gender policing dynamics, and bets. As a result, contractors create a system where women end up spending more time picking fruit, rushing to weigh their harvest,[81] and avoiding taking hydration and restroom breaks to prevent interacting with men.[82] These examples show that sexual harassment as a peer-surveillance practice forces women to work more, ultimately benefiting both contractors and growers.

Sexual harassment is also performed by contractors as micro-management. Contractors would harass women workers by inviting them to spend time alone in their truck or to have a private lunch, or offering to help carry their buckets full of fruit. This form of harassment occurs both while contractors supervise workers around the fields and while they surveil them from strategic panoptic locations. In addition, sometimes contractors do not allow workers to get

[81] And without double-checking that supervisors recorded the correct amount of fruit harvested.
[82] This survival tactic was shared by different women workers during the interviews.

together in pairs or groups when they are not picking, making women go to the restroom or drink water alone.[83]

These different examples of ways of controlling men and women under the scheme of piece rates highlight the multiple and expanding borders of personal control in making a profit from hundreds of workers each summer. It is not new that personal control is an essential piece in agriculture; however, the forms of peer-surveillance created by contractors while micro-managing workers' skills allow us to understand how contractors adapt personal control to growers' requirements and international agribusiness markets. The piecework scheme and its low rates do not work by themselves without these managerial strategies, showing that the intense personal surveillance contractors carry out has been essential to establishing an incentive scheme that can only, in turn, create more imminent dangers.[84]

Description of Managerial Style under Hourly Wages

Hourly wages are the most used incentive scheme in the agriculture industry—except the fruit harvest season—and in Willamette Valley food production.[85] During summer and early fall, workplaces paying hourly wages tend to lose workers to harvesting jobs under piece rates, where many workers make more money in less time. For this reason, labor competition among contractors for non-harvesting jobs intensifies during the summers. From workplaces under piece

[83] As other authors (Acker 1990; Brown 2015; Collinson 1992; Stainback and Kwon 2012) show, the daily practice of sexual harassment at the workplace by those who employ and discipline the workforce legitimizes, in the case, mayordomos, supervisors, and other workers to enact a broader spectrum of forms of sexual violence.
[84] As Burawoy (Burawoy 1982) points out, piece rates seek to inhibit the conditions for organizing workers and the possibilities of obtaining collective contracts. If we add to this point the risk conditions that increase with sexual harassment and competition between workers, the extremely low rates, and the unpredictable changes of the workspace mentioned above, we get a more complete picture of the ways in which contractors reproduce job insecurity in agriculture with the piecework system.
[85] Including nurseries, canneries, or non-harvesting jobs in farms, i.e., irrigation, application of pesticides and fertilizers, wine bottling, Christmas farms, pruning, planting, or hoeing

rates, contractors relocate farmworkers who prefer to secure a regular daily income and do not have the skills necessary to work in the harvests. However, those who only have jobs under hourly wages are more likely to lose workers to fruit harvests, having intensified their recruitment efforts not to lose their projects to other contractors.

Regarding the relationship of wage-time-space, this incentive scheme has some differences from the piece rates scheme. During my fieldwork, I recorded the average hourly wage as between $11.50 and $14.00,[86] and in summer it was generally higher than the state's minimum wage to attract and keep more workers.[87] Paying wages by the hour allows contractors to know with more certainty how much money they will receive from the grower, how many workers they will have in the workplace and how much money they will have to pay at the end of the week. In addition, they configure time and space in a more standardized way, placing workers in the same workplace for weeks or months, under working shifts of 8, 10, or 12 hours. In this sense, this incentive scheme represents more managerial benefits and fewer risks for contractors than piece rate schemes, where contractors do not know precisely how many workers they will have in the workplace each day.

Like in farms under piece rates, contractors apply constant direct supervision, either through the *mayordomo*, or personally, in which case they rotate between the different workplaces to carry out supervision in person for a few hours at each place to evaluate workers' skills, train them, and hang out with them.[88] Nevertheless, unlike the piecework system that

[86] These were the minimum and maximum wages that I registered during my research.
[87] As mentioned in the recruitment section, paying above the minimum wage is a common strategy among contractors to attract more labor force.
[88] For example, in different vineyards before the harvesting season, contractors would arrive each morning to instruct workers on the day's tasks, as well as to install sanitary units, potable water, and work equipment. When it came to trimming season, contractors would spend anywhere from an hour to an entire shift working with farmworkers. This way, contractors taught workers to identify which fruits to cut, how to use scissors safely so as not to cut themselves, and supervised workers' skills. They would also use this time to hang out with workers, chat about their personal lives and family members

requires in-person management, the hourly wage scheme allows contractors to control crews in different workplaces without constant direct supervision. The reason is that contractors, on the one hand, control the transportation of farmworkers with *raiteros,* and personally supervise the beginning and end of the shift. On the other hand, contractors reward whistleblowing dynamics among workers in workplaces to leave crews without direct supervision. Direct supervision, *raiteros,* and whistleblowers under this form of incentive create specific benefits for contractors as well as imminent dangers for farmworkers which I will detail in the next pages.

Imminent Dangers Under Hourly Wages

As I explained in the introduction, *mayordomos* are crew workers who, due to their experience and agricultural skills, are assigned the role of surveilling and disciplining the crew, earning two or three dollars per hour more than the rest. The use of *mayordomos* is particularly present among contractors who control numerous workplaces or supervise new workers without the skills required for a project. In addition to performing farm labor, *mayordomos* record the entry and exit times of each worker, their lunch breaks, how many times each worker uses the restrooms; they rearrange the workers in the workplace, supervise their skills, train them, and call their attention when workers are not complying with expectations or the rules established by contractors. Unlike contractors, *mayordomos* do not have the autonomy to design managerial strategies, establish work schedules, change workplaces, change wages, or negotiate with workers or growers.

The imminent dangers related to this form of direct supervision derive from the power hierarchies among contractors, managers, and workers, and the most common are sexual and physical violence. On the one hand, women workers and women contractors—speaking from

their previous experience as farmworkers—shared incidents of male contractors and *mayordomos* abusing their power to exercise different forms of sexual violence, but mainly harassment. These forms of sexual violence are different to those under piece rates, as in the latter they are encouraged through peer surveillance with the goal of making women work faster and harvest more fruit—sexual harassment under hourly wages does not directly cause an increased productivity among women workers. They mentioned that most hourly wage farms are in very isolated areas, and the contractors distribute crews of less than 25 workers in vast spaces. These workplace spatial conditions increase the risks of being isolated from the rest of the group and harassed by *mayordomos*, contractors, and other workers. On the other hand, men shared stories of physical violence to discipline them when making mistakes due to a lack of proper training to use tools or perform tasks and to make them more productive. In many cases, contractors and *mayordomos* hit workers with branches, kicked them, or forced them to perform exhausting tasks as punishment or bullied them in ways that endangered their bodies.[89]

In addition to the use of violence, FLCs have developed two additional methods to efficiently reduce the cost of labor and keep workers compliant without the need for constant in-person supervision. The first is to ensure that the entire crew or at least the minimum required number of workers commute with *raiteros*. As mentioned in the previous chapter, *raiteros* became essential as undocumented migrants were denied access to drivers' licenses in Oregon between 2007 and 2020. However, contractors also use them as a way of controlling them in the workplace, and not only to transport farmworkers without access to cars or driver's licenses. Eduardo, a 49-year-old male contractor, mentioned that,

[89] During my on-site observations, it was evident that both forms of violence are normalized in agriculture, since mayordomos and contractors openly practiced them without worrying about me taking notes. They are normal practices that happen in the daily life of agriculture.

> the first two days I assign a *mayordomo*, but when workers learn how to do the work, they no longer need the *mayordomo,* so I leave them to work alone… they all arrive and return with the *raitero,* so I make sure they arrive on time, and they leave when they have to leave ... they are not allowed to use their own car.

He explains that once workers have acquired the skills to perform the job, he leaves them without direct supervision but forces them to commute with the *raitero* only and prohibits them from accessing other forms of transportation. Eduardo's *raiteros* are not farmworkers, and once they have left workers in the workplace, they leave and return at the end of the day.[90] In many cases, *raiteros* are also workers who receive additional payment for taxiing workers or charge them directly. However, unlike fields under piece rates where farmworkers arrive to work using their own means of transportation, contractors control the mobility of workers, keeping them in the workspace for the entire shift of eight, ten, or twelve hours, denying them access to other means of transportation and access to arriving late or leaving early. Although workers are left unsupervised for most of the day, contractors visit them at least at the beginning and end of the workday to deliver equipment, water stations, and sanitary units.

The use of *raiteros* as a control mechanism reproduces the most constant imminent dangers in the valley, which puts workers' lives at risk. On the one hand, most FLCs use informal transporters of farmworkers without any training or supervision and standardized work schedules. On the other hand, vans that *raiteros* use lack periodic services, check-ups, and insurance with coverage for workers' medical expenses. In addition, by using *raiteros* to ensure that workers remain in the workplace until the end of the shift, contractors force the latter's quick access to emergency services when accidents occur in the workplace or when workers' health is

[90] Silvia, a woman contractor introduced in Chapter 3, does not usually allow workers to use their own means of transportation either. She sends *raiteros* to pick up workers at a strategic location or their homes. Silvia pays drivers directly 5 USD per trip per worker, and when she does not have *raiteros*, she drives her own pickup truck. This way, her workers do not pay for transportation, and she offers it as a gift or favor.

affected by the intense heat, wildfire smoke, or heavy rain. Finally, although all workers are exposed to these dangers regardless of their gender, *raiteros* represent a risk of sexual violence for women. My interviewees echoed various research (Lowell et al. 2020; Slack and Martinez 2018; Taylor and Martin 1997; Villarreal and Niño 2016) showing that these vans are high-risk spaces and *raiteros* are among the main perpetrators in agriculture. Given these conditions, we cannot explain car accidents farmworkers face when commuting with *raiteros* as drivers' recklessness, but as growers' negligence, since growers are the primary beneficiaries of the informality with which contractors transport the labor force.

The second method establishes peer surveillance dynamics among workers by rewarding whistleblowers. Unlike fields under piece rates, this managerial strategy does not seek to make them produce more in less time or to make the equivalent of the minimum wage. On the contrary, they aim to keep workers inside the workplace meeting the daily goals.[91] To exercise more effective control, contractors allocate daily and weekly times to communicate with their workers and establish dynamics that encourage them to report on others' activities. For example, Vladimir, a 41-year-old male contractor, randomly picks a few workers every evening and calls them to request a report of the activities of the day. However, while I interviewed Vladimir, we were interrupted seven times by workers from different workplaces, four to report the behavior of other coworkers. After a couple of those calls, the contractor told me: "This lady called me to complain that a worker has been on the phone for 10 minutes in the restroom ... Now they called me because a worker left for three hours and just came back." In this way, he shows that he has trained his farmworkers to talk to him when out-of-the-ordinary situations occur. "It's like being

[91] In many non-harvesting tasks, working more or faster is not necessarily beneficial. For example, trimming more trees in one day than established by the growers may affect the amount of fruit they produce or their quality. For this reason, farmworkers are asked to maintain a steady speed without rushing..

a kindergarten teacher," Vladimir added to emphasize that there were many complaints from workers he received every day. Finally, he commented that, "they snitch to appear to be good workers. However, then they ask me to let them leave earlier or to let them arrive late or to pay them earlier. You understand me? They do it out of interest." Vladimir showed that the reward for workers for this practice was usually an element of future individual negotiations: by offering information, farmworkers generate a form of interest that they use to negotiate changes in their work arrangements. In the section on strategic personalism, I delve into these individual negotiations; for now, I continue with other effects of this type of peer surveillance on work for hourly wages.

Muffat commented that this form of personal control also allowed workers to denounce the *mayordomo*'s unfair and illegal practices.[92] As Muffat noted, farmworkers "complained about a *mayordomo* who only abused everyone and didn't work. They also complained about another one that was always late. I no longer like to use *mayordomos*." Muffat showed that under the incentive scheme of hourly wages, peer surveillance provides more complex forms of control than *mayordomos*. Unlike under the piecework system, hourly wages allow farmworkers surveille first-line supervisors by encouraging whistle-blowing practices. In this sense, Foucault (Foucault 1979) was right to insist that power does not operate perfectly, and therefore countless adjustments have had to be built in order to control people effectively. Although first-line supervisors, such as *mayordomos*, have been an essential strategy in agriculture, contractors have adjusted forms of personal control to keep both workers and supervisors compliant by increasing communication and personal interactions with their workers and by rewarding whistleblowers. In other words, it has been more efficient to train workers to surveil and report themselves, as it

[92] A contractor introduced in Chapter 2.

keeps workers compliant, reduces turnover, and reduces the cost of labor by not having to pay an additional premium to some workers for crew supervision. At the end of the day, contractors continue to perform most of the management and make regular visits to their workplaces.

We must also take into account that these strategies only make sense in contexts like the Willamette Valley, where already intense competition among contractors further intensifies competition for the labor force among them. In this sense, this managerial strategy also seeks to retain workers and prevent them from working for other employers. However, whistleblowing practices are neither standardized nor formal—they rely on employers' individual willingness to resolve conflicts and lack mechanisms for avoiding retaliation from *mayordomos* and workers against whistleblowers. Workers' personal connections with *mayordomos* and other workers also set up limits to these practices, as farmworkers are more unlikely to report abuses perpetrated by acquaintances, family members, and friends.

Wage Violations and Incentive Schemes

In this section, I want to highlight the strategies contractors use to reproduce wage violations through piece rates and hourly wages. According to the Oregon Bureau of Labor and Industries, wage violations faced by farmworkers include the theft of hours worked, unlawful deductions taken from paychecks, irregular paydays, paying under the minimum wage, withholding payment, or delaying paychecks as a form of discipline. As many studies have shown, these practices are part of the daily life of precarious jobs. My interviews among farmworkers consistently show that fearing retaliation from contractors has been the main reason for avoiding filing formal reports of wage theft. And it is understandable, since BOLI requires workers to declare their full names in order to report an employer.

Wage Violations Under Piece-Rate Incentive Scheme

There are five types of wage violation tied to piece-rate forms of payment. The first form occurs as a punishment and training mechanism executed by contractors or their *mayordomos*. During my on-site observations, I recorded supervisors tearing up workers' punch cards, where pounds harvested and hours worked are recorded. This violation happens typically as punishment when workers are accused of mistreating plants, wasting fruit, stealing fruit from other workers, or working outside the assigned place, among other violations. In destroying their punch cards as punishment, contractors steal money from workers and prohibit them from working the rest of the working day.

Women contractors in particular resort to tearing up of punch cards, one of the few forms of punishment available to them. Supervising workers in person can be more dangerous for female contractors; this form of punishment is one of the few tools available to protect themselves and their women workers from sexual violence at the workplace. Carole, for example, commented:

> even one, as a woman contractor, doesn't escape from being harassed or catcalled, especially from seasonal workers who only work for me for a month or a few weeks ... when I catch men harassing women, I rip up their punch cards ... But even when women days later report other workers for harassing them or stealing their fruit, I deduct one full day from their paychecks, and they get angry and violent.

Carole's recollection emphasizes the contradictions that compose agricultural labor since, on the one hand, she punishes workers with wage theft when they harass women or steal their harvested fruit. On the other hand, she also practices the peer surveillance practices mentioned above, which encourage imminent dangers. Carole's words show that wage violations result from negligence and institutional shortcomings to ensure that workplaces are safe for farmworkers.

Nevertheless, the main problem is not that institutions such as OSHA and BOLI do not have sufficient resources and personnel to apply more comprehensive enforcement. The problem stems from the growers who have developed an entire industry based on the denial of ensuring the workers' minimum conditions to guarantee their good health and survival. In this sense, contractors can only make decisions and apply punishments based on what they experienced as farmworkers in the past and within the labor practices growers created,

Carole's recollection emphasizes the contradictions that make up agricultural work since, on the one hand, she punishes workers with theft of wages when they harass women or steal their picked fruit. On the other hand, she also practices the aforementioned peer surveillance, which encourages abuses against women in the workplace. It is important to mention that with these punishments, affected women workers and whistleblowers are not monetary compensated and do not receive back wages when their fruit is stolen. Carole, like most FLCs, kept this money

The second form of wage violation takes place by under weighing the amount of fruit harvested by each worker. Workers are aware of this, and some try to combat it with their own technology. “I carry this battery-powered scale to weigh my buckets. Contractors are cheaters, and sometimes their scales are fixed,” said Carmela, a 25-year-old woman farmworker in Oregon. She carries a small scale used to weigh suitcases when she is picking blueberries to make sure contractors pay her what she deserves. To counter this suspicion, some contractors like Ramón, a 57-year-old male contractor, brought gym weights to the workplace to show workers that scales were calibrated correctly each morning. Although these examples are not common, they help us visualize how the theft of wages comes from manipulating the scales used to weigh what workers pick in a piece rate system.

The third form of wage violation consists of unlawful deductions taken from paychecks. Research on labor contractors (Miller 2021) shows that given the difficulties of increasing their income, they can resort to cheating by keeping taxes that should be paid to the government to boost their incomes.[93] A common way among labor contractors to pocket taxes is to pay workers with cash. When workers are paid with checks, the most common form of payment, contractors manipulate the calculation of taxes in check payments, increasing the proportion of taxes and reducing the workers' wages. I noticed this pattern in workers' receipts of paychecks under piece rates from different contractors, showing that the amount of money deducted is greater than the percentage indicated by the state. In some cases, the combined rate between Social Security and Medicare was equal to 8 percent or 9 percent, slightly higher than the 7.65 percent established by the Social Security Administration, allowing contractors to steal $5-6 per week per worker. This pattern was only present under piece rates since the earnings from worker to worker vary too much, facilitating the disguising of this illegal practice. For instance, in an 8-hour shift in a blueberry field, there are an average of 120 farmworkers picking different amounts of fruit and therefore earning different money, between 80 and 200 USD; even if workers compare their paychecks with each other, they would hardly notice if contractors are subtracting illegally more taxes, unless they pick the exact same amount of fruit each day all week long. When FLCs pay taxes, they retain this additional money knowing that it is highly unlikely that they will ever be audited. In fact, none of the contractors I interviewed had ever been audited or investigated.[94] Furthermore, according to BOLI, there are only 1.8 state agents to investigate wage violations for every 100,000 workers (Bauer 2019).

[93] As mentioned in Chapter 2, between 2017 and 2020, FLCs were paid between $15 and $18 per hour per worker. From this amount, contractors retained between $2 and $5 for their managerial work, equipment, and the rest of expenses involved in the recruitment, transportation, and management of workers.
[94] I could not delve into contractors accounting methods to disguise this form of wage theft from their books.

The fourth form of wage violation occurs in relation to contractors' attempts to control the number of workers in a given day by lowering piece rates, which encourages some people to leave. El Tiburon[95] commented that "we have to change the rates throughout the day. For example, today we had too many workers in the morning, so we lowered the price from fifty-five to thirty-eight cents (per pound of blueberries), to make some of them leave. The last few hours we raised it to forty-five cents to not affect so much those who stayed all day." His words show the type of strategy that contractors develop to regulate the number of workers in the harvest of berries—in this case, the unexpected reduction in rates—to discourage a proportion of workers and make them leave the workplace. As required by the institutions that regulate the work of contractors, they must respect the rate agreed to in the workers' contracts—not change it at their will. Otherwise, they commit a wage violation, regardless of their multiple motivations for carrying out this practice. It is important to emphasize that per-pound rates for berries rarely exceed 0.60 USD, and these types of reductions make the difference between earning 120 and 80 USDs in 8 hours of work.

The last common form of wage violation for workers who are paid piece rates involves contractors reporting fewer hours than workers actually reported, thus reducing their average wage. Under Oregon law, workers are supposed to receive the state minimum wage per hour, regardless of how much they actually picked by weight. For example, suppose in 8 hours, a worker earned $67.50 instead of $90. In that case, supervisors would record only 5 or 6 hours, thus hiding that the worker was paid less than $11.25 an hour (based on the 2019 minimum wage in the Willamette Valley, except Portland). By changing these hours, contractors hide that workers were paid under the state minimum wage, either because workers did not pick the

[95] A farm labor contractor introduced in Chapter 3.

equivalent of the minimum wage during the working day, or because the farms did not have enough fruit for workers to harvest. In the first case, workers who do not meet the daily minimum set by employers are punished with a wage violation. In the second, all workers in the workplace are punished for something they are not responsible for. Some investigations (Holmes 2013; Jimenez-Sifuentez 2016; Zlolniski 2019) mention that workers are fired from crops under piece rates when they do not meet the minimum wage. However, my data suggests that in the valley, the theft of hours is more common among contractors since, in counties like Clackamas or Marion that have a high supply of contractors, laying off workers is the last option to decrease workers' chances of being employed by a different contractor.

Wage Violations Under Hourly Wage Incentive Scheme Late Payment to Farmworkers

While wage violations tied to piecework are more common, they can also occur in relation to hourly payment schemes. Delfino, a 40-year-old male contractor, provided an example related to a violation of overtime hourly wage policy: "I also take (farm) workers to a cannery south of Salem. Not all of them, only 8 or 10 are mine; the cannery has contracts with other contractors and also hires its own workers … they work the same schedules as on the farms, 10 hours, at $11.50 an hour." He indicates that the cannery has a segmented labor force (Zlolniski 2019) with a proportion subcontracted through contractors. However, unlike Delfino's workers, workers directly employed by the cannery are not considered farmworkers by the state labor regulations. Unlike farmworkers, the food processing workers are entitled to receive overtime wages after 8 hours of work. Contractors can commit an illegal practice while hiding a wage violation by sending farmworkers to non-farm jobs and not paying overtime wages. At the time of my fieldwork, farmworkers were not entitled to overtime wages, but food processing

workers are. Since that time the Oregon legislature passed a bill mandating overtime pay for farmworkers.

The second common form of wage violation under hourly wages happens when farm labor contractors pay for daily or weekly tasks as if workers were hired on a salary basis. Farmworkers commented that it is not rare that FLCs ask them to perform tasks on farms and nurseries and pay the equivalent to 8-hour shifts, even though they take more than 10 or 12 hours to finish the job. Guadalupe, s 24-year-old woman farmworker, mentioned that

> it always happens. Contractors tell you they will pay $110 a day and it sound OK. But then they keep you working ten, eleven or twelve hours until you finish the job. So, when you do the math, you see that the numbers don't add up. And understand them, because the farmers are the ones asking the contractors to pay only 8 hours and pressuring everyone [farmworkers and FLCs] to finish the job before the end of the day.

Guadalupe's recollection shows that, although contractors offer hourly wages, they pay under a salary line to finish the tasks. Based on her example, if farmworkers were paid $110 a day but worked a 10-hour shift, they would make $10 an hour, $1.25 below the 2019 minimum wage. Guadalupe added that farmers are ultimately responsible for this wage theft since they neglect to pay FLCs for farmworkers' additional hours.

In addition to wage violations tied to both piece-rates and hourly rates, there are systematic, unpredictable changes in payment schedules across the two incentive schemes—such as paying workers late that also result in wage violations. Leti, a 32-year-old woman contractor I interviewed, suggested that late or irregular payments by contractors to farmworkers may not be intentional or strategic, but result from late payments from growers to contractors: "When growers do not pay us (contractors) on time, we lose control of payments and have to delay payments for a few days (to workers)." Contractors can lose control of their own payment

schedules when growers are late with payments. Then contractors commit a wage violation by not paying on the indicated days.

In contrast to the explanation of contractors such as Leti, farmworkers believe that contractors change the payment date without notice to reduce turnover and keep workers from leaving. Javier, a 27-year-old male farmworker I interviewed at his place, commented:

> When there are not many jobs, contractors start saying "we can't pay you today, but we will for sure during the week send the checks to wherever you are working." But they don't tell us exactly what day, so we have to show up for work every day instead of finding other contractors with better jobs.

His narrative implies that workers continue working to make sure they get their checks, even when they may want to move on. He points out how contractors arbitrarily change payment dates to get workers to show up for work and prevent them from finding other employers with higher rates or more jobs.

While there are specific labor laws mandating that workers must be paid minimum wages regardless of whether their incentive scheme is piecework or hourly, contractors find ways to commit wage theft and of intimidating workers to maintain control over them. Undocumented workers are unlikely to report such violations out of fear and the necessity to keep working. Others may want to stay in the good graces of contractors to be able to one day move up the labor hierarchy to be *mayordomos* or contractors themselves.

Strategic Personalism

> One [of two] crew has lunch at 12:30 and the other at noon, so I have some time to hang out with the two crews. Yesterday, I arrived at the nursery a little before 12, and one of the workers was already approaching where I always park, and he helped me get the food I had prepared for them out of the car. While I gave them the paychecks, we chatted about the work during the week, how the family is going, and those things. When I talk to them on the phone, I try to be quick and only talk about work. But in person, I try to talk about other things. We talk about their children, or family parties ... Then I went to the

> other farm, they are about 2 minutes away, and the same thing. I gave them their paychecks, and a worker told me that she won't be able to work two days next week. I'm going to go to work one of the days because we need to finish the work in two weeks, and I don't want the owners to complain about not bringing all the workers ... On paydays (every two Fridays), they leave 30 minutes earlier, but I pay them the whole shift. (Silvia, aforementioned woman contractor).

Silvia gives us an example of the strategic use of personalism that contractors use to manage farmworkers in the Willamette Valley. I want to highlight three elements in this contractor's words. First, when she pays her workers every other Friday, Silvia provides food and drinks to socialize with the crews under hourly wages, and lets them leave 30 minutes earlier without penalizing their weekly wages; second, in these informal conversations, she collects information about farmworkers' personal lives and relatives; third, during these gatherings, she builds space and time for individual negotiations, in which she allows workers to have some control over their work arrangements, such as work schedules. These three elements have in common that they are performed by women and men contractors, personalized, calculated, and informal strategic actions that focus on workers' personal lives and activities out of the workplace.

As I will discuss below, this form of control is performed across different incentive schemes, creating ways to disguise exploitation, harvest personal information, and negotiate individually with workers. Many authors refer to personalism as passive and unintentional actions that locate value in worker interests, personalities, and emotions to mask exploitation and design personalized forms of control. However, in her research about catering workers, Mendez (Mendez 1998) emphasized the strategic calculation that managers perform to make these interactions happen as they gather personal information from each worker to create more personalized labor control. By using these relationships strategically, managers secure workers' consent, mask exploitation, shape forms of individual bargaining, and create relationships of loyalty, indebtedness, and submission. Following her work, in the next pages, I will explore how

FLCs perform strategic personalism and how this form of control reproduces precarious conditions for farmworkers, namely by disguising exploitation, harvesting workers' personal information, and imposing individual forms of bargaining.

Disguising Exploitation

One of Silvia's many managerial tasks as a contractor is making food for her farmworkers every other Friday. This is not distinctive of her, as most FLCs reproduce similar practices, either offering meals or other gifts or actions that mask farmworkers' precarious conditions by satisfying an immediate need in the short term. Rodriguez mentioned that his workers "already know that paydays, they don't have to prepare or buy lunch because I always bring them something, and I plan ahead to make sure I have cash to buy food. Even my workers' wives are grateful because they don't have to cook," which shows that by bringing meals, workers and their families save a little money and time.[96] "For those I take to the Christmas farms, I buy some jackets every year," Rodriguez continued, adding an example of a gift different from food that still seeks to satisfy the immediacy of a need: the need to protect their bodies from the cold weather during the last months of the year. In these examples, there is also a strategic plan, like the allocation of money and time to buy or prepare these material gifts.

However, this practice is not always presented materially, but also as emotional work. Contractors emphasized multiple conversations in which workers share their personal struggles in looking for some type of support or advice, or simply to vent. For example, when Pola[97] recounted her activities on the Friday before our meeting, she commented that "a worker called me to tell me about all his problems and to make me keep offering him jobs all year. And well, I

[96] A male contractor introduced in Chapter 3.
[97] A woman contractor introduced in Chapter 2.

feel bad, I listened, and helped with what I can because all of us are migrants and have had difficult times." Pola also takes the time to listen and help workers process personal struggles and uses her own experience as a migrant to empathize and sympathize with her workers. Pedro, an undocumented worker, added that "the contractor I worked with went through a similar problem, and he was the one who helped me solve my daughter's insurance problem," showing that his employer also played the role of navigator of the health system. This type of assistance is crucial for many undocumented migrants and their families, as they are a population that has faced systematic discrimination in access to health (Flores-Gonzalez et al. 2013; Gonzales and Vargas 2015).

In their experiences as migrants, contractors faced similar struggles and learned to navigate the system, creating knowledge that now benefits their migrant workers. Like food and clothing, counseling is only a short-term action and does not aim to create structural access to immigration counseling and health for migrant workers. This practice creates space for workers to feel valued, listened to, and supported. It is not a form of care labor that contractors offer their workers. It is quite the opposite, actually. Given the competition in the market, strategic personalism ultimately seeks to disguise workers' precariousness, maintain loyal relations, reduce turnover, and prevent them from seeking employment from other contractors.

Another way of disguising exploitation is through short-term solutions to conflict and other constant problems with growers, *mayordomos*, and other workers. In low-paying jobs that lack collective representation, workers face obstacles and retaliation when they complain about problems or injustices in the workplace (Gago 2017; Ribas 2015; Zlolniski 2006). However, contractors occasionally offer conflict solutions as a gift or favor and a strategy to make workers

feel valued. For example, Pola supports her workers when they complain about the ways growers treat them in the fields:

> We had a contract with a Russian woman (farmer). She has a blueberry farm, organic and good quality. That means problems with bees and spiders always around the fruit. My women workers complained because one of them got very bad after a spider bit her and the Russian said that the workers were making excuses to be lazy ... And she would say things, you know, racist comments. Then, one day I told her that she could not treat my workers like this and that we would no longer work for her... we negotiated to increase $0.50 workers' wages and the Russian did not have any other, could not say no, because she could not leave the project halfway done.

As an action against the mistreatment and racist comments against the workers, Pola pressured the grower to increase workers' wages by 50 cents: "I listen to the workers, that's why they work well and stay with me," Pola added, showing that this strategy benefited workers' wages and, as a form of strategic personalism, created conditions that reduced the chances of her workers trying to find other employers and intensified loyalty relations so that workers were compelled to work with more efficiency.

Similarly, contractors occasionally support workers against bullying by *mayordomos* and abuses performed by other farmworkers. While I was conducting on-site observations at a vineyard, a couple of workers told me that they complained to the contractor the day before because the *mayordomos* would hit them with a branch when workers made mistakes. As a solution, the contractor changed the *mayordomos*, gaining farmworkers' approval,[98] which affirmed that, compared to other non-agricultural, low-paying jobs, with FLCs there were possibilities to reach these short-term solutions.

This way of masking exploitation has a couple of essential elements in common that we must highlight. First, they represent short-term solutions that manage to satisfy the basic needs of

[98] However, these workers also recognized that this was a superficial solution, since in their experiences working with contractors, they have seen this type of temporary practice on a recurring basis. "After a while they come back," mentioned one of the workers, highlighting the short timeframe of these solutions.

the workers to continue producing in precarious conditions. Second, the contractors focus on showing that they punish specific individuals, generating alliances with the workers against a " perceived common enemy: the contractors and the workers against the abuse of the growers, contractors and workers against abusive managers, and contractors and workers against abusive workers. In turn, this practice does not represent the kind of structural change that would allow workers to complain about unfair practices permanently and not just occasionally. Ultimately, contractors' good intentions, their occasional solidarity with workers, and their punishments of common enemies strategically aim to prevent workers from leaving for other employers. In this sense, their strategic personalism seeks to keep workers compliant and productive ((Burawoy 1982; Edwards 1979)) by disguising exploitation and precariousness (Mendez 1998). Ultimately, all FLCs in the valley offer jobs with similar precarious labor conditions and their differences are rooted in strategies to disguise precarity and exploitation.

Harvesting Personal Information

While interviewing Jose, a 44-year-old male FLC, at a vineyard in late July, he asked me to walk with him to provide new instructions to a few of his workers. The contractor began socializing with a group of workers about their families in Mexico, and one of them shared that his daughter had passed away three years ago. After a few minutes of conversation, we continued walking, and Jose asked me: "Did he say his daughter is buried in San Martin? On August 15th, they bring food and music to the cemetery because they have Virgen Mary [statue] there. I will put aside some cash in case he wants his paycheck days earlier to send money for flowers." He took out his cellphone, opened his calendar app, and noted the potential need for extra cash and the workers' name. This is an example of the strategic harvest of personal information that

contractors perform through the personalistic conversations centered on workers' lives and family members.

Workers' personal information plays a crucial role in making strategic personalism more efficient and personalized. Delfino walked me through his process of collecting and creating personalistic conversations: "Before going to bed, I read the news from Oaxaca, from Michoacan, from El Salvador, from Guatemala, so I have something to start a conversation, learn more about them and keep them entertained to reduce the tiredness." Delfino's daily routine includes reading news from his migrant workers' home communities to engage in more personalized conversations both to harvest more personal information from them and to increase their productivity at work. Carole commented about how she organizes the information she harvests from socializing with her crews and what she uses it for:

> I need to chat with them every day. I need to know what is going on at home... here in my notebook, I have everything written down ... who may be absent without notifying me on time because they have a sick person at home ... I anticipate that they might ask me for the payment in advance because there is a baptism party in their family in two weeks. I have everything written down here.[99]

Carole showed the importance of personal information for contractors, since it allowed her to organize work schedules and paychecks and anticipate the days that workers may not come to work. She records all the information that she can use to administer their schedule, rearranges the crews, and ultimately makes more profit from workers' labor. For Carole, socializing becomes a means of gathering the information needed to provide and manage a flexible labor force for growers. She cannot risk losing her farm projects to another FLC by not bringing full crews to work. Likewise, all the contractors interviewed kept a detailed record of their workers' personal lives, either in small notebooks or on their cellphones.

[99] A woman contractor introduced in Chapter 2.

By centering our attention on the harvest of information as a critical process to design more efficient and personalized ways to control farmworkers, we stress a pragmatic reason in the recruitment of family members. As the literature on migrant labor has shown (Barrientos 2013; Chomsky 2014; Griffith 2016; Jimenez-Sifuentez 2016; LeRoy 1998; Ortiz, Aparicio, and Tadeo 2013; Sánchez and Serra Yoldi 2013; Zlolniski 2019), FLCs have represented important figures in migration processes and in access to employment by their sisters, brothers, cousins, in-laws, nephews, and nieces. Beyond their good intentions, contractors' strategic personalism benefits from hiring their relatives: kinship networks make it easier for contactors to know if relatives have dependents that might compromise their work, if they have an emergency and cannot show up to work, where and when to find them after working hours, if they are looking for another job, or if they complain about labor conditions. Unlike other workers, kinship networks provide more personal information and build loyalty relations and obligations that favor labor control and disguise exploitation.

This practice shows why Foucault (1979) suggested that the microphysics of power in modern societies results from the systematic measurement and collection of information of each individual. However, unlike the French author's approaches without ontology, contractors' narratives show that the accumulation of information occurs in specific working conditions, in this case, through a labor subcontracting system where the vast majority of contractors shared work and migration experiences with the workforce. In other words, the harvesting of this information and its use to control workers is conducted by a specific type of employer who does not own the means of agricultural production, but shares similar labor and migration experiences with the workforce. In addition, as contractors showed, the spaces and times for collecting this information are not taken for granted at the modern societal level, but rather are strategically

constructed based on contractors' material conditions, as they invest time and money, for example, to socialize with each crew and to study workers' home communities.

Individual Bargaining

Every day FLCs negotiate labor arrangements with workers who call asking to be late, leave earlier, work more hours, work fewer days, work more days, change workplaces, and receive paychecks before payday, among other requests. They manage to keep workers in coercive relationships that Nakano Glenn describes (Glenn 2010) as a decision between an undesirable situation and another that is even worse. This form of negotiation is neither unique nor new to FLCs, and it is widely common in precarious jobs where workers are denied access to collective bargaining (Armano et al. 2017; Kalleberg 2009; Mendez 1998; Standing 2014; Zlolniski 2006). However, I want to emphasize the strategic calculation that contractors follow to create these spaces to reduce turnover among workers while hindering possibilities for farmworkers to organize.

One of Fernando's most consistent managerial strategies consists of opening the means for individual bargaining.[100] Every day before having dinner, he disciplines his workers to answer calls and messages after working hours to confirm whether they will work the following day or to negotiate a change in the work schedule:

> before sitting down for dinner, I text all my workers. I ask them to confirm if they will work the next day. If they take the day off without letting me know I don't fire them, but take two or three hours from their paycheck … and many ask me if they take the day off or arrive after leaving their children at school … I cannot give them what they want every time, but it is important for me to try because I also need to ask them to make changes. "I let you come late twice last week, I need you to cover for another worker," I tell them … Two weeks ago, two of my workers said they would stop coming because their other jobs changed schedule. So I told them that they could work different shifts with me. I prefer that instead of just letting them go.

[100] A farm labor contractor introduced in Chapter 3.

Forging these spaces, in person or by phone, is part of the strategic personalism he performs. Fernando makes time to listen to farmworkers' requests and complaints and to negotiate work schedules that satisfy their immediate needs. His example shows how he disciplines workers to establish these negotiations. First, he forces workers to confirm the work schedule each day, and when workers do not answer the phone, Fernando punishes them with an illegal wage violation and disciplines them to negotiate individually outside of the workplace. His narrative emphasizes the importance of reducing turnover among his workforce since he prefers to steal part of the workers' wages instead of firing them and hiring others who consistently comply with work schedules. He also mentions that some of his farmworkers have other jobs, and he would rather negotiate different shifts with workers instead of losing them. Like Fernando, contractors mentioned that it is essential to allow the workers to negotiate some labor arrangements such as the location of the workplace, different paydays, transportation, or loans to prevent them from leaving for other employers, given the high demand for workers in the agriculture industry.[101]

Following the work of Hodson (Hodson 1995, 1996) on management and workers' resistance to labor control, we see how contractors shape the means workers can use to gain some control over their labor arrangements. In addition to building loyal relationships, masking exploitation, and applying more personalized labor control, by establishing individual bargaining as the most standard way to negotiate control over some labor arrangements, contractors also create obstacles for forms of collective bargaining and organizing that could create long-term structural benefits, not only at the individual level, but for all workers.

[101] In the next chapter, I will delve into farmworkers' tactics and motives to negotiate work schedules, the location of workplaces, and payments.

This effect became clear in my interviews with multiple advocates who mentioned that contractors' occasional willingness to negotiate individually with workers was better than formal or class actions that would put their jobs at risk. Giovana, a 53-year-old woman advocate, mentioned that, "organizing workers against contractors would affect many families. Jobs with contractors are the least worst. They are more willing to dialogue and understand, and the workers know that too."[102] She shows that, unlike growers or other employers, contractors' willingness to negotiate with workers is reason enough to avoid other forms of action that could establish standardized forms of negotiation and better labor conditions for all farmworkers. This way, individual bargaining in agriculture, as in other industries, represents one of the most significant victories of strategic personalism. It has become a release valve that helps reproduce precarious labor conditions through the occasional satisfaction of workers' immediate needs.

Conclusions

This chapter discussed the strategies contractors use to keep workers compliant and productive in the workplace. In the process, I presented three main arguments to understand how specific elements of precarious labor conditions reproduce through managerial strategies. Let us now review the chapter based on the three central arguments.

First, consent plays a central role in controlling the labor force in agriculture. FLCs establish consent to encourage workers not to seek out other employers and incentivize them to meet the production requirements that growers demand from contractors. In this sense, FLCs remind us that labor control is like a rubber band that stretches and loosens: if the rubber band is too loose, the parts do not hold and fall off; if the rubber band stretches too much, it exerts

[102] Giovana is from an indigenous community in Oaxaca, Mexico. She worked as a farmworker since she arrived in the US in the early 1990s, until 2010. She has worked as an interpreter and advocate of migrants' rights ever since.

excessive pressure and breaks. Contractors' strategies aim to keep the rubber band not too loose and not too tight.

The incentive schemes --piece rates and the hourly wages-- seek to generate this consent. In other words, they seek to make workers willing to work for them and not for another contractor in an industry where, regardless of the employer, farmworkers will face low wages, wage theft, pesticides, hazards in the agricultural production process, high temperatures, heavy rains, cold and frost, and wildfires. Similarly, with strategic personalism, FLCs seek to disguise exploitation and forge more personalized management to convince workers that they are the least worse employment option on the market.

Second, I showed that contractors reproduce specific forms of precarious labor conditions through each incentive scheme. That is, ways to keep them working with low wages, make them earn less than the minimum wage, forms of wage theft, and forms of management that put their health and bodies at risk. As I showed, the piece rate system generates dynamics of competition that increase the chances of workers getting injured in the workplace and stealing each other's harvested fruit, as well as forms of peer surveillance that are the means to reproduce sexual violence that forces namely women to produce more and faster. When contractors incentivize workers with hourly wages, they use other forms of peer surveillance that also put women at risk of facing sexual violence. On the other hand, contractors use *raiteros* to keep workers in the workplace without personal supervision and transport them, forcing them to remain in dangerous environmental conditions. The *raiteros* system puts workers at risk of death due to the lack of van maintenance, lack of training for the drivers, and lack of insurance that covers workers and creates situations in which women have to endure more sexual violence.

Third, in this chapter, I showed that contractors systematically impose forms of individual negotiation with workers. These negotiations occur occasionally or sporadically for each worker, even though it is part of the management tasks they carry out daily for contractors. Although this practice allows workers to have some control over their work schedules, workplace locations, paydays, and incentive schemes, it only seeks to maintain consent and productivity among workers. Simultaneously, in the long term, they create more obstacles to improving structural conditions and reducing precarity for the entire labor force as a collective. Individual negotiations have been so successful that today main farmworkers' advocate organizations in the valley evade investing efforts in labor organizing to avoid putting this individual bargaining system at risk. Proof of this is that no strikes, class actions, or collective bargaining efforts have been organized in the Willamette Valley for more than 20 years.

Finally, all these strategies developed a symbolic debt system through strategic personalism among workers that constrains their ability to access less precarious labor conditions, justifying more forms of control and violence. As Sindy, a 39-year-old migrant farmworker who has spent most of her life working for Oregon agriculture, said, "contractors compete to be the least bad, and they make you feel like you owe them everything, like they do you a favor. They make you feel that giving you a job is a favor and you owe them." Her words show that the FLCs' strategies coerce workers to stay with the same employer and precarious conditions. This mechanism helps us understand how labor relations empower contractors to feel entitled over workers' bodies, putting their health at risk. As some feminist authors (Federici 2020; Gago 2017) indicated, the body is not exempt from paying the debt.

CHAPTER V
FARMWORKERS' SURVIVAL TACTICS AND TACTICAL PERSONALISM

This chapter centers on the experiences of migrant and US-born workers employed by FLCs in the Willamette Valley by asking the following questions: Why does part of the labor force work for farm labor contractors? How do farmworkers respond to contractors' managerial strategies? What tactics do farmworkers use to bargain with contractors for better labor conditions? In the regions of the Willamette Valley where agriculture is the primary industry, farmworkers can only access direct and third-party employment characterized by temporary jobs, low wages, 10-to-12-hour work shifts, wage violations, multiple unfair and illegal labor practices, and lack of labor rights, benefits, and health services. I argue that workers design tactics to survive these conditions from the informal economy and labor flexibility that contractors reproduce. On the one hand, having access to the informal and formal economy allows farmworkers to find employment and maintain a regular income. On the other, individual and unsystematic bargaining tactics are crucial for workers to gain control of their labor arrangements to manage poverty and indebtedness, fit together multiple jobs, and care for dependents. This chapter aims to show that farmworkers engage in daily struggles to challenge precarity imposed on them in the agriculture industry, gain employee-driven labor flexibility, and dignify their devalued yet skilled farm labor. Although these individual bargaining efforts are not collectively directed to improve the labor conditions for all workers, without them, farmworkers would be facing higher obstacles to survive precarity, and agricultural production would be less efficient.

In the following sections, I draw on farmworkers' narratives to gain insight into how and why they resort to FLCs' informal economy and labor flexibility to survive precarity and marginalization that defines agricultural regions in the Willamette Valley and all farm jobs. As

mentioned in Chapter One, I center my analysis on the experiences of the largest proportion of farmworkers who engage in coerced wage-labor and have some capacity to decide whom they work for, and I did not interview those whose relations with contractors have been rather defined by forced labor[103] and human trafficking (Bender 2012; CHANG 2013; Chomsky 2014).

The chapter is divided into two parts. In the first one, *Surviving precarity through subcontracted farm jobs*, I focus on how and why farmworkers resort to contractors as a survival tactic: first, I discuss some of farmworkers' reasons for working for FLCs instead of direct employment in agriculture or other industries; second, I discuss how undocumented migrants find and get recruited by contractors; third, I focus on the reasons and tactics of elderly workers and those with disabilities or health problems. In the second part, *Surviving precarity through individual bargaining*, I focus on farmworkers' individual bargaining tactics and unorganized daily resistance to survive precarious labor conditions, fit together multiple jobs, and care for dependents. The first section discusses a set of personalized tactics that workers design to resist employers' abuses. Second, I discuss individual and unsystematic tactics to negotiate work schedules and workplaces to adapt to the unpredictability of other work schedules, imminent dangers, and care of dependents.

Surviving precarity through subcontracted farm jobs

Why are some farmworkers subcontracted by FLCs and others directly by growers? There are two structural factors that help us understand why many people are forced to work for farm labor

[103] Although all forms of labor are forced and unfree in the sense that workers must work in order to pay for basic needs, there are undocumented migrants who are tied to FLCs through indebtedness, hindering them from finding other employers or living arrangements. Today in Oregon, there are agricultural growers and FLCs that monopolize agricultural regions (Hood River, for example), preventing documented and undocumented farmworkers' possibilities to change employers, labor arrangements or living conditions. Nevertheless, they do not have debts defining them as forced, indentured or unfree workers.

contractors. First. space segregation of people of color in Oregon pushes them to live in areas with low-paying agricultural jobs and, as explained in Chapter Three, where contractors offer a large part of the jobs on the nearby farms, nurseries, and canneries. Likewise, U.S. citizens with migrant parents who settled in these marginalized areas end up working for contractors due to the lack of access to better jobs or transportation.[104] Second, countrywide legal marginalization allows employers to exploit migrants while excluding them from formal employment and access to labor rights (De Genova 2004; Webb et al. 2009). Philip Martin (Martin 2003) has shown that most of the attempts to regulate agricultural employers and punish them for hiring unauthorized workers have only pushed migrants into intensified precarious conditions. Enforcement institutions have always lacked resources to investigate the vast majority of employers breaking the law. For this reason, it has never been true that undocumented farmworkers have mainly sought informal-economy jobs with FLCs, as with unfunded enforcement institutions, growers have never really been at risk of being investigated.[105]

During my interviews, I asked workers about their reasons to work with contractors or directly with growers. Their responses generally showed that the decision between working for one or the other is very constrained by the region and migrants' legal status, and regardless of the type of employer, workers face abuses and illegal labor practices:

1. The decision is impossible in regions where contractors or growers monopolize all the farm jobs. "We work on whatever we find," replied Luis, a young 18-year-old worker.

[104] The experiences of workers employed by contractors suggest that a large proportion of the agricultural labor force work directly for growers for two main reasons: first, living in a location where there is more work offered directly by growers and, second, having been recruited from another country or state directly by growers.
[105] This form of marginalization also makes undocumented migrants brought from south of the border become indebted and tied to contractors for years after crossing without documents.

2. Undocumented migrants are more likely to find work through contractors. Baltazar, a 39-year-old farmworker and has been an undocumented migrant for 21 years, mentioned that "although there are several farms where they do not ask you if your documents are real, they accept the photocopy like any contractor, big companies would not take the risk. They use more contractors."
3. All the interviewees mentioned that regardless of the employer, all jobs are physically demanding and low-paying, and there is always the possibility of employers stealing wages and making employees work unpaid overtime. As Sofía, a 42-year-old worker, put it, "there are bad ranchers and contractors and others a bit less bad."

However, many workers indicated a certain preference for contractors. Claudia, a 17-year-old woman farmworker, mentioned that "when the job or the season ends, farmers fire you. But contractors don't. They send you to work somewhere else." Like Claudia, many workers residing in the valley prefer to work for contractors who can guarantee jobs year-round. Leticia, a 38-year-old farmworker and Claudia's mother, added that "with contractors, it is easier for me to find something [job] where my daughter and I can be together." Like Leticia, many workers mentioned having more ability to negotiate labor arrangements with contractors than directly with growers.

Echoing Claudia and Leticia, Estefania, a 28-year-old woman farmworker, commented that she and her cousins seek to be recruited by contractors controlling labor in different workplaces to have the possibility of switching from one to another when the work is very exhausting.

> We don't have many job options for half of the year, so we take whatever the contractor finds. There is no other way; sometimes, during winter, contractors are out of jobs for

> weeks, and we look for more jobs in canneries or nurseries. But when the contractor has more options, we do ask him to put us in the easiest one. And in summer, it is easier because most people want the harvest jobs [under piece rates], but we do not like that because it is very exhausting, and you don't stop rushing.

Estefania's recollection shows that there are times when it is difficult to find work with contractors since, during fall and winter, agricultural activities decrease on many farms. However, with this form of employment, they manage to have jobs with some regularity all year long. When more job positions open during the spring, it is easier to transfer to workspaces with less physically demanding activities. They take advantage of the fruit harvest season, as a large part of the valley's labor force transfers to fruit farms under the piecework system.

After I asked why they do not stay working in the canneries, she added that "it is even harder, tedious, and you can't walk around. Plus, it is too loud and can't chat with anyone." Estefania and her cousins prefer jobs that allow them to move their bodies and chat with each other. Her words are representative of most of my interviewees with experience in meatpacking and canneries; they all complained about standing in the same position upon a machine for 10 or 12 hours. Raul, a 53-year-old farmworker, commented that "in the wine-bottling season, I don't work at the winery and find a contractor with other jobs … it hurts my back to be standing in the same position at the machine's speed." Like Estefania, he exemplifies the vices of many workers who complained about the technical form of control based on the production line (Edwards 1979) in wineries and other industries, as it causes pain in their bodies and constrains their movement and interactions with other workers.

For many interviewees, FLCs' jobs represent an improvement instead of working directly for growers, or in other industries like meatpacking or canneries. With contractors, there is a possibility to work on farms where they can move around, stretch, walk, or work with family members while chatting. Choosing between a precarious job and a similar or worse one is a

decision defined by coercion (Glenn 2010), and farmworkers make these decisions daily. Nevertheless, the slight differences help them survive the precariousness that dominates all the available forms of employment in the region.

Unauthorized migrants

> *On April 25, 2018, Santiago asked a friend to picked him up in Springfield, as he wanted to start dropping job applications with different contractors in Woodburn to secure work for the next few months, but first, Santiago needed to obtain a new fake work permit and social security number.* [106] *After picking him up, he grabbed his cellphone, entered an address on Google maps, and asked his friend to follow the directions. They took the highway to another city, parked by a country-style barbershop where Santiago got off the car and walked to the other side of the block. After 10 or 15 minutes, Santiago returned with a small envelope in hand with a new work permit and social security number for which he had paid $120 total. "How did you find this place?" his friend asked, and Santiago answered that a few months before, he overheard two white high schoolers talking about this place to buy fake IDs to be allowed into bars. He walked around the blocks for three weeks, searching the place and making sure it was safe, which he verified after asking other Hispanics in the area.*
>
> *They took I-5 and drove toward Woodburn to search for job posts that contractor usually put on Hispanic businesses' windows and doors. After parking the car, they walked down the main street: one side of the streets is featured by the railroad tracks that cross California, Oregon and Washington from border to border. There are some Hispanic markets, bakeries, ice cream shops, clothing stores, restaurants, currency exchange houses, travel agencies, photo studios, coffee shops, and farm labor contractors' offices on the other side of the street. As they walked, Santiago took photos of posters written in Spanish and English that contractors put up on the windows advertising jobs in the fields of blueberries, strawberries, grapes, and job offers in other types of farms, nurseries, and canneries. Offered jobs indicated both managerial schemes, hourly wages, and piece rates--"by contract," as farmworkers usually call it. In those posters, contractors included phone numbers, contractors' office addresses, and in some cases, social media and email accounts. Most of them did not include workplaces' exact addresses or zones. Some mentioned that they offered transportation for farmworkers without a car, and others specified that contractors' transportation was mandatory.*
>
> *After having gone through all the Hispanic businesses to take pictures of the job posts, Santiago and his friend went to a restaurant to eat. Santiago took a napkin and wrote down all the phone numbers we collected, and started calling contractors. "Forget it, not this one," he said after hanging up, "he said I could fill out the application tomorrow, but I had to confirm if I was going to go, so he could send me the address the*

[106] Santiago arrived in the United States in 2013 with a tourist visa, and since then he has been working without a work permit, for which he obtains fake documents that he renews every year.

following day at 5 am." Santiago told the contractor that he was unable to confirm without knowing the address beforehand. He decided to try with another contractor, as he needed to know at least a nearby workplace location to figure out his transportation. The call with the fourth contractor seemed more promising. "He pays $11.50 and said that he has work at a cannery and a nursery close to my house". The contractor also mentioned that Santiago could fill out the application at the beginning or the end of his first working day, that way he would not have to travel to the contractor's office, which is in a different city. Santiago would start working at a cannery as of the following week, from Monday to Saturday, 10 hours a day, or 12 if Santiago wanted, but without paid overtime.

I want to emphasize experiences of undocumented migrants, like Santiago, that show their tactics to survive structural marginality by finding FLC and accessing the job market. This field note introduces us to the complex world of job search for migrants without work permits in industries where the border between formal and informal employment is blurred. Santiago is a 33-year-old migrant worker. For the past four years, he has lived in the Willamette Valley without a work permit, transitioning from one temporary job to another in the food and agriculture industries. Santiago followed three essential steps to find and be recruited by a contractor.

First, he learned how to locate safe places in the valley to obtain the fake documentation required to fill out job applications, and diminish the risk of being detained and deported, which undocumented migrants face. Second, Santiago looked for ways to access information about contractors' job offers, which is found in strategic places, both physical and online: few Hispanic restaurants and stores where FLC announce their job offers in Springfield, Gresham, Cottage Grove, Silverton, Salem, Hillsboro, Northeast Portland, Woodburn, St. Paul, or Canby. He does not own a car, so he pays friends or coworkers to drive him in search of this information. Santiago took advantage of my wishes to conduct an interview and asked me to drive him to Woodburn to collect contractors' phone numbers, Facebook pages, and emails. Third, Santiago performed the first round of individual bargaining with his prospective employers: Contractors' personal control shaped the phone negotiations–which are often informal and arbitrary, as I will

discuss further in the next sections– but contested by Santiago when he called more contractors to find the one with the mutually agreeable conditions.

These three steps that Santiago followed are typical among unauthorized workers and undocumented migrants–but not limited to them. Finding transportation is also a struggle as many live in farms, labor camps or apartment rooms in small white rural towns where contractors' information is not available. In many cases, transportation is provided by other migrants also living in poverty and who would certainly charge for the driving or fuel. In order to fill out the job applications, unauthorized workers need to acquire fake IDs and SSNs and, in many cases, *polleros* and FLC inform them or take them to a safe place without risking being detained. In addition, having access to a cell phone with the internet is essential to find contractors' job posts on social media, bargain the labor arrangement, and use Google maps to travel around the valley. It is also common for crews of workers that live or travel together to share the same device and the cost for the cellphone services.

Unemployable bodies: marginalized authorized workers

Unauthorized migrants are not the only excluded workers from the formal job market trying to find temporary jobs with contractors in order to survive. Settled, regularized migrants and first-generation citizens, too, live in constant marginality and face legal and social barriers to access or maintain formal and full-time jobs or employment benefits. Many aim to be recruited by farm labor contractors with whom they have more possibilities of receiving a regular income and negotiating arrangements. In this section I want to focus on the narratives of elderly migrants and workers with chronic health problems and disabilities who resorted to FLCs after

experiencing constant layoffs from other formal jobs, and exclusion from social services and public institutions.

Fernando's experience is particularly revealing to understand the experience of workers with chronic health problems struggling to be hired or to remain in a job position. Three years ago, when he was 17, he had a motorcycle accident. After that, he ended up with chronic problems in his hips, back, neck, and right knee. Due to his health condition, he required specific time and space arrangements that his high school was unwilling to provide, pushing him to drop out. Besides the education system, Fernando faced the same struggle in the job market and was unable to remain in a job for more than a few weeks.

> I have been working with contractors because no one else is going to hire me… I have tried other jobs but never lasted long. I worked in a restaurant, both in the kitchen and as a waiter. My hips and knee hurt a lot, and after a month, I had to quit. I also tried a shoe store, but they fired me because they were very strict with the schedules and days, and the truth is that there are days when I can't even move because of back pain or knee pain. Not even at Walmart -Fernando laughs- I wouldn't last a month there, nor would they hire me… I know I was not the best students but after the accident I needed miss more classes, I needed to do my exercises in school for five minutes every hour. I needed to lay down and raise each leg for 1 minute, then stretch my hips turning both sides and then stand up and stretch my arms and my back. So teachers would complain, they would not let me do all of them and the pain was always there.

His words show that the job market and education system do not provide the minimum conditions for him to treat his health problems and heal from the accident. He constantly had to miss classes and workdays, arrive late, change position due to the pain, and interrupt his activities to do rehabilitation exercises. Teachers and managers neglected to allocate the minimum conditions that his body required to heal, pushing him into the temporary employment that farm labor contractors provide. Fernando continued:

> […] sometimes I ask a friend to take me to find phone numbers. Neighbors and my mom's coworkers have passed me phone numbers too […] I call them and tell them what the situation is, and sometimes I work 4 hours, sometimes they have an easy task for me

> to do. Sometimes, a task where I can be sitting in the nurseries or walking pruning plants. Now I work with two contractors who have projects almost all year.

Fernando has been able to find the specific work accommodations to bear his chronic pain by working for FLC, who –as mentioned in the previous chapter– control labor in different agricultural productions, workplaces and provide flexible schedules. To be recruited, he tries different options: first, he asks a friend to drive him to the cities and stores where contractors typically announce their job offers. Additionally, he asked for contact information from other people in his network. When Fernando "tells them the situation" he informs contractors about his health condition and negotiates labor arrangements that would allow him to do rehabilitation exercises. This way, he finds jobs in which he can move his body and do rehab activities during working hours to avoid severe pain. At the same time, Fernando challenges the unemployability defined by the formal job market, where most employers would hardly assign these accommodations to migrants of color with limited mobility.

His experience is not unusual and it is echoed by other farmworkers who have found in contractors a way to be employed and get a regular and consistent income when other employers fail to provide the minimum conditions for workers in rehabilitation. Half of my interviews shared similar experiences and commented on having to look for FLCs after losing other jobs or dropping out of school due to a health problem. Agricultural labor is also intense for their bodies, but as Fernando shows, they have more possibilities to switch positions and workplaces. His experience also shows that he is able to be recruited by contractors, not because of their good will to employ marginalized workers, but because of the flexible schedules and the variety of workplaces they manage. No matter how many hours Fernando is able to work, he would still make money for himself and the contractor.

The narratives by El Chimuelo and his family provide us with other example to understand how workers with health problems and disabilities negotiate their recruitment. El Chimuelo, his wife, and his brother-in-law are seasonal migrants who arrived in Oregon in mid-spring 2018, but their usual residence is in Madera, California. In 2012, he had an accident working at a brewery in California, and ever since, he has suffered from severe pain in his left knee. Carlos, his brother-in-law, lived in Wisconsin, where he worked as a construction worker. However, in 2016 he fell from a roof and now has limited mobility in both of his arms. Furthermore, both have faced extremely limited access to health due to their legal status in this country.

> This contractor was the fourth or fifth (to be called). We told him that we only worked until 2:30, and he told us that that schedule did not suit him. He said that he would permit us to work 8 hours but entering at 8 in the morning and leaving at 4:30 pm, because he needs us to give a woman a ride back to her house, from Monday to Saturday… no, directly with farmers is not an option. They don't want workers to arrive and leave when we want.

Due to their health problems, they preferred to work no more than 8 hours a day, from Monday to Saturday. This way, they have a couple of extra hours to rest and perform their daily rehabilitation exercises. El Chimuelo mentioned that they called different contractors before finding the one willing to negotiate work hours. The contractor did not accept the work schedule El Chimuelo and his family had requested. Instead, they agreed on 8-hour shifts leaving at 4:30 pm in exchange for driving one of the workers back to her home for free. In other words, neither the contractor nor the woman worker would pay for this service and was traded for a flexible schedule that works better for El Chimuelo and his family. In the end, he emphasizes that negotiating work schedules while being recruited is not a possibility with direct agricultural employers, showing that workers with health problems and disabilities still have to develop tactics to be recruited, such as offering unpaid transportation for other workers.

Elderly workers, too, mentioned looking for contractors as they offer more possibilities for constant employment. For many Mexican migrants in the country, reaching age 65 with enough savings or a retirement plan to stop working is an unattainable goal (Desmette and Gaillard 2008; Green and Ayala 2015; Roman et al. 2016). For this reason, some return to the country where costs and services are more accessible or remain working until their bodies can no longer support exploitation. Ramona's experience reflects these processes. She is 72 years old and has been a farmworker in Oregon for over 50 years.

> As you get older, they no longer want to hire you or fire you for anything… From the food packing, they fired me because I go to the bathroom too often... And at home, the family tells you that you are old, you are weak, that you have already made your money, that you have to stay at home or you'll get sick. And yes it is true, I already have my savings, I have a house that I bought for my sister in Michoacán, I have my cars. But I want to continue working because I can do it, and I want to continue here in the field, with the plants. What am I going to do alone in the house?... After working so many years in agriculture, this is what I know how to do, and you learn to talk to contractors and *mayordomos*, so I find myself a quiet job, doing what I already know how to do. Sometimes they tell me to work 6 or 8 hours, so I don't get tired, but because of the taxes it is not convenient, you have to work at least 10… It is convenient for contractors because I have a lot of experience, I am responsible, and they also earn their money.

For Ramona, working with contractors is also a matter of dignity and autonomy, as employers in formal jobs and her family constantly aim to define her as unemployable because of her age. On the one hand, during her years of experience in agriculture, she has accumulated knowledge and skills to sell her power labor and get hired by contractors. She has also accumulated the experience to negotiate the work arrangements to work in the types of products where she has the expertise, the working hours that Ramona prefers, and workplaces where other workers do not bother her because of her age. On the other hand, through contractors' temporary work, Ramona defines her own autonomy with clear borders upon her family members, who reproduce forms of symbolic violence by limiting her control over her own body, labor power, and existence in

general. In addition, being employed is also a tactic to avoid isolation at home, and depending on her mood, she interacts or avoids people. It is essential to recognize that Ramona has savings and a house in Mexico, which allows her to 1) define greater financial autonomy for her and her family. 2) to be less likely to ask contractors for loans or payments in advance, therefore avoiding indebtedness relations with her employers.

Ramona's experience echoes the tactics that workers develop to dignify their aging process and their knowledge through the temporary employment that contractors produce. Norbert Elias (2015) indicated that aging is defined as the beginning of the end of existence in Westernized cultures. This process involves practices that stigmatize the elderly and reduce them to useless bodies preparing to die. It has been shown that older workers face constant discrimination in the workplace, and their labor rights are systematically violated (Desmette and Gaillard 2008; Roman et al. 2016). In this sense, elderly workers prefer to farm labor contractors because they can negotiate workplaces and work schedules that work better for them, which would not be possible with other employers. This way, they can continue working and earning the minimum money they need to survive.

Employee-driven labor flexibility and unsystematic resistance

Research has documented that agriculture in Oregon and the U.S., in general, is one of the industries with the most precarious low-paying jobs and highest abuses. Nevertheless, in over 20 years, we have not seen a large movement or strikes organized and led by farmworkers themselves. One of the most important reasons is that workers are denied the right to union representation and collective bargaining in this industry. However, this does not mean that farmworkers passively accept exploitation, precarious conditions, and employers' abuses. On the

one hand, enforcement institutions perform investigations within the limited resources they have. Additionally, advocacy organizations that fight for farmworkers' rights on multiple levels, educate, and organize a proportion of the labor force and migrants in the Willamette Valley—PCUN, for instance, has approximately 1,500 members. On the other hand, farmworkers perform individual and unsystematic forms of resistance and negotiation to gain some control of their labor arrangements and protect themselves from employers' abuses and imminent dangers in the workplace.

Table 2: Oregon Agricultural Employers Reported by Workers for Wage Violations (2005-2020)

Type of Employer	Average Reported Employers per Year	Percentage within Agriculture	Average Employers in Oregon per Year	Percentage of Reported Employers per Year
Growers - Crops and Nurseries	10	64.33%	2197	0.48%
Farm Labor Contractors	6	35.66%	366	1.58%
Total	16	100%	2563	2.06%

Source: Enforcement Data from the Department of Labor. Type of Employers are defined by NAICS codes.

According to data from the U.S. Department of Labor for the state of Oregon (DOL 2022), agriculture is one of the top three industries in workers filing complaints. However, these numbers represent solely a tiny proportion of workers reporting their employers, compared to the total amount that systematically faces abuses.

Table 2 shows the average number of yearly agricultural employers being reported for performing wages violations (such as payments below the minimum wage or illegal deductions) between 2005 and 2020 in Oregon. It is important to note that the table does not show how many violations employers commit; rather, they show cases of employers with complaints filed by their workers. In this sense, it gives us an idea of whose farmworkers are less afraid of retaliation. On average, 16 employers are reported annually, of which 35.66 percent are FLCs. It seems that farmworkers are more likely to report contractors (1.58 percent of all contractors are reported annually) than growers (0.48 percent of all growers are reported annually). However,

when we relate this number to the average number of agricultural employers in the state per year, we find that only 2.06 percent are receiving complaints.

Nevertheless, these numbers are pretty low. According to data from the Occupational Employment and Wage Statistics (BLS 2021), approximately 12 percent, equivalent to between 6,000 and 9,000 farmworkers per year, employed by FLCs and growers, earn less than the minimum wage that farmworkers are entitled to receive in Oregon. Thus, we would expect many more employers being reported. Although a handful of farmworkers report their FLCs, my interviews consistently show that fearing retaliation has been the main reason for avoiding filing formal reports of wage theft. And it is understandable, since the Bureau of Labor and Industries (BOLI) requires workers to declare their full names in order to report an employer. Advocacy organizations have invested outstanding effort in filling health and safety complaints and educating farmworkers to report their employers' violations. In the case of the Occupational Safety and Health Administration (OSHA) complaints can be filed anonymously and by bystanders. However, most of the interviewed farmworkers share a distrust of enforcement institutions and advocacy organizations. First, because BOLI and OSHA lack resources to investigate reports and penalize abuses (Bauer 2019; Fine 2018); and second, because farmworkers were aware of advocacy organizations' funding constraints and limitations, or did not have any information about them.

Lorenza, a 52-year-old woman farmworker, provided an example that is not representative of all farmworkers, but helps us understand workers' distrust of enforcement institutions and organizations that advocate for migrants and their preference to resort to individual and unsystematic forms of resistance to find better labor arrangements within

precarious jobs. She was contacted when an organization was reaching out to farmworkers to collect testimonies about heat and wildfires smokes affecting their health.

> We couldn't work the entire shifts for two weeks due to the rains, so we lost money. But during the days with the smoke and heat, the contractor did make us work. And to save time, he made us work right after they used pesticides, and that's not fair ... when the people from the organization contacted us said they were going to file a report, but we told them that we didn't want to report because we didn't want problems with the contractor. They did it anyway, and when the office (OSHA) contacted the contractor, he fired all of us (15 workers), and brought in others from Hood River and California ... It went worse for us for opening our mouths. Why did they do it, if we told them not to report? So, I don't trust any of these organizations anymore … We couldn't find any other job for almost three weeks because all the farms and nurseries around here work with the same contractor. We don't have cars to drive up to Salem or Silverton, where there are more jobs.

Her words show that this organization's staff disregarded workers' consent and filed a formal complaint with OSHA for having workers in dangerous conditions. Unlike wage violations reported to BOLI, workers and bystanders can file health and safety compliances. As a result, the enforcement institution called and sent a letter to the contractor, who modified his work schedule to reduce the harm to workers from heat, smokes, and pesticides, and laid off 15 workers in retaliation. Furthermore, they could not find work for three weeks because the contractor had monopolized all farm jobs in Lorenza's area.

Echoing Lorenza's narrative, Esteban, a 48-year-old male farmworker, mentioned that when he was promoted from a farmworker in the vineyard to work in the winery cellar, the owner threatened him with a knife and pushed his neck against the wall after complaining about being forced to work more than 12 hours a day. "When I asked for support from Organization X, they did not want to help, because the winery owner is a big donor. And I understand them. They do not want to lose their resources … Ever since I prefer to be more discreet and spread the word without putting myself at risk." In this sense, Organization X, which advocates for migrants' and farmworkers' rights, chose not to support his case, fearing losing the annual donations of the

winery owner. Due to this experience, Lorenzo lost trust in organizations and continued his forms of resistance through *chisme,* discreetly sharing information, and not going through the formal channels to report to employers.

Lorenza and Esteban's narratives allow us to understand why many workers prefer unsystematic and disorganized forms of resistance to achieve better labor arrangements in agriculture. Their examples highlight the power of workers' tactics in collecting and sharing information with which they achieve occasional collective benefits that often go unnoticed. Their examples are the product of the lack of right to union representation and safe formal mechanisms like co-enforcement partnerships between government and civil society (Fine 2018) to stop agricultural employers' unfair labor practices. Most of the interviewed workers echoed their beliefs about advocacy organizations and enforcement institutions. They either completely ignore ways to file formal complaints to enforcement institutions or distrust institutional capacity to solve these problems. In the following pages, I will elaborate on workers' individual and unsystematic tactics to resist and negotiate incentive schemes, work schedules, and workplaces.

Tactical personalism

> It was horrible how they kept us at the onion farm, beyond the work itself. They had us sleeping in very ugly warehouses and old RVs, and they didn't allow the children to go out or play. They had to be hidden in the warehouses or RVs all the time … they didn't let us bring our own food, we had to buy it there. Some very ugly chickens and food almost spoiled … my brother took the car and went to look for a better job and found a contractor near Portland … he told me that the contractor would bring them sodas every day and stays to work with them and that they have chatted daily ... He told my brother that he also worked on these onion farms a few years ago and that he knew about the abuses. So one day I called him (the contractor) and asked how many people he could hire and if he could find housing. "To all of them," he told me, and that if he couldn't, he would send people to other contractors friends of his. So we started passing the chisme and the contractor's phone number among the workers at the onion farm ... the night after we got paid, my brother came in the car, the contractor sent three vans, and there were

> other workers who had cars. We fit as many as we could; about 70 people left the farm that night.

These are Serrano's words, a 27-year-old farmworker who come from California during summers, and some of the elements that he mentioned are particularly representative of understanding how farmworkers unsystematically resist employers' abuses:

1. Serrano's brother had been interacting with a contractor and learning from his past personal experience as a farmworker at onions farms.
2. This information made Serrano feel trustful, so he called the contractor to make an informal agreement to hire some of the workers at the onion farm and connect them with regional housing providers.
3. Once he confirmed the possibilities of finding better employment, Serrano discreetly spread the information among the labor force at the farm.
4. He finally made a plan with his brother, other workers with cars, and the contractor to organize a walkout and take around 70 workers in the nighttime after payday.

Serrano showed key tactics to collect and share information to create an occasional solution to punish the employer for their abuses and find better labor arrangements. Walkouts like this one are not uncommon in areas of the Willamette Valley, where many FLCs constantly compete for the labor force against other employers. While conducting on-site observations in fields under piece rates during the harvest season, I recorded one every two weeks when contractors performed wage violations or made workers remain in the fields with extreme heat or wildfire smoke. Farmworkers would also ask me for "easy-going," "nice," or "less abusive" contractors' contact information; they would ask me if I knew contractors from their same home community to find more commonalities to relate to them. Several times, I was asked to call contractors myself and ask to receive workers on the same day. Six times, I found contractors

needing more labor force and willing to figure out a solution for their benefit. They would pay higher wages, compensate each worker with an additional $100-$120 for taking the risk of walking out of the workplace, send *raiteros* to pick up workers right away, and find better housing for those needing relocation. By no means do these walkouts help workers escape from precarity. Instead, they did provide survival conditions to make precariousness a bit more endurable with a different employer.

Following Randy Hodson (1995), we understand that managerial strategies shape workers' bargaining and resistance. Therefore, farmworkers respond with informal and personalized resisting and bargaining tactics when contractors apply personal forms of control, and resort to some of the same resources that FLCs use in their management. Under this logic, Serrano's brother used these interactions to harvest personal information on the contractor's strategic personalism to harvest information and find better labor and living arrangements for tens of seasonal farmworkers. Likewise, when farmworkers asked me for "nice" or "easy-going" FLCs, they implicitly asked about contractors' strategic personalism.

Research on migrants' networks (Amuedo-Dorantes and Mundra 2007; Flores-Yeffal 2013; Gomberg-Muñoz 2010; Jewell and Molina 2009; Mora Téllez 2019; Rosales 2014) has shown that they use friends and family members to share information about better forms of employment and higher wages. Nevertheless, Serrano indicated that migrant workers' methods are embedded in labor relations and unsystematic forms of resistance. I call *tactical personalism* to the occasional and unsystematic workers' leverage of strategic personalism.

Strategic personalism seeks to maintain productivity and compliance among the labor force by disguising exploitation, harvesting personal information to produce personalized management, and allowing for individual bargaining. Conversely, tactical personalism seeks to

gain control over the flexible labor arrangements (such as work schedules and less abusive employers) and living conditions (such as housing). With this purpose in mind, workers disguise harvest contractors' personal and managerial information and use it or provide gifts and favors for bargaining labor arrangements individually. In many cases—like Serrano's brother—tactical personalism is based on a communication scheme that transmits interest in contractors' personal experiences and qualities. Therefore, the effectiveness of these tactics depends on their detail, customization, and workers' skills to master the informality of contractors' management. For this reason, farmworkers' jobs in this industry also include meeting with contractors, interacting with them, listening to their experiences as migrant entrepreneurs, learning from their skills in farm labor, and learning about their personal and relatives' lives. The more detailed information about contractors they can harvest, the more complex and specific the customization of their tactics.

In this context, *chisme* is an essential practice within tactical personalism to gather and share contractors' personal and managerial information. The word *Chisme*—also called *chismis* in the Philippines, a previous Spanish colony—comes from the Latin *schisma*, used to indicate divisions or conflict. In a practical sense, the word is used among Spanish speakers to refer to the spread of true and false news. As research (Carpinteiro and Duke 2010; Paz 2018; Saxton 2021) shows, *chisme* is an informal practice of sharing information among the Hispanic Latinxs communities. It occurs when there is little access to formal or hegemonic ways of sharing information and is transmitted marginally, discreetly, or through face-to-face interactions. The information shared through this practice, on the one hand, comes with sensitive, personal, or intimate information. On the other hand, *chisme* is a practice in which facts tend to be exaggerated or presented with false elements. Following Cox's work (Cox 2015) with black women and Anzaldua's poetry (Anzaldua 2012), we understand that, as a

tactic, *chisme's* exaggeration or falseness allows individuals to re-imagine and re-narrate a reality beyond the borders of facts.[107]

Negotiating Labor Arrangements with Contractors

> *"Where's the contractor?!" Florence (a 43-year-old woman farmworker) furiously asked the first-line supervisor (a 17-year-old contractor's nephew) who recorded each worker's harvest. Florence was backed up by other thirteen women farmworkers, demanding to speak to the contractor. "We want furrows only for women, it's not fair that you put us along with men!" another worker yelled at the supervisor, and he finally replied, "let me call him on the radio. He's somewhere around here, in the field". One of the mayordomos approached and mentioned to the supervisor that he "already told these women they should get back to work or leave. Don't go bothering the boss." Florence yelled louder at the supervisor, "we're not going to work until we get our furrows!," disregarding the majordomo's words.*
>
> *The contractor arrived after a few minutes. He communicated his willingness to negotiate with these workers with a kindred and empathic tone and body language, remarking a clear difference with the mayordomo's method. Florence approached the contractor, looked him in the eye, and, communicating certainty in her voice, said: "We all are leaving the field, Mr. Bruno. We want furrows just for us. Men are catcalling these girls; this lady has just hurt her wrist because some men were rushing her." "Let the birds eat the fruit. Look, more women are joining us!" shouted another worker from the group surrounding the contractor. "There is no problem. I want you to earn your money today, and you want to work", replied the contractor. He ordered the mayordomo to assign women furrows 10-15 north and 1-5 south. "Those furrows are easier and have more fruit," added the contractor and asked the supervisor to confiscate the punching cards of the men harassing women workers. However, no one blew the whistle on them.*

This excerpt is part of a field note from my on-site observation at a blueberry farm where the contractor applied piece rates to attract and control about 150 farmworkers at the beginning of the harvest season. It depicts a walkout threat used as a tactic by women farmworkers to avoid the imminent dangers caused by a contractor's managerial strategies, namely sexual harassment

[107] For these reasons, I consider that *gossip* is not a proper translation for *chisme*. Additionally, these discreet ways of collecting and sharing information to avoid retaliation are not unique to U.S. agriculture. For example, James Scott (Scott 2007) has published and influenced many works on workers' tactics to communicate and resist in contexts of oppression and precariousness.

and bodily injuries related to workers' high competition under piece rates. In this case, women's solution was to divide the field between them and men.

My first thought was that he had relinquished to women workers' demands partly because of my presence in the field, taking notes on his managerial strategies and labor conditions. However, when I interviewed Florence at the end of the workday, she stressed that it was not the first time women farmworkers exercised the same tactic to divide the field between them and men. She mentioned that it is a common practice, and part of their annoyance was related to the fact that Mr. Bruno did not allocate space for women-only from the beginning when it is already a standard strategy among other contractors. Although this form of gendered division in the workplace is not unique to agriculture (Ellison 2014), the note highlights that the negotiation was driven by women workers shaped by the contractors' personal supervision at the farm and his willingness to listen to workers' demands to, ultimately, prevent them from walking out and finding employment from a different contractor, and him being punished by the farmer for not meeting? the daily harvest goal.

Research on labor flexibility in service industries (Golden 2014) shows that establishing workplace work schedules and arrangements is a privilege shared mainly among salaried and higher-ranked workers. Nevertheless, farmworkers' narratives show that they, too, develop tactics to drive occasional individual bargaining with contractors to gain more control over their workdays. Farmworkers stressed that negotiating space in the workplace, work schedules, and short-notice changes were essential for their own and their family's survival. The most common reasons are avoiding dangers, navigating other jobs' unpredictable schedules, managing time to care for dependents, and dealing of health problems or disabilities.

Sofia, the 42-years-old farmworker mentioned above, provides us with an example of women farmworkers' bargaining process. For about seven years, she has worked for different farm labor contractors that have allowed her a little more control over the start and end of her work shift to care for her granddaughter while her daughters work and go to community college. I offered her a free ride back and forth from work, and in the morning, she mentioned:

> A couple of years ago, he [the contractor] brought us some chickens for Thanksgiving, I brought this sauce, and he told me that he liked it a lot. Ever since, I bring him some of it when I make it. Today my daughter helped me in the morning to prepare the sauce, and he already knows that whenever I prepare something for him, it is because I am going to ask for something. He tells me, "Sofia, what did you bring me now? What are you going to ask me today?" Last time, I asked him to pay me a week before [instead of every two weeks] to help my daughter with the doctor's bill when my grandchild got a stomach infection. Today I'm going to ask him to let me leave earlier on Thursday and Friday because my oldest daughter has an interview or something for college and she asked me to take care of the baby.

Sofia showed how contractors' personal control shapes farmworkers' bargaining tactics. She mentioned that her employer provided workers with chicken for the Thanksgiving dinner, an example of contractors' use of strategic personalism and food to interact with workers, gather information, and mask exploitation (Mendez 1998). Sofia explained that she leveraged this managerial strategy to harvest personal information from the contractor. In this sense, the sauce is not just a meal that she serendipitously cooked that morning, but is part of the observation that she made about the contractor's food tastes. She prepares personalized food that uncovers the development of skills beyond the agricultural workplace to achieve an individual bargaining tactic. This way, Sofia began negotiating to leave early for two days to take care of her granddaughter.

Like Sofia's tactic, other farmworkers mentioned offering other forms of gifts and unpaid labor to drive individual and occasional negotiations with contractors to change work schedules or paydays. Unlike women, most male farmworkers do not cook any food at home. However,

they have their wives or daughters prepare special dishes for negotiation, such as homemade cheese, tortillas, tamales, bread, nopales, and chicharron with sauce, among others. Other forms of unpaid labor to drive negotiations besides cooking food also vary. For instance, a crew of farmworkers mentioned that when they saw that the contractor's house needed maintenance, they "proposed work at his [contractor's] house doing gardening, painting, and cleaning the trucks to arrange a different work schedule. He said yes." A worker employed by a different contractor added that, "when I found out the contractor was having a Quinceañera party for his daughter, I offered him to be a waiter for free, so he would let me leave before 1 pm all week." All these examples have in common that they began from farmworkers' harvest of contractors' information about their lives and family relations and offering their own or a family member's unpaid labor. Experiences like these are shared among all subcontracted farmworkers demonstrating that labor arrangements in this industry are also the product of their constant individual negotiation and, foremost, proof that unorganized workers do not just passively accept exploitation.

Taking advantage of FLCs' strategic personalism and their interactions with the labor force is also common in developing farmworkers' tactics, as those are the moments when the latter negotiate and gather information. During summer, when the extreme heat intensifies in the Willamette Valley, it is common to find nurseries and non-harvesting farms with workers during the night or early morning hours. David, a 23-year-old Guatemalan farmworker, showed that workers also drive these schedules:

> We had been talking with all the other [22] guys about working in the nighttime to avoid the heat, and one of the girls [a woman in her 20s] said, "well, we can straight up ask the contractor on Friday. Maybe he could talk to the farmer when he knows that we all prefer that." So, we did that when he came with the paychecks. We all surrounded him, and he said that it wasn't possible and that it wasn't possible. But we insisted and insisted and two guys said that those [workers] with cars could leave and find jobs with other

> contractors. We even asked him to think about the time in the past when he was in our position, until he agreed and called the farmer right there … it seemed like the farmer wasn't happy about the idea, but it worked out for everyone … we worked from 2 to 11 am for almost five weeks, and the contractor or a *mayordomo* would come to supervise at 6 or 7 am.

He showed that farmworkers coordinated a plan that worked better for each other and leveraged their number and consensus to put pressure on the contractor. In this case, two factors facilitated the negotiation: first, the 22 workers were seasonal migrants and came to the valley from California or other countries either traveling with *polleros* or on their own cars, and none of them had to take care of dependents during the season; and second, they all stayed in the same old small-apartment complex in the middle of a farm, which facilitated their transportation.

Their tactic to prevent risks caused by extreme summer heat did not reduce the precarious conditions they faced daily. Like Sofia's narrative and women farmworkers' walkout treat at the blueberry farm, they represent short-term solutions that indicate how farmworkers navigate contractors' managerial strategies to survive in the workplace. I call their negotiations in De Certeau's sense (de Certeau 2011) because, on the one hand, they are dependent on contractors' managerial strategies to disguise exploitation, occasional and reduce the turnover that would benefit other FLCs in the market. On the other hand, because at a structural level, farmworkers lack access to non-precarious jobs with higher wages and collective representation, and enforcement institutions lack resources (Bauer 2019) to protect them from imminent dangers in the workplace and employer. Overall, farmworkers' narratives demonstrate that their tactics play a fundamental role in their survival of precariousness and, for many, more important than the organized and formal actions led by advocates and enforcement institutions.

Conclusion

In this chapter, I responded to three questions regarding the labor force employed by farm labor contractors. First, I explained why and how farmworkers work for FLCs instead of growers or employers in other industries. Philip Martin (Martin 2003) has shown that most attempts to regulate agricultural employers and punish them for hiring unauthorized workers have been in vain as enforcement institutions have always lacked resources to investigate the vast majority of cases. For this reason, it has never been confirmed that undocumented farmworkers have mainly sought employment through FLCs. Additionally, interviewed contractors mentioned that a third of their labor force from October through May is unauthorized, increasing to one-half or even two-thirds during the harvest season. These patterns raise a research interest to question why and how these authorized and unauthorized farmworkers work for farm labor contractors.

In the Willamette Valley, regional factors play an essential role in shaping workers' decisions to work for FLCs, growers, or in other industries like meatpacking or canneries. For most of them, it is a matter of the available jobs they can access in the region where they live, and as shown in Chapter Three, there are areas of the valley where one or a handful of contractors have monopolized all farm jobs. For this reason, farmworkers could only find employment through subcontracting companies instead of being directly employed by growers. Additionally, big agribusinesses in the valley tend to recruit and manage farm labor only through contractors, reproducing more forms of subcontracted labor instead of direct employment.

Many farmworkers prefer to work for contractors to secure jobs all year long, like nurseries and canneries during winter, Christmas-three farms during fall, and multiple vegetables and fruits farms during spring and spring, and summer. This has been a critical tactic given that farms lay off most of their directly employed labor force when there are no ongoing tasks. As

important as the capacity to be employed throughout the seasons, many interviewees have experienced employment with contractors being less demanding, exhausting, and an opportunity to spend time with family members, than precarious and low-paying jobs in other industries. Particularly for elderly workers or those dealing with disabilities or chronic health problems, contractors' jobs and managerial strategies have represented the only way to maintain a consistent income, as well as to take unpaid time off to care for their bodies and attend regular doctor's appointments.

Finally, the examples of individual negotiations and unsystematic resistance teach us lessons to consider for public policies and broader labor organizing in agriculture and other industries with precarious jobs. Farmworkers are not passively accepting exploitation but constantly challenging it within their conditions. They are informed about their labor rights and aware of the limitations of enforcement institutions and advocacy organizations. They use *chisme*, tactical personalism, and walkouts to create short-term and occasional solutions that have been essential for their survival. Without these constant tactics, they would face more intensive exploitation, abuses, and dangers at work.

CHAPTER VI
CONCLUSIONS

This dissertation analyzed the reproduction of precarious labor conditions among farmworkers employed by farm labor contractors in the Willamette Valley, Oregon. Through on-site observations and in-depth interviews, I bridged agricultural entrepreneurs' and workers' labor and migration experiences with their understanding of labor conditions that lack standardized arrangements, job security, living wages, union representation, non-dangerous workplaces, and well-funded enforcement institutions to prevent employers' illegal practices. The Willamette Valley offered a unique context for the study of precariousness in agriculture, as it has some of the most significant agricultural productions in the country, an industry where farm labor contractors provide from one to two-thirds of the employment, state regulations that deny farmworkers' access to labor benefits, union representation and collective bargaining[108], and unfunded enforcement institutions that lack personnel to punish abusive employers. Returning to the initial analogy with Marx's words in my introduction, I show that the foremost tragedy in Oregon agriculture has been, on the one hand, the establishment of a system of subcontracting and temporary work that ultimately benefits the growers. On the other hand, the farce has been to consider the farm labor contractors the rotten apple of the garden (Costa, Martin, and Rutledge 2020).

Through the lenses of borders epistemology, I addressed different research questions to understand how precarious labor conditions are reproduced in agriculture, and analyzed the multiple borders that farmworkers and farm labor contractors have crossed and those that have

[108] Unlike California where farmworkers have access to collective bargaining.

represented constant limitations: the borders between countries and states, between strategies and tactics, between formal and informal economy, and precarity and standardized labor conditions.

Theoretical Contributions

The first contribution of this research lies in a detailed analysis of farmworkers' trajectories to become agricultural entrepreneurs. I show that, although contractors have experienced social mobility and that they have more benefits than in their days as farmworkers, being entrepreneurs keeps them in intense debt relationships. It does not provide them with job security and stable income, forcing them to depend on the unpaid labor of household members. It is worth noting that most of the valley's contractors have annual incomes of less than $80,000 and do not have employment benefits or health insurance for their families. In this sense, I argue that to reproduce precarious labor conditions, the agricultural industry must produce precarious entrepreneurs to perform managerial and administrative work.

The second contribution of this dissertation lies in analyzing the dynamics of competition and regional control among contractors, since this has been a subject little addressed by the literature on agricultural labor and labor subcontracting systems. As a result, we find areas where there is greater competition between contractors and others, where a few have woven more robust and more extensive networks; where few contractors apply a greater monopoly over work spaces, *raiteros*, and other businesses. This characteristic of the contractors' market intensifies competition between them, generates front companies that reproduce precarious conditions, and short-term cooperation between contractors. It allows me to conclude that, despite the good intentions of some to offer better wages and less precarious conditions for workers, as well as taking training to perform their administrative and managerial work better, the dynamics of

competition within the contractors' market can only continue to reproduce precarious working conditions for the workers and ultimately benefit the growers. Therefore, the solution to precariousness cannot emerge from the individual improvement of the services of each contractor, but only from the structural transformation of their labor market.

The third contribution of this dissertation is the analysis of the personal labor control that contractors perform as managers and administrators of the workforce. Following other research on managerial strategies (Burawoy 1982; Mendez 1998; Zlolniski 2006), I show that producing consent of agricultural workers is crucial in labor control. Since there are areas in the valley with much competition between contractors, their strategies are focused on retaining the workforce and reducing its chances of ending up working for another agricultural employer. The first way to incentivize workers is through payment schemes, as some workers are looking for piece rates and others are looking for hourly wages.

As Burawoy (1982) argues, each of these schemes has different benefits for employers, and each one requires different forms of personal control to generate consent among workers and keep them compliant and productive. The importance of piece rates lies in generating rivalry and competition among workers, while hourly wages allow workers to have greater control over their daily earnings. However, each form of payment creates imminent dangers and specific wage violations. I argue that sexual harassment should be considered an imminent danger, which is encouraged by managerial strategies in both incentive schemes. However, in the piece rates, sexual harassment is reproduced as a peer-surveillance practice and makes women produce more in less time. Finally, I argue that much of the work of contractors lies in developing personalized control strategies that mask exploitation, allow workers to occasionally negotiate their work arrangements, and hinder opportunities for workers to organize and collectively achieve overall

long-term benefits. What is behind strategic personalism (Mendez 1998) is the generation of consent among the workforce to keep them compliant and productive, and reduce the chances of them working for other agricultural employers.

The fourth contribution of this research is the analysis of workers' reasons for working for contractors and their tactics to unsystematically resist employers' abuses and individually negotiate labor arrangements. I argue that workers' decisions are coerced since they can only choose between a precarious job and another equal or worse; between an abusive employer and one slightly less abusive. In this sense, their tactics do not help them escape precarious labor conditions but allow them to survive daily. Many workers work for contractors because it is the only form of employment in the area where they live. Others, mainly the elderly and workers with chronic health problems, have found contractors' strategic personalism, a form of employment that allows workers to access less exhausting jobs and with the flexibility of taking unpaid leaves to take care of their bodies and attend doctors' appointments regularly.

I argue that workers do not passively accept employers' exploitation and abuse. On the contrary, they use daily tactics without which the precarious working conditions they face in agriculture would be worse. I call tactical personalism how they take advantage of the strategic personalism contractors perform to collect information and develop unsystematic and informal forms of resistance and more personalized individual negotiations. As previous research has shown (Amuedo-Dorantes and Mundra 2007; Flores-Yeffal 2013; Gomberg-Muñoz 2010; Jewell and Molina 2009; Mora Téllez 2019; Rosales 2014), migrants share information about better jobs and wages. Nevertheless, *chisme* plays a central role as a tactic, as it is used tactically within labor relations to collect and share personal information from contractors, which is then used to generate forms of resistance and individual negotiations.

Practical Contribution

To highlight the practical contributions of this research, I will make a general summary of the recommendations for actions and public policies that I have already mentioned in the previous chapters:

1. OSHA must consider sexual violence in agricultural workplaces as an imminent danger, since it puts their bodies and health at risk, including imminent death. Furthermore, women are more likely to face this risk than any other form of imminent danger from heat, wildfire fumes, pesticides, and misuse of tools or pesticides. Recognizing sexual violence as a form of imminent danger will not immediately solve the problem; instead, it will lead to more reports to OSHA staff. However, it will open the door to developing more specific enforcement and funding programs for OSHA.
2. Growers should ensure a free and safe *raiteros* system for workers and should include training for drivers, regular van maintenance, health insurance for workers, and, as suggested by women farmworkers, an inside surveillance system that monitors worker safety. This way, the use of informal *raiteros* that prevails today in which neither contractors nor growers are legally responsible will be reduced.
3. The piece-rate scheme should be eradicated, and farmworkers' wages should increase to at least $15-$18 an hour. This way, the state would benefit growers, contractors, and workers: this increase would make farms with fruit crops more competitive and attractive to workers in the region and from other states. The increased workforce would help them finish harvests within estimated times while incentivizing farmworkers to a more gentile dexterity with the plants and trees and waste less fruit.

Contractors would benefit from having more precise control of the hours and earnings of each worker, facilitating supervision and payroll. Finally, and most importantly, the health risks faced by farmworkers competing with each other under the piece rate would reduce, they would have more control over the earnings they can make each day, and the labor force would earn above the current average under piece rates. However, this proposal does not solve precarious labor; it would only allow them to work in less hyper-precarious conditions.

4. Growers must pay FLCs managerial salaries and apply additional bonus programs, instead of the $2-$5 rate they currently offer per hour per worker. This proposal would encourage contractors to reduce wage violations that they inflict on workers, as it would provide them with mechanisms to increase their income formally and legally.
5. Advocacy organizations should invest in cellphone applications independent from Google and Amazon to allow farmworkers to organize and share information about job opportunities, wages and piece rates, labor conditions, employers' abuses, legal resources, labor rights, and walkouts, among other information and tactics. Farmworkers have to use cell phones to communicate with contractors. However, they could use this tool for their benefit without risking big corporations selling data to ICE, border patrol, and homeland security.
6. There is already a culture of non-compliance and whistleblowing among farmworkers, so BOLI and OSHA should undertake a co-enforcement approach and report ways that protect workers' identities.

7. Oregon should grant farmworkers the power to bargain across the industry. Bargaining across an entire industry or occupation can empower workers employed by different contractors who face high barriers to organizing.

Limitations and Directions for Future Research

This research's main limitations and challenges stem from my experience as a migrant on an international student visa. The first obstacle was the lack of access to most grants that domestic students can typically apply for. This lack of resources limited quick access to interviewees, as I had to spend more time building trust and providing services for workers and contractors as a way to compensate for their time. In addition, I could not stop working during any term to dedicate time solely to writing and analyzing this research.

This research was from the beginning inspired by the ethnographic work of Seth Holmes (Holmes 2013). However, I soon realized that my legal status and skin color would represent significant limitations that prevented me from conducting more detailed ethnographic research. I carried out my data collection during the years in which Trump was president, and his administration carried out constant intimidation practices against migrants and international students, severely affecting my interviewees' confidence and my mental health. On the one hand, I faced threats from white supremacists in rural areas that put my life and health at risk on more than one occasion. On the other hand, I was afraid of some contractors taking advantage of having my personal information to cause harm to me for conducting research on them. I also faced the constant fear that the border control would use the location history of my cell phone to deport me every time I entered the US from Mexico, since it is common for them to use this information to detect people who enter the country with tourist visas to work in agriculture. Even

though I had documentation certifying my investigative work, the border control could argue that my on-site observations were unpaid work for the contractors, which is also considered grounds for deportation.

The COVID-19 pandemic represented new limitations. Although I had already collected most of the necessary data before it started, I still needed to carry out more follow-up interviews and focus groups, but due to the pandemic, it was impossible to conduct these activities. Combined with the constant threats from the Trump administration and its supporters, the pandemic increased the affections on my mental health conditions, causing my data analysis and writing time to be prolonged and leaving analytical gaps throughout my research.

Once I have a more stable legal situation as a migrant, I plan to continue with on-site observations and interviews that allow me to access more workplaces and the unfree workforce tied to their employers or *coyotes* by debt. This plan will allow me to comprehensively analyze working conditions in agriculture and conduct comparative research in other states.

Based on the data collected, there is still much to analyze about gender relations in agriculture, not only within the forms of employment offered by FLCs. There is an analysis of masculinities and tactics to resist sexual violence that I did not carry out in greater depth in this research because they go beyond the relationship between contractors and workers. However, it is vital to focus on them since many of my interviewees expected me to delve into these issues. Additionally, my data on contractors' practices make me want to collect more information on contracting systems in other food-related industries and conduct more detailed comparative analyses. As I mentioned in previous chapters, some farm labor contractors informally provide labor in non-farming jobs, and I hope to analyze how contractors are created in other industries and how they compete against others not only within but across industries.

Finally, the English translation of my data limits the analysis and interpretation, as the discursive logic and meanings by which the participants enrich their narratives are lost. Therefore, I must redo this analysis in Spanish to do justice to the voices of my participants and produce non-academic reports that they can access. I will also produce academic articles in Spanish that are more accessible to the scientific community in Latin America and policymakers on migration issues in Mexico.

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