

The need for legal aid for agricultural workers in Minnesota and North Dakota: Executive Summary

Background

Southern Minnesota Regional Legal Services, Inc. (SMRLS) is a nonprofit law firm based in Minnesota that provides “free, high-quality legal help to low-income people in critical civil matters” in the 33 southern counties of Minnesota. The Agricultural Worker Project (AWP) is a division within SMRLS that provides legal aid to eligible agricultural workers throughout Minnesota and North Dakota. In 2006, the AWP collaborated with Hispanic Advocacy and Community Empowerment through Research (HACER) to conduct a needs assessment to assess the legal service needs of migrant workers in Minnesota and North Dakota. In 2021, the AWP and HACER collaborated once more to conduct a needs assessment of agricultural workers, this time focusing on all agricultural workers in Minnesota and North Dakota.

Methods

HACER conducted 10 focus groups to gain insights into the experiences and needs of agricultural workers in Minnesota and North Dakota. In addition, using the 2006 Migrant Legal Services Survey developed by SMRLS and HACER as a foundation, they created an updated version of an agricultural worker survey in English and Spanish. This survey included questions about employment, housing, COVID-19, immigration, economic justice, family and individual rights, and education. The survey was distributed to agricultural workers through in-person visits to their housing locations, as well as being mailed to their housing locations, provided to community partners, and posted on Facebook.

Findings

Focus groups

Fifty-one individuals participated in virtual focus groups; 88% of the participants considered themselves, or someone in their household, to be agricultural workers. Focus group participants shared various issues that were important to them as agricultural workers, including:

- **improved working conditions**, including improved communication with employers, not being overworked, having adequate breaks, and working in appropriately heated environments;
- **adequate compensation** for their work as it relates to higher wages and health benefits;
- **information on legal issues**, such as having an understanding of U.S. laws and protections and having a pathway to residency;
- **education and training**, including having adequate on-the-job training and having the desire to learn English;
- **adequate housing** and access to short-term affordable housing for those that travel from other places to work;
- **human resources** at places of employment to go over contract paperwork and provide oversight;
- access to newer and safer tools to ensure the **safety** and wellbeing of agricultural workers;
- **adequate access to transportation**;
- and wishing they could bring their family with them when doing this work, as they often take the work to **support their families**.

Survey

A total of 131 participants completed the agricultural worker survey; 82% reported that they were currently working in agriculture. Regarding the need for legal aid, the largest portion of participants (17%) reported needing help with employment issues, followed by immigration (15%). When responses were broken down by state, generally speaking, participants living in Minnesota reported higher legal needs than participants living in North Dakota. When broken down by Hispanic/Latine¹ ethnicity, a slightly higher percentage of individuals that identified as Hispanic reported the need for legal aid than those that did not identify as Hispanic/Latine.

Interpretation of findings

Employment and immigration are areas in which agricultural workers need legal aid, and there is a need for more information from agricultural workers on these topics, especially those that are migrant workers that come from other states or countries. An understanding of employee rights is also needed, as well as access to housing. AWP should continue to do outreach and provide education to agricultural workers on these topics, paying particular attention to workers in Minnesota. Agricultural workers face unique and important challenges that have a direct impact on their wellbeing and that have implications for the economy and food supply of people living in the U.S.



Hispanic Advocacy and Community Empowerment through Research

¹ Latine is an inclusive term to represent the different identities of those with Latin American ancestry. It is synonymous to the term Latinx.