

OVERWORKED AND UNDERPAID:

H-2A Herders in Colorado



*A Report by
the Migrant Farm Worker Division of
Colorado Legal Services*



THE MIGRANT FARM WORKER DIVISION OF COLORADO LEGAL SERVICES

Colorado Legal Services (CLS) is a private, non-profit corporation that provides high-quality free civil legal assistance to low-income individuals throughout Colorado.

The Migrant Farm Worker Division of CLS provides free civil legal assistance to migrant agricultural workers and their families. The Division's goal is to achieve justice and empowerment for agricultural workers through education, advocacy and legal representation. The Division is the only nongovernmental organization within Colorado that addresses the legal rights of agricultural workers.

For more information about
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Issue date: January 14, 2010

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“There are no good experiences.”

- A Colorado shepherd, when asked about his best work experience

EXECUTIVE SUMMARY

Throughout much of rural western Colorado, a virtually unknown and unrecognized workforce toils alone in extreme cold or heat, making approximately \$2 per hour. These workers are migrants, legally employed by Colorado ranchers to herd their livestock.



A herder's "campito" in western Colorado.

They are in the United States as part of a program for temporary foreign labor called the H-2A program, which allows U.S. employers to bring in foreign farm workers if there are insufficient U.S. workers to meet the employers' needs.



A herder cooks a meal on a small wood stove in his camper.

Herders work for pay that on a per-hour basis is closer to volunteering than it is to earning minimum wage. They are required to be on-call 24 hours per day, 7 days per week, living in small campers without electricity, running water or a bathroom.

Colorado's migrant herders are a crucial part of the ranching industry. Most frequently coming from Peru, Chile and Mexico, herders, who rarely speak English, come to Colorado and other Western states searching for better employment opportunities. In some cases they find these opportunities; in the majority of cases they do not.

Colorado Legal Services' Migrant Farm Worker Division (CLS), with Professor Thomas Acker of Mesa State College, surveyed 93 herders over a two-year period to document a variety of issues, including their pay, their employers' control over their lives, their living and working conditions, their work contracts and their general opinions about their work situation.



A herd of sheep grazes in the grasslands of northwestern Colorado.

“In the 21st century, \$650 [in] wages is insufficient.”

- A ranch herder in Colorado lamenting his low salary

The following are among the most striking facts the survey revealed:

- Almost 73 percent of the herders reported having zero days off over the course of a year.
- More than 80 percent were not permitted to leave their ranch.
- Approximately 35 percent were paid less than once a month.
- 85 percent were not allowed to have visitors who were not ranch employees.
- Roughly 70 percent reported never having access to a functioning toilet.
- 85 percent were never permitted to engage in social activities.
- Almost 50 percent reported not having the opportunity or ability to read their employment contracts.



A herder's "toilet," located near his camper.

The survey results highlight the deplorable conditions of these H-2A herders in Colorado. Many of the conditions described were drastically worse than those existing for farm workers, let alone for other types of laborers in Colorado. While some of the herders surveyed expressed that they were content with their conditions and treatment, the majority of the facts revealed in this report compel the conclusion that herders deserve change, such as fair wages and improved living conditions, to bring their working lives into the 21st century.

“The solitude, the cold, bad food, no bathrooms, [and] drinking dirty water.”

- An H-2A herder in Colorado, when asked about his worst work experiences

BACKGROUND

While there are no formal statistics on the number of H-2A herders in the U.S., there appear to be approximately 300 in Colorado.¹ These herders typically come to the U.S. for three years. Herders live a largely isolated existence out on the range herding sheep, cattle and/or goats. They also perform multiple ranch hand duties, such as birthing animals, taming horses, irrigating fields and repairing and building fences.

During the early 1950s, foreign herders skilled in sheepherding, most of them Basques from northern Spain, came to the U.S. under a special program for permanent employment. After a congressional investigation determined that many sheepherders were leaving their positions shortly after their arrival, this program was allowed to expire.



A herd of sheep grazes in western Colorado.

¹This figure may be somewhat inflated since it reflects the number of H-2A herders requested by ranchers with the Employment and Training Administration of U.S. Department of Labor (U.S. DOL) in 2008, which would include extensions for herders already present.



A cattle herder leans against his camper in western Colorado.

Ranchers were then permitted to bring in foreign herders under what is referred to as the H-2A program. The H-2A program authorizes agricultural employers to bring in foreign workers temporarily if they can demonstrate that they cannot find enough willing and able U.S. workers. The employers must also ensure that the temporary foreign labor does not depress U.S. workers' wages. All H-2A workers are bound to a single employer or association that has petitioned to bring them here.

However, herders are not treated like most of the farm workers in the H-2A program. The U.S. Department of Labor has issued regulations and special procedures that provide specific guidelines to ranchers bringing herders to the U.S. on H-2A visas. These special procedures exempt herders from many of the standards that exist for non-herding H-2A agricultural workers.² For example, ranchers can pay herders substantially lower wages and pay them less frequently, even though the herders are on-call 24 hours a day, seven days a week. Also, unlike other H-2A workers, herders can be housed in campers that do not have electricity, running water or toilets.

“Sometimes there is too much work. The salary is very low.”

- A sheepherder describing his working conditions

² U.S. Department of Labor, *Special Procedures: Labor Certification for Sheepherders and Goatherders Under the H-2A Program*, Field Memo 24-01 (Aug. 1, 2001).

Yet foreign herders from South America and Mexico willingly come to the U.S. to work as H-2A herders because they see a job in the U.S. as an opportunity to improve the lives of their families. During many years of work with herders, CLS has discovered that herders often pay substantial recruitment fees to obtain their jobs, so they arrive to the U.S. in considerable debt. After arriving in debt, herders are eager to avoid any conflict with an employer that could result in blacklisting, retaliation or deportation. This, coupled with their extreme isolation, engenders a climate of fear among herders, making them vulnerable to abuse and mistreatment.



A herder's tent, where he lives while leading his herd on its grazing path through northwestern Colorado.

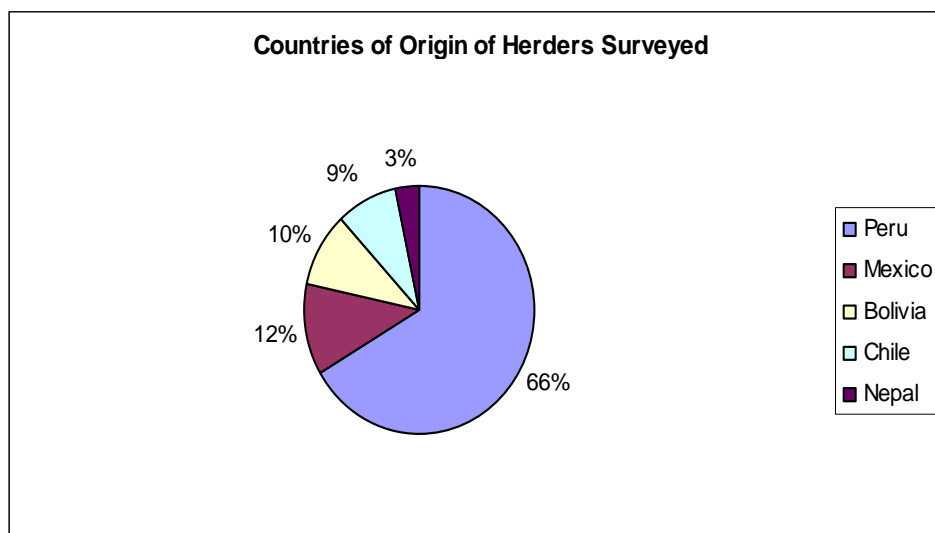
Abuses against H-2A workers in general are well-documented, and H-2A herders suffer from many of these same abuses.³ However, since H-2A herders are exempt from many of the H-2A protections, they are uniquely worse off than their counterparts who work in the fields.

³ Southern Poverty Law Center, *Close to Slavery: Guestworker Programs in the United States*, available at <http://www.splcenter.org/legal/guestreport/index.jsp>.

METHODOLOGY

This report is the third to examine herders' conditions in the United States, but the first such study to examine their treatment and conditions in Colorado. Central California Legal Services (CCLS) completed a report in March 2000 examining the treatment and conditions of herders in California's Central Valley, as well as a follow-up survey and report in March 2005 analyzing how conditions had changed over the course of five years. Many herder issues are universal, and therefore this survey and report asked similar questions and often came to similar conclusions as the California reports.

From December 2007 to December 2009, CLS's Outreach Specialist and Professor Thomas Acker surveyed 93 herders throughout western Colorado. These surveys were done in the form of interviews, mostly conducted in Spanish. Some herders chose not to answer one or more of the questions asked. All statistics presented in this report are based on 100 percent equaling the number of herders who elected to answer each question. For example, if only 75 of 93 workers chose to answer a certain question, and 45 of those 75 workers said yes, the percentage who answered yes would be 60 percent, or 45 divided by 75.





A CLS staff member searches for herders in western Colorado.

The herders were difficult to locate, as they followed large grazing paths that made up hundreds of miles traveled throughout the year. Given these limitations, this report was not intended to be an in-depth statistical analysis or an all-encompassing assessment of herders' lives in Colorado. The intent of this survey was to illustrate concerns and problems that herders have expressed to CLS and other organizations. The herders surveyed were found in western Colorado, mostly north of Interstate 70. As a result of the area's desolate landscape, as well as unpredictable grazing routes, there was no predetermination as to who would be interviewed. The herders were interviewed as they were located, and as a result employees of some ranches were interviewed more frequently than others. No herder was surveyed more than once. Thirty-one ranches in seven counties were represented in the survey.

Most of the herders were interviewed inside or near their campers as they guided their flocks across private and public lands to graze. Many did not want their employers to see them talking with surveyors. All the herders chose to complete the survey anonymously for fear of reprisals from their employers.

“Better housing, and the salary should rise with the cost of living.”

- A Peruvian shepherd, when asked what he would like changed about his job

SURVEY RESULTS

I. LIVING CONDITIONS

Herders typically spend the majority, if not all, of their time living in small campers, although a few are housed temporarily in tents. These campers travel with the herders as they move the flock through grazing lands. Most herders’ campers do not have engines and must be pulled by their employers’ trucks when they need to relocate.

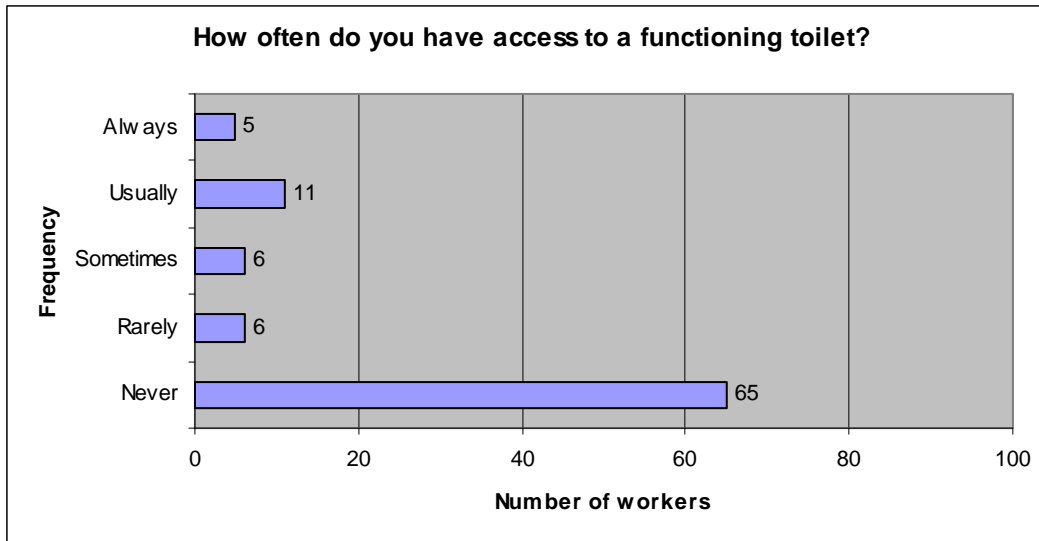
These campers are exempt from the already modest federal standards that apply to farm worker housing.⁴ H-2A ranchers are not required to provide herders living in mobile campers with toilets, showers, running water or electricity. Some ranchers also have housing, apart from the campers, located at fixed ranching sites, and herders occupy this housing from time to time on a temporary basis. Both the fixed- and mobile-housing sites are subject to minimal governmental inspection. In between these inspections, ranchers are permitted to self-certify that their housing is in compliance.⁵



A herder lives in this camper, despite its state of disrepair.

⁴ Compare U.S. DOL Field Memo 24-01 with 20 C.F.R. § 655.102(b)(1)(i).

⁵ U.S. DOL Field Memo 24-01.



Seventy percent of herders said they “never” had access to a functioning toilet. Access to heating was more consistent for herders, with 65 percent saying they had access to some form of heating, including wood-burning stoves. Fifty-four percent of herders had no access to light or electricity, while 46 percent said that they did, although some considered a gas lamp as a form of light and/or electricity.

Employers of H-2A herders are required to provide either free meals or food and cooking facilities to herders three times a day. Diets consisted primarily of canned food, rice and beans, with occasional sheep meat. Several herders complained about the lack of fresh fruit and vegetables. On a scale ranging from terrible to great, 63 percent described the food provided by their employer as “okay,” while 3 percent described the food as “great” and 7 percent described it as “terrible.”

“They don’t give me enough water to wash my clothes, and only wood for heat. The boss limits how much wood. I had to buy my own Coleman lamp.”

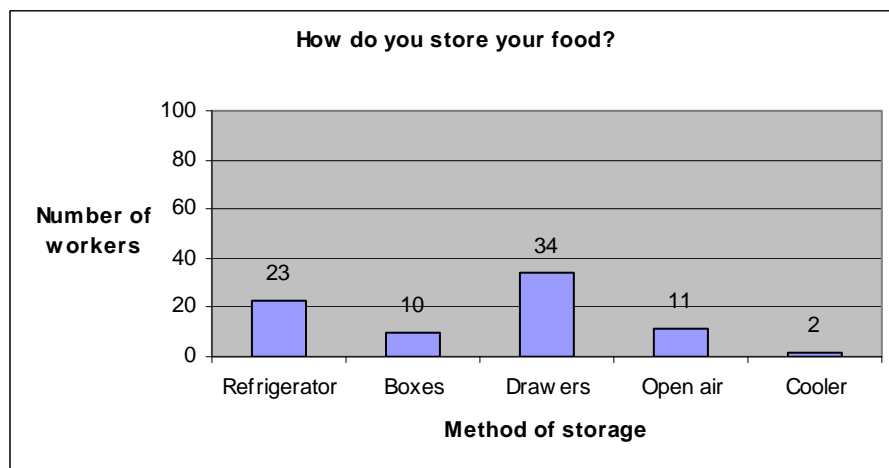
- A shepherd describing his living conditions

Food storage was also perceived as a problem. Governing federal standards require that when it is not feasible to provide a regular refrigerator, employers must provide herders with some “means of keeping food fresh and preventing spoilage, such as a butane or propane gas refrigerator.”⁶ However, only 29 percent had refrigerators of any type, including one herder who had to buy his own refrigerator.



Meat hangs near an open door as a herder’s refrigeration method.

Seventy-one percent of herders used boxes, drawers, coolers or the outdoors to store their food. Some employers circumvented the federal standards by providing only canned food for herders. A few herders reported that they had to keep meat outside or eat it quickly during the summer. Several herders expressed concern that rats or cockroaches had access to their food while it was in boxes or drawers.



The majority of the herders had access to potable water, though not at all times. Twenty-seven percent of herders said they “sometimes” had drinking water, while 25 percent answered “usually” and 42 percent answered that they “always” had drinking water.

⁶ *Id.*

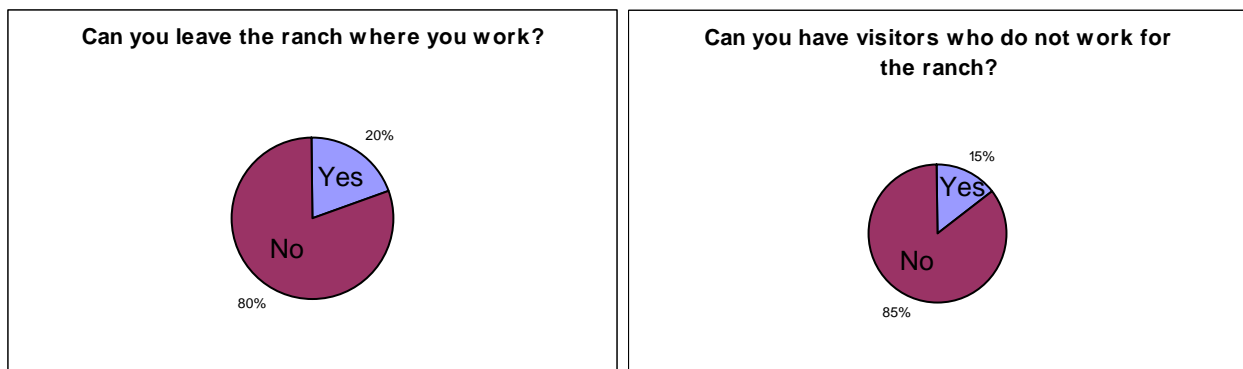
“In the desert, yes, because the boss isn’t watching you.”

- A Colorado sheepherder, when asked if he is permitted to have visitors

II. EMPLOYER CONTROL

Upon arrival in the United States, 42 percent of the herders had their identity documents taken by their employers. These documents included their passports, H-2A visas and/or their I-94 arrival/departure documents from U.S. Citizenship and Immigration Services.

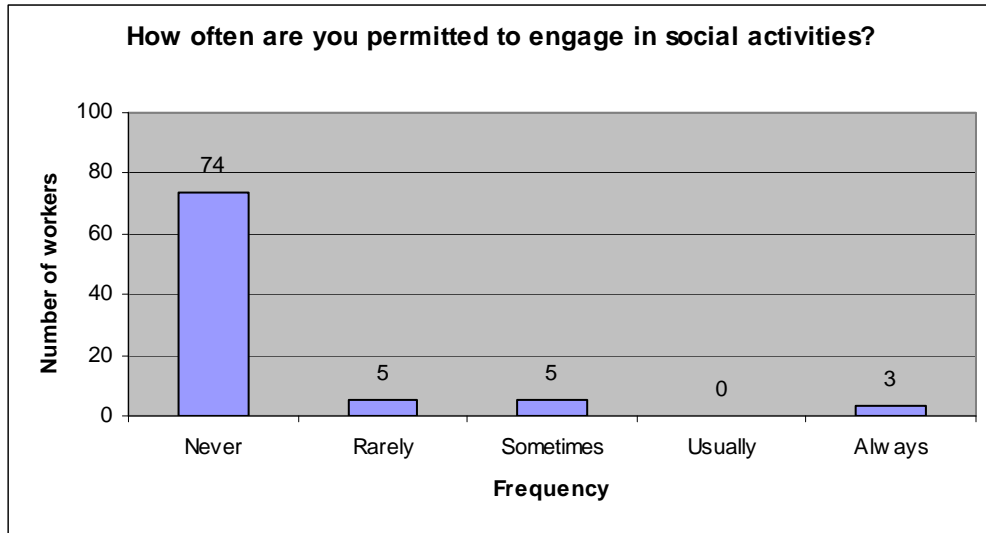
Along with the loss of control over their own documents, 80 percent of the herders said that their employers did not permit them to leave the ranch where they worked.



How often are you allowed visits from coworkers?

- “Once per week.”
- “Two times per year for work.”
- “From time to time.”
- “There are no rules.”
- “It depends.”
- “Four times per month, hidden.”
- “Only if they are close.”
- “Rarely, only when we work together.”
- “Once per month.”

Many herders reported that their employers did not permit them to have any visitors, including coworkers. Eighty-five percent of the herders said their employers would not allow them to have visitors who did not work at the ranch. Permission for visits from coworkers was less restricted, with 58 percent being permitted visits from coworkers and 42 percent not being permitted visits from coworkers. Some of these herders commented that they were allowed one visit per week or per month. A few herders who were not allowed visits from coworkers commented that they still met with coworkers if their bosses were not around.



Herders were also asked about diversion and social activities. An overwhelming majority of the herders were not permitted to participate in activities such as shopping for personal necessities or attending church. Eighty-five percent said they were “never” allowed to attend social activities, with 6 percent answering “rarely” and 6 percent answering “sometimes.” Only 3 percent said that they “always” had access to social activities.

Eighty-nine percent of the herders reported they had no access to transportation for social activities. A few herders commented that their employers would take them into town for shopping once or twice a year.

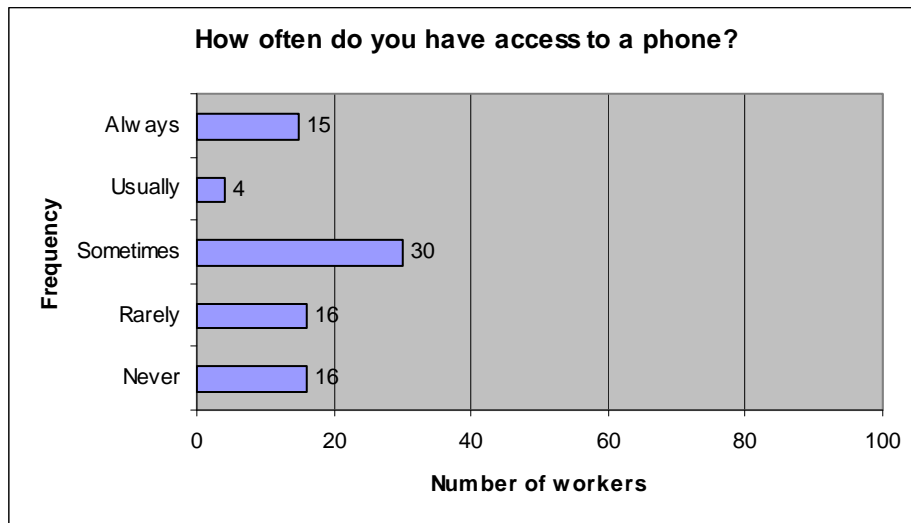


A herder’s camper sits near a hill where sheep graze in western Colorado.



A flock of sheep crosses a road in northwestern Colorado while a car waits.

Even herders' access to the use of a phone was often inconsistent. When asked how often they had access to a phone, 37 percent of the herders said they "sometimes" had access to a phone, while 20 percent said they "never" had access and 19 percent "always" had access to a phone. Of the 80 percent who at times had access to a phone, 66 percent said they were allowed to use their employers' ranch phone, while 34 percent said they were not permitted to use the ranch phone. Thirty-four percent of all the herders said they had their own cell phone.



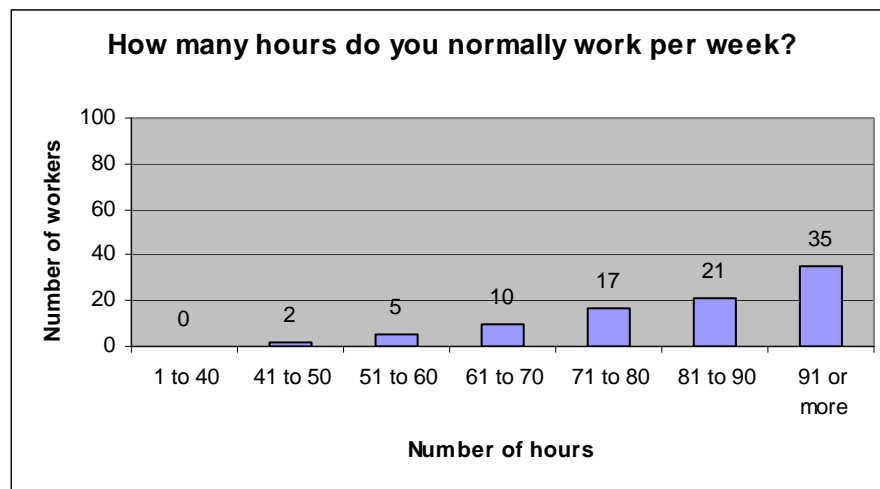
The herders received their mail through their employer, and 82 percent said their bosses gave them privacy when sending and receiving mail. However, one herder said that his boss threw his mail away and did not send his letters home to his family, while another said he suspected that his boss read his mail because the envelopes always had tape on them.

“They pay us when we go back to Peru.”

- A shepherd, when asked if he receives his pay at least monthly

III. HOURS AND PAY

In Colorado, sheep ranchers typically pay herders the prevailing wage rate of \$750 per month, regardless of hours worked, the minimum monthly salary set by the H-2A program. In contrast, H-2A employers of non-herding farm workers are required to pay \$9.88 per hour in Colorado.⁷ In 2009, non-herding H-2A farm workers were earning \$1,711 per month for a 40-hour week. H-2A sheep ranchers can lawfully pay herders abysmally low salaries because these ranchers are also exempt from complying with state or federal minimum wage requirements.



Herders are required under their employment contracts to be on-call 24 hours a day, seven days a week.⁸ The herders gave varying answers to the number of hours they actively worked per week, but 62 percent said they actively worked 81 or more hours per week, with 35 percent of these herders saying they actually worked 91 or more hours. Not including the time that they were on-call, these herders made an average of about \$2 per hour. The remaining herders said they worked between 61 and 80 hours a week, with only seven herders saying they worked less than 60 hours per week.

⁷ 20 C.F.R. § 655.102(b)(9); 2009 Adverse Effect Wage Rates, 74 Fed. Reg. 26016, 26017 (2009). This wage rate will likely change in early 2010.

⁸ U.S. DOL Field Memo 24-01.

Under the H-2A program, ranchers are required to pay herders, at a minimum, once per month.⁹ Most of the herders surveyed said they received their pay at least monthly. More than 35 percent, however, said they did not receive their pay once a month. Several said they received their pay only once per year, and a few stated they would not receive their money until they left to return to their home countries.

Approximately 85 percent of the herders received their pay by check as opposed to cash. Employers are required to provide hours and earning statements to each herder on or before each payday. These statements must include total earnings and an itemization of all deductions made from pay.¹⁰ Sixty-four percent of the herders received some kind of pay stub or receipt that detailed their pay. The rest said they did not receive any record of their pay and deductions.

PAYROLL STATEMENT			
[REDACTED]			
Name: [REDACTED]			
Salary: \$750.00/mo			
Payroll Period: April 2008			
Date	Description	Debit	Credit
	April Salary - Partial Salary - Began April 11, 2008		600.00
04-10	Travel Expenses - \$1112.35 for 6 months (1st Payment of 6)	-185.39	
04-12	Rain Suits, Gloves, Boots and Envelopes	-79.62	
04-12	Stamps	-9.00	
04-12	Waterproof Boots	-42.85	
04-12	Belt, Camera and Alarm Clock	-28.70	
04-14	Rubber Boots	-13.93	
04-14	Binoculars and Pocket Knife	-62.11	
	TOTAL ADVANCE	-411.80	
	DEPOSIT		88.40
Comments:			

A copy of a shepherd's partial pay statement from his first month of work, showing net earnings of \$88.40 after travel and other deductions.

⁹ *Id.*

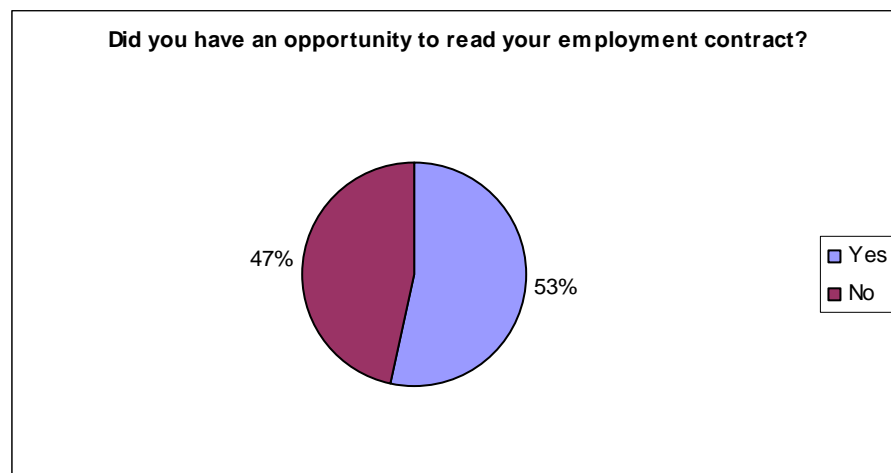
¹⁰ 20 C.F.R. § 655.102(b)(8).

“He made me sign the contract in English. How would I know?”

- A herder in Colorado, when asked if he thought his employer was complying with the work contract

IV. EMPLOYMENT CONTRACT

H-2A regulations require that employers provide herders with copies of their employment contracts, which must detail pay, number of work hours per week, duration of the contract and an explanation of job benefits, including housing, food and travel reimbursement, among other things.¹¹



Almost 47 percent of the herders said they did not have an opportunity to read their contracts, sometimes because the contracts were only in English. Of the 53 percent who did have a chance to read their contracts, some reported that the contracts they read in their home countries were different than the ones they received in the U.S., or they did not have the opportunity to read the contracts until they arrived in the U.S.

The herders who did have an opportunity to read their contracts varied in their understanding of their rights as H-2A herders. Almost 66 percent of the herders who read their contracts said they understood their rights, while more than 33 percent of them did not understand the rights afforded them in their work.

¹¹ 20 C.F.R. § 655.102(b)(14).

The results were almost equally divided when the herders were asked whether they thought their employers were fulfilling their obligations under the contract. About 49 percent of the herders said their employers were fulfilling the contract, while the other 51 percent said they believed their employers were not. A common sentiment was that employers were only in partial compliance.

What did you expect about your job and housing before you left your home country that has not been fulfilled?

- “Better treatment and housing.”
- “Nepal has labor laws that you can only work 8 hours.”
- “They don’t buy us work clothes.”
- “That the housing would have a bathroom and shower.”
- “Monthly pay and vacation days off.”
- “I don’t know.”

Under their contracts, all ranchers are required to provide workers’ compensation coverage for their herders, although most herders do not know how to access or navigate the workers’ compensation system.¹² Of 17 herders who were injured on the job, only five felt they received adequate medical care. Eleven herders said they did not receive adequate care. One herder said medical attention was unnecessary. In addition, only four of the injured herders received any injury compensation. This survey did not address herders’ access to medical care for non-work-related illness or injury.

¹² 20 C.F.R. § 655.102(b)(2).

“We don’t have much freedom.”

A western Colorado herder, when asked about the treatment on his ranch

V. OVERALL EXPERIENCE

Most of the herders surveyed believed their jobs were too difficult, paid too little and offered little in the way of positive experiences.

When asked about the best experience they had had as a herder, 52 percent said there was no best experience, while 11 percent reported that they enjoyed the birthing of animals. Others offered best experiences such as “learning to survive in the heat and cold,” “getting used to living in solitude,” “a similar routine to Peru,” and “working as a herder every day.”



Sheep graze on the hills of western Colorado.

Worst experiences, on the other hand, offered more variety.¹³ About 27 percent of the herders said they did not have a worst experience. Some of the herders who did share a worst experience listed more than one. Many described the weather (27 percent) and the solitude (24 percent) as the worst parts of the job, while others described the birthing of the animals (9 percent), the mistreatment by their employers (8 percent), and being far away from their families (5 percent) as the worst parts of the job. One herder said the worst experience was when he and other herders got together and requested better pay and food and their employer said no. Three herders said “all” the experiences were the worst.

¹³ The percentages do not add up to 100 percent because several herders listed multiple experiences.

When herders attempted to complain to their employers about their working or living conditions, they were typically met with resistance, and in several cases, threats of deportation. The herders were asked if they or anyone they knew had ever tried to complain to their employers about the conditions: About 35 percent said yes and 65 percent said no.

Of those who did complain or knew of someone who had complained, many were met with anger and threats to send them back to their home countries. Several herders surveyed were aware of other herders who left their jobs because of poor treatment.



A herder's camper with a gun out front to scare away sheep predators.

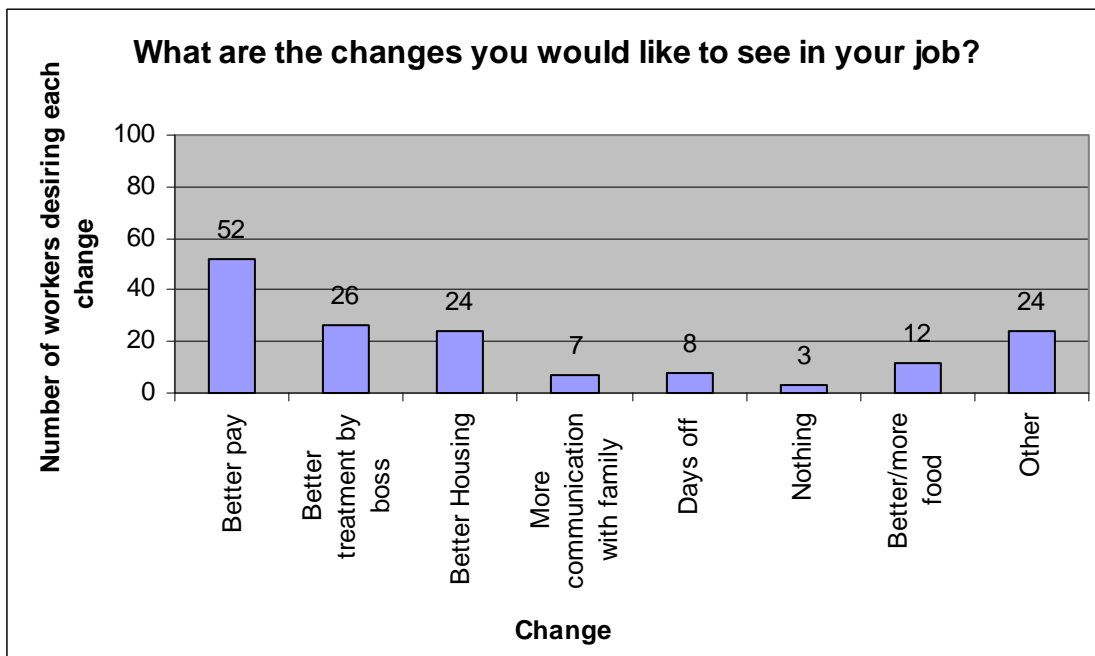
In addition to describing their best and worst experiences, herders were asked to give a general opinion of the ranch's treatment of herders. Here are some examples of opinions given by herders:

- "We're not treated like workers, because there is no dignified treatment."
- "Slavery!"
- "Like dogs, the employee doesn't matter."
- "They only value animals, not work."
- "Bad, as if I were a dog, but there are worse [ranches]."

Finally, herders were also asked what change they would most like to see in their work.¹⁴ The most important priority for 64 percent of herders was better pay, while 32 percent said they wanted better treatment by their employers, 30 percent wanted better housing and 15 percent wanted better food. Four percent said there was nothing they would change about their job. Ten percent wanted an occasional day off and nine percent wanted more access to communication with their families.



A herder's camper sits on the grazing lands of northwestern Colorado.



¹⁴ The percentages do not add up to 100 percent because several herders listed multiple changes.

“That I would have the necessities to live: good housing, food, water.”

- A shepherd in Colorado, when asked about his job expectations before coming to the U.S. that have not been fulfilled

CONCLUSIONS

As this report aptly demonstrates, many Colorado H-2A herders are treated unfairly and poorly. They suffer many indignities because of the lack of sufficient standards in place concerning their working conditions. Even with existing standards regulating their employment, herders sometimes face enormous obstacles to enforcing their rights. The following may remediate current conditions.

I. REMOVE EXCEPTIONS THAT APPLY ONLY TO H-2A HERDERS

H-2A herders deserve wages and housing that are commensurate to those received by any other H-2A agricultural workers in Colorado. The standards of H-2A herders, if equal to other H-2A workers, would provide for the following:

- A. A monthly salary equal to the earnings of H-2A field workers.
- B. Mandatory annual government inspections of herder campers and prohibited use of campers built before April 3, 1980.
- C. Improvement of housing standards by requiring access to running water, toilets, electricity and refrigeration.



A herder's bed, which typically consists of an employee-purchased sleeping bag.



This herder's camper is his only protection from the coming storm.

II. CREATE NEW STANDARDS FOR H-2A HERDERS

Given the unique situation of H-2A herders, they should, to the extent possible, be provided fair and humane treatment. Employers should:

- A. Not retain possession of a herder's identity documents, such as their passport, H-2A visa, I-94 and/or Social Security card.
- B. Provide herders with, at least, an occasional day off from work.
- C. Permit herders to leave the ranch on occasion to engage in social activities (e.g., shopping, attending religious services, etc.) and provide them with access to transportation for these activities.
- D. Permit herders to receive visitors and to visit coworkers.
- E. Permit H-2A herders to have access to a telephone and/or possess a personal cellular phone.

"I would like one day of rest per week, and to have better communication with our families."

- A Colorado sheepherder, when asked what changes he would like to see in his work

III. IMPROVE COMPLIANCE WITH EXISTING REGULATIONS

While the U.S. Department of Labor has jurisdiction to enforce compliance with H-2A regulations, the overwhelming problem is that herders do not complain about their conditions, whether out of fear, isolation and/or lack of awareness about their rights. To ameliorate this reality, U.S. DOL should require that employers:

- A. Ensure that herders receive and fully understand their employment contracts.
- B. Provide herders with contact information for U.S. DOL, their respective consulates and nongovernmental organizations.
- C. Improve herders' contact with the outside world by providing access to telephones and permit herders to leave the ranch and have visitors.
- D. Report affirmative compliance with the H-2A regulations to U.S. DOL.¹⁵



Two cattle herders' campers sit on the grasslands of western Colorado.

“We don’t understand the laws of the United States.”

- A sheepherder in western Colorado

¹⁵ Southern Poverty Law Center, *Close to Slavery: Guestworker Programs in the United States*, at 44.

The survey results indicate a need for systemic change. The herders described low wages, long hours and poor living and working conditions. The results show that many employers controlled basic aspects of the herders' lives, from holding personal documents to prohibiting them from receiving visitors from outside of the ranch. In addition, many of the herders did not understand the limited rights afforded them under the law because they had no opportunity to read or could not understand their contracts.

The ranching industry relies on these herders for the care and movement of their livestock. Current regulations and working conditions, however, do not allow for a dignified existence for these herders in Colorado. Many Coloradans are unaware that herders come to labor in the most desolate and isolated regions of the state, making their plight largely unknown. In order to bring their working conditions up to a basic standard of decency, the regulations for herders should be brought in line with the regulations for non-herding H-2A farm workers. The United States has long prided itself on being a leader in the area of human rights; it is imperative that Colorado's herders be treated fairly and with decency and dignity.



A herd of sheep travel along a road in western Colorado.

APPENDIX: THE SURVEY

QUESTIONNAIRE

Date: _____

Employer: _____

Country: _____

Age: _____

1. How long have you worked as a shepherd in the United States?
2. How many hours per week do you normally work?
3. How many days off per year do you get?
4. Are you permitted to leave the ranch? **Yes No**
5. How much are you paid per month?
 - a. Do you receive your pay each month? **Yes No**
 - b. How are you paid? (Check or cash)
 - c. Do you get a pay stub or receipt of pay? **Yes No**
6. Are you permitted to have visitors who don't work on the ranch? **Yes No**
If so, how often?
7. Are you permitted to have coworkers visit you? **Yes No**
If so, how often?
8. Please rate the quality of your:
 - a. Housing. _____ Excellent
_____ Good
_____ Okay
_____ Bad
_____ Poor
 - b. Food. _____ Excellent
_____ Good
_____ Okay
_____ Bad
_____ Poor
9. Do you have water in your housing for you to shower and bathe? **Yes No**
10. Does your housing have heating? **Yes No**
11. Does your housing have lighting or electricity? **Yes No**
12. Do you have a cellular telephone? **Yes No**

13. Do you have privacy when you send or receive mail through your employer? **Yes No**

14. How do you store your food? Example: refrigerator

15. Does your employer withhold your personal documents such as your passport and your visa?

Yes No

16. How often do you:

a. use a working toilet? _____ Never
_____ Rarely
_____ Sometimes
_____ Usually
_____ Always

b. have sufficient water to drink? _____ Never
_____ Rarely
_____ Sometimes
_____ Usually
_____ Always

c. have sufficient food? _____ Never
_____ Rarely
_____ Sometimes
_____ Usually
_____ Always

17. Can you use your employer's telephone at the ranch? **Yes No**

a. How often do you have access to a telephone?

_____ Never
_____ Rarely
_____ Sometimes
_____ Usually
_____ Always

18. How often are you permitted to do social activities?

(Examples: visiting friends, going to church, a party, to town, or shopping, etc.)

_____ Never
_____ Rarely
_____ Sometimes
_____ Usually
_____ Always

- | | | | | |
|-----|--|------------|-----------|------------|
| 19. | Do you have access to transportation for social activities? | Yes | No | |
| 20. | Did you have the opportunity to read your H-2A contract? | Yes | No | |
| 21. | When you read your contract did you understand your legal rights? | Yes | No | N/A |
| 22. | Do you believe that your employer has fulfilled his/her part of the contract? | Yes | No | |
| 23. | Is there anything you expected about your work or housing that has not been fulfilled? | | | |
| 24. | Have you done any work that is not related to caring for livestock? | Yes | No | |
| | a. What other type of work? | | | |
| | b. Normally, how many hours per week are you doing other types of jobs? | | | |
| 25. | Have you been injured during your work? | Yes | No | |
| | a. What kind of accident did you have: | | | |
| | b. Did you receive adequate medical attention from a Doctor or Nurse? | | | |
| | Yes No Not Necessary N/A | | | |
| | c. How many days off did you receive to recover from your injuries? | | | |
| | d. Did you receive compensation for your injuries? | Yes | No | N/A |
| | e. Generally, what happens if a herder is injured or hurt on the job? | | | |
| 26. | Have you or someone you know complained about working conditions? | Yes | No | |
| | a. If so, what happened? | | | |
| 27. | What is your best experience as a herder? | | | |
| 28. | What is your worst experience as a herder? | | | |
| 29. | What changes would you like to see to your job? | | | |
| 30. | What is your general opinion about the treatment of workers on this ranch? | | | |

ACKNOWLEDGEMENTS

Many people contributed generous time and effort to the completion of this report. The bulk of the credit for this report is due to Ignacio Alvarado and Professor Thomas Acker from Mesa State College in Grand Junction, Colorado, who spent countless hours driving, locating and conversing with herders. The following individuals also assisted with this project: Jonathan Asher, Caroline Hodge, Natasha Kerr, Patricia Medige, Jacob Ripple-Carpenter, Jenifer Rodriguez and Katy Walker. We are especially indebted to Chris Schneider at Central California Legal Services, who conducted the first surveys of herders in California, and upon whose pioneering efforts we modeled our work. This report is dedicated to all those herders who participated in the survey and made this report possible.

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