

Human Dignity and Power: Worker Struggles against Precarity in U.S. Agribusiness

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Abstract

While precarious employment expands, instances of workers improving employment standards motivate examination of the dynamics of advancing decent work. This article analyzes cases of workers shifting from precarious toward decent work in U.S. agribusiness. Building on bargaining-power theory from industrial relations and human development theory from sociological philosophy, it finds that workers build power resources sequentially and by demanding human dignity. The cases reveal a framework of power building by workers facing precarious work in which progress is catalyzed by the recognition of workers' capacity to participate in the rules to which they are subjected. The framework suggests an explication for precarious employment's growth and decline.

Keywords

agriculture, dignity, labor, power, precariousness

Introduction

In recent decades, declining unionization has driven attention to the diverse sources of power that employers and workers draw on to shape their relationship, while precarious employment has pushed power analysis beyond the workplace. The industrial relations literature on bargaining power recalls that the social relationship of employment is determined by the ability of the parties to establish and maintain certain terms and conditions of their relationship. Power-resource studies have developed a rich set of concepts to explain employment relations, most explicitly applied to those

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governed by laws and norms (Gumbrell-McCormick and Hyman 2013; Katz, Kochan, and Colvin 2017; Wright 2000). Meanwhile, studies of precarious employment, the reality for an estimated 42 percent of workers worldwide (International Labour Organization [ILO] 2018), have focused on workers who contend with antagonistic rather than protective institutions (Doellgast, Lillie, and Pulignano 2018). Despite the disempowerment that the precariousness entails, some workers facing precarious employment have asserted their agency (Eaton, Schurman, and Chen 2017). Although successes are anomalous, they motivate interrogation of the dynamics involved.

This article argues that workers who are relatively successful in shifting from precarious toward “decent work”¹ build power sequentially by expanding reciprocal recognition of dignity to each other, allies, employers, and government actors. The United Farm Workers (UFW), Coalition of Immokalee Workers (CIW), and *Familias Unidas por la Justicia* (FUJ)² illuminated this power-building process and its catalyst. They mobilized power by internally associating, gaining allies, and collectively negotiating agreements that provided them with greater control over their employment conditions. Progression depended on demanding and achieving recognition of their human dignity.

The power-building framework revealed by these cases and developed herein applies particularly to worker mobilization commenced in precarious employment relations. The three organizations differed in their organizational structures. The UFW and FUJ are trade unions, and the CIW is a nongovernmental organization (NGO). They primarily work in distinct sub-national state traditions (Crouch 1993; Locke 1992)—California, Florida, and Washington states, and began in different time periods—the 1960s, 1990s, and 2010s. Yet their trajectories suggest a common power-building process. For bargaining-power theory, the model presented responds to calls for explicating successful worker strategies against the expansion of precarious employment, particularly the “purpose in defense of which workers can unite” (Doellgast, Lillie, and Pulignano 2018, 235). After introducing relevant extant concepts, the framework is presented, followed by the methods used to build it, case-study findings, discussion of their implications, and conclusion.

Concepts toward a Framework of Power Building by Precarious Workers

Power Resources in Employment Relations

Power, the ability of an individual or group to carry out their will despite resistance (Weber 1968, 56), explains the rules governing relations between employers and employees. Whereas some approaches to power limit it to a dyad, “resistance” recognizes that workers and employers interact with social, political, and economic systems that affect their power-based relationship. This broader understanding of power is particularly important for precarious workers, who encounter antagonistic institutions such as exclusion from labor-law protections. Distinct power resources developed in the employment relations literature were evidently related in the cases studied and thus formed the a priori constructs for an emergent model explaining precarious workers’ mobilization toward and to sustain decent work (Eisenhardt 1989).

Structural power refers to labor's capacity to disrupt capital accumulation processes—production, sales, and/or investment—and to management's capacity to withstand such disruptions (Katz, Kochan, and Colvin 2017; Webster 2015; Wright 2000). It derives from their positions in an accumulation circuit (Wright 2000), particularly the sensitivity of the process to disruptions and looseness or tightness of the labor market (Katz, Kochan, and Colvin 2017, 89-111). Management strategies thus entail maximizing flexibility in terms of their allocation of capital and mobility in terms of the location of its investment, whereas labor, with more fixed reproduction needs and relative immobility, seeks to constrain management's flexibility and mobility.

Use of structural power requires associational power (Thomas 2019, 5). By forming a collective, workers build associational power, measured by their ability to "sanction defectors from cooperation both among their own members and among capitalists" (Wright 2000). Management also builds associational power, indicated by their ability to enforce rules within a company through supervisors and across an industry through coordination with other companies.

Coalitions represent another power resource. Workers' collectives build coalitional power by "involving other, non-labor actors willing and able to influence an employer's behavior" (Brookes 2013, 192). Coalition participants are "conscience constituents," supporters of the workers who do not directly benefit but believe that the workers' demands resonate with their morals (McAdam, McCarthy, and Zald 1996). Employers build coalitions of supporters, including those who may not directly benefit but align with their position, for example, chambers of commerce.

Workers and management often seek to sustain achieved capacities by building institutional power (Brinkmann and Nachtwey 2013). State-based institutional power refers to the degree to which a state regulates management's flexibility and mobility on one hand, and labor's collective action on the other (Gumbrell-McCormick and Hyman 2013). It thus depends on the capacity of a party to influence state actors or political power (Katz, Kochan, and Colvin 2017). Employer-based institutional power refers to agreements between labor and management, reflecting a degree of shared interests (Gumbrell-McCormick and Hyman 2013; Wright 2000). Both forms, however, depend on state action, either through establishing and enforcing laws or by legitimizing employee-employer agreements. As a mechanism that fixes rights and restricts actions, institutional power is an intermediate outcome (Ramsay 1977; Webster 1988), implying that experienced outcomes depend on combinations of power resources.

Increasingly, symbolic power is recognized as consequential in employment relations, reflecting concentration of value in brands according to the contemporarily dominant logic of financialized capitalism (Foster 2007; Juravich 2007; van der Zwan 2014). Symbolic power refers to the use of communication as an instrument to illustrate existing illegitimate social relations and a vision of legitimate alternatives (Bourdieu 1991, 2000). Using language and symbols known from prior social struggles helps distinguish between the illegitimate and legitimate (Chun 2009). All parties deploy symbolic power; thus, "[This] power to persuade and mobilize must be continually renewed and reaffirmed in the face of contestation" (Chun 2009, 16). Symbolic power tends to be used with other resources; for example, building a coalition requires

that the direct beneficiaries articulate their demands in a frame that is compelling to potential joiners (Keck and Sikkink 1998; Lévesque and Murray 2010).

Workers (Dis)Empowerment in Precarious Employment

In parallel to the development of power-resource concepts, analysis of precarious employment has developed from understanding its character to the dynamics that contribute to its expansion, inversely, its replacement with decent work. Precarious employment refers to “uncertain, unpredictable and risky” work (Kalleberg 2009, 2). Its expansion has been explained as an outcome of restructuring production systems based on reduced employment (Castel 2000, 528). Workers in precarious employment characteristically face antagonistic institutions and limited access to extant labor organizations, and therefore must create their own power resources incrementally (Zajak 2017).

Scholars have increasingly documented workers’ struggles against precarious employment (Eaton, Schurman, and Chen 2017). Such cases reaffirm workers’ agency and demand explanation of the dynamics involved. Toward such explication, Doellgast, Lillie, and Pulignano (2018) predicted that higher worker bargaining power relative to employers drives a cycle of low precarious work that is supported by cooperative employer strategies involving worker voice, inclusive and encompassing institutions concerning employment regulation and labor reproduction, and inclusive worker solidarity and strategies. To explain the early success of the UFW, Craig Jenkins (1985) pointed to the combination of a facilitative political environment and effective mobilization of solidarity among workers and allies.

Studies of precarious worker struggles thus suggest an incremental combination of power resources. To explore this notion, this study selected three cases that appeared to offer insights into why certain groups of workers succeed more than others in shifting from precarious to decent work. Comparative analysis of their experiences illuminated an explanatory framework: workers build bargaining power by achieving reciprocal recognition of human dignity, which enables sequential creation, deployment, and combination of power resources. The concept of dignity is subsequently explained before presenting the framework in which it plays a catalytic role.

Human Dignity as a Catalyst of Worker Empowerment

Human dignity is the basis of symbiotic social relations, its absence a cause of strife. Accounting for its fundamental role in all social relations clarifies why certain workers succeed in shifting from precarious toward decent work. Dignity is a psycho-social dynamic in which people mutually recognize each other’s capacity to autonomously participate in the production of the laws and norms to which each is subjected; succinctly, “the capacity to assert claims” (Honneth 1995, 10). Starting with parental relationships, humans form identity intersubjectively and continuously, through dignified relationships that reinforce one’s participatory capacity and undignified relations that destroy trust in oneself by denying participation in social rules (Honneth 1995).

The importance of workers' participation in work rules has long been identified as instrumental, for developing conscious solidarity (Fantasia 1988; Marx 1847) and as "voice" that "enables" achievement of material improvements (Barrientos, Gereffi, and Rossi 2011; Freeman and Medoff 1984; Leary 2003). Its import is, however, more fundamental. Whereas the pathological dynamic of denying dignity is the basis of the latent conflict in capitalist employment relations—alienation or mind-body separation (Braverman 1979; Marx [1867] 1990)—the demand for dignity morally underpins struggles for participation in work rules (Honneth 1995; Thompson 1963).

The dependence of human development on dignity points to its catalytic role in building associational, coalitional, and institutional power. Workers' simultaneous ownership of labor power and dependency on employers for their livelihood means that their primary tactic for gaining recognition to participate in work rules, the disruption of the capital accumulation process, risks immediate harm, the loss of wages necessary for basic needs. The more precarious the employment, the more acute the risk. Both to exercise disruptive tactics, which requires sufficient collective control over the available labor power (Wright 2000), and to mitigate the risk, workers must build associational power. From a common position of exclusion from participation in work rules, workers recognizing each other's dignity strengthens their individual self-confidence and bonds them together, thereby facilitating collective action. Workers enlist supporters not directly affected by their struggle by articulating it in terms of the general human need for dignity, and building coalitional power helps precarious workers mitigate the risks of collective action. Enabled by the combination of associational and coalitional power, achieving mutual recognition of dignity vis-à-vis employers and state actors is the mechanism by which workers participate in setting work rules that reflect their interests.

Understanding human dignity as the fulcrum on which employment relations turn clarifies the relative success or failure of worker efforts to employment conditions. The cases studied herein advanced toward decent work when workers established reciprocal recognition of human dignity from each other, allies, employers, and state actors, thereby catalyzing latent associational, coalitional, structural, and institutional power.

A Framework of Power Building by Workers in Precarious Employment

Not a singular act, precarious workers gain bargaining power by sequentially building power resources, each of which is catalyzed from a latent to an active state through the successful demand for dignity. Figure 1 models the process. Presented here from the perspective of precarious workers, the process unfolds in interaction with employers' power and in a particular conjuncture.

Associational power is a necessary first step. Workers must realize their capacity to act as a unified collective before effectively broadening their struggle to include allies in society who coalesce around their demands. Coalitional power is essential for precarious workers to confront systematic power imbalances vis-à-vis employers, especially employers' capacity to replace workers and to rely on governmental support. Precarious

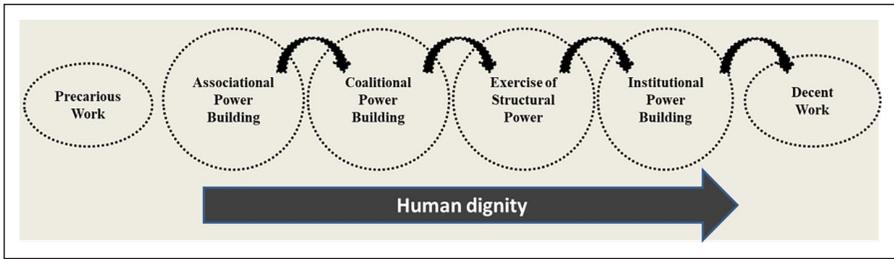


Figure 1. A model of power building by workers confronting precarious employment.

workers' assertion of structural power via strikes and boycotts forges associational and coalitional power, pressures employers and state actors, and tends to be insufficient to gain employer and state recognition of workers' dignity. For institutional power building, workers' emphasis on employers or the state depends on the orientation of state institutions toward labor. Facing antagonistic institutions that increase employers' discretion over work rules, for example, exclusions from labor laws or civic participation, precarious workers typically must seek to build both forms of institutional power.

Dignity functions as the necessary and insufficient causal mechanism that makes building bargaining power more likely (Beach and Pedersen 2013). The dotted lines indicate that each step and progression between them are contingent; the solid line around dignity indicates that its presence makes progress more likely (Figure 1). Precarious workers' progression along the steps likely depends on their gaining dignity from each other, allies, employers, and state actors. To achieve recognition of their capacity to participate in work rules, they assert symbolic power. With each other, workers articulate the illegitimacy of the current employment relationship and a vision for a legitimate replacement featuring their participation in the rules governing it. With each other and potential allies, workers reference known symbols to clarify their grievance as a violation of the social norm of recognizing human dignity and to identify such recognition as the legitimizing remedy. To gain recognition from employers and state actors, workers and coalition allies contrast the claims of employers and state actors to be upholding social norms with the denial of workers' dignity. Employers seek to retain managerial discretion over work rules by asserting their own symbolic power, emphasizing their employment and product as social contributions. Due to employers' and state actors' ability to avoid pressure from structurally and politically disempowered precarious workers, worker-coalition use of symbolic power is combined with disruptions of capital accumulation, for example, strikes and boycotts, to build institutional power. Thus, the extent to which precarious workers shift toward decent work depends on their achieving dignity—gaining recognition as participants in setting the rules to which they are subjected.

Method

Industry Selection: Precariousness of U.S. Fieldworkers

Precariousness characterizes fieldwork in U.S. agribusiness, reflecting the state and industry's co-structuring of its surplus accumulation process and labor supply. In the

2010s, mean and median annual incomes of U.S. agribusiness fieldworkers were less than \$24,999; their real wages were less than 60 percent of non-farm wages; 33 percent of their household incomes were below the poverty line; more than half relied on public assistance programs; at least 53 percent lacked health insurance; and at least one-third reported chronic pesticide-exposure symptoms (Holmes 2013; U.S. Department of Labor 2018). The conditions reflect extraordinary employer control over labor. Along with oligopolistic market power and nature-mitigating interventions, such labor control has helped agribusiness to profit despite the susceptibility of their investments to disruption from nature and labor. Agribusiness's extraordinary labor control depends on state support, granted in exchange for political support and greater legitimacy, burnished by agribusiness contributions to national income and of cheap food facilitating lower labor costs in other sectors (McMichael 2013).

Within the U.S. agribusiness industry, producers function as sites of value extraction for input sellers and output buyers, pressuring them to extract more value from the labor process. In 2017, 4 percent of U.S. agribusiness producers accounted for 69 percent of sales (U.S. Department of Agriculture 2019), yet even the large producers face financial squeezes between more capitalized and politically powerful companies supplying seeds and agrochemicals and those buying and marketing final products (Kloppenborg 2004; Russi 2013). Facing such price-elastic supplies of inputs and demand for their final products, U.S. employers of fieldworkers tend to rely on their ability to replace labor and control the terms of their work, a capability co-created with the state.

Underpinning U.S. agribusiness is a state-constructed denizen labor market. Non-protection from violence has included direct state violence, for example, the presidency supporting assaults against UFW picketers in the 1970s (Garcia 2012), and inaction, indicated by recent estimates that 80 percent of female farmworkers have experienced sexual abuse at work (Human Rights Watch 2012; Morales Waugh 2010; Oxfam 2015) and permission of toxic chemical use.³ State immigration policy provides employers with deportation as a disciplinary tactic, given the majority of fieldworkers are undocumented, and the 10 percent with H-2A visas have temporary legal status at their employer's prerogative (U.S. Department of Labor 2019). The National Labor Relations Act (NLRA) denies collective-bargaining rights nationally. California's Agricultural Labor Relations Act (ALRA) protects union rights and goes beyond the NLRA by permitting secondary boycotts, but its effect has historically been limited by excess labor supply, circumvention with labor contractors, and politicization of its oversight board, the Agricultural Labor Relations Board (ALRB; Daniel et al. 1991). The denizen status of most fieldworkers in U.S. agribusiness means that they work under menace of penalty, the ILO definition of forced labor.⁴ Motivated to fieldwork by a lack of alternative livelihoods, their ability to participate in work rules is impeded by institutions co-created by the state and capital that provide employers nearly unilateral discretion over use of labor.

Case Selection and Analytical Approach

In U.S. agribusiness, cases of worker resistance to precarious employment were selected for their likelihood to reveal an explanation of why certain workers facing precarity shift toward decent work (Eisenhardt 1989; Eisenhardt and Graebner 2007;

Yin 2009). The cases are three organizations of workers employed in different sub-national institutional contexts of the United States at agribusinesses producing and supplying fruits and vegetables to multinational corporations marketing the produce through retail, food services, and food processing. The UFW is a trade union, formally established in 1966, currently with 8,700 dues- or agency-fee-paying members and, according to union officers, and representing up to 29,000 workers in collective-bargaining agreements (CBAs), predominantly in the state of California. The CIW, an NGO established in 1995, developed an enforceable private-regulation model called the Fair Food Program (FFP), and estimates 30,000 people worked at participating agribusinesses in the 2018 harvests in Florida and the U.S. Southeast. The FUJ is a trade union, established in 2013, with 550 dues- or agency-fee-paying members covered by a CBA and has supported hundreds of workers in addressing employment disputes throughout Washington State.

The power-building framework emerged through theory-building process-tracing (Beach and Pedersen 2013; Eisenhardt 1989). After selecting cases, twenty-three semi-structured interviews with rank-and-file workers, organization leaders, and coalition allies were conducted in 2018 and 2019. Observations from visits with CIW and FUJ and academic, advocacy, and governmental studies served to triangulate. Given many interviewees' immigration status, identities were anonymized. Interviews ranged from forty-five minutes to five hours and focused on personal histories, organizational participation, strategies for advancing decent work, and drivers of success and challenges. Detailed case descriptions were fact-checked by interviewees. The constructs of power resources were borrowed from labor relations literature and observed in each case. Within-case analysis identified the sequential relations between resources and dignity as a probable causal mechanism. Between-case comparison and contrast indicated replication of the emergent framework explaining precarious worker power building as a sequential process catalyzed by dignity.

Case Studies of Power Building by Workers in Highly Precarious Employment

The histories of the UFW, CIW, and FUJ are characterized by workers confronting the precarious employment relations of U.S. agribusiness by demanding recognition of their human dignity. The three organizations gained dignity in relationships among workers, with allies, employers, and state actors to build bargaining power and advance toward decent work. Each organization's power-building process is presented in turn.

UFW

UFW associational power building. The UFW began by engaging workers in their actual social and psychological position, recognizing their dignity, and thereby building associational power. Co-founders Cesar Chavez, Dolores Huerta, and Gilbert Padilla adapted the power-building strategy from the Community Service Organizations to farmworkers' reality. This meant organizing workers at farm-labor camps and fields,

and unifying workers of Filipino and Mexican heritage who employers pitted against each other. The UFW established services—health care, insurance, a credit union, service centers, the newspaper *el Malcriado*,⁵ radio stations, a cooperative gas station—to address farmworkers' unmet needs and develop consciousness of their capacity, broadcast through the union's message "*Si se puede*" ("Yes, you can"). Indicating the legacy of the initial approach, a current member explained, "We speak to people and explain the rights and benefits they have, to not be afraid, that there are risks of this and that thing always, but the resistance is the key to success."

UFW coalitional power building. UFW leaders concluded early on that they would never win through collective action contained at workplaces and had to appeal to society for support. The UFW began its appeal with the 1966 Delano-Sacramento march, inviting society to join "*La Causa*," the union's effort to achieve dignity for fieldworkers. The symbols introduced in the march continue in UFW collective actions: Christian-based references to sacrifice and piety, the flag featuring the Aztec eagle of Mexican indigenous warrior inspiration, encircled by hopeful white, against a background of suffering red. Prior struggles, particularly the Indian anti-colonial and U.S. Civil Rights movements, informed the UFW's strategic commitment to nonviolence, to which longtime president Chavez repeatedly fasted and appealed to all parties to sustain (Grossman 2014; Pawel 2014).

UFW exercise of structural power. The UFW has used strikes and boycotts to pressure employers and empower workers. The union's first strike demanded improved housing conditions in labor camps. Throughout the 1970s, tens of thousands of UFW members struck, achieved union contracts and wage increases, and suffered extreme and at times fatal violence perpetrated by vigilantes and police (Garcia 2012; Martin 2003). In the last decade, short strikes helped expand membership by winning union elections. As a current member concluded, "If you don't resist, if you don't fight, you're not going to have anything in life." Yet employers' ability to replace and intimidate strikers led the UFW to develop its coalition and implement one of the most successful boycotts in history. The union organized committees across the United States, Canada, and in parts of Europe. They mobilized 12 percent of U.S. consumers to boycott grapes, driving down prices (Garcia 2012, 54; Majka and Majka 1995, 12). Companies conceded.

UFW institutional power building. The UFW has built both employer-based and state-based institutional power. The first companies to concede were multinational corporations concerned about their brands, behind which grape production was a small portion of revenue.⁶ After first gaining recognition from an employer in 1966, by 1973, the UFW negotiated 180 union contracts covering 67,000 farmworkers (Martin 2003). After that peak, the UFW's membership and contracts decreased. In 2019, the UFW represented 29,000 farmworkers covered by thirty-two contracts. The union's contracts have increased distribution of value to workers. Adjusted for inflation, average hourly wage rates negotiated in the early 1970s were \$19; in the last decade, contracts in the

tomato sector increased wages 42 percent. Benefits included employer contributions to union-administered health care and restrictions on pesticides, labor-substituting machinery, and hiring, which tend to increase worker tenure longer than the seven-year national average for agribusiness fieldworkers (Economic Research Service, U.S. Department of Agriculture 2020). Indicating their capacity to enforce standards, a current UFW member explained that they file grievances and use work stoppages “[w]hen there’s a problem, but when they treat us well, we don’t do anything.”

Industry restructuring, political opposition, and eroded associational and coalitional power all likely influenced UFW’s decline in employer-based institutional power. The UFW first won recognition and negotiated CBAs with corporations that owned and managed grape production.⁷ Foretelling structural change, the 1979 UFW lettuce strike achieved unprecedentedly high wage rates, but higher prices based on inelastic demand returned agribusiness higher revenue than previous years (Martin 2003, 164-65). The industry began avoiding the constraints established in the union contracts by restructuring into networks, such that even the largest farms were independent of and price-takers from increasingly larger input suppliers and buyers. Industry restructuring meant the union would have to pressure multiple companies linked in the network (Anner, Fischer-Daly, and Maffie 2021).

Meanwhile, agribusiness owners responded to UFW organizing by asserting state-based institutional power. They formed associations, for example, the South Central Farmers Committee (Garcia 2012, 58-59), and used their associational power to support a conservative sweep of California state government in the 1980s. Governor-appointed labor officials “stopped enforcing the law,” principally by not investigating wage nonpayment and worker intimidation (Grossman 1991). Nationally, immigration and trade policies loosened the labor market, evinced by the increase in farm hiring of undocumented immigrant workers from 10 percent of the workforce in the 1980s to 60 percent by 2000 (Martin 2003, 183). Many current UFW members work in U.S. agribusiness because currency devaluation and dumped agricultural products devastated Mexican local economies, leaving them, as interviewed members explained, searching “to make enough for a family” in a country where “without papers there aren’t other opportunities” (Weisbrot, Lefebvre, and Sammut 2014).

With structural and institutional power reinforced against them, the UFW needed to strengthen to sustain gains, yet membership declines and departures of union leaders and coalition allies indicated declining associational and coalitional power. Some observers attributed the decline to long-term president Chavez, particularly his increasingly tighter control over organizational decisions, demands for unquestioning loyalty, and not prioritizing worker organizing (Garcia 2012; Pawel 2009, 2014). At the time, UFW organizer Marshall Ganz wrote to Chavez, “. . . I think it’s a bigger threat to the union if you can’t tolerate independence and self-direction . . .” (quoted in Pawel 2014, Ch. 33). Chavez’s decisions may have reflected his broad vision for social change, manifest in the many activists who attribute their motivation to him (Grossman 1991; Pawel 2014). For the UFW’s power-building process, they suggest a decline in associational power rooted in non-recognition of others’ capacity to assert claims.

The UFW has continuously built state-based institutional power. In 1975, the union helped enact the ALRA, establishing state-level recognition of agricultural workers' collective-bargaining rights.⁸ The law protected union security clauses and secondary boycotts, and established "strike elections," meaning the ALRB has a duty to supervise union-recognition elections within forty-eight hours of certifying a strike by a majority of the workers.⁹ In 1976, the UFW helped pass a law requiring overtime premium pay rates for fieldworkers after ten hours per day or sixty per week, and in 2016, the union helped pass legislation reducing the threshold to eight hours daily or forty hours weekly. In 2002, the UFW convinced the California legislature to legally establish mandatory mediation,¹⁰ to address employer avoidance of collective bargaining. In 2005, UFW lobbying led the California legislature to pass a law requiring employers to mitigate heat exposure for everyone working outside.¹¹ Reflecting on the UFW's approaches, current union officers commented, "Unionization for farmworkers is very deep, but it's very slow"; "[We] need to think about a range of vehicles for workers to have power, voice and dignity." Perhaps indicating this strategy, half of the union's revenue is from worker dues and agency fees, the other half from private contributions.

CIW

CIW associational power building. With its name, the CIW signals its associational power-building strategy: unifying employer-divided workers (Coalition), community involvement (Immokalee, the location of its headquarters and epicenter of Florida's tomato industry), and class position (Workers).¹² Co-founders Cristal Pierre, Chavannes Jean Baptiste, Jean-Claude Jean, Pedro Lopez, Felipe Miguel, Lucas Benitez, Ramiro Benitez, Andres Lopez, Greg Asbed, and Laura Germino united the Mexican, Guatemalan, and Haitian workers whom employers had worked to divide. From prior experiences, they brought popular education, a praxis in which people work *with* each other not *for* each other to counter oppression by collectively analyzing their position in power structures and developing strategies through dialogue (Freire [1970] 2000). The CIW applies the approach through weekly meetings open to all community members, training workers on their rights, provision of skills training, and its station *Radio Conciencia*—all managed by current or former fieldworkers. In the mid-1990s, they organized as a nonprofit NGO instead of a trade union, a decision informed by U.S. labor law's exemption of agricultural workers from the NLRA, lack of state-level support for unionization indicated by Florida's "right-to-work" laws, and many participants' observations of corrupt union practices in their home countries.

CIW coalitional power building. The CIW learned to appeal to society to pressure the more powerful companies in the industry. In 1997, they led a March against Violence directly responding to a supervisor's assault of a sixteen-year-old fieldworker, inviting non-fieldworkers to join a struggle for respect under the slogan "to beat one of us is to beat us all." That Christmas, CIW participants fasted, demanding employers negotiate. Although employers refused, religious and political leaders lent support. In 1999, the CIW marched from Fort Myers to Orlando. With the message "We are not tractors. We

are human beings. We deserve respect and dignity,” CIW launched the first of ongoing Fair Food Tours in 2002. Their message motivated students and faith-based activists to organize the Alliance for Fair Food.

CIW exercise of structural power. Despite limited immediate gains, strikes strengthened CIW’s associational power. In 1995, the CIW led 3,000 workers on a weeklong strike that achieved wage increases. An interviewed participant reflected on the confidence gained, “[W]e saw that yes you can achieve something.” Throughout the 1990s, the CIW led periodic strikes and direct actions to claim unpaid wages, achieving wage increases and back pay, but employers refused to negotiate. Employers’ avoidance partly reflected their supply-chain position. As Barry Estabrook (2011) documented,

While it is true that Florida’s tomato production is dominated by large agribusinesses . . . [t]hey are tiny compared with their fast food, supermarket, and institutional food-service customers. They are also dwarfed by their suppliers, who are multinational corporations such as Monsanto, DuPont, and Bayer CropScience.”¹³

By 1999, CIW concluded that they needed to redirect collective action toward the consumer-facing brands buying from their employers. With its coalition, the Alliance for Fair Food, the CIW led boycotts. Yum Brands, parent company of major tomato buyer Taco Bell, first signed an agreement with CIW in 2005, but the coalition had to boycott and gain agreements with three more multinational buyers to get the production companies, the fieldworkers’ employers, to sign agreements.

CIW institutional power building. The CIW has primarily built employer-based institutional power. By 2010, the CIW’s campaigns achieved sufficient agreements with food-service and retail corporations to convince 90 percent of Florida’s tomato industry to sign parallel agreements, committing to the FFP. Under the FFP, participating buyers agree to purchase products from participating producers, to cease purchasing from any supplier suspended from the FFP, and to pay the Fair Food Premium that employers pass through to workers; and participating suppliers agree to employment standards. The standards require minimum wage rates; zero tolerance of forced labor, child labor, physical and sexual assaults; passing through Premiums; standardized piece rates; worker-controlled time clock systems; direct employment; occupational safety and health systems; job-advancement opportunities; legal compliance of employer-provided housing; and cooperation with the FFP—including worker education, monitoring, and complaint resolution systems.¹⁴ The CIW established the Fair Food Standards Council (FFSC) to audit farms against the CIW-developed standards and to manage the complaint resolution system.¹⁵ The FFSC estimates that 30,000 workers are currently covered by FFP standards at eighteen tomato-, vegetable-, and fruit-producing companies that sell to fourteen retail, fast-food, and food-service companies.¹⁶ At FFP-participating producers, workers no longer face high risk of forced labor, sexual assault, and wage theft that plagues U.S. agribusiness. In one worker’s description,

Under the Program, the rules, the laws are that the worker has a voice, as a woman you can report sexual assault. The supervisors continue being supervisors; the bosses continue being bosses; but the balance of power has changed . . . our priority is mutual respect.

The FFSC estimates that worker turnover declined by approximately two-thirds the rate prior to the FFP. Another worker emphasized that working under the FFP meant a shift from “fear” to “working freely . . . respected as human beings.” The program also increased pay and ended employers’ prior practice of mandating attendance without paying for as many as five hours per day. Another worker summarized, “you work with dignity.”

The political context in southeastern U.S. agribusiness has impeded state-based institutional power-building strategies for the CIW. CIW’s first allies initially assisted workers to file legal complaints and realized that they were not changing employment practices due to employers’ greater institutional power. A worker described it as “a hostile environment . . . a woman cannot live suspending her dignity to be able to feed her family.” Between 1997 and 2010, the CIW presented sufficient evidence to compel prosecutors to convict fifteen employers for enslaving workers, freeing a thousand workers (Sellers and Asbed 2011, 30). The slavery prosecutions in 21st century U.S. agribusiness reflect the persistence of violent coercion (Baptist 2014, 111-144; Sellers and Asbed 2011). The context influenced CIW’s decision to not pursue union collective bargaining, perceiving that employers would never concede. An implication is that CIW is not a membership organization, and external contributions have provided all revenue.

FUJ

FUJ associational power building. FUJ—translated to Families United for Justice—integrated Indigenous, union, and cooperative traditions in its associational power-building strategy. The majority of the union’s members are from Indigenous communities in southern Mexico, with Mixteco or Triqui as their primary language, who left to escape state-supported violence and, like their mestizo-Mexican coworkers, lacking livelihood opportunities. Together, they worked in the fields of Sakuma Brothers berry farm in Washington State. The workers began organizing at the company’s worker housing camps, convening multilingual meetings to discuss supervisors’ tendency to divide them by perceived ethnicity, and fusing the Indigenous concept of *tequio*—honor-based work for one’s community—with popular education and unionism. While pursuing collective bargaining, FUJ members also began the *Tierra y Libertad* cooperative, reinforcing their associational power by creating a worker-controlled alternative livelihood.

FUJ coalitional power building. From their first collective action, FUJ began developing coalitional power. When organizing their first march, a worker called Community-to-Community (C2C), a local NGO. C2C staff had worked with the UFW and the popular-education-based Landless People’s Movement of Brazil (MST), and equipped FUJ with resources to study U.S. unionism, the UFW’s grape boycott, and the MST. By communicating their struggle in reference to prior struggles, FUJ gained more allies. Locals of the International Longshore and Warehouse Union, United Food and Commercial Workers, United Steel Workers, Organization of Workers for Labor Solidarity, and State Labor Council lent their experience and resources. Labor lawyers defended workers’ right to collective action under Washington State’s Little Norris LaGuardia

Act.¹⁷ University students formed solidarity committees. FUJ enlisted the support of labor organizations nationwide through the Food Chain Workers Alliance. As the flyer of one allied organization read, “Join the Boycott. Sakuma Bros. Bleeding Workers for YOUR Berries.” Employers responded, for example, with a “I Love Berries” campaign and labeling FUJ “extremists” (Baron 2014; Wheat 2014).

FUJ exercise of structural power. In 2013, a worker requested a raise, was fired, and appealed to coworkers. With their families, workers marched to Sakuma’s management and demanded their coworker’s reinstatement and improvements. Management conceded temporarily. In response to management not fulfilling its commitments, the workers voted to strike. Management then banished FUJ activists from company property and resisted the demand to negotiate (DeMay 2014), likely preferring to replace the workers than risk being replaced. Sakuma is a family-run business then primarily supplying berries to Driscoll’s (estimated by interviewees at 70% of 2013 sales), which sources from 400 producers in twenty countries (Shelman 2017). Sakuma offered a settlement to end the strike. Workers deemed it insufficient, called off the strike to avoid replacement, and, over three years, conducted multiple work stoppages and, with allies, filed lawsuits and led a boycott. After members voted to boycott Sakuma’s berries, FUJ’s newly elected president Ramón Torres and C2C’s Edgar Franks organized forty boycott committees. FUJ and its allies eventually expanded the boycott to Driscoll’s, which led to Sakuma’s recognition of the union.

FUJ institutional power building. The FUJ has built employer- and state-based institutional power during their shorter history. Despite no federal or state laws compelling Sakuma to collectively bargain, in 2016, the company agreed to a union election. Driscoll’s (2017) stated its support. Seventy-seven percent of Sakuma employees voted for FUJ to represent them. Nine months later, Sakuma signed a CBA with FUJ. Their first contract covered the approximately 500 berry pickers. The workers voted to become dues-paying union members or pay an agency fee, and thereby provide 84 percent of FUJ’s revenue. Under the 2017 CBA, the union and company set wage rates through daily test picks, with a minimum wage of \$12 per hour (compared with then \$11 and \$11.50 statewide minimums) and target average weekly rates of \$15 to \$17 per hour. The contract required free employer-provided housing for migrating workers, lunch breaks, a daily maximum of eleven hours of work, occupational safety and health systems, worker seniority, just-cause discipline and a union grievance system, and union access to workers. Commenting on their new right to leave as needed, for example, to pick up children from school, a member said, “the power basis has shifted.” Indicating the union gained recognition of workers’ role in the workplace, from an average of biweekly grievances all going to an arbitrator in the contract’s first year, in year 2, FUJ and Sakuma settled all grievances directly. Subsequently, they have repeatedly renegotiated the CBA.

In the sub-national political context of western Washington State, FUJ has built state-based institutional power in collaboration with its coalition. Between 2013 and 2017, FUJ and its legal allies won back pay in a wage-theft settlement with Sakuma

and a series of court cases that halted management interference and retaliation against workers' concerted activity (Lally 2020). FUJ local allies pushed back against immigration authorities' enforcement activities. In 2014, Sakuma attempted to replace the workers active in the unionization effort with H-2A workers, and FUJ blocked the attempt by filing 489 cards signed by workers declaring their availability for work with the Department of Labor. In fact, the fieldworkers represented by FUJ have worked at Sakuma for nine years on average. In 2019, FUJ helped pass legislation enabling the state labor department to monitor the domestic farmworker labor market as a priority over new H-2A visas and to monitor H-2A requirements on labor, housing, and health and safety. While the H-2A program mandates the prevention of adverse effects on domestic labor and standards for immigrant labor brought under the program, with this law, Washington became the first state to establish a mechanism to enforce the regulations (Bacon 2019).

Discussion

Comparing UFW, CIW, and FUJ: Achieving Dignity Catalyzes Power Resources

The strategies of the UFW, CIW, and FUJ suggest that achieving dignity catalyzes a sequential process of building power resources, making advancement toward decent work more likely. The model that they revealed is presented in Figure 2, with the lower level showing the summarized observable manifestations of human dignity operating as the causal mechanism that made building bargaining power probable. Gaining recognition of their capacity to participate in the rules to which they are subject supported the workers' development of each power resource.

First, each group of workers recognized the disassociation sown by employers among them and deliberately united each other into new, inclusive associations. They used symbolic power to recognize each other's capacity as responsible social actors. The UFW's Aztec eagle flag and "Sí, se puede" anthem, the CIW's unification of multinational workers and application of popular education, and the FUJ's multilingual meetings and fusion of popular education with Indigenous members' traditions were uses of language and symbols that activated workers' agency. This recognition of each other's human dignity enabled them to recast individual grievances as collective demands and to develop strategies to advance toward decent work.

Second, each organization used their associational power to build coalitional power. Initial employer responses to organizing convinced workers to broaden their power-building efforts, evincing strategic collective decision-making central to effective associational power (Ganz 2000). To broaden, each workers' organization appealed to society to recognize their dignity, using the socially legible tactics of marches and demonstrations. The UFW's *La Causa*, CIW's "we are humans not tractors," and FUJ's "families united for justice" articulated the workers' particular struggles in the broader human struggle for dignity, thereby building coalitions that increased their bargaining power.

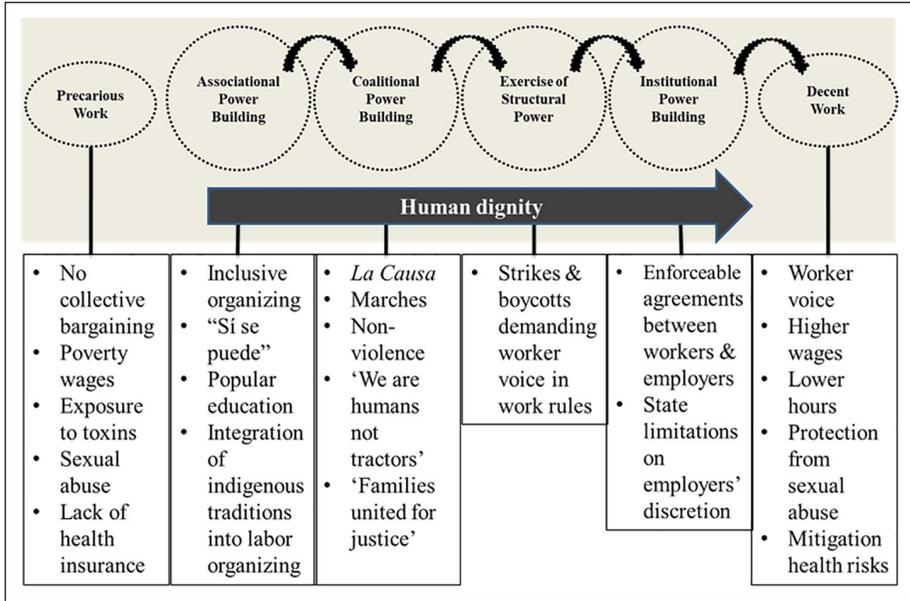


Figure 2. Building power from precarity toward decency by United Farm Workers, Coalition of Immokalee Workers, and *Familias Unidas por la Justicia*.

Third, the combination of associational and coalitional power supported the use of structural power. While strikes in all three cases proved insufficient to convince employers to negotiate, they reinforced the workers’ recognition of their collective organizing capacity and clarified employers’ power resources. The employers’ supply-chain position as sites of value extraction for larger input and output companies inclined them to resist workers’ demands. Employers’ state-based institutional power enabled them to withstand strikes through repression (physically in UFW’s early decades and publicly tarnishing worker activists’ reputations in all cases) and refusal to negotiate, a tactic observed across all three cases. By combining associational and coalitional power, workers implemented boycotts, disrupting capital accumulation to restrain the companies from allocating capital away from the organized workers to alternative production sites, machinery, or replacement workers. The pressure countered employers’ state-based power to repress and avoid collective bargaining. The coalitions portrayed employers’ refusal to permit workers’ participation in work rules in moral terms and against consumer-facing brand images, demonstrating symbolic power. Simultaneously, boycotts countered the limited ability of the agribusiness production companies alone to respond to their workers’ demands by securing buyer companies’ support for each organizations’ first agreements with employers.

Fourth, the UFW, CIW, and FUJ established workers’ participation in work rules through enforceable agreements. The UFW and FUJ negotiated CBAs, and the CIW

FFP agreements—all examples of employer-based institutional power (Gumbrell-McCormick and Hyman 2013). They each convinced state actors to impose limits on the companies' otherwise extraordinary labor control. Exemplifying state-based institutional power, the UFW established the ALRA; the CIW compelled prosecutions of slavery; and the FUJ convinced the state to commit to enforcing labor regulations in agribusiness.

Comparing the UFW, CIW, and FUJ revealed the catalyzing function of dignity in building power and sequential combination of power resources to advance from precarious toward decent work. Associational power functioned as the cornerstone, upon which building coalitional power strengthened workers' structural power, creating the possibility of building institutional power. The cases suggest that each power resource was necessary yet insufficient alone to shift from precarious to decent work. Yet these power resources only became active when workers gained dignity. The workers first recognized each other's capacity, inviting each other to collectively participate in the creation and enforcement of standards governing use of their labor. The demand for meaningful voice at work united the workers and attracted allies, because it articulated their struggle as fulfilling a fundamental dimension of humanity (Honneth 1995). It was the content of their framing (Lévesque and Murray 2010; McAdam, McCarthy, and Zald 1996) and assertions of symbolic power (Bourdieu 1991, 2000; Chun 2009). Workers won greater recognition of their capacity to participate in work rules, and thus defined new terms and conditions of their relations with employers and the state. By gaining dignity, workers built and combined power resources, evincing the demand for and securing of dignity as the causal mechanism.

Notably, human dignity was essential to internal and external power building because it articulated the relations between workers and with their allies, employers, and state actors. The early success of the UFW demonstrated the effectiveness of an organization in which workers and allies recognized their respective human dignity, enabling them to demand the same from employers. Its decline in membership and employer-based structural power partly reflected decreased associational and coalitional power due to its president's increasing unwillingness to recognize the capacity of others to participate in the UFW's decision-making, in tension with his dedication to the struggle for such recognition externally. The role of dignity clarifies the critique that Chavez's distrust of others contributed to UFW's decline in membership and CBAs (Garcia 2012; Pawel 2009, 2014). If workers in precarious employment must combine associational and coalitional power to influence their relations with capital and the state, and recognition of human dignity catalyzes these power resources, then even perception that a leader is impeding the participation of workers, organizers, or allies risks weakening the workers' power. Demanding recognition of human dignity drives the power-building process, and its achievement depends on trust among participants, specifically that they remain committed to this fundamental praxis and goal. Participants at the UFW, CIW, and FUJ regularly articulate the essentiality of worker participation. Organizationally, the FUJ's reliance on worker contributions for operating revenue likely reinforces this orientation, and prior declines in UFW membership serve as a reminder of its importance for bargaining power.

Contrasting UFW, CIW, and FUJ: Varied Strategies across Conjunctures

The differences between the UFW, CIW, and FUJ underscored that workers develop and implement strategies in relation to state, capital, and social actors in particular conjunctures. First, the varied influence of political institutions across sub-national contexts was particularly prominent and aligned with prior studies (Crouch 1993; Locke 1992). The policies and practices enabling agribusiness control over fieldworkers were harshest in Florida and the Southeast where the CIW is based. The incapacity of many workers in this region to say “no,” a profound denial of their dignity, was indicated by the CIW-compelled slavery prosecutions and CIW workers’ descriptions of violence prior to the FFP. It also constrained workers’ collective-action options, informing the CIW’s strategic choice of a nonmembership, nonunion structure despite the attendant reliance on external funding and need to develop alternatives to voting for collective decision-making processes, recalling that institutional power entails compromise (Webster 1988).

Second, the longer trajectory of the UFW demonstrated temporal variation. At distinct times, state actors supported and opposed collective bargaining. State actors supported violence against strikers in the early 1970s, passage of the ALRA in the mid-1970s, ALRA under-enforcement in the 1980s, and passage of heat protection and contract mediation laws in the 2000s. The changes over time suggest that state orientation toward labor in agribusiness is not entirely determined by state overlapping interests with the industry, and that it is possible for workers to build state-based institutional power.

Agribusiness’s Stronger Structural and Institutional Power Limited Workers’ Gains

While achieving improvements for thousands of fieldworkers, the estimated 59,500 workers covered by the three organizations’ agreements account for approximately 2 percent of agricultural workers in the United States. Furthermore, covered workers continue to endure notable risks, among them deportation and exposure to toxic chemicals used at their workplaces. The limits to the UFW, CIW, and FUJ’s changes to employment relations across U.S. agribusiness highlight the systemic strength of the industry’s structural and political power.

The cases show that agribusiness can mostly, not entirely, insulate capital from labor’s pressure. Since the late 1970s, the industry restructured vertically integrated, diversified conglomerates that were susceptible to the UFW’s grape boycott into networks of companies that include production companies and more powerful food-service and retail companies that can replace a supplier with another asserting greater control over labor. The risk of buyers selecting new suppliers to avoid farmworkers’ pressure was evident in the fast-food company Wendy’s decision to relocate its tomato supply instead of joining the FFP, and Driscoll’s ability to purchase berries from 700+ suppliers. Reflecting its state-based institutional power, agribusiness’s restructuring was facilitated by state policies permitting oligopolies and international capital

mobility (Kloppenburg 2004; Russi 2013). However, the UFW, CIW, and FUJ demonstrated limits to agribusiness's insulation strategy. Agricultural production needs to be in proximity to markets to sell perishable products. The climates of California, Florida, and Washington attracted agribusiness investment with state support, and fixing capital in each location exposed the industry to disruptions of production and sales.

Agribusiness's institutional power was also demonstrated by the state policies that provide a denizen labor market for the industry. U.S. policies exempting agriculture from labor laws and immigrants from civil and political rights constrained workers' collective action. The UFW represented primarily citizens when it organized 12 percent of U.S. consumers to boycott grapes. In recent decades, the UFW, CIW and FUJ had to build power as collectives of primarily undocumented immigrant workers. Given the workers' ability to exploit the structural weakness of the industry depended on associational and coalitional power, the three organizations had to contend with the lack of state-protections of the workers' rights, disinterest of employers in the purchasing power of employees, and separation of production workers from consumers. This meant overcoming workers' rational fears of retaliation, compelling the industry to allocate more capital to production, and convincing citizens to recognize the human dignity of immigrants cultivating cheap food in isolated locations.

Conclusion

This article explored why certain precarious workers shift toward decent work by analyzing three cases of workers in precarious employment who established enforceable standards governing their employment relationships. Workers confronted antagonistic institutions and united into associations, struck, built coalitions, led boycotts, negotiated and implemented agreements with employers, and compelled government actors to enhance and enforce employment regulations. Their strategies varied across sub-national and temporal contexts. The extent to which their demand for recognition of human dignity was met reciprocally by fellow workers, industry, state, and civil-society actors largely determined their outcomes.

The UFW, CIW, and FUJ discovered the framework of power building illustrated herein out of necessity. It also extends theoretical explications of bargaining power. The framework indicates that power resources are activated by dignity and more potent when combined. Dignity, the fundamental psycho-social recognition process, catalyzes power resources. For precarious workers, associational power and coalitional power are likely necessary to exercise structural and build institutional power. The sequential power-building process based on human dignity offers a response to calls to explicate collective action by workers confronting precarious work (Doellgast, Lillie, and Pulignano 2018, 235; Eaton, Schurman, and Chen 2017, 3).

Limitations to this study suggest further research. The cases are in the same industry and country. Data gathering focused on workers' strategies, so that the analysis of them in relation to strategies of company and state actors relied on theory and publicly available evidence. Thus, the framework presented herein might be tested with cases

from multiple industries and countries and the addition of primary data regarding company and state strategies.

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Notes

1. The International Labour Organization (ILO) defines decent work as an outcome, the situation in which people have “opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.” Like all employment relations outcomes, decent work is a dynamic state subject to change based primarily on workers’ and employers’ bargaining power. See <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>.
2. The translation from Spanish to English is Families United for Justice.
3. For example, the Environmental Protection Agency permits use of chlorpyrifos, an organophosphate pesticide linked to neuro-developmental damage in children and used in strawberries, apples, citrus, and other crops, despite its own findings of its toxicity to humans (see <https://www.epa.gov/pesticides/updated-human-health-risk-analyses-chlorpyrifos>).
4. ILO. C029—Forced Labour Convention, 1930 (No. 29).
5. Translated literally as “badly raised” and used to mean “troublemaker,” a double entendre playing on racist tropes about Mexican immigrants while signaling their resistance.
6. In 1967, the DiGiorgio Corporation self-described as 98 percent nonagricultural, a “publicly held, profit oriented processor, distributor, and marketer of foods” (Garcia 2012, 12, 49). Schenley Industries accrued most revenue from liquor sales, global as of its 1969 decision to distribute to the Japanese market (Garcia 2012, 49-50; Yuracko 1992).
7. The first companies signed collective-bargaining agreements (CBAs) with the United Farm Workers (UFW) in 1966: DiGiorgio Corporation—then the largest grape seller and profiled in John Steinbeck’s *Grapes of Wrath*, Schenley Industries—an alcoholic-beverage company with global sales already in the 1960s, and Perelli-Minetti—one of the first and then largest California wineries.

8. CA Labor Code § 1140.2
9. Agricultural Labor Relations Act (ALRA) §1156.3 (a)(4)(b).
10. Mandatory mediation functions as mandatory interest arbitration; negotiators preferred “mediation” (Interview, December 12, 2018).
11. Cal/OSHA Regulations, Title 8, §3395. Heat Illness Prevention.
12. In 1995, the Coalition of Immokalee Workers (CIW) organized under the name *Proyecto de Trabajadores Agrícolas del Sureste de Florida* (Project of Agricultural Workers of Southeast Florida) and later changed the name to Coalition of Immokalee Workers.
13. Notably, Bayer and Monsanto merged, and Dow merged with DuPont since Estabrook’s writing, increasing market concentration on the input side of agribusiness.
14. Summarized from the Fair Food Code of Conduct: <http://www.fairfoodstandards.org/resources/fair-food-code-of-conduct/>
15. The Fair Food Working Group of CIW and Fair Food Program (FFP)-participating farms can amend the CIW-developed standards (Asbed and Hitov 2017: FN103). The Fair Food Standards Council (FFSC 2016, 2018, 2019) can and has suspended farms for violating standards, which triggers participating buyers to cease purchases from the farm until it remediates the issue to FFSC’s satisfaction.
16. FFP participating companies are listed at <https://www.fairfoodprogram.org/partners/>
17. RCW 49.32.020 (<https://app.leg.wa.gov/rcw/default.aspx?cite=49.32.020>)

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