



2018-2022: FIVE YEARS OF
**MILK WITH
DIGNITY**

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Standards Council

Cover photo: Migrant Justice



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photo credit: John Willis

EXECUTIVE SUMMARY

Five years have passed since farmworkers declared, at the historic signing of the first Milk with Dignity agreement, a “new day for human rights in the dairy industry.” In those five years, the achievements of Milk with Dignity have surpassed the dreams of the workers who conceived of and built the Program.

Milk with Dignity has transformed the nature of work on dairy farms. The Program has achieved unprecedented improvements in labor and housing conditions for hundreds of dairy workers and has secured benefits and protections for a workforce previously bereft of enforceable rights. Never before have dairy workers entered into a legally-binding agreement with a company sourcing milk from the farms on which they live and work, and nowhere else have they accomplished such a dramatic change in pay and conditions in so short a time.

Marcela has worked on the same dairy farm over the past fifteen years, ten before Milk with Dignity’s arrival and five after. She reflects on the transformation she has experienced:

“Once the farm joined Milk with Dignity, the boss became more concerned about us, about our well-being. He’s more tolerant now. Instead of scolding us when something goes wrong, he communicates patiently. There have been times in the past when I’ve suffered discrimination because I am a woman. But we have a voice now and we feel secure. We can work with dignity because we know we have the Program’s support. It’s very important that Milk with Dignity exists.”

This report documents the first five years of Milk with Dignity, since the Program

launched with Ben & Jerry’s entrance as the first Participating Buyer in October, 2017. It is the third published Program Report to date; readers can find the first two at www.milkwithdignity.org/impact.

MILK WITH DIGNITY BY THE NUMBERS

209 qualifying workers on **51** participating farms across **2** states

20% of Vermont’s total dairy production covered by the Program

\$3.4 million invested in workers’ wages and bonuses and in improvements to labor and housing conditions

1,095 inquiries from workers and farmers on the 24/7 Worker Support Line

474 violations of the farmworker-authored Code of Conduct resolved following worker complaints

183 farm audits, including **794** farmworker interviews, **267** management interviews, **222** worksite inspections, and **182** housing unit inspections

1,340 audit findings addressed through Corrective Action Plans agreed to by farmers

212 Program education sessions, with **1,093** worker and manager participants



photo credit: Terry Allen

MILK WITH DIGNITY: A NEW DAY FOR HUMAN RIGHTS

CREATING MILK WITH DIGNITY

The Milk with Dignity program was created by Migrant Justice, a human rights organization founded and led by immigrant farmworkers in Vermont. After years working to improve conditions on dairy farms through worksite organizing, legislative advocacy and legal channels – and coming up against the limitations of those strategies – Migrant Justice connected with the Coalition of Immokalee Workers (CIW), a group of tomato pickers from south-central Florida.

The CIW is the force behind the Fair Food Program, a pioneering application of an innovative model of supply chain organizing called “Worker-driven Social Responsibility” (WSR). Through a series of agreements with some of the largest companies in the world, the Fair Food Program has transformed Florida’s tomato’s industry, raising wages and stamping out human rights abuses. Fair Food has since expanded to produce fields around the country and covers tens of thousands of workers.

Dairy workers built Milk with Dignity in the mold of the Fair Food Program, applying the principles of WSR to their context in the northeast dairy industry. Farmworkers developed a Code of Conduct that set standards for wages, scheduling, health and safety, and housing, as well as protections against discrimination, harassment, violence, and unjust firings. Workers also created the Milk with Dignity Standards Council (MDSC), a non-profit, third party auditor, to objectively monitor farms’ compliance with the standards in the Code.

HOW THE PROGRAM WORKS

Companies join Milk with Dignity by signing contracts committing to source from dairy farms enrolled in the Program. They also commit to pay those participating farms a Premium to incentivize their participation in the Program and subsidize the costs of compliance with the Code of Conduct.

When a farm enrolls in Milk with Dignity, it agrees to change labor and housing conditions as needed to meet the Code’s standards. Employers and employees on participating farms attend regular education sessions conducted by Migrant Justice on the rights

guaranteed by the Program and how workers can enforce those rights.

Workers have access to a 24/7 Support Line, with strong protections against retaliation. MDSC promptly investigates complaints and collaborates with farmers and workers to achieve speedy resolutions to Code violations. MDSC also conducts regular farm audits by inspecting worksites and housing units, and interviewing workers and managers, to create a holistic assessment of the farm’s Code compliance, resulting in individualized “Corrective Action Plans.”

These mutually reinforcing mechanisms allow MDSC to both understand the complex realities that workers and farms experience, and to craft appropriate corrective measures for participating farms. As full compliance is the ultimate goal of the Program, MDSC works collaboratively with farms to create plans and timelines that are reflective of each farm’s unique circumstances. However, if farms are consistently unwilling to make the necessary adjustments to meet Code standards, they will face suspension from the Program and the market consequences that follow. While suspended, farms lose purchase preference and the Premium paid by participating buyers.

IMPLEMENTATION

Migrant Justice approached global ice cream maker Ben & Jerry’s in 2014 with an invitation to become Milk with Dignity’s first participating buyer. After three years of discussions and public campaigning – at times collaborative, at times contentious – Ben & Jerry’s joined the Program. By early 2018, enough farms had enrolled in Milk with Dignity to account for more than 100% of Ben & Jerry’s Northeast supply chain, comprising roughly 20% of Vermont’s entire dairy industry by volume.

Over the years, farm enrollment in Milk with Dignity has dropped. Participating Farms in Vermont and New York have been subject to the same pressures felt across the industry, including pandemic-related closures and a long-term trend toward consolidation. While several farms sold their cows and stopped producing milk, other farms have hired new workers and increased their milk production. Some farms have withdrawn from the Program, while others – after failing to take corrective

PROGRAM ENROLLMENT

	2018	2019	2020	2021
Number of qualifying workers	255	262	262	209
Total participating farms	71	64	62	51
“Active” farms (employ at least one qualifying worker)	54	51	52	41
“Inactive” farms (no non-family, non-managerial hired employees who milk or do other qualifying work)	17	13	10	10
Ben & Jerry’s Northeast dairy purchases	100%+	100%+	100%+	100%

action to address serious rights violations – have been suspended. As those farms have suffered the market consequences from their exit from Milk with Dignity, multiple new farms have enrolled in the Program, meaning that the Premium continues to support those farms committed to uphold workers’ rights. In spite of these fluctuations, the Program continues to account for more than 100% of the volume equivalent of Ben & Jerry’s Northeast dairy purchases.

Following these trends, last year represented the first drop in the number of workers covered by Milk with Dignity. While this is an unfortunate development, workers remain hopeful for the future of the Program. Brothers Efrain and Ervin, whose story appears later in this report, reflected on Milk with Dignity’s history and prospects for the future.

“I’m full of joy thinking about these last five years,” Efrain says. “I celebrate the changes we’ve made and I believe in a future where there are even more changes, where all workers in the dairy industry feel happy and satisfied with the jobs we have.”

Ervin adds: “We are achieving great things: dignified housing, a living wage, improvements in all areas of work. My message to dairy companies is that they put themselves in our shoes, pay attention to what’s happening here, and join the Program. If you do, in five years time there will be many more farms under Milk with Dignity and many more workers who get the benefits that we have now. We will see the fruits of the seeds we have planted today.”



“WE FEEL MORE DIGNIFIED”

Efrain and Ervin are two brothers working together on a Milk with Dignity farm. Efrain arrived in 2016 – before the farm joined the Program – and Ervin joined him a few years later, after working on farms without Milk with Dignity’s protections.

“Everywhere I went there was racism,” Ervin recounts. “I suffered a lot of mistreatment and bullying. I was treated badly and forced to work, sad, alone, hungry – sometimes just eating one meal a day.”

Moving to a Milk with Dignity farm was a big transition

for Ervin. “I came with that same fear,” he remembers. “I didn’t want to speak up, because ‘what if the boss gets mad?’ But it’s different now. You find your courage once you realize that you have the protection of Milk with Dignity. You can ask for what you need – days off, a fair schedule, enough breaks, dignified housing, protective equipment – with confidence, because you know your rights.”

But the farm didn’t always have those protections. When Milk with Dignity came, “everything changed,” says Efrain. “Before you just had to do what they told

you. No holidays, no sick days, no vacation, no bonuses, no raises. Before we didn’t have protections. Now we do. We feel more dignified.”

One of the most significant changes under the Program has been to workers’ pay. When Efrain started at the farm in 2016, he worked as many as 15 hours per day, without a full day off each week, and took home \$500 per week. With the farm’s entrance into Milk with Dignity in 2018, his weekly earnings increased to \$630. He now averages over \$875 per week in take-home pay, a 75% raise from his starting wage – despite the reduction in hours now that he has a full day off.

“I didn’t feel comfortable with my salary before. It was a lot of work for little money. But I feel content with my raises, it motivates me to keep working. It’s an opportunity that those outside Milk with Dignity don’t have.”

“I didn’t feel comfortable with my salary before,” Efrain reflects. “It was a lot of work for little money. But I feel content with my raises, it motivates me to keep working. As a worker, you’re happy knowing that the farm is getting something from Ben & Jerry’s and you’re getting something that you can pass on to your family. It’s an opportunity that those outside Milk with Dignity don’t have.”

Efrain also experienced the Program’s protections in two contrasting workplace injuries. Before Milk with Dignity, he fell down a set of stairs and landed on his back. Despite the severe pain, he didn’t stop working. “It was really hard. I was scared that they’d fire me if I didn’t show up. There wasn’t anyone to talk to, no other option. I felt obligated to work with the injury.”

Years later Efrain was injured again, when a broken metal gate fell onto his foot. He treated his injury with a first aid kit that had been provided in the barn due to the Program, then took paid time off to recover. Of the two incidents, Efrain says: “It was a positive experience, actually. The first time I was forced to work, the second time I wasn’t. The Program had my back. I was calmer because I knew that I could protect my health without putting my job at risk. And it made all the difference.”

The improved conditions and increased protection Years later Efrain was injured again, when a broken metal gate fell onto his foot. He treated his injury with a first aid kit that had been provided in the barn due to the

Program, then took paid time off to recover. Of the two incidents, Efrain says: “It was a positive experience, actually. The first time I was forced to work, the second time I wasn’t. The Program had my back. I was calmer because I knew that I could protect my health without putting my job at risk. And it made all the difference.” ns allowed Ervin to be joined by his wife Valezca. Last year, the couple had their first child. “Thanks to Milk with Dignity, I feel comfortable with my family here. I wasn’t afraid of being fired for going to doctor’s appointments. Quite the opposite,” Ervin says. “If I need time off for family reasons, I let the boss know and someone will cover my shift. I feel safe because there’s a program that covers my rights.”

But not everything has been smooth sailing. As with many farms in the Program, Efrain and Ervin have had to use Milk with Dignity’s enforcement mechanisms to protect their rights. Twice, for months at a time, the farm improperly withheld the Milk with Dignity Bonus that is supposed to be passed through to workers’ paychecks every month.

The first time, in the Program’s first year, the workers were initially too scared of retaliation to make a complaint. When the investigators with the Standards Council discovered the discrepancy during an audit, the farm agreed to pay the hundreds of dollars owed to workers. The second time the farm failed to pass through the Bonus, workers alerted the MDSC, and the Standards Council once again intervened, securing the payments. “Thanks to the Program, they had to pay out the full Bonus,” Efrain reflects. “Without the Standards Council, the farm would have kept the money. But they paid us what they owed and now they pay it every month.”

Though Efrain and Ervin would like to see further improvements to working and housing conditions on their farm, they are proud of what has been accomplished so far. “I’m very happy for the five years of Milk with Dignity,” Efrain concludes. “I celebrate all the changes we’ve made. In the future we’ll see even more changes.”

And they are proud to be featured in this report. “We work to put food on your table and I’m proud of the work we do. I hope that people read about our experiences, hear our voices, and realize what’s being done here,” Ervin adds. “It gives us great joy to tell people what is being achieved in this Program: dignified housing, dignified salaries, and improvements in every aspect of the workplace.”



photo credit: Migrant Justice

REAL CHANGE TAKES TIME, BUT WORKERS LEAD THE WAY

In Milk with Dignity's first Biennial Report, we wrote about a particularly notorious farm's initial transformations under the Program ("Freedom from fear, freedom from retaliation," pgs. 58-59). For years, workers had experienced inhumane housing, sub-minimum wages, even sexual violence. When the farm entered the program, initially little changed; but after a suspension for non-compliance, it began making the necessary improvements and was able to return to the Program. The most abusive manager left the farm, and the workers – who the manager had threatened with retaliation – remained. Five years into the Program, we checked back with the workers to see how conditions have continued to change. Farmworkers Anthony, Juan, and Elias shared their experiences.

"Nobody should have to live in a barn. It goes against our human rights."

The most dramatic change has come through the construction of new housing. Prior to the program, Juan and Anthony lived with another worker in a small room built into the barn. The three workers had just 45 square feet of living space each, less than ¼ of the space required by state law. Insufficient storage space (with just one dresser, and three of the six drawers broken) meant workers kept their extra clothes on their beds. The well ran dry frequently, meaning workers often couldn't bathe. Poor water quality forced them to buy water for drinking and cooking. Workers stored their food in a shared refrigerator in the barn, mixed with the cows' medicine and next to a 10-gallon jug of bull semen.

"The room was just big enough for one person," Juan recalled. "Not even one person," Anthony interjected. "Nobody should have to live in a barn. It goes against our human rights." Juan concurred: "It's disrespectful, putting us on the same level as the animals. The bosses think we won't defend our rights. That's why they put us in those places."



Before: Three workers shared one room in a converted barn office



Before: Holes in the bathroom walls led to rodent infestations



Before: Workers had to stick a knife in the stove to get it working

photo credit: Anonymous worker



After: Anthony in his new bedroom, with kitchen in the background. Workers now have increased space and privacy.



After: new bathrooms have a consistent source of clean and hot water



After: A more spacious kitchen with newer installations lets workers cook and eat meals comfortably

photo credit: Migrant Justice

Using money through the Program's Premium – and after having been suspended for non-compliance – the farm built new housing at two separate farm locations. "We're more comfortable here," says Juan, while seated in an armchair in his new living room. "There's more space; everyone has his own room; we can all cook our own food. One person can be cooking while the other is asleep in their room. And the boss is always checking in. He says: 'whatever you need, let me know.'"

Improved communication with management was a consistent theme. Juan remembers the lack of communication before the Program: "We would ask [the boss] for things – gloves, protective equipment, a fire extinguisher for the house – but he wouldn't respond. When he was in a good mood, he treated you fine, but when he wasn't he would treat you badly, or ignore you altogether."

After the farm enrolled in Milk with Dignity, things began to change, but slowly. Juan continued: "In 2018 I talked to [the boss] to ask for new housing and a raise. He got really mad; he said: 'You talk too much to Migrant Justice. I don't want them coming around anymore. They just cause problems.' I thought he was going to fire me right there. I called MDSC and they told me that I couldn't be fired. I felt good. Maybe the boss would glare at me after that, but as long as I got paid, that was fine with me."

"There's more space; everyone has his own room; we can all cook our own food. One person can be cooking while the other is asleep in their room. And the boss is always checking in. He says: 'whatever you need, let me know.'"

The experience of farmworkers who arrived after the farm's suspension and return to the Program – and after the exit of the most abusive manager – has been markedly different. Elias came to the farm just two years ago. He reflects: "I don't have anything bad to say about the farm or the bosses. They're good people. If you need time off, you just ask for it. If you're sick, you let them know and they find someone to cover your shift."

Key to this improvement has been workers' consistent use of the Program's 24-hour Support Line. "I'm always calling MDSC," says Juan. "The first time I got paid under the Program, I called them just to make sure it was right." Such communication ensures that new problems are dealt with promptly, avoiding larger conflict. Anthony explains: "I called MDSC when the heat went



Elias poses with the new washers and dryers, designated for workers' personal use

photo credit: Migrant Justice

out. They talked with the boss and he brought a new heater. If it hadn't been for the Program, we'd just have to wait on the boss to fix it. Or find another job."

Elias shared his own experience of the Program's speedy complaint resolution procedure: "Once the boss made a mistake and didn't pay me for a day I had worked. I called MDSC and sent them the paystub. The next day the boss called me and told me he'd reimburse me. It was that quick."

Improved record-keeping has been important for resolving disputes. "They started out paying \$8 or \$9 per hour, just cash, no paystubs, no way of knowing how many hours we worked and how many they paid," remembers Juan. Anthony adds: "We didn't know how much they were paying per hour, we just had to accept it. But things are better now. We have a clear record."

With the clarity that better record-keeping provides, Anthony was able to defend his rights. When the farm reduced workers' pay as part of a schedule change, he compared his paystub to his own record of hours

worked and determined that workers weren't being compensated for all their hours. Anthony called MDSC, prompting an investigation that resulted in back-pay and an increase in salary going forward.

"I feel better supported, more confident. I'm able to solve problems myself."

After five years of Milk with Dignity, workers reflected on the transformations that have occurred. "If it weren't for the Program," Juan remarks, "we would just have to endure – the cold, whatever, we'd have to endure it. But it's different now. The pay, the housing, everything is in order."

Changes, however, are not only measured through the improvement of working and housing conditions. Workers also spoke of the power they feel as frontline defenders of their own human rights. Anthony concludes: "I feel better supported, more confident. I'm able to solve problems myself."

SPOTLIGHT: A FARMER'S PERSPECTIVE ON MILK WITH DIGNITY

Milk with Dignity has been a very positive program helping immigrant workers on my farm. They have helped facilitate with the University of Vermont to bring vaccinations to our farms during the peak of the Covid outbreak. This was very helpful in getting all employees vaccinated, when many might not have had that opportunity.

Milk with Dignity has been helpful in creating safety protocols, as well as bilingual safety posters. The posters cover all kinds of farm safety, as well as general housekeeping protocols to insure safety at work and in the home.

Milk with Dignity has also been helpful in creating pamphlets for new employees. Oftentimes with the busy schedules of owners and managers, details get missed when training new employees. The pamphlets are useful to help ensure new hires get all the farm information that they need.

It has been my experience that MDSC staff is helpful, for communication with employees as needed. That can be bridging the language barrier, or helping both sides negotiate conflicts if they arise.

- Clement Gervais



Clement covers a milking shift while farmworkers attend a Milk with Dignity education session

photo credit: Terry Allen

MILK WITH DIGNITY CODE COMPLIANCE

FIGURE 1: MINIMUM WAGE COMPLIANCE

Due to Milk with Dignity's interventions, the percentage of workers receiving at least the minimum wage has increased consistently in each year of Program enforcement, even as the state minimum wages have gone up. On many farms, higher wages for entry-level workers mean additional raises above the minimum for long-time employees.

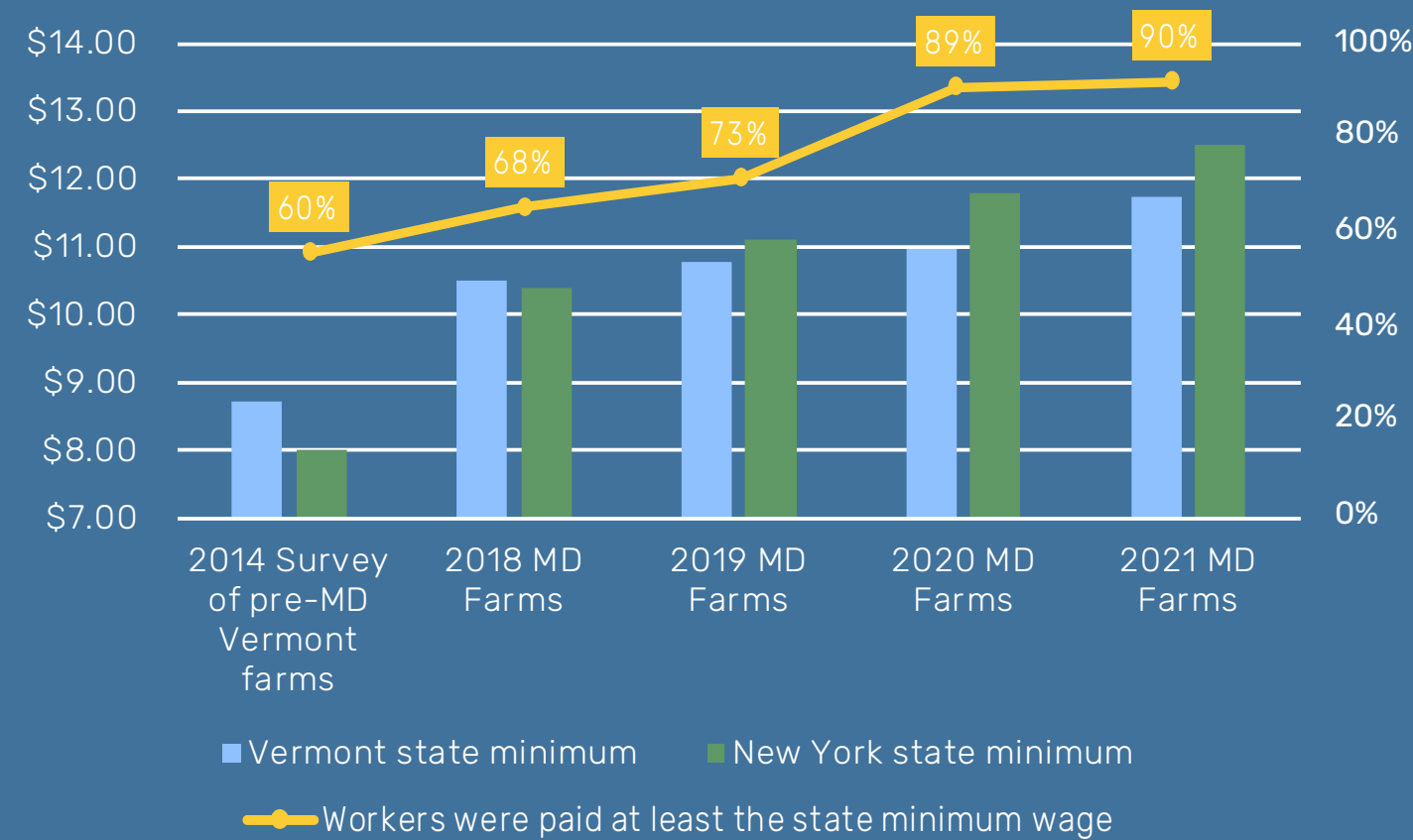


FIGURE 2: REGULAR PROVISION OF PAYSTUBS

Paystubs provide farmworkers with essential information to ensure they are paid for every hour worked. Workers use them to monitor farms' compliance with their rights related to wages, paid leave, and the Milk with Dignity Bonus, and to speak up if something isn't right.

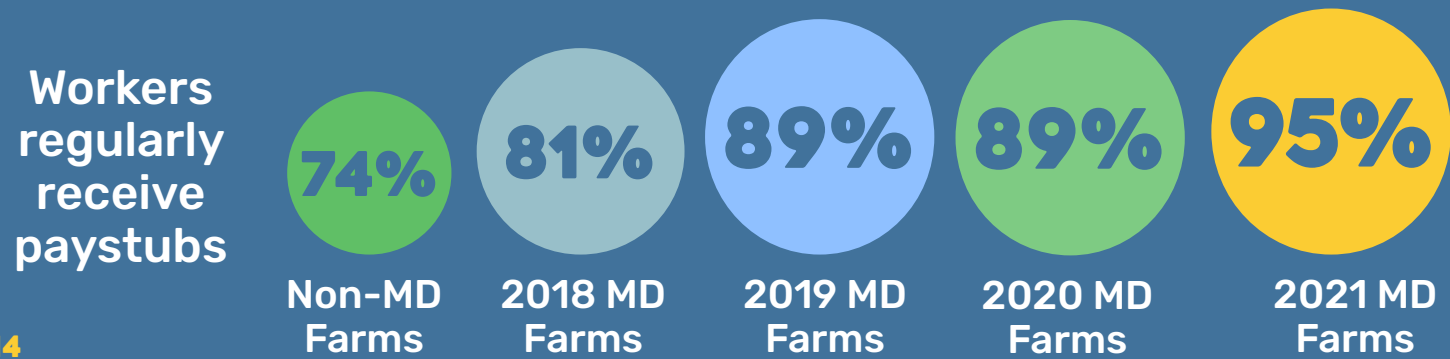
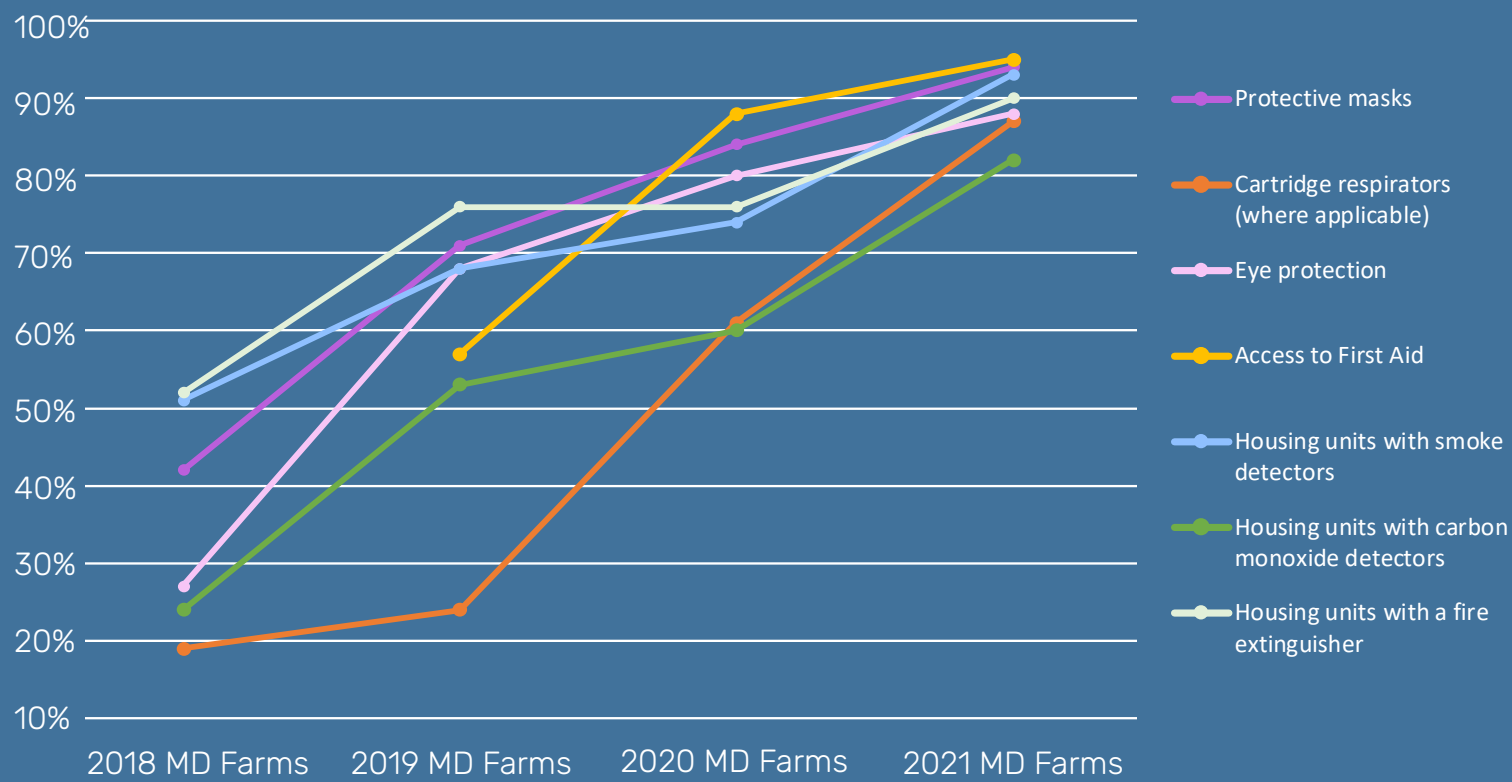


FIGURE 3: HEALTH AND SAFETY PROTECTIONS

Milk with Dignity is successfully challenging the deeply-rooted assumption that farmworkers necessarily endure unsafe working and living conditions. The Program has significantly increased provision of safety equipment in worker housing, as well as the worksite protective equipment necessary to safely handle dangerous chemicals like formaldehyde, copper sulfate, acid sanitizer, and lime.



SPOTLIGHT: SUPPORT BEYOND THE CODE

As a trusted presence among dairy workers in the northeast, Milk with Dignity's ability to support workers seeking justice extends far beyond the provisions of the Program's Code of Conduct. Take the case of Roberto, who had been working on a Milk with Dignity farm for four months when he connected with an investigator regarding a workplace injury.

After investigators' discerning questioning and careful trust-building, Roberto confided that he had fled his previous workplace due to horrendous working conditions and threats of violence. Overseers confiscated Roberto's personal documents, including the deed to his father's house in Mexico, and threatened violence against both him and his family if he attempted to escape or report the conditions. Even after Roberto successfully fled to Vermont with the help of a family friend, he continued to be haunted by fears of retaliation and the loss of his visa and passport.

MDSC connected Roberto to an extensive network of farmworkers who have faced similar abuses. Together, they are working to bring their perpetrators to justice and are being supported in seeking special legal protection for migrants who have experienced human trafficking. Milk with Dignity's profound commitment to the well-being of workers everywhere, paired with a deeply relational approach and careful investigative techniques, created a path forward for this worker that elsewhere would have been impossible. He says of his experience:

"Connecting with the MDSC was a miracle. I don't know what would have happened to me if we hadn't crossed paths, and I'm so grateful for the support I've gotten. Everything is looking up now. I'm going to keep fighting for more changes, so nobody else has to suffer through what I have experienced."

FIGURE 4: ACCESS TO REST AND PRIVACY

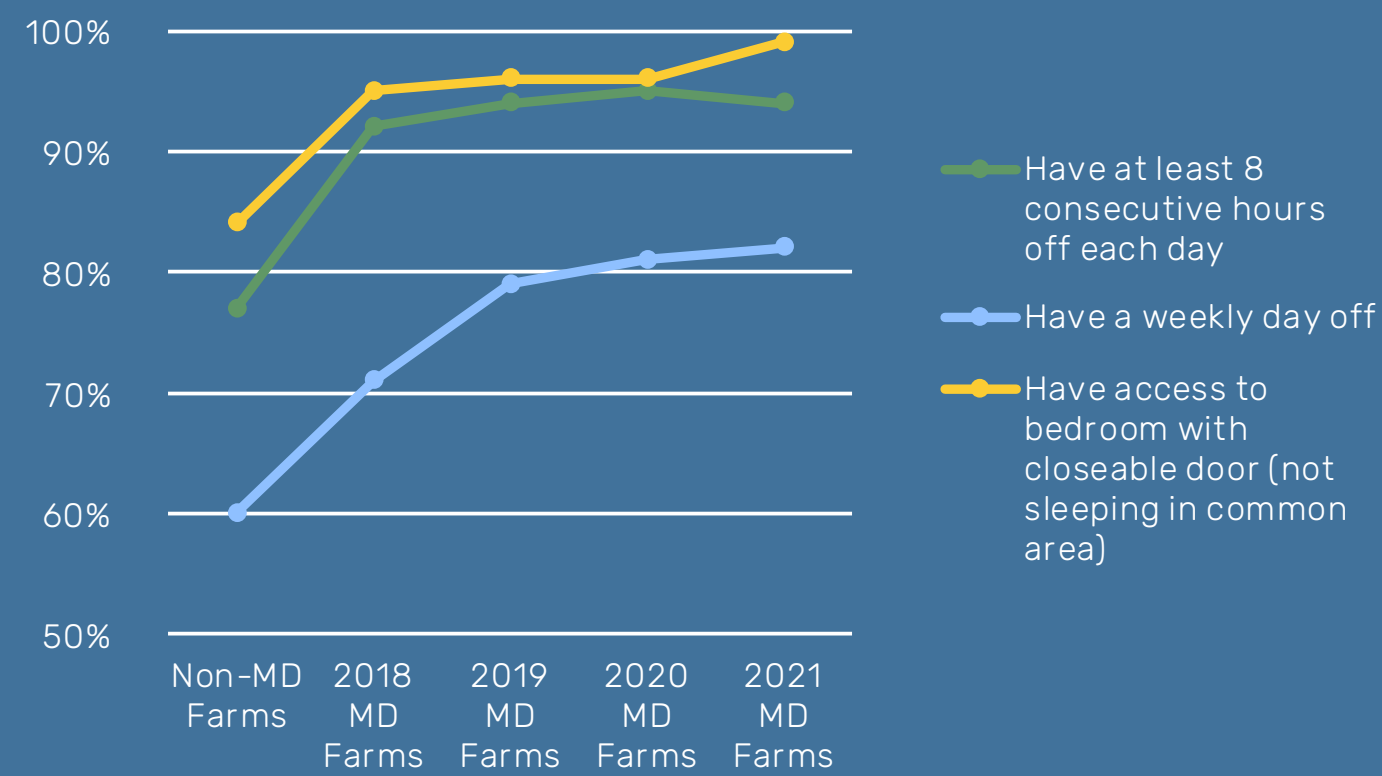
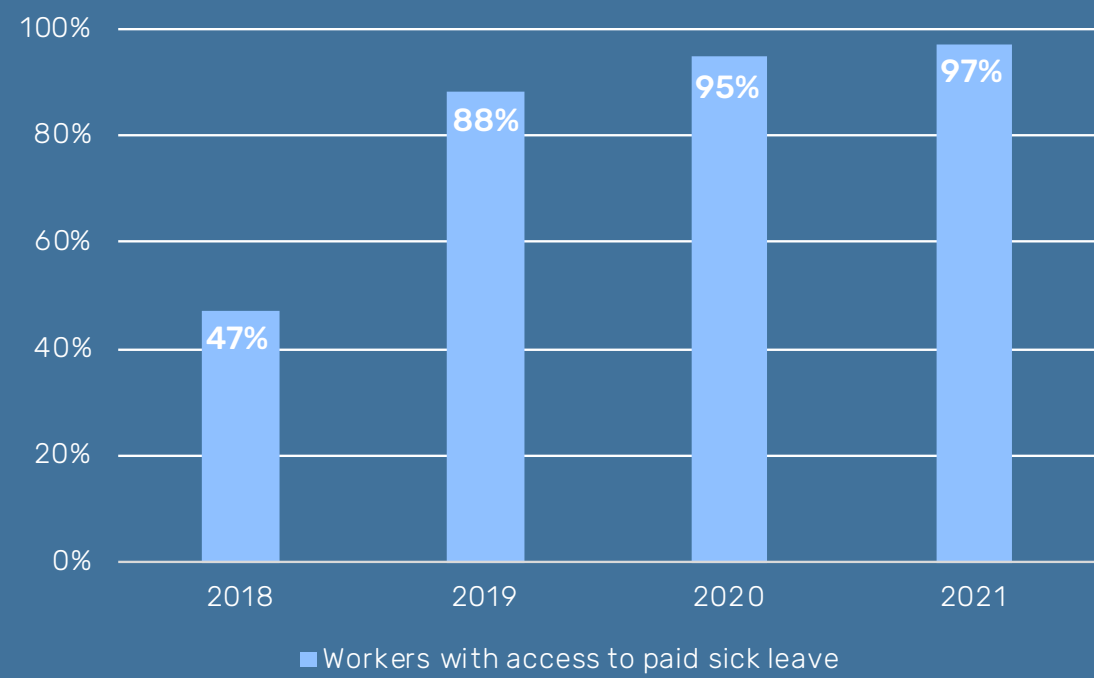


FIGURE 5: ACCESS TO SICK LEAVE ON MD FARMS

Before Milk with Dignity, paid sick leave for farmworkers was virtually unheard of. By 2021, nearly all workers on MD farms had reliable and consistent access to paid sick leave. Widespread compliance with this provision during the COVID-19 pandemic has limited community spread and kept both workers and farmers safe.



SPOTLIGHT: SUPPORT FOR INJURED WORKERS

Mincho picked coffee in his hometown in Chiapas. When his daughter was born, he couldn't make ends meet, so he came to Vermont to work on a dairy farm. Just two weeks after arriving, Mincho slipped while going down a flight of stairs and fractured his hand.

"I was in debt, without money, thinking of my family," remembers Mincho. "I thought I would have to keep working, even with the hurt hand." He had good reason to think so: Mincho's brother had previously suffered an injury on another dairy farm and – after taking a couple days off without pay – was pressured to go back to work before he had healed.

Thankfully, Mincho's farm was in the Milk with Dignity Program. MDSC helped Mincho and the farm file a workers' compensation claim and supported him throughout the complex and labor-intensive process. "I had never heard of anyone getting this kind of support. I thought 'maybe I should just go back to work,'" Mincho recalls. "It wasn't until the first check came that I really believed it was true."

Mincho couldn't work for 15 weeks while he recovered from his injury. During that time, the farm's workers' compensation insurance covered his disability payments and medical expenses. In total, the insurance paid over \$72,000, including a final payout of more than \$31,000. "I've never had this much money before," he says. "I'll be able to send this money back to my family. I'm so grateful for the support I got from the Program, and that I was able to rest and recover. That's God's honest truth."



photo credit: Migrant Justice

WORKERS REFLECT ON FIVE YEARS OF MILK WITH DIGNITY



photo credit: John Willis

"The fact that we know that there is someone we can call if we need to – it's indispensable."

"This is the best farm I've ever worked at. The managers communicate with us and always keep an eye out if we need anything"

"There used to be a lot of discrimination. Not anymore. A lot has changed thanks to the Program."

"I called [MDSC] because you are the only ones who can resolve this problem without anyone ending up getting hurt."

"There didn't use to be anything like Milk with Dignity. You were all alone. There's more protection now."



photo credit: John Willis

"I left my last job because that farm was not part of Milk with Dignity."

"Workers are not alone. The program has been like a blessing from God."

"My cousins worked on this farm before it joined the Program, until they were fired for no reason; the boss just gave them their check at the end of their shift and told them they had to pack up and leave the same day. If it weren't for Milk with Dignity, the same thing might have happened to me by now."

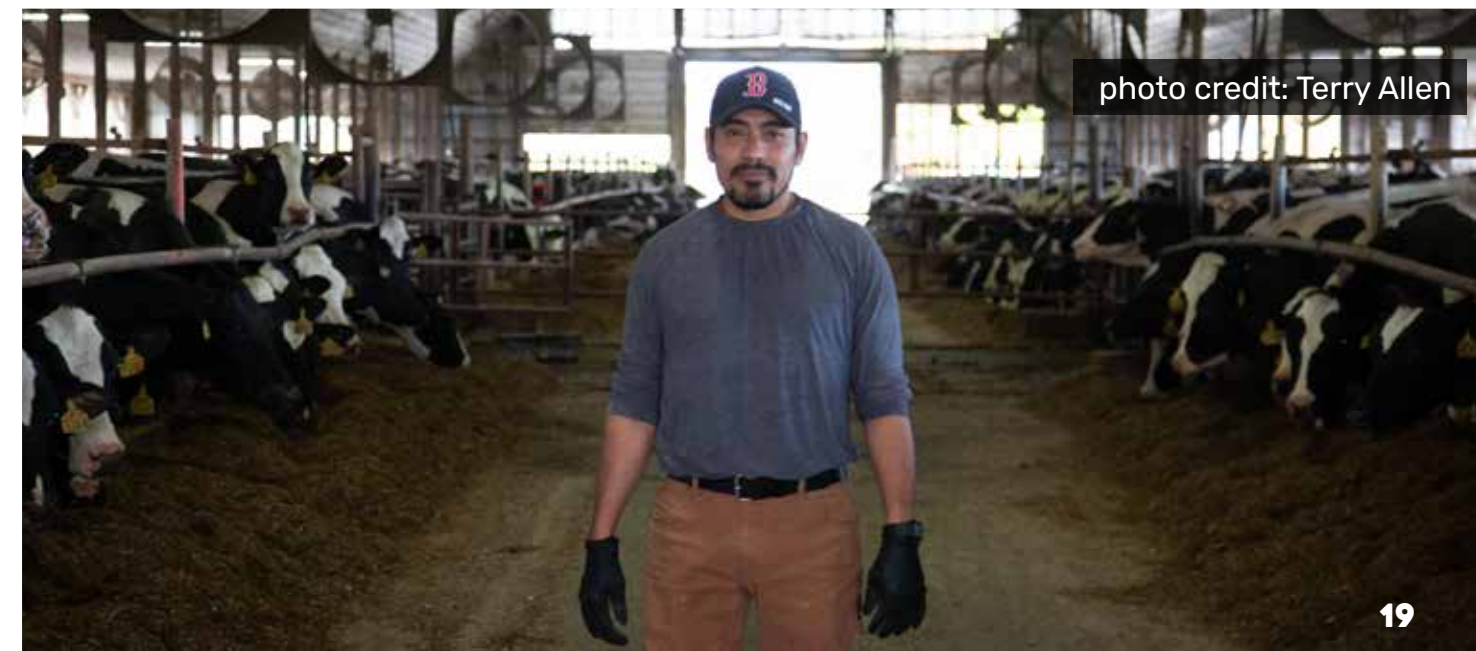


photo credit: Terry Allen

FARMERS REFLECT ON FIVE YEARS OF MILK WITH DIGNITY

"I can go to sleep saying I am doing the right thing and that the people working for me are okay."

"I think [MDSC] does a really great job. It's a thorough audit and with a set of Corrective Action Plans, it's important to be able to track and document progress."

"The [Program Premium] might make the difference between us still having a farm a year from now or not."

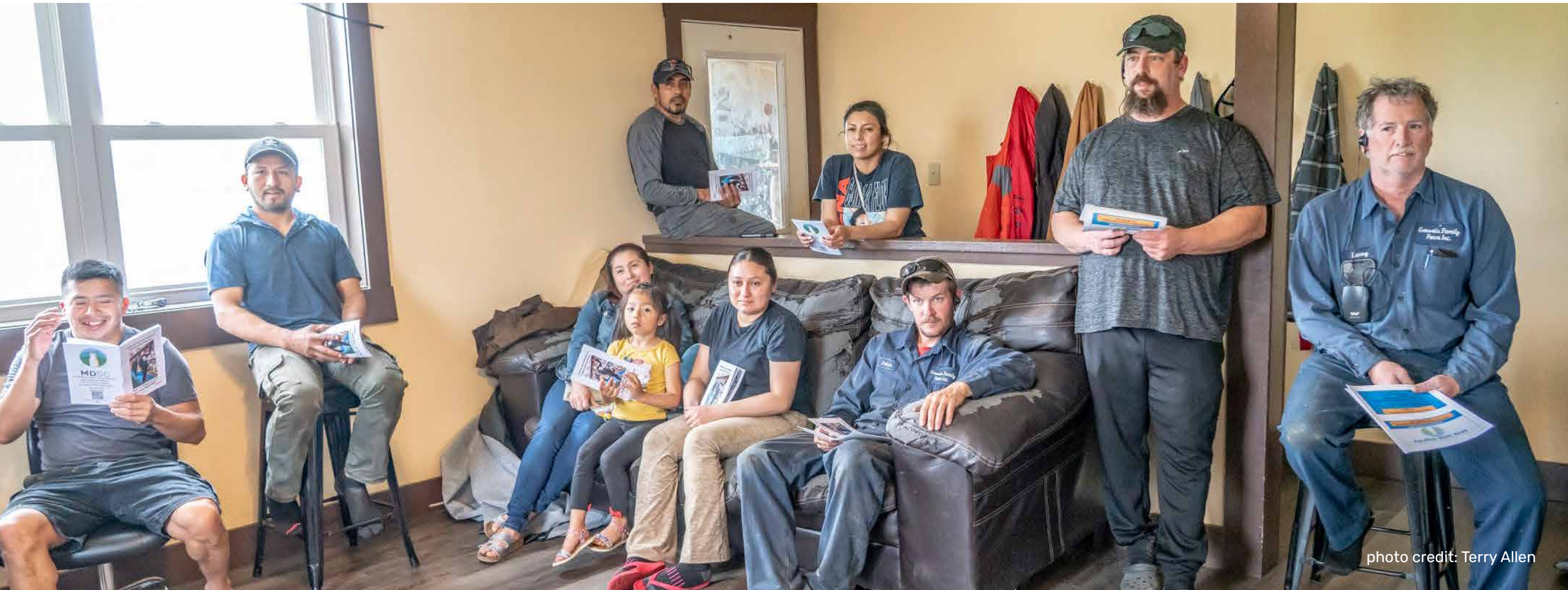


photo credit: Terry Allen

"It's a great program. People need to be treated fairly."

"There is a high degree of trust between our team here at the farm and the MDSC staff, and that is the primary reason why the program is successful."

"Every time we have a meeting with [MDSC] present, workers do a better job milking and things improve."

"[The workers] are more powerful now. We feel like we have to do what they ask us to do."

FARM AUDITS

	2018	2019	2020	2021-2022 YTD
Total Farm Audits	54	51	41	37
Farmworker interviews	221	221	185	167
Management interviews	78	77	59	53
Worksite inspections	58	61	47	56
Housing inspections	50	54	43	35
Percentage of workers interviewed during audits	87%	84%	84%	87%

1,340 AUDIT FINDINGS ADDRESSED

SPOTLIGHT: CORRECTIVE ACTION PLANS

Due to pandemic-related delays, the Program combined farms’ 2021 and 2022 audits, which remain ongoing. While MDSC has conducted fewer audits in the current cycle than in previous years – also due to declining Program enrollment – audits remain as thorough as ever: during the 2021-2022 audit season to date, 87% of workers on audited farms participated in detailed individual interviews about their labor and housing conditions.

This thoroughness extends beyond the day of the audit. If interviews and inspections find that a farm does not yet comply with all areas of the Milk with Dignity Code, MDSC works with the farm to develop a time-bound Corrective Action Plan (CAP) made up of concrete, verifiable steps to improve labor and living conditions. Between a finding of noncompliance with the Code at one audit and verification of compliance with the CAP at the next year’s audit, MDSC combines objective analysis of farm conditions with farmworkers’ stated priorities and farmers’ feedback to develop CAPs that address a wide range of issues, from unsafe maintenance of farm vehicles to discrimination in the provision of employee benefits.

Along the way, MDSC bolsters farms’ CAP compliance by providing bilingual model farm policies, facilitating worker health and safety trainings, and performing high-quality interpretation, among other supports. During one CAP process, MDSC facilitated three meetings with farm management and employees

where the farm communicated an anti-harassment and anti-violence policy, assured workers they would not be disciplined or fired without just cause, and encouraged employees to communicate with farm management to access paid sick leave and vacation. As required by the CAP, the farm provided dust masks, cartridge respirators, chemical handling gloves, and fire safety and first aid equipment before the meeting, and used MDSC interpretation to make sure that all workers knew where this equipment was located, how and when to use it, and what to do to keep it stocked. At the same meetings, MDSC provided interpretation for farm management about a number of topics – like worksite reminders and information about scheduled repairs – that, while not directly Code-related, improve communication and reinforce workers’ rights to be informed about and provide feedback on their working conditions. The meetings ended with an affirmation from the farm owner that the farm is committed to upholding the right under the Code that underpins all other rights: workers are encouraged to participate in the Milk with Dignity Program and can contact MDSC freely and without fear of retaliation.

The comprehensive and collaborative nature of this CAP process paid off: at the next year’s audit, MDSC found that the farm had completed all but one of the 27 CAP steps assessed and engaged in a productive conversation about the remaining step requiring the farm to make significant investments to bring all employees’ housing into compliance with the Code.

MILK WITH DIGNITY PREMIUM

OVER \$3.4 MILLION INVESTED IN FARMWORKER RIGHTS

- **\$315,000** passed through directly as Program Bonus payments
- **\$2 million** in raises to meet the state minimum wage
- **\$445,000** in housing construction and improvements
- **\$249,000** in paid vacation, holidays, and sick leave (when not previously provided)
- **\$121,000** in safety improvements, including newly-provided fire safety devices, first aid supplies, personal protective equipment, and paid training

And more

Plus additional premium funds retained by farms as economic relief

WORKERS RECOVER WHAT THEY’RE OWED

Upon a finding that a farm has violated a worker’s rights under the Code in a way that denies them funds owed, the Program requires farms to make back payments. Between 2018 and 2021, workers recovered **\$271,113.42** through the complaint process. In 2021 alone, workers recovered a total of \$97,644.70 as a result of MDSC’s investigation and resolution of 44 separate complaints. This includes payments made directly to workers for withheld wages, unpaid Milk with Dignity Bonus, sick and vacation leave, holiday pay, and recovery time after a workplace injury or illness. It also includes the cost of medical treatment for workplace injuries that farmworkers received as a result of Program intervention to ensure access to workers’ compensation.

WORKER EDUCATION

212 Program education sessions

1,093 worker and management participants to date



photo credit: John Willis

COMPLAINT INVESTIGATION AND RESOLUTION

	2018	2019	2020	2021
Total Support Line Inquiries	106	203	415	371
Complaints with findings of Code violations	36	68	124	101
Code violations uncovered through complaints	76	96	187	127
Code violations resolved through complaints	76	95	178	125
Complaints resolved without a finding of Code violation*	5	24	92	82
Interpretation or referrals	7	56	83	132
Median days to resolution	7	6	2	4

*In some instances, farms agree to address a concern or mitigate a potential risk without a definitive finding of a Code violation. In other cases, MDSC’s contact with a farm in response to a worker’s concern spurs a farm to take proactive steps to comply with the Code, thereby preempting a workers’ rights violation before it could take place.

SPOTLIGHT: COMBATTING SEXUAL HARASSMENT

A female farmworker reported that a male coworker with seniority at her farm had made unwanted sexually suggestive remarks toward her. The employer valued the senior male worker’s skills and was ready to dismiss the female farmworker, viewing her complaint – not the male worker’s conduct – as the source of the problem. MDSC investigated the complaint, substantiated the allegations, and prevented the farm owner from retaliating against the female farmworker. Milk with Dignity ensured that she kept her job and was able to move to a different, better housing unit, that the male farmworker was disciplined, and that all workers at the farm received additional training on the prevention and reporting of sexual harassment.

SPOTLIGHT: JUST CAUSE PROTECTIONS

The Code of Conduct ensures “just cause” protections against wrongful termination, meaning that no worker on a Milk with Dignity farm will lose their job without adequate warning, including clear communication about reasonable farm policies, and a thorough investigation into the reason for a potential firing. For Rigoberto, this investigation saved him his job.

When a cow was found blinded, the farm owner suspected it was due to aggressive handling by the milkers and contacted MDSC, ready to fire Rigoberto. Investigators visited the farm to interview milkers, consulted a veterinary expert, and encouraged an additional veterinary check. Through testing, the vet determined that the cause of blindness was not

aggressive handling but rather an acute case of conjunctivitis. In this instance, not only was MDSC able to protect Rigoberto’s job, but the investigation opened up a broader conversation about best herding practices. The process culminated in a Spanish-language training on safe animal handling techniques, which both farmers and workers report has improved farm operations.

Without the Program’s protections, this incident would have likely ended in an unjust termination. With Milk with Dignity’s intervention, it was transformed into an opportunity to strengthen communication, improve animal care, and build workers’ knowledge about how to stay safe while handling cows

“MY WORK IS MORE VALUED”

The experiences of Luisa and her family were highlighted in the first Program Report in 2020 (“Healthy Workers, Healthy Families,” pg 30-31). When her farm joined Milk with Dignity, Luisa was pregnant with her second child. She expressed concern that she would have to stop working after her daughter’s birth. But thanks to the Program’s anti-discrimination policies, paid leave provisions, and guaranteed time off, she has been able to continue working while caring for her growing family. We recently spoke with Luisa to hear her reflections after five years of Milk with Dignity.

“So much has changed,” Luisa says. She began by speaking about pay. “We had a fixed wage for many years: \$9.50 per hour. There weren’t any raises. But under Milk with Dignity, the pay increases every year. And now I’m making \$12.55. It makes a huge difference. With my husband’s and my salary together, we can save for the future.”

While her salary has increased significantly, her expenses have gone down in at least one key area. Milk with Dignity’s assurance that all employers maintain workers’ compensation policies, and MDSC’s support to navigate the complicated claims process, takes the burden off of workers. “We used to spend a lot on medical bills,” she says. “But since the farm came into the Program, if we get sick or injured because of work, the bills are covered.”

These changes go well beyond just dollars and cents. Luisa spoke about the emotional impact of this transformation: “Without Milk with Dignity, when there weren’t raises, I didn’t feel like my work was respected. But the Program has made a huge difference: in wages, in benefits. I feel like my work is more valued now.”

Luisa is making more, even as she has more free time. One of Milk with Dignity’s most important provisions is a guarantee of one day off per week. While Luisa used to work every day, now “we have a day to go out, to spend time with my girls, to eat together. I can actually rest.”

At this point, Luisa’s daughter chimed in: “If mom was still working seven days a week, it’d be much harder. I’d just be home alone. But she gets time off now and we can spend it together as a family.”

As on many farms, these changes haven’t always been easy. Luisa and her colleagues have relied extensively on MDSC’s interventions and the Program’s enforcement mechanisms: “Sometimes when we talk to the manager, he doesn’t take it seriously,” she says.

“And then we call the Program for support. Once MDSC talks to him, then it happens.”

Over time, Luisa’s active participation in Milk with Dignity has resulted in markedly improved communication with her employers, leading to transformed living and working conditions. Regarding her housing, Luisa shares: “Everything works. If there are holes in the wall, they get repaired. If there are cockroaches, they fumigate the house. If the heating goes out, they fix it. We just have to let them know and they’ll make it happen.”

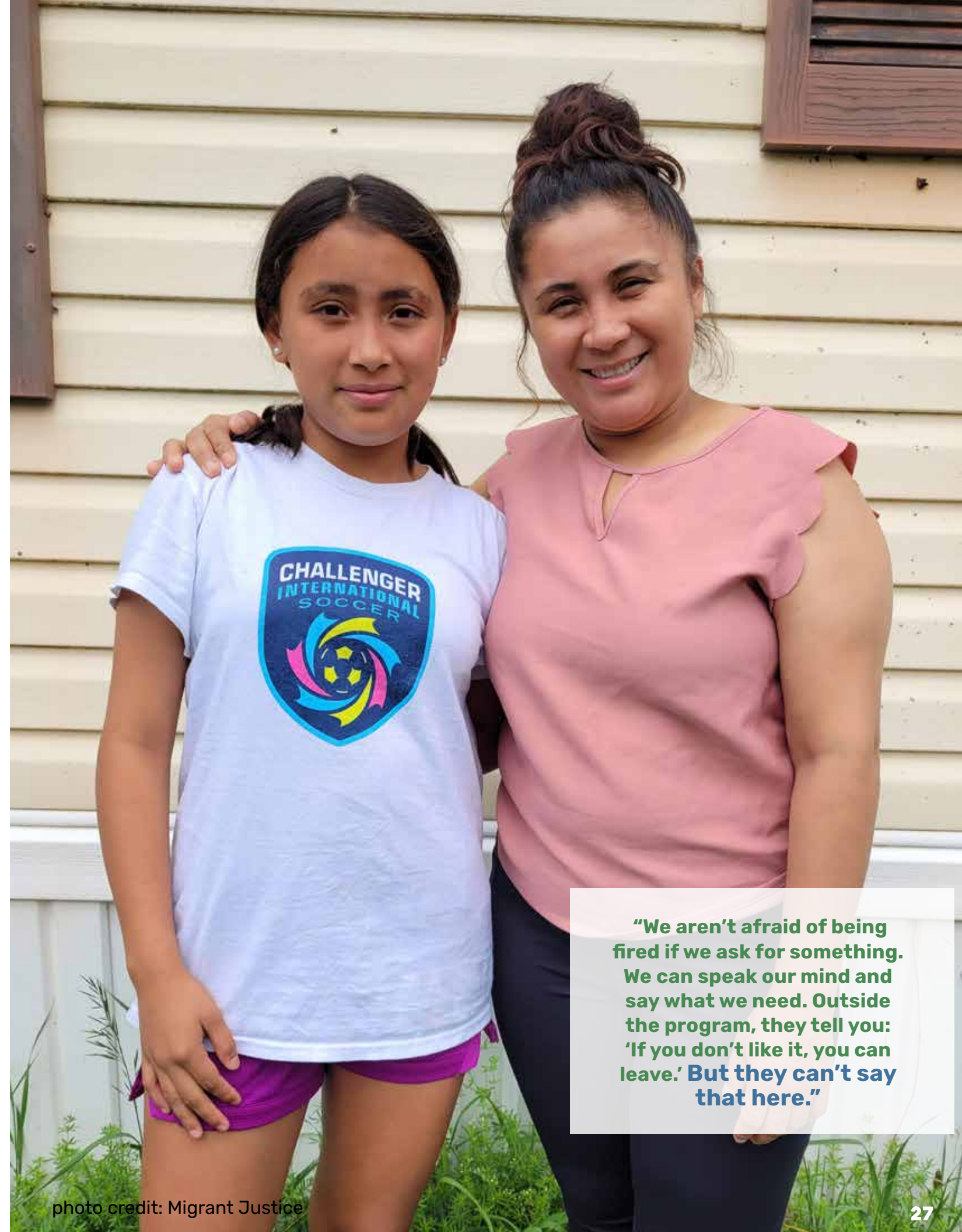
On the topic of workplace health and safety, Luisa continues: “Anything we ask for, all the necessary stuff, is there. Before they just had latex gloves for milking. Now there’s everything, including face masks for when we’re spreading lime. If you cut yourself while working, they have the first aid kit right there.” This experience is remarkable, given that outside of Milk with Dignity, over four in five dairy workers report harm from chemical and biological exposure, while just a third have access to first aid on the job.

These changes have been made possible through workers’ empowerment in the Program. “We feel more free now,” Luisa reflects. “We aren’t afraid of being fired if we ask for something. We can speak our mind and say what we need. Outside the program, they tell you: ‘If you don’t like it, you can leave.’ But they can’t say that here.”

When asked where she imagines the Milk with Dignity Program in five year’s time, she responds enthusiastically: “It should grow! Right now, not everyone has the good fortune to work on a Milk with Dignity farm. I want the Program to cover every farm so that my whole community has the same opportunities and benefits that I have now.”

“I want the Program to cover every farm so that my whole community has the same opportunities and benefits that I have now.”

She concluded with a message to dairy companies. “You should join Milk with Dignity. All of your products come from the hard work of our community. They come from workers who don’t get enough rest, who don’t have a minimum wage, who are living in bad conditions. I want you to look at the human beings who are working to bring you the product you need.”



“We aren’t afraid of being fired if we ask for something. We can speak our mind and say what we need. Outside the program, they tell you: ‘If you don’t like it, you can leave.’ But they can’t say that here.”

photo credit: Migrant Justice



MILK WITH DIGNITY

**A NEW DAY FOR
HUMAN RIGHTS IN DAIRY**