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8-14-1989

Pickle Farmer 'Scam'

Marc Linder

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Detroit News (1989), 1 page.

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Pickle Farmer 'Scam'

As a legal services attorney representing many migrant farmworkers from Texas who pick pickles in Michigan and Ohio, I take issue with the July 24 article, "Field of Dreams."

Its principal mistake lies in failing to report that so-called sharecropping is a sham and nothing but a sham. Pickle farmers are espousing the absurd notion that impoverished migrants picking pickles are self-employed entrepreneurs solely in order to avoid the costs of doing business that all other businesses in the United States must bear.

Contrary to the impression conveyed by your report, payment of the minimum wage, Social Security and unemployment insurance taxes, and workers' compensation premiums is not some sort of "benefit" voluntarily conferred by generous farmers on their employees. They are mandatory provisions of federal and state laws out of which neither employers nor employees are permitted to opt. It is therefore entirely irrelevant whether individual migrant farmworkers "say they like" not having any taxes withheld from their wages.

The purpose of the Social Security system is precisely to take that decision away from workers who may be too shortsighted to save for their old age or periods of unemployment or disability.

The only reason that pickle pickers have to negotiate over these matters in Michigan is that a court there ruled that they were not em-

ployees. This decision is not only misguided but has been contradicted by every other court that has dealt with the issue. Therefore, regardless of the outcome of the "pilot program" described in the article, migrant legal services organizations will continue to challenge the outrageous scam being perpetrated by pickle farmers.

MARC LINDER,
Texas Rural Legal Aid, Inc.,
Weslaco, Texas