

The Emergency Farm Labor Supply Program (The Bracero Program) Agreement

An agreement was signed on July 23, 1942, between representatives of the United States Government and the Mexican Government, providing for the importation of Mexican nationals for employment as agricultural workers. (a) The agreement made effective by the exchange of notes on August 4, designated the Farm Security Administration as the responsible government agency and defined the terms under which the Mexican workers would be employed. General provisions of the agreement were:

1. It is understood that Mexicans contracting to work in the United States shall not be engaged in any military service.
2. Mexicans entering the United States as a result of this understanding shall not suffer discriminatory acts of any kind in accordance with the Executive Order No. 8802 issued at the White House June 25, 1941.
3. Mexicans entering the United States under this understanding shall enjoy the guarantees of transportation, living expenses and repatriation established in Article 29 of the Mexican Labor Law.
4. Mexicans entering the United States under this understanding shall not be employed to displace other workers, or for the purpose of reducing rates of pay previously established.

To implement the general principles mentioned above, specific clauses were established. These included:

Contracts:

- a. Contracts will be made between the employer and the worker under the supervision of the Mexican Government. (Contracts must be written in Spanish).
- b. The employer (Farm Security Administration) shall enter into a contract with the sub-employer, with a view to proper observance of the principles embodied in this understanding.

Admission:

- a. The Mexican health authorities will, at the place whence the worker comes, see that he meets the necessary physical conditions.

Transportation:

- a. All transportation and living expenses from the place of origin to destination, and return, as well as expenses incurred in the fulfillment of any requirements of the migratory nature shall be met by the employer.
- b. Personal belongings of the workers up to a maximum of 35 kilos per person shall be transported at the expense of the employer.

- c. In accord with the intent of Article 29 of the Mexican Federal Labor Law, it is expected that the employer will collect all or part of the cost accruing under (a) and (b) of transportation from the subemployer.

Wages and Employment:

- a. (1) Wages to be paid to the worker shall be the same as those paid for similar work to other agricultural laborers in the respective regions of destination; but in no case shall this wage be less than 30 cents per hour (U.S. currency); piece rates shall be so set as to enable the worker of average ability to earn the prevailing wage.

(2) On the basis of prior authorization from the Mexican Government salaries lower than those established in the previous clause may be paid those emigrants admitted into the United States as members of the family of the worker under contract and who, when they are in the field, are able also to become agricultural laborers who, by their condition of age or sex, cannot carry out the average amount of ordinary work.

- b. The worker shall be exclusively employed as an agricultural laborer for which he has been engaged; any change from such type of employment shall be made with the express approval of the worker and with the authority of the Mexican Government.
- c. There shall be considered illegal any collection by reason of commission or for any other concept demanded of the workers.
- d. Work for minors under 14 years shall be strictly prohibited, and they shall have the same schooling opportunities as those enjoyed by children of other agricultural laborers.
- e. Workers domiciled in the migratory labor camps or at any other place of employment under this understanding shall be free to obtain articles for their personal consumption, or that of their families, wherever it is most convenient for them.
- f. Housing conditions, sanitary, and medical services enjoyed by workers admitted under this understanding shall be identical to those enjoyed by the other agricultural workers in the same localities.
- g. Workers admitted under this understanding shall enjoy as regards occupational diseases and accidents the same guarantees enjoyed by other agricultural workers under United States legislation.
- h. Groups of workers admitted under this understanding shall elect their own representatives to deal with the employer, but it is understood that all such representatives shall be working members of the group. The Mexican consuls in

their respective jurisdiction shall make every effort to extend all possible protection to all these workers on any questions affecting them.

- i. For such time as they are unemployed under a period equal to 75 percent of the period (exclusive of Sundays) for which the workers have been contracted they shall receive a subsistence allowance at the rate of \$3.00 per day.
- j. For the remaining 25 percent of the period for which the workers have been contracted during which the workers may be unemployed they shall receive subsistence on the same bases that are established for farm laborers in the United States.
- k. Should the cost of living rise this will be a matter for reconsideration.
- l. The master contracts for workers submitted to the Mexican Government shall contain definite provisions for computation of subsistence and payments under this understanding.

Saving Fund

- a. The respective agency of the Government of the United States shall be responsible for the safekeeping of the sums contributed by the Mexican workers towards the formation of their Rural Savings Fund, until such sums are transferred to the Mexican Agricultural Credit Bank, which shall assume responsibilities for the deposit, for their safekeeping and for the application, or, in the absence of these, for their return.

The agreement was signed for the Department of Agriculture by John O. Walker, Assistant Administrator, Farm Security Administration, and David O. Meeker, Assistant Director, Office for Agricultural War Relations.

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