



**RURAL JUSTICE**

# magazine

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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## LETTER FROM

# Jose



Dear Friends and Supporters,

As I reflect on 2020 so far, I focus on two life-and-death justice issues that are unprecedented in our time: the COVID-19 pandemic and the Black Lives Matter (BLM) movement.

Where does the injustice of the killings of George Floyd and other Black lives intersect with the injustice of the COVID-19 pandemic?

These injustices in our society intersect where their impacts are felt and suffered most: communities living in poverty and communities of color. Too often these communities are one and the same.

Justice in the time of COVID-19 means addressing all social disparities that arise when people living in poverty lack equal access to medical services, safe housing, good-paying jobs, quality public schools. It means holding accountable police officers who act as though their badge justifies the killing of a person of color because the victim—George Floyd, Breonna Taylor, Sean Monterrosa—allegedly was committing a crime. It means challenging the symbolism and culture of discrimination, as BLM efforts are doing with Confederate monuments.

Since CRLA's founding in 1966, we have always used our legal advocacy to address disparities in California's low-income communities. We fight with our clients for fair housing, rural healthcare access, safe working conditions, an end to LGBTQ discrimination and disciplinary disparity in schools, and more.

As this extraordinary time shines a light on the realities of injustice, we stand ready with our long-time allies to welcome new supporters to the fight. I hope the stories in this issue will inspire you to keep moving toward a more equitable future with us.

Forward Creating Light, Adelante Creando Luz,

*Jose Padilla*  
Executive Director



## ALUMNI SPOTLIGHT:

# Alegria de la Cruz

*Alegria De La Cruz served as Directing Attorney of CRLA's Fresno office in the early 2000s. Since her years at CRLA, she has gone on to serve as a Legal Director at the Center on Race, Poverty & the Environment, Regional Director for California's Agricultural Labor Relations Board, and Sonoma County's Chief Deputy County Counsel.*

*In September 2020, the Sonoma County Board of Supervisors appointed Alegria as director of the county's new Office of Equity, a role she has held in an interim capacity since July.*

*We spoke with Alegria prior to her new appointment about how her work at CRLA and the relationships she made continue to inform her career.*

### HOW DID YOU COME TO JOIN CRLA?

For me, CRLA is a family affair, as it is for many people who come from a farmworker background. My grandmother [Jessie Lopez De La Cruz, the first female organizer for the United Farm Workers union] was on CRLA's board of directors and community advisory board for many years, so joining CRLA felt natural.

The first time I worked at CRLA was as a summer associate in the Fresno office, in 2001 while I was in law school. I fell in love with being a CRLA lawyer and with lawyering as CRLA teaches it. I came back to the Fresno office as a Berkeley Law Foundation fellow in the Fall of 2003 after graduation and stayed until the Spring of 2009.

### HOW DID WORKING AT CRLA IMPACT YOUR CAREER?

I'm so grateful to have worked with some of the best Directing Attorneys, including Jeff Ponting, Jack Daniel, and [then Migrant Unit Director] Mike Meuter. They're examples of CRLA lawyers who are incredible teachers and take seriously their role to educate the next generation of lawyers in rural California and social justice lawyers. They take seriously what it means to be a community lawyer, to learn how to have deep respect for the knowledge clients bring and to work with communities. It runs so counter to what I learned in law school that as the lawyer you are the expert and you know best.



One of the coolest things is how community perspective is honored and valued in the way cases are structured, and recognizing how critical the work of community workers is. Lupe Quintero, Irma Luna [former community worker in CRLA's Fresno office], and all the community workers at CRLA are absolute gold.

Also, the way CRLA empowers young lawyers is very different from what my classmates experienced. They were chasing commas or following big-ego law firm types. I was getting to do really high-level litigation as a young lawyer—with a lot of support, of course, but also with a lot of trust and belief in my abilities. I look back and realize how amazing and incredible that was.

## **WHAT ARE YOUR PROUDEST CRLA MEMORIES?**

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Clients. There's no one like CRLA clients. My clients were so brave and knowledgeable and loving and proud and awesome. It's next level to be brave in rural California, to step out on unpopular issues, to advocate and stand up for yourself and your coworkers.

For example, I think of Lupe Chaves, she was the first woman to get Kings County to actually prosecute rape in the fields. I really saw how unsafe things could be, recognizing that there were times I was being followed out of the fields, being followed around Corcoran, and that my car parked outside clients' homes could put them at risk.

This is the reality of rural California, this is why injustice can continue, because of isolation. It takes CRLA clients saying "no, this is not okay" to change it. The legal work literally could not happen without them and I am proud to have worked for people with such bravery and such a deep sense of responsibility to stand up for themselves and for others.

## **HOW DO YOU STAY CONNECTED WITH CRLA?**

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As a public lawyer, I am still connected to the work CRLA does on a daily basis. CRLA in Fresno is where my home is as a lawyer. Even though I'm in Sonoma County now, I'm still in a farmworker community, a rural community, and all the skills and tools CRLA taught me are activated every day.

Here in Santa Rosa, we were the victims of the single largest urban wildfire in the history of this country in 2017. I felt all my CRLA training came to bear when I was getting people engaged around questions like "what's our language access plan and how do we make sure non-English speakers know where to go in an evacuation?"

So many of my greatest professional connections are through CRLA. It comes up all the time. For example, once I was with a team in Sacramento advocating for a fire bill, and [California State Senator] Bill Monning was on the list to contact. I said, "I have Bill's cell number, I'll text him," and the lobbyists said, "how do you have his cell number?" Well, we were both CRLA lawyers, we share the farmworker connection and an understanding of what it means to advocate for California's rural communities. It's a connection that goes on for the rest of your life and career. It's a powerful and amazing network and I feel so privileged to be part of it.

*Want to suggest a CRLA alum for a future Alumni Spotlight feature? Email us at [development@crla.org](mailto:development@crla.org).*



IN MEMORIAM:

*Hector De La Rosa*

1940-2020

Hector de la Rosa, community worker for 54 years in our Salinas office, passed away peacefully on Tuesday, October 13, 2020 at home with his family in Soledad, California.

Hector spent his entire life speaking up for those who could not do so for themselves and was a pioneer of social justice in the Salinas Valley. Early in his life he worked on voter registration drives, funding for low-income housing developments, and migrant worker protection from pesticide poisoning.

Hector joined our Salinas office within six months of our founding in 1966. During his career at CRLA, Hector was instrumental in abolishing the short-handled hoe from the fields of California. His insight into the Soledad community was an integral part of the research done for the case of *Diana v. State Board of Education* (1970), which successfully stopped the use of English-only IQ tests to classify children into special education classes. Hector's housing advocacy also led to the creation of the farmworker-owned Santa Elena Housing Cooperative in Soledad.

For his ongoing work in the community, Hector was honored to have a street named after him in Soledad (H De La Rosa Sr. Boulevard) as well as the building where he worked for 54 years: by unanimous vote of CRLA's Board of Directors, our Salinas office building has been renamed the Hector De La Rosa Justice Center.

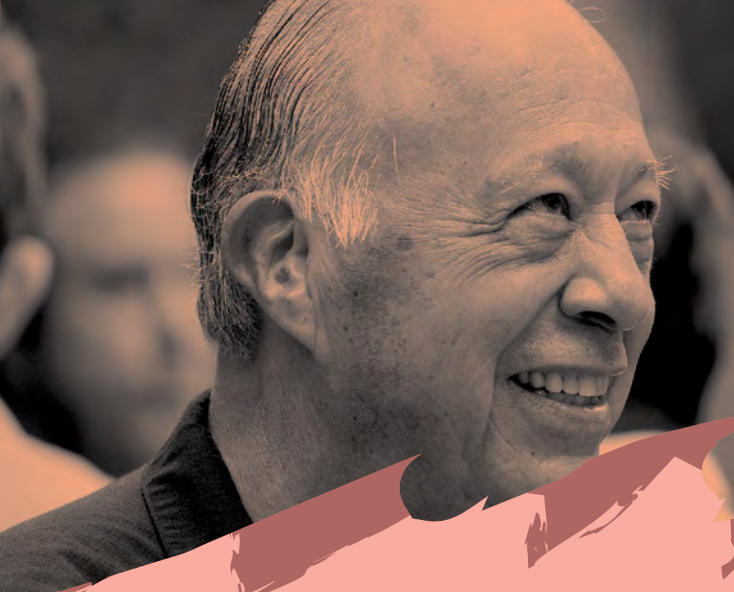
CRLA Executive Director Jose Padilla noted, "One of CRLA's founders Dolores Huerta once said that one can never retire from justice work because it is not a job but a life purpose. Another of our founders, Cesar Chavez, said 'Grant me the courage to serve others, for in service there is true life...'"

"For the Salinas and all CRLA staff, Hector embodied those ideals since he started in 1966. He showed the rest of us what it is to commit oneself to rural justice."

In addition to being a valued member of his community, Hector was a loving and devoted husband, a father who gave his children unconditional love and unwavering support, and a doting grandfather.

Hector leaves behind a legacy that inspires those who believe in social justice to continue fighting for human rights. We are proud to count him among our CRLA heroes.

Hector De La Rosa ¡Presente!



IN MEMORIAM:

*Tomás Olmos*

1947-2020

“I come from a family of farmworkers,” attorney and long-time CRLA supporter Tomás Olmos told CRLA staff in a 2006 interview. “Growing up and seeing the hardships and the life they have and how they’re treated...it was always my goal and purpose in going to law school to provide representation for farmworkers.”

The empathy, determination, and commitment to justice evident in Tomás’s words echo back to us now as we join the many people who are mourning his passing on October 31, 2020 at age 72.

Born in the Fresno County farm town of Kingsburg in 1947 to a father who came to the U.S. as a field laborer, Tomás lived with his family out in the country in grower-owned housing and worked in the fields growing up.

When Tomás graduated from Berkeley Law School in 1972—part of the first wave of Latinx students to integrate the UC system in the 1960s—he chose to work in CRLA’s Delano office because it was the center of the struggle for farmworkers’ rights at the time.

After four years at CRLA, Tomás worked at the Western Center on Law and Poverty in Los Angeles, followed by 12 years at the U.S. Equal Employment Opportunity Commission (EEOC), where he served as a supervisory trial lawyer and then Regional Attorney overseeing litigation in Southern California and Nevada. He actively participated as lead counsel in litigating numerous cases, including *Brooks, et al/EEOC v. Hilton Casinos Inc.* (D.C. Nev. 1989), an age/sex discrimination case that resulted in a landmark \$45,000,000 verdict.

From 1990 until 1995 Tomás was Executive Director of the Legal Aid Foundation of Los Angeles, one of the nation’s largest providers of legal services. Then he defended workers against employment abuses as a longtime partner with the prestigious L.A. law firm of Allred Maroko & Goldberg.

In addition to his professional accomplishments, Tomás will be remembered as a committed volunteer and philanthropist.

“While in law school in the early ‘70s, we all said we would go back to our communities and fight for farm and other low-wage workers,” recalls CRLA’s Executive Director Jose Padilla. “Tomás Olmos continued giving and giving and giving.”

Together with his wife Dolores Leal, Tomás was instrumental in a legal apprenticeship program set up by Cesar Chavez so farmworkers and United Farm Workers staff could pass the bar and become attorneys. For over 20 years, he was a core volunteer at People’s College of Law, teaching students who couldn’t attend traditional law schools.

Tomás was also a steadfast supporter of CRLA and our mission, serving on our board and as board chair in the 1980s. In 2001, when Executive Director José Padilla approached Tomás and Dolores about broadening CRLA’s support in the Los Angeles area, the couple offered their home for a fundraiser—our first Tardeada. Now a yearly event, it continues to be defined by the characteristic warmth and generosity of Dolores and Tomás.

He was “fiercely loyal to the causes to which he committed himself and also to his family,” remembers Tomás’ son, Jaime Olmos. “He was an activist his entire life.”





# *From Pesticide Exposure to COVID-19*

**MEDICAL LEGAL PARTNERSHIP BOOSTS  
COMMUNITY HEALTH**

Even before the outbreak of the COVID-19 pandemic health experts worldwide were raising awareness of social factors that contribute to poor health, including race and gender discrimination, poverty, and trauma.

Now, the COVID-19 pandemic has further highlighted the complex relationship between health and social problems, and how federal, state, and local policies and laws contribute to those problems.

As is often true across civil legal aid services, many people don't realize that a health problem could have a legal solution. Patients and their healthcare providers may not make the connection between medical issues and their rights to, for example, a workplace and home free of health hazards, or paid time off to care for themselves or others.

That's why we launched our Medical Legal Partnership (MLP) in December 2018.

## **FIRST SUCCESSES IN MONTEREY COUNTY**

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In partnership with the Monterey County Department of Public Health, our MLP team chose to focus on the high need for workplace safety protections for pregnant farmworkers in Monterey County. Many work throughout their pregnancies in jobs that are extremely physically demanding and expose them and their babies to dangerous pesticides.



MLP Managing Attorney Aaron Voit explains, “I think if you were to ask many providers if they would be comfortable with their wife or their daughter or their family member working well into their second or third trimester doing farm work during their pregnancy, the providers would say absolutely not.”

With guidance from MLP staff, doctors and pregnant farmworkers learned that they could qualify for State Disability Insurance (SDI) benefits as soon as a positive pregnancy test if needed, due to the documented negative impacts pesticide exposure can have on developing fetuses.

After some pregnant farmworkers’ SDI claims were still denied by the California Employment Development Department (EDD), MLP attorneys worked with the agency to clarify eligibility for pregnant workers exposed to pesticides or other hazards. Ultimately, the agency issued clearer language and requirements both for applicants and for EDD staff reviewing claims.

By December 2019, a year after launching the program, MLP program staff saw increased access to replacement income for pregnant farmworkers who might otherwise have had to choose between their health and their families’ financial stability.

Just as the needs of pregnant farmworkers showed the gaps in public health and benefits systems, the COVID-19 pandemic is now focusing even more light on those gaps and the risks to health and economic wellbeing in all our communities.

## **MEDICAL LEGAL PARTNERSHIP AND COVID-19**

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Statewide, virtually every low-wage worker is facing the same dilemma that launched our Medical Legal Partnership: how do they meet basic needs and maintain economic stability for their families when the risks inherent in returning to the workplace are so great?

Confusion about workers’ rights and the definition of a safe workplace amid a global pandemic are amplified by stress as more people lose their jobs. Add to this the fact that many jobs deemed “essential” are low-wage jobs—agriculture, grocery stores, warehouses, janitorial, etc.—and many households were already struggling to afford daily needs like food or rent before the pandemic.

According to data from the California Institute for Rural Studies and other partners behind the COVID-19 Farmworker Study, farmworkers are three times more likely to get COVID-19 than other workers in Monterey County.

Many workers do not realize they have rights to paid time off, or that an employer cannot legally penalize them for exercising those rights, like staying home when sick, even when their job has been deemed essential.

## WHAT'S NEXT

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Civil legal aid services are considered essential, so our Medical Legal Partnership team has continued their on-site work (following social distancing and disinfection protocols) to educate healthcare providers and patients about legal rights that impact health and wellbeing.

Though the pandemic has slowed outreach efforts to clients, MLP staff are utilizing digital outreach as much as possible. Staff have produced various materials, including a guide to job-protected paid time off and income replacement benefits and videos in multiple languages sharing tips for workers about rights to healthcare during the pandemic.

The MLP team are leaders in a coalition of scientists, doctors, farmers and farmworker advocates raising awareness about community needs during COVID-19 and workable solutions. Managing Attorney Aaron Voit is hopeful that one positive outcome of the pandemic will be continued discussion and action to protect and strengthen the healthcare rights of farmworkers.

As a nonprofit law firm, financial support from large funders as well as individual donations is vital to the success of our Medical Legal Partnership and other programs. Private attorneys willing to donate their time pro bono also provide much-needed capacity.

Interested? Please contact Aaron Voit, managing attorney for the Medical Legal Partnership at [avoit@crla.org](mailto:avoit@crla.org) or (831) 757-5221 ext. 1411.

### THREE THINGS TO KNOW ABOUT COVID-19 HEALTH CARE IN CALIFORNIA

**1**

**The cost of coronavirus testing and emergency treatment is covered by all California health insurance plans.**

**2**


**Covered California, Medi-Cal, and Medicare have many health insurance options, even if you are undocumented.**

**3**

**Receiving coronavirus-related medical or health services will not affect your current or future immigration status.**

And remember: you have the right to access healthcare and government services in a language you understand. If a service provider doesn't use your language, request a qualified interpreter.

For free and confidential help with health insurance coverage, call the Health Consumer Alliance (HCA) at 1-888-804-3536.



WE THANK OUR 2020 FEATURED SPONSOR:

# Kazan McClain Partners' Foundation



The Kazan McClain Partners' Foundation has disbursed over \$25 million in grants to a wide array of community and civic organizations. Our mission is to benefit the public through grants to organizations and individuals in order to:

- Support research into causes of, treatment for, and prevention of occupational and environmental diseases.
- Increase and improve public awareness about workplace health and safety, and public health.
- Enhance access to, participation in, and education about the legal system and governmental processes.
- Advance programs that provide services which lessen the burdens of government and/or provide relief to the poor, distressed, or underprivileged.
- Combat community deterioration and lessen neighborhood tensions.

Our Foundation funds organizations supporting immigrants and their families, including California Rural Legal Assistance, Inc. (CRLA), California Rural Legal Assistance Foundation, Center for Gender & Refugee Studies, Centro Legal de la Raza, and Central American Resource Center, among others. Our attorneys sit on the Boards of several non-profit legal services organizations providing legal support to immigrants.



Over the last five years, Kazan McClain Satterley & Greenwood, a Professional Law Corporation, has provided pro bono representation to Central American immigrants seeking asylum in the United States to escape from persecution in their home countries fraught with violence and corruption. KazanLaw's decades-long mission for justice and advocacy on behalf of individuals wrongly injured was the catalyst for founding the Kazan McClain Partners' Foundation in 1994, and for the law firm's more recent commitment to provide pro bono representation for asylum seekers, along with the firm's ongoing trial litigation work.

Both the Kazan Firm and the Kazan Foundation have been committed to protecting the rights and health of all people. [www.kazanlaw.com](http://www.kazanlaw.com)





## *Keeping Rural Californians Sheltered During a Pandemic*

Since the appearance of COVID-19, access to housing has never been more important. After all, sheltering in place during a pandemic requires shelter.

California's lack of affordable housing is especially acute in rural areas, which tend to have higher poverty rates and lower housing stock overall. CRLA's Fair Housing team works to help both low-income homeowners and renters stay housed.

### **COVID-19 OPTIONS UNCLEAR TO HOMEOWNERS**

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Burdened by rising amounts of both mortgage and non-mortgage debt, low-income homeowners across California face an ever-tightening housing market, threats of foreclosure, predatory and discriminatory financing, and myriad scams.

One of the much-publicized aspects of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act has been mortgage relief for businesses, landlords, and homeowners.

But the processes and qualifications for accessing that mortgage relief have been confusing. CRLA's Foreclosure Prevention team, part of our Fair Housing program, has been working hard to help

homeowners understand what options are available to them if they cannot pay their mortgage. One client, a homeowner from Patterson, experienced loss of income due to COVID-19 and was unable to make his May 2020 mortgage payment. After reviewing the client's most recent mortgage statement, our Fair Housing team determined that he had an FHA-backed loan and was current prior to the COVID-19 crisis. To the client's great relief, CRLA attorney Evan Livingstone contacted the mortgage servicer and obtained an initial 90-day forbearance while the client was on the phone.

With assistance from Evan, the client now understands that he is legally eligible for an additional 270 days of forbearance during which he can postpone mortgage payments due to financial impacts of COVID-19. In addition, he can put the missed payments on the end of the loan if he is not financially able to make up the payments immediately after the forbearance period ends.

CRLA staff plan to follow up with the client at the end of the forbearance period—standard practice for our firm, but even more important now as the legal landscape for housing continues to change during the pandemic.

## **ENFORCEMENT OF PROTECTIONS VITAL FOR RENTERS**

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Like homeowners, low-income renters in rural California face a complex and seemingly ever-changing legal landscape during the COVID-19 pandemic that can feel impossible to navigate without professional assistance. When tenants are unclear about their rights, they can be at even greater risk of losing housing if a landlord ignores or violates state or local ordinances put in place due to the pandemic.

For example, CRLA's Santa Rosa office was contacted by two separate renter households at a large apartment complex in Petaluma who both received three-day notices to pay rent or quit, in violation of Sonoma County's COVID-19 Eviction Defense Ordinance as well as the CARES Act (applicable in this case because the property's mortgage is federally backed).

One of these tenants had already given the landlord notice of her COVID-related reason for inability to pay and made a partial rent payment, but received the three-day notice nonetheless. In addition to a pay or quit notice that did not reflect the partial payment, the tenant received a three-day perform covenants or quit notice that included a \$250 late fee.

The second tenant had given verbal notice of her COVID-related hardship, which she then followed up with a letter and partial payment. She too was given three-day notices to pay or quit and perform or quit, including the same late fee.

Based on a phone call CRLA Attorney Shane Crary-Ross made to the onsite manager, the late fees and notices appeared to be a company-wide policy. Shane then contacted the office of the California Attorney General, who was interested in looking into violations of local ordinances like this one. Shane and other CRLA attorneys had two Zoom calls with attorneys from the Consumer Fraud division of the Attorney General's office.

After reviewing the case, the Attorney General’s office sent a letter to the apartment complex management, prompting them to rescind the three-day notices they had issued to the tenants and refund or credit the late fees.

## **WHEN OFFICIALS ARE UNCLEAR ABOUT PROTECTIONS**

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Our offices have also encountered cases where the authorities tasked with enforcing eviction protections can themselves be unaware or in violation of emergency ordinances.

In July 2020, three separate renter households sought help from our El Centro office with eviction summonses. Staff realized that courts in Imperial County—one of California’s COVID-19 hotspots—were issuing unlawful detainer (eviction) summonses to tenants and allowing landlords to proceed with evictions in spite of state emergency orders barring such action.

“People being evicted from their homes is a public health and safety problem,” Adriane Bracciale, El Centro directing attorney, told CalMatters. “That’s why the emergency rule was instituted—so that people aren’t being kicked out of their homes during a contagious, deadly pandemic.”

While the three eviction cases were ultimately rescinded once court officers were informed of the mistake, it is unclear how many other evictions may have proceeded in Imperial County in violation of the state Judicial Council rules.

The Imperial County story highlighted an issue that is likely common to all California counties: eviction restrictions during the COVID-19 pandemic can be unclear to tenants and to the officials tasked with enforcing them.

Many tenants do not seek legal help when they receive a summons to appear in court about an eviction lawsuit. Some may simply decide to vacate, unaware of new protections afforded during the pandemic, making it even more likely that violations of eviction restrictions can proceed unchecked.

## **STABLE HOUSING SUPPORTS PUBLIC HEALTH**

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California already had a housing crisis prior to COVID-19, and widespread job loss and economic impacts caused by the pandemic could further intensify that crisis.

Civil legal aid is vital to keep low-income families housed. If you can do so, now is a great time to make a financial donation to CRLA or another legal aid organization in your area to help meet the growing need. If you’re a private attorney, consider volunteering your time.



A black and white portrait of Catherine Steele Saxton, an elderly woman with short, light-colored hair, looking slightly to the right. The portrait is partially obscured by a teal graphic overlay on the right side of the page.

## DONOR PROFILE:

*Catherine Steele Saxton*

1942 - 2019

In April 2020, CRLA received a bequest from the Catherine Plaisted Saxton Steele Trust. Cat was a retired librarian from Santa Cruz and a supporter of CRLA for over twenty years. Her generous planned gift reflects an extraordinary life spent as a social justice and environmental champion.

Cat was raised in Marin County and moved with her family to Mexico as a teenager. While there, she joined the American Friends Volunteer Work Camp and established the first library in a small village in Matamoros. This began her lifelong pursuit to make books and library services accessible to everyone.

After attending UCLA, Cat spent ten years as a librarian in Modesto where she persuaded her library to buy books in Spanish and started the community's first bookmobile service using an old surplus Navy bus to travel to farm labor camps.

As a librarian in Santa Cruz, Cat continued to make books accessible to underserved populations. She created another bookmobile that reached five farm labor camps in the region and increased library access for jails and juvenile detention centers, the elderly, and people with disabilities.

Cat's decades-long support of CRLA played a vital role in helping us fight for a rural California where all people are treated with dignity and respect and are guaranteed their fundamental rights. Now, her planned gift will enable us to continue pursuing equity and justice into the future.

Thank you, Cat, for many years of friendship. We are honored to be a part of your legacy.

# Leave a Legacy of Justice with a Planned Gift to CRLA

Remembering CRLA in your estate with a planned gift is a meaningful way to leave a legacy of justice.

CRLA Legacy Donors span a range of ages and circumstances—we invite you to join this special group today!

There are many ways to provide financial support for CRLA through a planned gift, including:

- **BEQUESTS**
- **LIFE INCOME GIFTS**
- **RETIREMENT PLAN OR LIFE INSURANCE BENEFICIARY DESIGNATIONS**

Please consult your attorney or accountant to discuss the advantages of making a planned gift to CRLA.

These are uncertain times, but our commitment to fight for the rights of low-income rural Californians will never change.

Your planned gift is an investment in CRLA's continued ability to provide no-cost legal services that help people get paid for their hard work, stay housed, access healthcare, ensure quality education for their children, and more.

If you have any questions or would like to discuss your philanthropic goals, please contact our Development team at 510.267.0762.

Please also let us know if you have already included CRLA in your estate plans. You may choose to be recognized for your commitment or remain anonymous. Thank you for your support!

**CONTACT:** Susana Rodriguez, Director of Individual Giving, 510.267.0762 x1028, srodriguez@crla.org

California Rural Legal Assistance, Inc. is a 501(c)(3) not-for-profit organization, Federal Tax I.D. Number 95-2428657.



## *Wildfires and Pandemic Intensify Inequities for Agriculture Workers*

Agriculture workers have drawn increased attention during the coronavirus pandemic both for the role they play in feeding the nation and for the heightened risks they bear.

While they are deemed essential workers whose work should continue even while shelter in place orders are in effect, many agriculture workers were also left out of relief efforts like the Coronavirus Aid, Relief, and Economic Security (CARES) Act. These circumstances have only intensified the inequities and vulnerabilities agriculture workers already faced before the pandemic.

### **HEIGHTENED RISK BUT LESS ACCESS TO RELIEF**

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Agriculture workers face heightened risk from COVID-19 due to the nature of their work: standing in close quarters in field transport vehicles or inside packing houses, and lack of handwashing stations, sanitizing supplies, or other personal protective equipment. Outside of work, they frequently live in shared housing that makes quarantining difficult and have reduced access to healthcare.

The majority of agriculture workers are Latinx. The California Department of Public Health reported as of October 20, 2020, Latinx-identified people represented 61% of all cases and 48.6% of deaths from COVID-19 in the state, though they represent only 38.9% of our state's population.



With less access to relief funds than other workers and limited employment options to support themselves and their families, agriculture workers are reluctant to speak up about employers who fail to take steps against COVID-19 spread in their workplaces.

“There’s a lot of pressure on farmworkers to continue working, and a lot of fear of retaliation,” Estella Cisneros, legal director of CRLA’s Agricultural Worker Program, told TIME magazine earlier this year.

Yet despite pressures to stay silent, workers have contacted our offices and our Agriculture Worker Program has filed health and safety complaints with Cal/OSHA across the state. Many workers describe situations where employers ignore Cal/OSHA guidance or take insufficient action, such as distributing very thin face coverings more akin to hairnets than masks, even though work was taking place in enclosed spaces with 100 or more employees in close proximity.

## **ISOLATION LEAVES H-2A WORKERS VULNERABLE**

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For those agriculture workers brought from other countries to the United States under temporary H-2A visas, physical or linguistic isolation can combine with a fear of retaliation to make reports of workplace safety violations even more unlikely.

Because they rely on their employers for housing, transportation, food, and equipment, H-2A workers can be much more isolated and vulnerable than resident agriculture workers. They may be housed in remote areas in private properties owned by employers. Housing and transport for H-2A workers are often crowded, impairing social distancing.

H-2A workers who travel between employer-controlled housing to fields or packing houses in employer-owned vehicles have much less access to resources or information about their rights as workers. Many may not even know that they are protected by the same labor laws that protect other California workers, knowledge that is even more important as workplace safety regulations evolve during the pandemic.

Even when employers provide information, it may not be available in a language that workers understand. An estimated one in three agriculture workers in California speaks an Indigenous Mexican language and little or no English or Spanish. CRLA’s Indigenous Program staff coordinate explainer videos, interpretation services, and other resources for non-dominant language speakers, but isolation—whether due to H-2A employment conditions or COVID-19—limits those accessibility efforts.

## **WILDFIRE EVACUATION OPENS UP ADVOCACY OPPORTUNITY**

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The wildfires in Sonoma County provided a rare opportunity to provide legal information and advocacy to one group of H-2A workers.

Staff in CRLA's Santa Rosa office had heard from local sources and observed directly that some local employers were not following recently enacted regulations to protect agriculture workers from wildfire smoke. Workers could be seen harvesting crops in areas known to have hazardous air quality. But with many of the H-2A workers so isolated, CRLA staff were unable to proceed with their usual approaches to educate workers about their rights.

As wildfires continued to spread, however, a group of workers eventually had to be evacuated from employer-owned housing to the Sonoma County Fairgrounds in Santa Rosa. CRLA Santa Rosa attorney Jeff Hoffman and community worker Fernando Torres were able to reach out to workers at the fairgrounds, sharing information and materials that clearly explained the hazards of smoke inhalation and COVID-19, as well as their rights as workers.

Despite obviously working in areas with hazardous air quality, workers were reluctant to file complaints due to fear of retaliation or job loss. It seemed that they would return to employer-owned housing without any action taken to enforce workplace safety laws, until, at nearly the last moment, Jeff and Fernando received a message via mobile phone from one of the workers.

Thanks to one worker's courage, Jeff and Fernando successfully filed a complaint with Cal/OSHA. The agency sent staff to investigate working conditions in person, and the complaint resulted in the first case brought under the new ordinance protecting workers from wildfire smoke that went into effect September 2020.

## **BASIC INFORMATION MAKES A BIG DIFFERENCE**

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Even when agriculture workers are not facing linguistic barriers, options for how to replace income if they get sick or need to care for others can still be unclear.

In April 2020, a worker at a packing company in the Coachella Valley contacted our Coachella office for help with their Unemployment Insurance (UI) benefits claim after they tested positive for COVID-19 following a co-worker's positive test.

Because the packing house worker was ordered by their health care provider to quarantine, their employer directed them to apply for UI benefits. Although eligible, the worker received conflicting information from the Employment Development Department (EDD) regarding their eligibility and had not received any payments from EDD when they contacted CRLA.

Unable to work but also without replacement income, the worker was increasingly worried about how to pay for food and housing.

CRLA Coachella staff contacted EDD to inquire about the worker's eligibility and lack of payment. However, knowing that EDD was facing an unprecedented increase in claims during the pandemic,

staff also advised the worker to request 80 hours of sick leave pay from their employer under the Families First Coronavirus Response Act (FFCRA), which the worker had not known was an option.

The worker's request for FFCRA sick leave pay was approved and processed by the employer, but the complications are not necessarily over. Our office is now also assisting them to notify EDD about this payment in order to ensure they are not subject to an overpayment later.

This case illustrates how minimal intervention by an attorney—for example, simply informing the client of their right to FFCRA sick leave pay—can help agriculture workers access critical benefits when faced with financial hardship. It also shows how complicated UI and other benefits systems are and the important role legal aid plays to stabilize vulnerable communities.

## ESSENTIAL WORKERS' HEALTH IS VITAL FOR PUBLIC HEALTH

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As Estella Cisneros, legal director of CRLA's Agricultural Worker Program, told TIME magazine earlier this year, "[The pandemic] has highlighted how at the mercy [agriculture] workers are at the hands of people who are not the workers themselves."

Employers' failure to protect agriculture workers from wildfire smoke and COVID-19 not only risks the spread of the virus into the wider community but also compromises workers' ability to harvest and deliver fresh produce, meat, and other food so vital to community wellbeing, breaking the food supply chain on which millions of people rely.

Enforcing workplace safety laws and addressing inequities can do much to keep essential agriculture workers healthy.

### DID YOU KNOW?

All California employers are required to implement a plan to protect employees from workplace hazards, including COVID-19. Employees have a right to request a copy of this plan and receive training on it. Currently, agriculture employers' plans should include provisions to:

- 1 Encourage sick workers to stay home** and refrain from retaliation when they do so.
- 2 Make handwashing stations with potable water more available** and encourage use many times per day. Hand washing time must be paid, including for piece rate workers.
- 3 Frequently clean and disinfect commonly touched surfaces and objects** like shared tools and door handles.
- 4 Make physical distancing possible** during work, while in vehicles, and while on breaks.
- 5 Provide face masks** where workers must be around others, especially indoors.

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# 2019 Annual Report

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## About CRLA

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Last year, California Rural Legal Assistance, Inc. (CRLA) provided legal services to over 43,000 low-income rural Californians free of charge and litigated cases that impacted thousands more.

So far in 2020, our staff are on track to serve a similar number of people, in spite of suddenly having to shift to provide services remotely due to the COVID-19 pandemic.

But we expect demand for our services will be even higher through the end of the year and into 2021 as an extreme fire season and continuing economic and public health crises worsen access to employment, housing, healthcare, and education.

## What You Can Do

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Your donation to CRLA today enables us to provide free legal services, advocacy, and education to more low-income rural Californians.

Whether you can give \$5 or \$500 or more, every gift adds up to create impact.

Inside this magazine you'll find a donation envelope, or you can also make your gift online at [www.crla.org](http://www.crla.org).

CRLA, Inc. Administrative Office  
1430 Franklin St, Ste 103  
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Call us at 1-800-337-0690**



# 2019 FINANCIALS

California Rural Legal Assistance, Inc.  
Statement of Activities  
For the Year Ended December 31, 2019

| SUPPORT AND REVENUE                      | WITHOUT DONOR<br>RESTRICTIONS | WITHOUT DONOR<br>RESTRICTIONS | TOTAL                |
|--|-------------------------------|-------------------------------|----------------------|
| Grant Revenue                            | \$ 505,513                    | \$ 15,496,628                 | \$ 16,002,141        |
| Contributions                            | \$ 685,802                    |                               | \$ 685,802           |
| Attorney Fees/Cost Recovery              | \$ 671,647                    |                               | \$ 671,647           |
| In-Kind Contributions                    | \$ 1,936                      |                               | \$ 1,936             |
| Other Revenue                            | \$ 413,418                    |                               | \$ 413,418           |
| Net Assets Released from<br>Restrictions | \$ 14,167,295                 | \$ (14,167,295)               | -                    |
| <b>Total Support &amp; Revenue</b>       | <b>\$ 16,445,611</b>          | <b>\$ 1,329,333</b>           | <b>\$ 17,774,944</b> |
| <b>SUPPORT AND REVENUE</b>               |                               |                               |                      |
| Program Services                         | \$ 13,429,320                 |                               | \$ 13,429,320        |
| Management & General                     | \$ 2,714,107                  |                               | \$ 2,714,107         |
| Fundraising                              | \$ 667,461                    |                               | \$ 667,461           |
| <b>Total Expenses</b>                    | <b>\$ 16,810,888</b>          | <b>-</b>                      | <b>\$ 16,810,888</b> |
| <b>CHANGE IN NET ASSETS</b>              | <b>\$ (365,277)</b>           | <b>\$ 1,329,333</b>           | <b>\$ 964,056</b>    |
| <b>NET ASSETS - START OF YEAR</b>        | <b>\$ 2,684,333</b>           | <b>\$ 3,391,720</b>           | <b>\$ 6,076,053</b>  |
| <b>NET ASSETS - END OF YEAR</b>          | <b>\$ 2,319,056</b>           | <b>\$ 4,721,053</b>           | <b>\$ 7,040,109</b>  |

CRLA is funded in part by the Legal Services Corporation. As a condition of the funding it receives from LSC, it is restricted from engaging in certain activities in all of its legal work, including work supported by other funding sources. CRLA may not expend any funds for any activity prohibited by the Legal Services Corporation Act, 42 U.S.C. 2996 et seq. or by Public Law 104-134. Public Law 104-134 504(d) requires that notice of these restrictions be given to all funders of programs funded by LSC. For a copy of these laws or any other information, please contact Monica Yu, Chief Development Officer, at (510)267-0762.

For complete financial statements, please visit [www.crla.org/financials](http://www.crla.org/financials)



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

*Mission Statement*

To fight for justice and individual rights alongside the most exploited communities of our society.

*Our Vision of Justice*

A rural California where all people are treated with dignity and respect and guaranteed their fundamental rights.

*Theory of Change*

The legal system can either protect the rights of marginalized people or maintain and deepen control of the powerful. CRLA works with low-income communities in varying ways that utilize our legal system to create a more just society. We fight together to protect and expand rights, ensure access to resources, and create opportunities in rural California.

To learn more about our work, please visit [www.crla.org](http://www.crla.org).



