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Gov. Northam must remove Virginia’s racist, Jim Crow-era laws that exempt farmworkers from earning minimum wage

“This is a policy issue and a moral issue because one group of people should not be singled out and denied the same rights as others. Racist laws from the Jim Crow era must be removed from Virginia’s code. Everyone should be treated equally.” - Kim Bobo, executive director of the Virginia Interfaith Center for Public Policy

RICHMOND – Farmworkers have been classified as ‘essential’ workers by the federal government during the COVID-19 pandemic, yet Virginia farmworkers continue to be exempted from Virginia’s Minimum Wage Act (VMWA). That means that farmworkers who risk their lives to bring food to America’s tables, will not be making the same wages as other workers.

The Virginia Interfaith Center for Public Policy (VICPP) calls on Governor Northam to amend the Minimum Wage bill to remove the farmworker exemption for three reasons: Equity, COVID-19 and racism.

Equity: Everyone deserves to be paid minimum wage. No one should be excluded. In March, the General Assembly passed a bill ([SB 7](#) and [HB 395](#)) that will raise the minimum wage to \$12 in 2023 and eventually to \$15 in 2026. However, the bills EXEMPT farmworkers from this increase. [Thirty-three percent of farmworker families live below the poverty line](#) and most (53%) have no health insurance, and limited access to health care, making them particularly vulnerable to the COVID-19 virus.

COVID-19: This is a time of national emergency when farmworkers have been deemed “essential workers” by the federal government. They are risking their health to pick fresh food for all of us and they must be paid fairly. “Everyone deserves to be paid minimum wage. Farmworkers are essential workers who continue to work during the COVID-19 pandemic. They are being excluded because of Virginia’s shameful legacy of racial prejudice,” said Ben Hoyne, VICPP’s policy director.

Racism: Last year, the Virginia legislature repealed many historically racist exemptions in the VMWA, ([SB 1079](#)) as it applied to newsboys, shoe-shine boys, ushers and doormen (jobs traditionally held by African-Americans decades ago when the VMWA was passed). Yet the farmworker exemption remains.

The day that Gov. Northam signed SB 1079, he created the [Commission to Examine Racial Inequity](#) in Virginia Law to review laws in the Code of Virginia that have the “effect of promoting or enabling racial discrimination or inequity.” The Executive Order states, “This Commission will work to identify the vestiges of inequity and inequality in Virginia’s laws, laying the groundwork for the redefining of the Commonwealth in the 21st century as a state committed to the success and equitable treatment of every citizen.” Farmworkers are being discriminated against because of Jim Crow-era laws that are still on the books.

CALL TO ACTION:

The Virginia Interfaith Center for Public Policy (VICPP), together with faith leaders and the Legal Aid Justice Center, calls on Governor Northam to take action now. VICPP asks Governor Northam to amend the minimum wage bill and remove the farmworker exemption from the Virginia Minimum Wage Act. [Virginia Interfaith Center’s petition](#) calls on the Governor to keep his word and remove all racist laws from Virginia’s code.

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The Virginia Interfaith Center for Public Policy advocates economic, racial, social and environmental justice in Virginia’s policies and practices through education, prayer, and action. VICPP is a non-partisan coalition of more than 750 faith communities working for a more just society.