

A woman with her hair in a bun, wearing a blue headband, a plaid shirt, and a tan apron, is focused on tending to a plant in a greenhouse. She is surrounded by numerous potted plants, some with white flowers. The background shows the structure of the greenhouse with sunlight filtering through.

THE HUMAN COST OF HOUSE PLANTS

Labor Conditions
of Florida's Plant
Nursery Workers

Dēmos, WeCount!, &
Partners for Dignity and Rights

ABOUT THE REPORT

This report is the result of a collaboration between Dēmos, WeCount!, and Partners for Dignity and Rights. Dēmos led on the writing of the report, building from WeCount!'s survey results and worker interviews documenting conditions in South Florida's houseplant industry, and Partners for Dignity and Rights provided strategic guidance at the outset of this project and supports WeCount!'s campaign work.

Dēmos demos.org

Dēmos is a non-profit public policy organization working to build a just, inclusive, multiracial democracy and economy. We work hand in hand to build power with and for Black and brown communities, forging strategic alliances with grassroots and state-based organizations.

WeCount! we-count.org

WeCount! is a non-profit, human rights organization that advocates for better living and working conditions for immigrant workers and families in Florida. Through their new Planting Justice campaign, WeCount! is bringing together plant nursery workers, consumers, and community and faith allies to ensure respect for labor and human rights across the houseplant industry.

Partners for Dignity and Rights dignityandrights.org

Partners for Dignity and Rights (PDR) is a U.S.-based nonprofit organization that works in partnership with communities to build power and advocate for human rights, strengthen public goods, and advance equity and justice in the U.S. and around the globe. For over a decade, Partners for Dignity and Rights has anchored coalitions and campaigns for worker organizations advocating for binding agreements and meaningful enforcement of human rights in supply chains and workplaces. PDR pursues meaningful changes that directly improve people's lives now, and lays the groundwork for transformational change by building a movement for human rights.



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INTRODUCTION

Workers across the country are facing a crisis, which has been nearly a century in the making. Labor protections established in the early 20th century failed to protect many of the most vulnerable workers, especially women, immigrant workers, and Black and brown workers.¹

In recent decades, conservative attacks have steadily eroded the worker protections that do exist through deregulation, underenforcement, and business models that prioritize profits while outsourcing responsibility for the well-being of their workers.² Unions can provide strong protections through collective bargaining agreements, but it has become increasingly difficult for workers to organize a union or win contracts (especially in the South). But as corporate opposition has increased and labor protections have weakened over time, workers have faced systemic barriers that have led unionization rates to decline to record lows in recent years.³ Yet those weakened protections are still more than what many workers have in certain industries. Congress excluded millions of workers from organizing and collective bargaining rights when it first passed federal labor laws nearly a century ago.⁴

Despite — or maybe because of — the structural and systemic challenges they face, marginalized workers have developed an innovative and highly successful model for building collective worker power: Worker-driven Social Responsibility (WSR).⁵

The houseplant industry is thriving. From boutique plant shops to big-box stores and garden centers, the demand for houseplants has surged across the United States in recent years, and the nursery industry as a whole has an annual revenue of \$50 billion.⁶ But a stark contradiction is at the center of this success story: The workers who cultivate, care for, and distribute these plants often labor under conditions that are dangerous, degrading, and unjust. Agriculture shows the stakes and the potential for transformative change for improving conditions for the workers who are the backbone of the industry.⁷

The conditions plant nursery workers labor under are emblematic of broader policy failures, and South Florida provides a clear example of what those policy failures look like.⁸ Despite workers' essential role in a billion-dollar industry, they are routinely denied basic labor protections, like the right to organize or protections from heat stress.⁹

A recent survey conducted by WeCount!, a worker center in South Florida with a large membership of plant nursery workers, found that many of these workers are immigrant women from Latin America and the Caribbean, working long hours in extreme heat, often without access to water, shade, or rest.¹⁰ They face lack of medical care for injuries, exposure to harmful pesticides, and rampant sexual harassment, all while being excluded from many of the labor laws that protect non-agricultural workers.¹¹

The current business model for the plant nursery industry—like so many other industries across the country—is built on exploitation. It prioritizes profit over people, relying on a low-wage, exploited workforce to sustain its growth, a common problem in the agricultural industry.¹²

In a moment when new, well-enforced labor regulations are hard to come by,¹³ it can be tempting to look to corporations themselves to take the high road. But when top-down reforms and corporate pledges are not worker-driven, twin forces prevent them from delivering for workers. First, without worker input, reforms are not responsive to the actual needs of workers. Even the most well-meaning corporate leadership cannot determine what worker concerns are most pressing and how to address those concerns without workers in the room.¹⁴ Second, current corporate structures and legal frameworks prioritize profit for shareholders over other concerns, including the needs of workers.¹⁵ Without worker power to balance the drive for profits, maximizing shareholder returns and corporate public relations goals will drive reforms, not workers' needs.¹⁶

When workers themselves drive corporate accountability, however, the story is different. Their voices ensure that their needs are centered; wielding enough power to enforce their rights ensures corporations address problems rather than roll out window-dressing. Planting Justice—an emergent campaign led by WeCount!—applies these lessons to a massive and rapidly growing sector of Florida's economy.¹⁷ Rooted in the proven Worker-driven Social Responsibility (WSR) model, Planting Justice offers a blueprint for transforming the plant nursery industry.

Indeed, Worker-driven Social Responsibility efforts have already demonstrated success in protecting human rights in complex supply chains, such as agriculture and apparel.¹⁸ By placing workers at the center of enforcement and accountability, the model ensures that rights are actionable and upheld in practice. Through organizing, education, and solidarity, workers are planting the seeds of a more just future — one rooted in fair pay, safe working conditions, dignity, and respect.

In the sections that follow, this report will first orient the reader to the economic and geographic context of the plant nursery industry. Second, the report turns to original survey data collected by WeCount! to describe the three major labor issues faced by workers in the industry: dangerous working conditions, low wages and wage theft, and discrimination, harassment, and retaliation. Third, the report details how and why existing policy has failed to remedy these problems. Next, the report describes the Worker-driven Social Responsibility model and the promise it offers for plant nursery workers before finishing with the report's conclusions.

A woman with dark hair, wearing a yellow long-sleeved shirt and a blue apron with pink straps, is shown in profile, looking down at a succulent plant in a pot. She is in a nursery setting with many other plants in the background.

69%

Florida leads the nation in the production of indoor houseplants and tropical foliage, accounting for approximately 69 percent of the country's supply.

THE ECONOMIC & GEOGRAPHIC CONTEXT OF THE PLANT NURSERY INDUSTRY

The plant nursery industry, like much of the broader agricultural economy, blends traditional cultivation practices within global retail supply chains to meet modern consumer trends. While the industry is often associated with the aesthetics of greenery and the wellness benefits of houseplants, its labor dynamics and business models reveal a more complex and often troubling reality: The workers who are essential to the industry's success often labor in dangerous and abysmal conditions.

Legacy of Inequality in Agriculture

Within U.S. agriculture, the plant nursery industry is responsible for growing and supplying houseplants for consumers.¹⁹ Though engaged in the cultivation of ornamental rather than edible plants, plant nursery workers face many of the same vulnerabilities and challenges as farmworkers harvesting other crops. They are often paid extremely low wages, denied benefits, and subjected to unsafe working conditions, including exposure to toxic pesticides and extreme heat. These problems are exacerbated by the industry's reliance on immigrant labor and migrant workers who depend on their employers for their work visas (e.g., H-2A workers), which further limits workers' ability to defend their rights without fear of retaliation or deportation.²⁰

Working conditions in agriculture and its subsectors have been shaped by a long history of racial exclusion and exploitation of workers. From the end of the 18th century to the beginning of the Civil War, the labor of enslaved Black people played an essential role in the rapid growth of the country's agricultural sector, particularly in cotton.²¹ Even after the Emancipation Proclamation and the end of the Civil War, many Black people were forced to continue working on farms in conditions closely mimicking, and at times literally perpetuating, enslavement.²² The reliance on the forced labor of enslaved Black people prior to the Civil War led to a concentration of Black workers in Southern agriculture in the decades after the war's conclusion.²³

When President Franklin D. Roosevelt and Southern Democrats struck a deal to pass sweeping new protections for workers with New Deal legislation in the 1930s, it excluded agricultural and domestic workers.²⁴ By deliberately omitting these workers—largely due to the high concentration of Black laborers in the sector—from key protections, it embedded racial inequities into the foundation of labor and employment laws that persist to this day.²⁵

Even though the racial makeup of the workforce has shifted, agriculture remains a sector that both contains significantly weaker worker protections and heavily depends on vulnerable workers of color. Congress modified employment law in the 1960s to add minimum wage requirements and restrict some forms of child labor.²⁶ In the 1980s, Congress passed additional legal protections for migrant and seasonal agricultural workers and established a work visa for farmworkers that included certain protections for those visa-holders.²⁷ But none of these laws extended unionization protections to agricultural workers, and the lack of protections at the state level and lack of enforcement resources from the federal government have left workers vulnerable to exploitation and subject to extreme power imbalance in their workplaces.²⁸ As of 2022, 73 percent of farmworkers are Hispanic, and 66 percent are noncitizen immigrants.²⁹ Many of the ills that plagued the industry more than a century ago, including forced labor, remain a part of the U.S. agricultural landscape today.³⁰



Plant Nurseries & the Houseplant Market

The “indoor plant industry” refers specifically to the production, distribution, and sale of ornamental plants—particularly indoor foliage and tropical varieties. This sector has experienced explosive growth in recent years, driven by shifting consumer preferences. Between 2016 and 2019, the indoor foliage market grew by 50 percent, and the COVID-19 pandemic accelerated this trend as people sought to beautify their homes and improve mental health during extended periods indoors.³¹ By 2024, the indoor foliage market was valued at approximately \$21 billion, with projections estimating it will reach \$30 billion by 2032.³² This growth has been fueled by younger consumers drawn to the aesthetic appeal, affordability, and perceived wellness benefits of houseplants.³³ The rise of e-commerce has also transformed the industry, allowing nurseries to reach customers directly while maintaining strong relationships with traditional retail outlets that still bring in billions of dollars every year from the sale of indoor houseplants.³⁴

Florida leads the nation in the production of indoor houseplants and tropical foliage, accounting for approximately 69 percent of the country’s supply.³⁵ According to Nursery Management, the state’s greenhouse and nursery plant production industry employs around 24,000 individuals and contributes \$2.3 billion in direct economic output.³⁶ Within Florida, Miami-Dade County stands out as the top-producing region for indoor foliage, particularly in the Homestead area.³⁷

Costa Farms, one of the largest producers of ornamental houseplants in the world, is headquartered in Miami-Dade County.³⁸ In 2017, Costa Farms was acquired by Markel Corporation, a publicly traded insurance firm, for approximately \$225 million.³⁹ At the time, Costa Farms was reported to generate “about \$500 million in revenue” and sell “some 150 million ornamental plants in about 1,500 varieties annually to Lowe’s, Home Depot, IKEA, Wal-Mart, and wholesale clubs.”⁴⁰ Costa Farms generated \$865 million in revenue in 2020 according to estimates from financial analytics firms.⁴¹

\$30B

The indoor foliage market is projected to reach \$30 billion by 2032.



THE RETAILERS SHAPING THE MARKET

The indoor plant nursery industry is heavily influenced by a handful of major retailers. According to Costa Farms CEO Jose Smith, “**Home Depot**, **Lowe’s**, and **Walmart** make up about 50 percent of the entire [indoor plant retail] market.”⁴² Along with a handful of other major ornamental and indoor plant retailers, like **IKEA**, **Costco**, **Whole Foods**, and **Trader Joe’s**, these companies dominate the retail landscape, shape consumer demand, and exert pressure on growers to meet volume and pricing expectations. Their influence extends deep into the supply chain, affecting not only what plants are grown but also how labor is organized and compensated.



Walmart

TRADER JOE'S



Source: Costa Farms, “Costa Farms Retailers,” <https://costafarms.com/pages/retailers>

PLANT NURSERY WORKERS & **WORKING CONDITIONS** IN FLORIDA

Despite the rapid growth and economic success of the plant nursery industry — particularly in Florida, which produces 69 percent of the nation’s indoor foliage — the workers who sustain this industry face a range of systemic and deeply entrenched challenges.⁴³

These problems are not incidental but are rooted in historical patterns of exclusion, deregulation, and exploitation that continue to shape the agricultural labor landscape, as discussed above in Section 1(A). Nursery workers encounter dangerous working conditions, wage theft, discrimination, harassment, and retaliation on the job.⁴⁴

There are a limited number of surveys, studies, and reports, using a variety of methodologies and sample sizes, that speak to the working conditions at plant nurseries (sometimes as part of a review of multiple agricultural subsectors or industries). These sources document the potential for human trafficking,⁴⁵ wage theft,⁴⁶ exposure to toxic chemicals and pesticides,⁴⁷ and heat-related illness.⁴⁸

The 2024 survey by WeCount!, however, sheds new light on the industry’s workforce and the working conditions in Miami-Dade County, Florida — the epicenter of the plant industry in the United States.⁴⁹ In 2024, WeCount! surveyed 323 plant nursery workers who live in Miami-Dade County about their working conditions. The survey provides a detailed and holistic view of the surveyed workers, their work environment, and major employers in the area.⁵⁰ A description of the methodology for the survey is included in the Appendix.

Nearly 75 percent of workers surveyed were women, and nearly all workers were immigrants from countries throughout the Caribbean and Latin America.⁵¹ On average, survey respondents were 35 years old and had between four and five people in their home.⁵² While the vast majority (89 percent) of plant nursery workers surveyed identified Spanish as their primary language, across the survey pool respondents spoke more than nine different languages total, and 63 percent of survey participants spoke Indigenous languages.⁵³

The workers interviewed for the survey reported work histories with a wide range of employers: the survey participants listed more than 100 plant nurseries in Miami-Dade County among their current and former employers, including large, medium, and smaller nurseries.⁵⁴ Of the survey participants, 40 percent of surveyed workers had a history with Costa Farms.⁵⁵ Survey participants performed a wide variety of job roles in the nurseries, with the largest concentration of work experience in weeding, fertilizing, planting, shipping, and pruning.⁵⁶

Dangerous Working Conditions

Agricultural work is physically demanding and often hazardous. Workers are exposed to musculoskeletal risks (e.g., falls, accidents, repetitive motion), toxic chemicals, and extreme heat.⁵⁷ Farmworkers experience “some of the highest risks of work-related musculoskeletal injury and disease in the nation.”⁵⁸ The fatal injury rate for workers in the agriculture, forestry, fishing, and hunting occupations is seven times higher than that of other workers across the country.⁵⁹ Exposure to pesticides and toxic chemicals each year causes many farmworkers to “experience the effects of acute pesticide poisoning, including headaches, nausea, shortness of breath, or seizures” as well as “chronic health problems, such as cancer, infertility (and other reproductive problems), neurological disorders, and respiratory conditions.”⁶⁰

As shown by the 2024 WeCount! survey, the plant nursery industry poses many of the same risks for workers as those experienced in the agricultural sector as a whole. Eighty-six percent of survey respondents reported suffering an accident or illness while working in a plant nursery, many reporting multiple types of accidents and illnesses.⁶¹ Nearly 45 percent of the respondents reported suffering exposure to chemicals, dirty and unsanitary conditions, injuries from lifting heavy weights, and heat stress or heat stroke.⁶² More than eight in ten respondents had observed a coworker get hurt, get sick, or have an accident in the plant nursery.⁶³

8 in 10

respondents had observed a coworker get hurt, get sick, or have an accident in the plant nursery.

44%+

of the respondents reported suffering exposure to chemicals, dirty and unsanitary conditions, injuries from lifting heavy weights, and heat stress or heat stroke.

One of the most common risks facing plant nursery workers is heat. Official statistics produced by the U.S. Department Labor document dozens of heat deaths and thousands of heat-related injuries at work each year.⁶⁴ These official numbers are widely understood to be undercounts — as even the Occupational Safety and Health Administration (OSHA) itself has recognized⁶⁵ — with deaths likely in the hundreds and injuries in the tens of thousands.⁶⁶ Agricultural workers are disproportionately workers of color who are subject to other factors which make heat stress even more of a risk,⁶⁷ and agricultural workers are 35 times more likely to die from heat-related illness compared to workers from other industries.⁶⁸ Plant nurseries often make use of greenhouses and open fields to grow their crops. While average outdoor temperatures continue to climb each summer, the temperatures and humidity in greenhouses can create even greater heat-related risks for workers.⁶⁹ Studies of heat-related illnesses and agricultural workers show that workers felt “they could not speak up or advocate for themselves regarding work conditions” for fear of retaliation.⁷⁰



WeCount!’s survey found that of the workers who observed a coworker get hurt, sick, or have an accident in their plant nursery, more than 60 percent of the time it was because of heat stress or heat stroke.⁷¹ The most common and effective ways for alleviating risk of heat stress for agricultural workers are to provide rest breaks in the shade or areas with lower temperatures to cool off and to ensure workers have access to water and can take breaks for water as needed.⁷² But nearly one in three survey respondents worked in a nursery without access to water from their employer; 62 percent of workers reported that they always or sometimes received dirty and unsanitary water from an employer.⁷³ More than 40 percent of workers surveyed reported having worked in a nursery where they were not given time to rest or eat lunch,⁷⁴ and more than four in five survey respondents worked in nurseries where shaded rest periods were not provided in very hot weather or working conditions.⁷⁵

While OSHA does require employers to provide potable water, OSHA only recommends providing shade and rest breaks; there is no clear federal legal requirement for employers to provide these protections to their workers, even though OSHA deems these measures “essential to prevent heat-related illness” and there is statistically significant evidence that heat standards reduce heat-related deaths.⁷⁶

Studies have consistently shown that long working hours “adversely affect the occupational health of workers.”⁷⁷ One multi-industry longitudinal study found that “working at least 60 hours per week was associated with a 23 percent increased [injury] hazard rate.”⁷⁸ A scoping review of studies across several industries, including agriculture, found that “fatigue contributes to fatalities, injuries, and illnesses.”⁷⁹ As noted previously, agricultural workers are excluded from federal laws that provide a right to overtime pay.⁸⁰ Unless a state provides specific overtime protections (requiring increased pay after a set number of hours per day or hours per week), agricultural workers lack baseline protections widely accepted across other industries, and Florida has no special overtime requirement for agricultural workers.⁸¹ More than half of the plant industry workers surveyed by WeCount! reported that they had at some point been required to work seven days straight without a day off.⁸²

Medical care is only sporadically available for most of the surveyed plant nursery workers. Nearly 45 percent of workers had never worked in a plant nursery where on-site medical care or attention was provided by the employer if they got injured or sick on the job; another 29 percent of workers only sometimes have worked at a plant nursery where medical care or attention was provided.⁸³ Sixty percent of workers reported never receiving paid sick or vacation days.⁸⁴

Without any right to earned sick time, workers are left with little choice but to work while sick or injured in order to keep bringing home their daily wages. Given the many risks to their safety in the workplace, this means plant nursery workers are walking a tightrope with their health, and there is no net to catch them if they fall.

50%+

of the plant industry workers surveyed by WeCount! reported that they had at some point been required to work seven days straight without a day off.

Wages

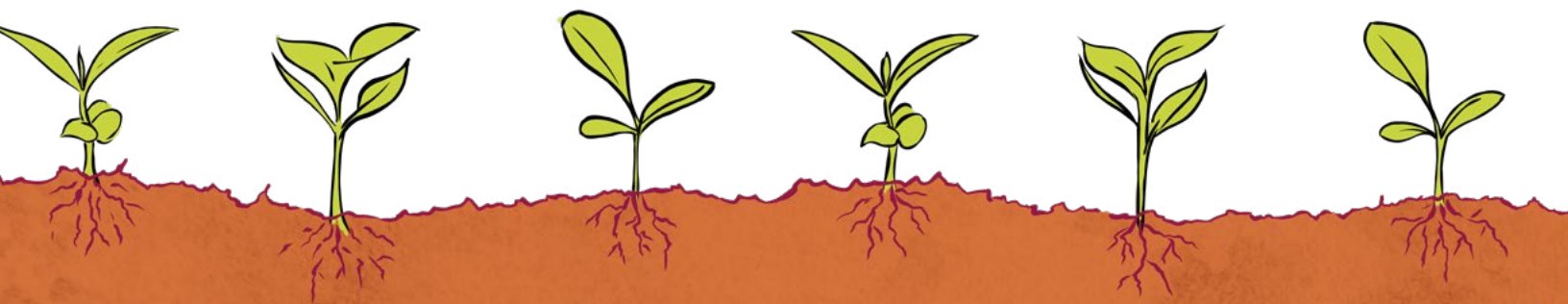
Agricultural workers face wage theft in multiple forms, while also contending with pay that fails to meet basic living needs and weaker labor standards than other low-wage sectors.

Wage theft is a pervasive and well-documented issue in agriculture and in Florida's plant nursery industry. Wage theft can happen in a variety of ways, such as:

- being paid at a rate that is less than the minimum wage,
- being required to work off-the-clock hours for which they receive no pay at all,
- being paid less or later than they were promised, or
- simply not receiving pay for hours worked.

Even when employers do follow the laws, agricultural workers frequently still earn less than comparable nonagricultural workers and less than a living wage.⁸⁵

The U.S. Department of Labor (DOL) classifies agricultural work as a “low wage, high violation” industry, and DOL has won back more than \$59 million in back wages for agricultural workers and assessed more than \$61 million in civil monetary penalties against agricultural employers over the last decade.⁸⁶ But these wage theft violations may represent just the tip of the iceberg in the agricultural industry, given that the DOL Wage and Hour Division remains severely underfunded and understaffed.⁸⁷ According to a 2020 study by the Economic Policy Institute, investigations into agricultural operations by the United States Department of Labor's Wage and Hour Division (WHD) uncovered violations 70 percent of the time, including wage theft and inadequate housing, even though WHD investigated only 1 percent of farms.⁸⁸



sembrando justicia sembrando justicia sembrando

A 2009 study of 300 agricultural workers in North Carolina found that wage theft violations were prevalent among farmworkers: 18.3 percent of all farmworkers reported wage theft, and 45.3 percent of farmworkers without H-2A visas reported wage theft.⁸⁹ A 2017 analysis found that 7.3 percent of eligible workers in Florida experience minimum wage violations, just one type of wage theft.⁹⁰ In 2007, a qualitative interview survey of 50 plant nursery workers from several plant nurseries, owners, and managers in South Florida documented the stories of workers who reported various forms of wage theft, including “‘shaving’ hours, late payments that drag on for weeks, not paying amounts agreed upon, and paying below the minimum wage.”⁹¹

One plant nursery worker, when asked if she knew the minimum wage in Florida at the time, stated, “The truth is I do not know, I do not think anyone at work would provide me with this (information), and there are no posters or information available to us.”⁹²

Another plant nursery worker explained how fear of retaliation prevented workers from reporting wage theft by the foreman: “We never talked to the owners about the issue because we were afraid to lose our jobs.”⁹³

A 2012 report that included data from interviews with 15 plant nursery owners noted that some plant nursery employers are also aware of—or even complicit with—wage theft in their industry. One employer stated, “I know that other businesses in this area are not paying their workers their full wages. This makes it very difficult for me to stay in business because I’m not cutting down on labor costs.”⁹⁴ Another employer commented, “I’m not sure what the current minimum wage rate is. I think it just went up, but I don’t pay my employees whatever amount that is because they are willing to work for a lot less.”⁹⁵



The 2024 WeCount! survey found evidence of various kinds of wage theft among a significant portion of surveyed workers. More than 20 percent of the plant nursery workers surveyed reported never receiving or only sometimes receiving the minimum wage.⁹⁶ More than a third of surveyed workers reported receiving their pay late, another form of wage theft.⁹⁷

Aside from wage theft, workers must also navigate weaker standards than those in other low-wage industries and wages that do not cover basic needs. There is no federal or Florida law requiring overtime pay for agricultural workers, and 80 percent of workers surveyed reported never receiving overtime pay when working more than

80%
of workers surveyed
reported **never receiving**
overtime pay.

40 hours in a week; another 7 percent reported only sometimes receiving overtime.⁹⁸ While not legally required, a written contract for wages is important for strengthening legal protections for workers, setting clear expectations for both parties, and preventing disputes. But nearly 70 percent of workers surveyed had never received a written employment contract, and another 11 percent had only sometimes received a contract laying out their pay.⁹⁹ Thirty percent of survey respondents had worked in plant nurseries where workers were not transparently told what they would be paid for piece-rate work.¹⁰⁰

Even when employers follow the law and pay their workers what is legally required, this is still often below the rate required for a “living wage.” A living wage “is what one full-time worker must earn on an hourly basis to help cover the cost of their family’s minimum basic needs where they live while still being self-sufficient.”¹⁰¹ Comprehensive living wage calculators, like the MIT Living Wage Calculator, factor in geographic variation in costs across the U.S. and account for family size (e.g., one working adult with no children, two working adults with one child). In Florida, the state minimum wage in 2024 was \$12.00 per hour before it increased to \$13.00 per hour on September 30, 2024.¹⁰² The minimum wage for some migrant agricultural workers (H-2A workers) in Florida in 2024 was \$14.77 per hour.¹⁰³ The living wage rate for Florida in 2024, however, was \$22.43 per hour for a family of one adult with no children.¹⁰⁴ The 2024 WeCount! survey of plant nursery workers found that the average wage of respondents was \$12.57 per hour, close to the state minimum wage in Florida at the time this survey was conducted and far below the MIT living wage rate for that timeframe.¹⁰⁵

WAGE COMPARISON

Minimum Wage, Living Wage, and Actual Earnings for Plant Nursery Workers in Florida (2024)

\$22.43/hr

MIT Living Wage Rate for South Florida

\$14.77/hr

FLORIDA MINIMUM WAGE FOR H-2A WORKERS

\$12.57/hr

AVERAGE WAGE RATE REPORTED BY SOUTH FLORIDA SURVEY RESPONDENTS

\$12.00/hr

FLORIDA STATE MINIMUM WAGE



Discrimination, Harassment, & Retaliation

Beyond dangerous working conditions and low or underpaid wages, agricultural workers also often experience disrespect and intimidation in the workplace.

Almost a third of farmworkers in the U.S. are women, and the number of women farmworkers has been rising in recent years.¹⁰⁶ Given this context, the academic literature on the experience of female farmworkers is unfortunately sparse. Still, a few studies are suggestive of serious problems endemic in the industry.

Studies have found that female agricultural workers often face distinct and understudied working conditions and occupational stressors, such as chronic illnesses, declines in mental health, and adverse impacts on reproductive health, including barriers to accessing reproductive health care services.¹⁰⁷

A 2020 survey of a convenience sample of 100 workers employed under the H-2A program, a special work visa for agricultural workers, found that 86 percent of respondents reported discrimination against women, and 67 percent said that women were prohibited by H-2A visa recruiters from being hired in the first place.¹⁰⁸ More than 30 percent of respondents reported serious verbal abuse by employers, including threats against workers and racially charged comments. The study found that 12 percent of workers reported sexual harassment on the job but noted that their “experience working with survivors of sexual violence suggests that this number grossly underreports the pervasiveness of this problem.”¹⁰⁹ Workers shared stories of supervisors retaliating against employees who complained about conditions by taking their passports; enduring serious verbal abuse out of fear; and not reporting sexual harassment for fear of retaliation.¹¹⁰

Other studies have documented the pervasive fear of retaliation among agricultural workers. A community-based study conducted during the COVID-19 pandemic in 2021 and 2022 surveyed a convenience sample of 1,242 farmworkers in California. It found that 23 percent of workers “would be unwilling to file a report against an employer if their rights had been violated” for fear of retaliation.¹¹¹

WeCount!'s 2024 survey found that 45 percent of plant nursery workers reported discrimination based on race, ethnicity, or country of origin, 53 percent reported discrimination based on language or dialect, and 50 percent reported age discrimination.¹¹² More than 75 percent of women survey respondents reported their perception that they received less pay or fewer hours than others because they were a woman. More than half of women respondents had experienced an uncomfortable atmosphere of sexual harassment, insults, or jokes.¹¹³ Half of women respondents reported their perceived experience of being dismissed or retaliated against for being a mother or being pregnant, and fewer than 1 percent of women respondents reported they had always had access to rest time and a private, safe place to breast-feed, (employees are entitled to a place to pump breast milk under federal law).¹¹⁴

The WeCount! survey also asked about respondents' ability to advocate for themselves. One in six workers surveyed had worked in plant nurseries where employers intimidated or threatened workers for organizing as part of a community-based or worker organization. More than half of respondents reported having worked in nurseries where firings or retaliation against workers occurred for exercising their rights on the job.¹¹⁵



50%+
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HOW POLICY HAS FAILED

TO MEET THE NEEDS OF FLORIDA'S PLANT NURSERY WORKERS

Efforts to improve federal labor and employment laws to include and protect agricultural workers have had only marginal success. Farmworkers only gained the right to a minimum wage in 1966, nearly 30 years after the Fair Labor Standards Act established a national minimum wage in 1938.¹¹⁶ Through their own efforts, agricultural workers have won organizing protections in several states.¹¹⁷

In one famous example, the United Farm Workers won a campaign for a 1975 law in California granting the right to organize and collectively bargain without retaliation.¹¹⁸ Yet it remains exceedingly difficult for agricultural workers to unionize in the face of employer opposition, even in states where those workers have laws that ostensibly protect them from retaliation.¹¹⁹ As of 2024, only 1.4 percent of all farmworkers were unionized, one of the lowest private sector rates in the United States.¹²⁰

Workers have tried to directly address some of the issues affecting agricultural workers by advocating for policy changes at the local government level, but the relative power of business interests have largely foreclosed this path to change, at least in Florida, as detailed below. Indeed, though plant nursery workers have led the way in fighting for heat stress protections, this fight has proven representative of the obstacles workers must overcome to win substantive changes to policy.

An illustrative example is WeCount!'s ¡Qué Calor! campaign for workplace heat standards in Miami-Dade County.¹²¹ In July 2023, the ¡Qué Calor! campaign introduced a countywide ordinance in the Miami-Dade County Commission to require employers in agriculture and construction to provide heat protections to their workers when the heat index hits 90 degrees, including heat safety education, 10-minute rest breaks in the shade every two hours, first aid and emergency procedures, and acclimatization protocols.¹²² The bill attracted national attention as “the first county-level workplace heat protections in the United States” and would have provided new rights to nearly 100,000 workers.¹²³ But this victory for worker safety was short-lived.



Costa Farms played an outsized role in blocking heat protections in Miami-Dade County. For example, Costa Farms lobbied against heat protections for workers in 2023, even though one of their workers suffered “a heat-related death” in 2021, according to reporting by the *Miami Herald*.¹²⁴ Costa Farms’ CEO also claimed in a 2023 op-ed that there was “no evidence” of “heat incidents” being work-related or work-caused in agriculture and that the county’s heat protections would “take an economic wrecking ball to” their business model.¹²⁵ However, less than a year after the CEO’s op-ed, two Costa Farms workers spoke to journalists about the dangerous working conditions they endured on a daily basis because of high temperatures¹²⁶

The fight against the law played out at both the county and state levels. At the county level, a coalition of agricultural and construction industry lobbyists, including Costa Farms and the Florida Nursery, Growers and Landscape Association (FNGLA), won changes to the initial language of the ordinance and mounted significant pressure that flipped more than half of the Miami-Dade County elected officials’ votes.¹²⁷ On November 2023, after passing the ordinance through first reading and a committee hearing, the Miami-Dade Commissioners ultimately caved to industry pressure and decided to defer the final vote to the spring of 2024.¹²⁸

Before the county officials brought the heat protections up for another vote, the Florida State Legislature intervened by introducing preemption legislation. In April 2024, Governor Ron DeSantis signed HB 433, a law “that prevents cities or counties from creating protections for workers who labor in the state’s often extreme and dangerous heat.”¹²⁹

The intense opposition to heat protections from the business lobbying at the county level and the subsequent preemption by the state government provide a snapshot of the obstacles to pursuing policy solutions to the urgent crises facing many workers. This same playbook has been deployed around the country to suffocate other efforts to win basic worker protections—heavy business lobbies, claims that life-saving heat protections for workers would kill off entire industries, and preemption of local protections by state government.¹³⁰

Given this political context and recent history, plant nursery workers in Florida currently lack a credible path forward using traditional policymaking processes. With those options foreclosed, workers have turned to a promising new model for rectifying unjust power imbalances in the workplace: Worker-driven Social Responsibility.

100°

On average, daytime highs in South Florida reach 90°. The heat index creates conditions that feel like temperature exceeding 100°.



WORKER-DRIVEN SOCIAL RESPONSIBILITY: A PROVEN MODEL

Governments may fall short in protecting workers' rights due to limited resources or political will. While unions can offer strong protections where collective bargaining is upheld, millions of workers are either excluded from these rights or face systemic barriers to exercising them, which has led unionization rates to decline to record lows.¹³¹

As part of the agricultural industry, plant nursery workers are currently excluded from key labor and employment law protections in the United States, including the National Labor Relations Act (NLRA). When they have tried to win legal protections through government policy, nursery workers have encountered a slow and cumbersome policymaking system skewed toward powerful business interests.

Worker-driven Social Responsibility (WSR) has emerged as an effective solution to “ensure the real, verifiable protection of human rights in corporate supply chains.”¹³² Led by the Coalition of Immokalee Workers (CIW), a farmworker-led human rights organization based in Immokalee, Florida, workers picking tomatoes in Florida innovated and developed the WSR model through a sophisticated understanding of modern contracting and supply chains, deep knowledge of and adaptation to industries, and a relentless pursuit of strategies that center the human rights of historically marginalized workers.¹³³



The core components of the WSR model include the following:¹³⁴

WORKER-DRIVEN MODELS

To effectively build power and address the current conditions in the workplace, a program for protecting workers must be driven by those who are most affected — the workers themselves. Workers must lead the creation, monitoring, and enforcement of programs intended to improve their working conditions in corporate supply chains where it has been difficult for workers to unionize.

LEGALLY BINDING AGREEMENTS

WSR programs are built on binding agreements directly between worker organizations and the brands and retailers at the tops of supply chains, creating the necessary incentives for workers' direct employers to improve working conditions.¹³⁵ These agreements create enforceable market consequences for companies in their supply chains. Large buyers must (a) buy first from suppliers that maintain good standing with a WSR program and (b) shift purchases away from suppliers that cannot comply with a WSR program's protections for workers.

MONITORING & ENFORCEMENT

The design of know-your-rights education, compliance monitoring, and program enforcement must provide workers with a powerful and effective voice in the protection of their own rights. Workers must drive the creation of standards for a uniform code of conduct for their industry, and program compliance requires independent verification with those standards by an auditor selected by the worker organization (as opposed to a corporate-selected monitor), as well as clear, swift consequences for noncompliance. One of the most noteworthy examples is the Fair Food Program (FFP), created by the Coalition of Immokalee Workers (CIW). The FFP's standards are largely based on existing state and federal protections for farmworkers, though these laws are frequently underenforced outside of the FFP, and the FFP provides additional protections in areas where those laws are lacking, such as heat protections.¹³⁶

CIW built powerful coalitions of workers, consumers, students, and faith communities who then brought large corporations to the negotiating table.¹³⁷ The FFP covers private-sector workers and is the result of privately negotiated and binding legal agreements between the CIW and large food retail companies at the top of supply chains (as opposed to the growers or farm labor contractors that directly employ farmworkers within those supply chains).¹³⁸ The agreements obligate large food buyers, such as McDonald's, Whole Foods, Trader Joe's, and Walmart, to buy first from growers that are in compliance with an independent monitoring program (the Fair Food Standards Council) and a Code of Conduct directly informed by farmworkers in the industry.¹³⁹ If a grower falls out of compliance with the standards of the program, the buyers at the top of the supply chain must shift their purchases to other growers that are continuing to treat their workers in accordance with the law and the FFP's standards.

Economic incentives and consequences, combined with a rigorous worker education and monitoring program, have proven exceptionally successful in securing workers' rights on the ground. The FFP has transformed the Florida tomato industry, once dubbed "ground zero for modern-day slavery," into the "best workplace environment in U.S. agriculture."¹⁴⁰ The workers on FFP farms have "one of the most well-reported and effective grievance and remedy systems" against forced labor, physical violence, sexual harassment, or heat stress in the industry.¹⁴¹ Wage theft and verbal abuse are exceedingly rare and, when uncovered, swiftly investigated and resolved. Wages have "increased by 60 to 100 percent,"¹⁴² and even the farm owners have "benefited from a more stable workforce and improvements in safety and productivity."¹⁴³

While the FFP covers 20,000 farmworkers, this is still a small portion of the more than 2.6 million agricultural workers in the country.¹⁴⁴ For the many workers outside the FFP, dangerous working conditions, low wages, wage theft, and even forced labor are still serious risks.¹⁴⁵

In the nearly 15 years since it was established, the effectiveness of the FFP and the WSR model has been widely and repeatedly recognized. The Obama-Biden administration awarded CIW a Presidential Medal in 2015 for its "extraordinary accomplishment" in "effectively eradicate[ing] human trafficking in the farms that participate in their Fair Food Program."¹⁴⁶ The United Nations' Special Rapporteur on Trafficking in Persons has stated that the FFP "must be considered as an international benchmark" for addressing labor trafficking in corporate supply chains.¹⁴⁷ In 2021, the UN Working

Group on Business and Human Rights recognized that “worker-driven social responsibility initiatives, such as the Coalition of Immokalee Workers’ Fair Food Program, demonstrate the benefits of developing site-level grievance mechanisms and that their usual shortfalls can be avoided by giving workers a leading role in shaping and monitoring these mechanisms.”¹⁴⁸

Government agencies and academic experts have also recognized that the FFP and WSR represent the rare counterexample to the ineffectiveness of traditional social auditing. Following the discovery of cases of modern-day slavery documented on Mexican tomato farms by U.S. Customs and Border Protection (CBP), CBP issued public guidance citing the FFP’s success in combatting forced labor in contrast to “the drawbacks of the audit industrial complex.”¹⁴⁹ After a separate case of forced labor on American farms was uncovered by the DOL and other agencies,¹⁵⁰ DOL published guidance endorsing the FFP as an effective way to combat human trafficking.¹⁵¹

A 10-year study released in July 2020 by the Institute for Multi-Stakeholder Initiative Integrity — an independent organization initially incubated at Harvard Law School and dedicated to measuring the effectiveness of corporate social responsibility (CSR) programs¹⁵² — contrasted the failed corporate social responsibility audit model directly with the FFP’s worker-driven social responsibility (WSR) model, finding as follows:

“Given the demonstrable failure of corporate social responsibility schemes and multi-stakeholder initiatives, Worker-driven Social Responsibility (WSR) is the only existing model with the proven potential to afford protection for the most vulnerable and lowest-wage workers in global supply chains.”

A 2021 study by the Re:Structure Lab, a project of Sheffield, Stanford, and Yale Universities on how to address exploitative labor practices, found that “where workers are demanding adoption of a worker-driven social responsibility (WSR) solution to address a human rights risk in a company’s supply chain, investors can, and should, follow the lead of those workers in pressing the company to adopt that solution.”¹⁵³

NEXT UP FOR WORKER-DRIVEN SOCIAL RESPONSIBILITY: **THE PLANTING JUSTICE CAMPAIGN**

Other worker organizations have taken note of the FFP’s success and the unique power of the WSR model, and groups have launched their own WSR campaigns and programs in various industries and across international boundaries — notably dairy,¹⁵⁴ construction,¹⁵⁵ fishing,¹⁵⁶ and¹⁵⁷ garments.¹⁵⁸

Inspired by the success of the FFP, a Vermont-based organization called “Migrant Justice” developed the Milk with Dignity Program. After a multiyear campaign, they successfully signed a binding agreement with ice cream brand Ben & Jerry’s in 2017, securing protections for dairy workers in its supply chain.¹⁵⁹ Now, plant nursery workers in South Florida, organized through WeCount!, have begun building their own worker-driven program. The program, closely modeled after the FFP, is called “Planting Justice.”¹⁶⁰

Some large plant nursery businesses, like Costa Farms, have already deployed many of the same corporate social responsibility arguments that other companies have used in the past to deflect attention from the problems inherent to the industry and the role of large companies in perpetuating those problems: that employers support their workers but oppose any enforceable regulations creating rights for their workers;¹⁶¹ that employers already prioritize safety;¹⁶² and that any change to their industry that could create measures of accountability to those workers would be “an existential crisis” for businesses.¹⁶³

However, the plant nursery industry carries many of the parallels to the tomato industry where the FFP was born: Large corporate retailers with immense purchasing power sit at the top of the supply chain; vulnerable Black, brown, and immigrant workers make up a majority of the workforce; those workers experience shocking working conditions, “including poverty wages, lack of benefits, sexual harassment and violence, dangerous exposure to pesticides, and lack of protections from extreme heat;”¹⁶⁴ and now those workers have begun to organize for a WSR program to correct the power imbalance in their industry.

The development of the Planting Justice program is driven by plant nursery workers with a deep understanding of the challenges workers face in the industry.¹⁶⁵ WeCount! and plant nursery workers are seeking binding agreements with the largest players in the industry: large corporate retailers and the plant nurseries that grow and supply their plants. Through these agreements, WeCount! is working to establish basic dignified conditions through a Code of Conduct across the industry, including fair wages and benefits, safe working conditions, and protections from job hazards like extreme heat, pesticides, and lightning storms.¹⁶⁶ Planting Justice's monitoring and enforcement processes will be conducted by an independent nonprofit monitoring organization modeled on the Fair Food Standards Council to ensure that workers are provided with the protections outlined in the Code of Conduct, able to fully exercise their rights on the job without fear of retaliation, and able to swiftly resolve any complaints that arise.

Beyond directly organizing plant nursery workers, WeCount! has noted that there is also significant support among houseplant consumers for a WSR program in the industry. In 2025, WeCount! commissioned a national survey of more than 2,000 houseplant consumers, which found an overwhelming preference to buy from plant nurseries and retailers that respect plant nursery workers' rights.¹⁶⁷ More than 96 percent of respondents "said they are less likely to buy plants from a retail store or plant nursery that is engaged in harmful labor practices against plant nursery workers," and 97 percent said they are more likely to buy from sellers that are "credibly certified as socially responsible and [provide] safe and dignified working conditions to plant nursery workers."¹⁶⁸ Social media influencers, who play a critical role in driving consumer decisions on purchases of indoor and ornamental plants, have also weighed in on the crisis facing plant nursery workers and their particular concerns with the treatment of workers.¹⁶⁹



96%+

of respondents "said they are **less likely to buy plants from a retail store or plant nursery that is engaged in harmful labor practices against plant nursery workers.**"

CONCLUSION



The plant nursery industry provides a powerful case study in the broader shortcomings of U.S. labor policy.

Despite driving a multi-billion-dollar sector, nursery workers — many of whom are immigrant women and workers of color — continue to endure unsafe conditions, poverty wages, and exclusion from fundamental labor protections. These injustices are not incidental; they are the product of decades of deliberate policy choices that have marginalized vulnerable workers while increasing corporate control and enabling business models that prioritize profit over people.

In response, workers themselves are leading the movement for change. Through organizing and advocacy, they are advancing Worker-driven Social Responsibility, a proven model that places workers at the center of labor rights enforcement. The Planting Justice program, spearheaded by WeCount! in Florida, exemplifies how workers can build collective power alongside consumers and other allies to demand fair pay, safe workplaces, and dignity on the job. By designing their own standards and ensuring monitoring and enforcement of those standards, workers are not only challenging exploitative practices but also laying the groundwork for a more equitable and sustainable industry.

APPENDIX

Conducted from April to July of 2024, the WeCount! survey was designed to capture the experiences of plant nursery workers across a wide range of employers in Miami-Dade County. To achieve this objective, the research team administered a survey of approximately 45 to 60 minutes in duration to a purposive sample of workers.

Given the sensitive nature of the questions being asked, establishing trust with respondents was of paramount importance. Accordingly, the research team began by recruiting workers who already had a relationship with the nonprofit, for example through receiving legal services or attending know-your-rights training. Approximately 50 percent of the sample was recruited through this method. Survey respondents were asked for referrals to other workers, and approximately another 40 percent of the sample was recruited through this “snowball” method. Finally, the approximately remaining 10 percent of the sample was recruited without any referral, largely by conducting direct outreach to workers at nursery sites within Miami-Dade County.

To ensure trust, cultural competence, and familiarity with the research setting, interviews were conducted by peer plant nursery workers who received three months of training from WeCount! staff before initiating interviews. If the language was not spoken by the interviewer, the interviewer recruited another worker to help interpret, including in Mayan indigenous dialects. Interviewers approached potential respondents and scheduled a time to conduct the interview in a setting comfortable to the respondent—for example, the WeCount! office or respondent’s home. No incentive was given to complete the interview, but despite this, the response rate was relatively high. WeCount! staff retrospectively estimated that 50 percent or more of workers approached agreed to do the survey and more than 75 percent of those who scheduled an appointment to conduct the survey completed the full survey instrument.¹⁷⁰

The survey instrument was drafted in Spanish and administered verbally so that respondent literacy levels would not be a barrier to survey completion. In cases when the respondent did not speak Spanish, if the interviewer had a language in common with the respondent, the interviewer interpreted the survey on the spot and conducted the interview in that language. If the language was not spoken by the interviewer, the interviewer recruited another worker to help interpret. The survey instrument included both close- and open-ended questions, collecting information about the respondent’s current and former employers; demographic characteristics; hours and wages at the current employer; work-related injury and illness; access to water, bathrooms, and work equipment; discrimination and harassment; other aspects of work conditions and priorities for improving work conditions; and information about whether the respondent would like to be more involved with WeCount!, as well as qualitative information about how the respondent would change the work environment to make it more just.

Responses were recorded by hand on paper, then transferred to KoboToolbox, the platform used for this data analysis.

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