

# Voices from the Fields:

## Nonechka Insights on Farmworker Vulnerability and Exploitation in American Agriculture

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## I. The Issue

### Background on Labor Trafficking

Labor trafficking and exploitation in the U.S. agricultural industry are serious human rights concerns. On farms, labor trafficking frequently involves capitalizing on workers' vulnerabilities and structural weaknesses in agricultural supply chains. Many practices in the industry (e.g., deceptive recruitment, dependency on a sole employer for a temporary visa, economic coercion) inherently increase workers' vulnerability, even when such practices are legal or commonly accepted. And these vulnerabilities create conditions ripe for abuse and exploitation.

Labor trafficking and exploitative working conditions not only harm workers' rights and well-being — they also pose a serious legal and reputational risk to companies committed to ethical operations and supply chain integrity. Traditional top-down approaches to oversight often fail to uncover hidden abuses, especially at the grower level, where the most vulnerable workers are employed. Without trust in the system, workers may stay silent, fearing retaliation or doubting that speaking up will lead to meaningful change.

Addressing these human rights risks effectively requires collaborative engagement, not only among businesses, suppliers, and worker-trusted stakeholders, but also with government actors whose policies and enforcement mechanisms set the baseline for accountability. By co-designing systems that center worker voice and align private initiatives with public regulation, stakeholders can build a more robust and transparent framework for ethical labor practices. Prioritizing worker insights, deeper supplier collaboration, and effective government oversight fosters transparency, strengthens trust among consumers and employees, and helps prevent abuse.



### *The Federal Definition of Labor Trafficking*

Labor trafficking is codified in the United States as: "*The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery*" (22 USC § 7102(9)).<sup>1</sup>



## H-2A Temporary Work Visas

These risks are even present in legal arrangements like the H-2A program, which aims to address domestic labor shortages by filling temporary and seasonal agricultural jobs with nonimmigrant foreign workers.<sup>2</sup>

The number of H-2A workers in the U.S. has been increasing steadily over the past decade. In 2024, the U.S. Department of Labor Employment and Training Administration’s Office of Foreign Labor Certification approved 384,900 H-2A positions<sup>3</sup> — up from 275,000 in 2020.<sup>4</sup> This trend reflects a growing reliance on the H-2A program to meet labor demands in the U.S.

However, despite growing reliance on H-2A workers, the program’s structure and implementation continue to give traffickers plenty of opportunity to exploit workers. Employers control housing, transportation, and visa status, creating power imbalances. Worker complaints can lead to retaliation, including deportation.

## A Lack of Oversight Capacity

Despite the substantial number of agricultural labor trafficking victims — as well as the projection that there are significantly more victims of labor trafficking than sex trafficking<sup>6</sup> — only 2% of new U.S. human trafficking federal cases in 2023 and 3% in the last five years prior have been reported as labor trafficking prosecutions.<sup>7</sup>

This imbalance is due to several factors, not least of which are systemic gaps in labor law. Farmworkers were historically excluded from many New Deal-era labor protections, including the National Labor Relations Act and the Fair Labor Standards Act (FLSA).<sup>8</sup> As a result, farmworkers today lack protections, such as the right to unionize under federal law, overtime pay in many states, and appropriate child labor restrictions.<sup>9</sup>

Furthermore, the government has limited capacity to enforce existing protections. Agencies like the Occupational Safety and Health Administration (OSHA) within the Department of Labor are under-resourced for the scale of the agricultural industry.<sup>10</sup> Similarly, for the Wage and Hour Division, which enforces labor standards under the Fair Labor Standards Act and the Migrant Seasonal Agricultural Worker Protection Act,<sup>11</sup> inspections are infrequent, especially in rural or remote areas, leaving wage and housing standards inconsistently enforced.

*Victims Identified through the U.S. National Human Trafficking Hotline, 2015-2022<sup>5</sup>*



**7,588**

victims of labor trafficking in agriculture



**4,668**

of those victims held H-2A visas

*Caseloads for Wage and Hour Investigator: 1978 v. 2018<sup>12</sup>*



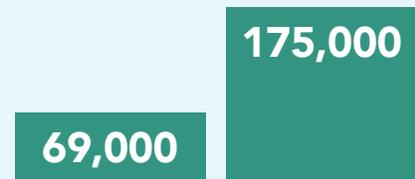
**WORKERS PER INVESTIGATOR**

**69,000**

1978

**175,000**

2018



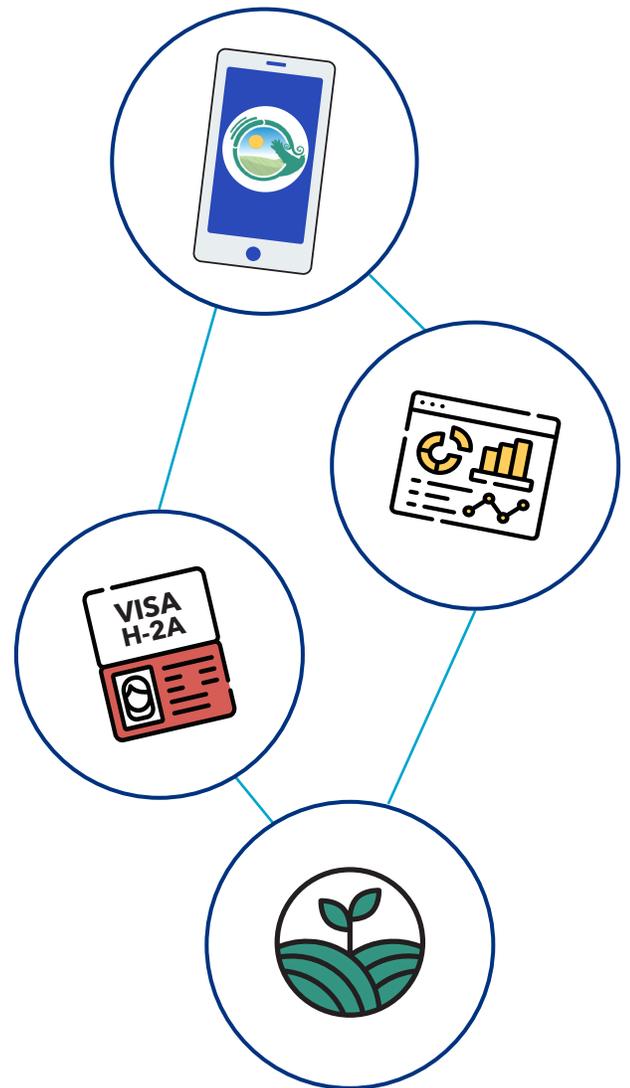
## II. About This Brief

To illuminate and improve this landscape, Polaris sought to understand the **experiences of agricultural workers in the U.S.** and to amplify their voices to providers, private-sector leaders, policymakers, and other stakeholders. This particular project explored the actual recruitment and working conditions that these workers face.

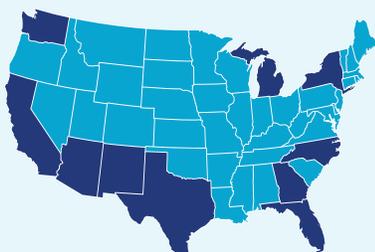
Through **Nonechka**, a cell phone-based communications tool launched in 2020, Polaris deployed two short questionnaires: one on recruitment for H-2A workers only and one on working conditions for all agricultural workers. These questionnaires were available as a written, multiple-choice survey via WhatsApp or as an audio-based survey using interactive voice recording technology. (For more on Polaris and Nonechka, see the Appendix.)

This brief presents key findings drawn from survey responses from **more than 2,900 farmworkers** employed in the U.S. between July 2021 and July 2024. Respondents who shared location information represented 18 states including Arizona, California, Florida, Georgia, Michigan, New Mexico, New York, North Carolina, Texas, and Washington in the U.S. In Mexico, responses came from Hidalgo, Veracruz, and San Luis Potosí, where workers were either in the recruitment phase or had returned home after the U.S. agricultural season.

It is important to note that these surveys are not designed to determine whether a respondent experienced or is experiencing labor trafficking.<sup>13</sup> Instead, Nonechka enables Polaris to document workers' experiences of force, fraud, or coercion to understand their vulnerabilities and the recruitment and labor conditions that make them susceptible to labor trafficking, exploitation, and other abuse.



### Respondents who shared location information represented:



**UNITED STATES:** Arizona, California, Florida, Georgia, Michigan, New Mexico, New York, North Carolina, Texas, Washington



**MEXICO:** Hidalgo, San Luis Potosí, Veracruz

## III. Key Findings

Polaris found that **79% of survey respondents had experienced at least one type of potential force, fraud, or coercion** in their workplace.

### #1



#### Fraud

The most commonly reported type of potential fraud was misrepresentation of the number of working hours expected (41%). On the one hand, some respondents worked fewer hours than promised, making it hard for them to earn enough to meet basic needs or repay debts incurred during recruitment, which can push workers further into debt bondage. On the other hand, working more hours than expected can lead to physical and mental exhaustion, increasing risk of injury and burnout; furthermore, these excessive hours are often unpaid or underpaid.<sup>14</sup>



#### 59% reported at least one indicator of fraud, such as:

- Worse working conditions than initially indicated
- False promises about working hours
- Pay withheld or not paid on time

### #2



#### Force

Nearly half (46%) of respondents reported having insufficient resources to leave their job and return home, indicating a clear constraint on their agency. This is exacerbated by physical isolation, as agricultural work is often conducted in remote, rural areas with limited access to support systems, legal aid, or public services. Workers can also be confined to employer-provided housing and denied transportation to other locations, limiting workers' ability to report abuse, seek help, or escape exploitation.



#### 49% reported at least one indicator of force, such as:

- Physical or verbal abuse
- Inappropriate advances of a sexual nature
- Dependence on the employer or recruiter to leave the premises
- Isolation from contact with the outside world
- Restrictions on autonomy and decision-making

### #3



#### Coercion

Approximately one in five respondents (19%) depended on employers for access to basic needs, creating economic dependency that severely limits their ability to report or exit exploitative conditions. Other respondents reported that employers withheld essential resources, such as food, unless certain conditions were met — clear attempts to create an environment of fear and dependence.



#### 37% reported at least one indicator of coercion, such as:

- Document confiscation
- Withholding basic needs
- Restricting movement
- Threats and intimidation

## IV. Recommendations

The experiences that agricultural workers shared through Nonechka paint a troubling picture. Practices such as unpaid or underpaid labor, false promises during recruitment, and dependence on employers for basic needs — though sometimes legal or unregulated — significantly erode worker autonomy and create conditions ripe for abuse and trafficking.

Without stronger worker protections and accountability mechanisms, proactive monitoring, and structural reforms, these cycles of vulnerability and abuse will continue, pushing workers deeper into exploitation and increasing liability for those who overlook and benefit from harmful practices. Based on Nonechka's findings and its own experience in the field, Polaris encourages the following recommendations for various stakeholder groups:

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### Nonprofits, Service Providers, and Organizers



- Build trusted relationships with workers (including protecting data collection, providing accessible referrals and support, etc.).
- Share relevant, timely information about rights, resources, and protections through accessible mediums in appropriate languages.
- Incorporate and amplify worker voices for policy and program purposes.
- Build collaborative networks that enable intelligence-sharing among trusted partners for increased accountability.

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### Corporations and the Private Sector



- Assess and align your own business practices to reduce risk and operationalize internal policies and procedures, including a Code of Conduct, which are the minimal requirements for a business employing any workforce.
- Provide staff with regular training and guidance on labor trafficking and exploitation, ideally using survivor-informed/ designed trainings and materials.
- Implement accountability mechanisms for your human rights procedures, engaging suppliers as a key stakeholder, requiring suppliers to have an effective anti-human trafficking program/Code of Conduct in place, and eliminating unsatisfactory or bad actors from your supply chain.
- Provide safe and accessible channels for workers to get information about rights and resources and to report abusive people or practices without fear of retaliation.

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### Policymakers



- Seek input from workers who are most vulnerable to trafficking and organizations representing their perspectives, and improve the ease and accessibility of reporting options and other communications.
- Advance policies safeguarding agricultural workers' rights while maintaining all existing protections (e.g., maintaining workplace safety standards, increasing whistleblower protections, upholding due process for victims).
- Appropriate funding for labor enforcement efforts with the Department of Labor's Wage and Hour Division and the Department of Homeland Security Center for Countering Human Trafficking's specialized labor trafficking investigation teams.

# Appendix

## About Polaris

Named after the North Star, an historical symbol of freedom, Polaris is a leading survivor-centered organization whose mission is to end sex and labor trafficking and support victims and survivors on their journeys toward freedom. From 2007 to 2025, Polaris operated the U.S. National Human Trafficking Hotline, providing 24/7 support and connecting victims and survivors to support and services. The organization has assisted thousands of victims and survivors across all 50 states, U.S. territories, and 179 countries.

Through that work, Polaris holds the largest dataset on human trafficking in North America, which — combined with over two decades of learning from survivors — informs effective response, accountability, and prevention strategies. For example, its Financial Intelligence Unit has produced more than 100 open-source intelligence packages flagging individuals, businesses, and networks potentially involved in trafficking for further investigation by partners. Polaris was also a founding member of the Alliance to End Slavery and Trafficking national advocacy coalition, helping lead efforts to pass nine federal and 100+ state laws across the country.

Since 2016, Polaris's Workers' Rights team has prioritized responding to labor trafficking and exploitation in agriculture between the U.S. and Mexico. In addition to coordinating a North American safety net with the Canadian and Mexican human trafficking hotlines, they engage grassroots partners, service providers, international organizations, government agencies, and the private sector in learning from workers, raising awareness of the issues, strengthening worker protections, and disrupting trafficking and exploitation.

## About Nonechka

One initiative under the Workers' Rights program is Nonechka,<sup>15</sup> a cell phone-based digital engagement platform to support isolated migrant agricultural workers in the U.S. and Mexico. The name "Nonechka" means "close to me" in Nahuatl, an indigenous language spoken in Mexico.

Developed by Polaris and powered by Ulula, Nonechka provides safe and anonymous channels — including interactive voice response, SMS text messaging, and WhatsApp — to share information about rights and resources with workers and to document their recruitment and employment experiences. Since its launch in Mexico in 2020, this tool has evolved through several iterations in partnership with workers and local organizations. To date, it has reached more than 11,000 agricultural workers, who primarily learn about Nonechka through direct outreach by Polaris and partner organizations, and radio and social media.

## Endnotes

- 1 National Human Trafficking Hotline. (n.d.). Federal law. Polaris Project. Retrieved July 1, 2025, from <https://humantraffickinghotline.org/en/human-trafficking/federal-law>
- 2 U.S. Department of Labor, Employment and Training Administration. (n.d.). H-2A temporary agricultural program. U.S. Department of Labor. Retrieved June 1, 2025, from <https://www.dol.gov/agencies/eta/foreign-labor/programs/h-2a>.
- 3 U.S. Department of Labor, Employment and Training Administration. (2025). H-2A selected statistics: Fiscal year 2024, quarter 4 [PDF]. Retrieved June 12, 2025, from [https://www.dol.gov/sites/dolgov/files/ETA/oflc/pdfs/H-2A\\_Selected\\_Statistics\\_FY2024\\_Q4.pdf](https://www.dol.gov/sites/dolgov/files/ETA/oflc/pdfs/H-2A_Selected_Statistics_FY2024_Q4.pdf)
- 4 U.S. Department of Agriculture, Economic Research Service. (n.d.). Economic Information Bulletin No. 238: Summary [PDF]. Retrieved July 1, 2025, from [https://ers.usda.gov/sites/default/files/\\_laserfiche/publications/104606/EIB-238\\_Summary.pdf](https://ers.usda.gov/sites/default/files/_laserfiche/publications/104606/EIB-238_Summary.pdf)
- 5 The National Human Trafficking Hotline is supported by the Administration for Children and Families (ACF) of the United States (U.S.) Department of Health and Human Services (HHS) as part of a financial assistance award totaling \$7 million, with 93% funded by ACF/HHS and \$0.5 million and 7% funded by non-government sources. The contents are those of the authors and do not necessarily represent the official views of, nor an endorsement, by ACF/HHS, or the U.S. Government. For more information, please visit the ACF website, Administrative and National Policy Requirements: <https://www.acf.hhs.gov/administrative-and-national-policy-requirements#chapter-8>.
- 6 International Labour Organization. (2022). Data and research on forced labour: Main Figures on Forced Labour. International Labour Organization. Retrieved from <https://www.ilo.org/topics/forced-labour-modern-slavery-and-trafficking-persons/data-and-research-forced-labour>
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- 8 Gray, M., Donaldson, N., & Miller, K. (2023). The New York Farmworker: Hours, Wages & Injuries. Amherst: UMass Amherst Labor Center. Retrieved September 3, 2025, from <https://www.umass.edu/labor/research/working-paper-series/new-york-farmworker-hours-wages-injuries-full-report>
- 9 National Employment Law Project. (n.d.). U.S. labor law for farm workers. Retrieved September 2, 2025, from <https://nfwl.org/farm-workers/farm-worker-issues/labor-laws/>
- 10 The AFL-CIO's Death on the Job: The Toll of Neglect, 2024 states that in FY 2023 there were 1,875 inspectors (853 federal and 1,022 state) to inspect 11.5 million workplaces under OSHA's jurisdiction.
- 11 U.S. Department of Labor. (n.d.). About Us – Wage and Hour Division. Retrieved September 3, 2025, from <https://www.dol.gov/agencies/whd/about>
- 12 Costa, D., Martin, P., & Rutledge, Z. (2020, December). Federal labor standards enforcement in agriculture: Data reveal the biggest violators and raise new questions about how to improve and target efforts to protect farmworkers (Report). Economic Policy Institute. <https://www.epi.org/publication/federal-labor-standards-enforcement-in-agriculture-data-reveal-the-biggest-violators-and-raise-new-questions-about-how-to-improve-and-target-efforts-to-protect-farmworkers/>
- 13 Determining whether or not a situation is labor trafficking requires assessment according to the AMP (Action, Means, Purpose) Model framework. For more information, see Polaris Project. (n.d.). Understanding human trafficking. Polaris Project. Retrieved July 1, 2025, from <https://polarisproject.org/understanding-human-trafficking/>
- 14 Under the federal Fair Labor Standards Act, agricultural workers are not generally entitled to overtime pay, although state-based laws in California, Washington, New York, and Oregon require employers to comply with expanded minimum wage and overtime protections.
- 15 Polaris Project. (2022, May 13). Nonechka. Polaris Project. <https://polarisproject.org/nonechka/>