



Estella Cisneros

Protecting Farmworkers' Rights

Directing Attorney, California Rural Legal Assistance

WORKS: Fresno | LIVES: Fresno

FIELD: Workplace Law

The daughter of Mexican farmworkers who immigrated to the United States, Estella Cisneros grew up in Merced County in the heart of the state's agricultural region. Cisneros attended Stanford University and Yale Law School before returning home to the Central Valley after stints in Sacramento, San Francisco, and New York. In her role as directing attorney at the non-profit California Rural Legal Assistance in Fresno, she provides legal counsel for mostly immigrant farmworkers. She was singled out by Forbes in its 2012 "30 Under 30" law and policy list.



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Estella Cisneros knows what a privilege it is to study at Stanford and Yale. It was total culture shock for this small-town girl, the daughter of farmworkers from the Central Valley town of Planada, and the first in her family to go to college. “Stanford was really my first time out of the Central Valley,” says Cisneros, 33, the directing attorney at [California Rural Legal Assistance’s](#) Fresno office. “And for the first time in my life I saw stark disparities in income levels, quality of life, and other inequities. It took leaving the Central Valley for me to be able to look back and see there are a lot of things wrong with the Central Valley.”

Cisneros offers an overview: The largest agricultural powerhouse in California, the Central Valley struggles with environmental problems, including increasingly polluted air, soil, and water, due largely to corporate agricultural entities. It’s also home to some of the most exploited workers in the state, some documented, some not, many of whom face wage theft, unsafe work conditions, and sexual harassment on the job.

Cisneros was determined to come back to use her education to help her community. “I think people who leave and come back have a unique perspective on the Central Valley,” she says. “I felt called to return to contribute because a lot of people don’t. I’d come home from college to see people who didn’t have enough money to eat. Because it was home, it was personal. Who else is going to help make the Central Valley a better place for people than someone who grew up there?”

Cisneros says many Americans—even those who live in the farm country, drive Highway 99, and see fields to the horizon—don’t realize where their food comes from or the labor required to get it to a grocery store. That’s not her experience. Her parents are field workers: Cisneros’s dad picks mostly table grapes, her mom mainly harvests sweet potatoes. They’ve also worked on peach and cherry farms. Her father’s father picked crops in the United States as a *bracero*, part of a controversial program that allowed seasonal farmworkers to live temporarily in the US from 1942 to 1964. As a teenager, Cisneros herself earned money in the summers picking peaches, figs, and blueberries. “I did it for a very short period of time. I didn’t have the patience for it,” she says. “It’s really hard work.”

Cisneros thought she’d be an immigration attorney but found the cases too emotionally taxing. Employment law proved a good fit. “The low prices that we pay for food, especially produce, in America, has to do with how prevailing wage theft is in the agricultural industry,” she says of a business ingrained with what she calls “the historical vestiges of racism that dates back to slavery.” “We want all the benefits of low-paid workers. Yet we don’t want to deal with this population of working poor.”

In the Fresno office of CRLA, this 50-year-old statewide organization represents agricultural workers in dairy, farm, produce-packing, and nursery jobs. Much of Cisneros’s work revolves around wage issues (theft, minimum wage violations, discrimination, retaliation); she also takes on cases involving

worker health and safety concerns (sanitation, heat protection, water breaks) and sexual harassment claims. But it's wage theft cases that represent the bulk of Cisneros' business. "Wage theft is such a prevailing crime in low-paid work in California—and agriculture is particularly bad," says Cisneros, whose clientele includes only documented workers, in accordance with funding laws that CRLA, a federally-funded non-profit, must abide by. "I think employers and farm labor contractors think they can get away with cheating these workers out of what they're owed." The same holds true, she adds, for rampant sexual harassment against mostly female farm labor.

For undocumented farmworkers—which may account for 75 percent or more of agricultural workers, Cisneros' hands are tied. Her parents, both documented immigrants, have frequently seen these most vulnerable field workers exploited. "We would love to represent as many people as possible. The regulations are what they are for political reasons; it's a very sensitive topic," she says. "That's what it's been for a couple of decades."

Still, she's had many significant victories among the hundreds of documented farmworkers she has represented. "There is something incredibly powerful about having people who are traditionally underrepresented or disadvantaged have an attorney represent them in court or in administrative hearings," says Cisneros. "We win most of the cases we take. California law is pretty good for agricultural workers and there are a couple of good hammers here that apply to all workers."

A good day for Cisneros? When she wins a claim putting money rightfully where it belongs in a worker's pocket. Her biggest individual judgment: \$30,000 in owed wages; the employer is on a payment plan to pay it back. "That was a really good day," says Cisneros. Any settlement goes entirely to the client; CRLA does not charge legal fees. "On the individual level, even \$3,000 in owed wages is enough to buy a car and that can make a total difference in someone's life. This is not chump change for our clients."

Another good day? When Cisneros is able to force compliance with workplace health and safety rules such as water, shade, and a restroom, basic services that many non-ag employees take for granted. "We're just trying to make sure that workers

are protected and get what the law says they're entitled to, what any other person would want if they put in a hard day's work," she says.

She understands that legal compensation has its limits. "There is so much more that people want and need than what the law can give them. Most of the time legal remedies revolve around money, reinstatement, or training for the workforce," she says. "If you've been sexually assaulted at work, you most likely don't want to go back there. It's traumatic. At the end of the day you're left with the reality that your suffering is worth a certain amount of money, that's it. That's how civil cases work."

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This attorney also finds herself frequently explaining to clients the difference between the law and justice. "Something might be unfair—such as a mean boss—but it's not unlawful," says Cisneros. "It may still be abusive and a worker may suffer but being a jerk isn't against the law."

Nonetheless, Cisneros is driven by a strong moral compass. "Agriculture is a multibillion dollar biz in California. So how is it that some people aren't even earning minimum wage as farmworkers?" she says. "That continues to confound me and it fuels me to do the work I do because everybody eats food and everybody needs food. There's a whole group of people who pick our produce and process our food who have to go on food stamps or go to food pantries to support their own families and that makes no sense to me."—Sarah Henry