



THE AGRICULTURAL INDUSTRIES TRANSPORTATION SERVICES:  
MEETING THE TRANSIT NEEDS OF RURAL CALIFORNIANS





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THE CITY OF ORANGE COVE

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TABLE OF CONTENTS

INTRODUCTION ..... 1

ATTS ..... 2 - 10  
How ATTS Works, ATTS Drivers, Riders, Public Benefits: Air Emission Reductions, Employment Law

ATTS: FUNDING RECOMMENDATIONS ..... 11 - 13  
Sustainable and diversified funding solutions

ATTS: PROGRAM RECOMMENDATIONS ..... 14 - 15  
Recommendations from improvement, expansion and replication of ATTS

IN CONCLUSION ..... 16

APPENDICES (1 THROUGH 9) ..... 17 - 19

## INTRODUCTION:



Agricultural workers continue to face dangerous conditions on their way to work everyday due to the limited transit options that are currently available to them. Due to the fact that the average annual income for agricultural workers is \$11,525\*, many face serious financial constraints that limit their ability to afford a car, insurance, maintenance and fuel. In addition, given the fact that anywhere from 60 to 70% of agricultural workers are working in this country without proper work authorization they are ineligible for a driver's license. Driving without a license leads to additional costs such as impoundment costs, loss of vehicle and fines. Nonetheless, 39% of all agricultural workers still drive their own vehicle, with and without a license.

As a result of these and other constraints, 28% ride with others, 4% ride in labor buses, trucks or vans, and 27% ride with a 'Raitero'\*\*. For those agricultural workers that ride with others, especially with a Raitero, it often consists of overpayment and inconsistency of rates, dangerous driving and unreliable pickups. For all workers that make a payment for a ride to work, 5% pay less than \$10, 33% pay between \$10 and \$19, 43% pay between \$20 and \$29, and 20% pay \$30 or more weekly. It is also important to note that these costs are not just reflective or dependent on the costs of gas given the distance that they may be traveling, because 49% of workers pay a fee in addition to the cost of gasoline\*\*\*.

In 1999, a series of tragic accidents in the Central Valley brought Statewide attention to the unsafe transit options that existed for agricultural workers. First on August 9, 1999, a van transporting 13 agricultural workers collided with a semi truck near Five Points, a rural intersection in West Fresno County, which caused the death of all 13 workers. Most of

the victims rode on three bare benches in the back of the van. The workers were not wearing seatbelts. Just one month later, on September 10, 1999, thirteen workers were injured south of Fresno when an unlicensed van driver failed to stop for a posted stop sign and collided with another car. The van had seven seats – all with seatbelts – but four more people were seated on the floor. All in all, there have been 63 deaths of agricultural workers since 1994 while riding aboard farm labor transportation vehicles. At the time of these incidents 45% of work-related fatalities in agriculture were vehicular related\*\*\*\*. As a result, the State legislature approved AB 1165 (Florez) and AB 555 (Reyes) which established strict farm labor vehicle certification requirements, including seatbelts for every passenger; \$1.75 million was appropriated to the California Highway Patrol for the CHP Farm Labor Vehicle Inspection & Certification Program to enforce these and other transportation safety laws. Although, this program has provided greater enforcement of existing transportation safety laws for agricultural workers, it does not resolve the core problem for agricultural worker transportation - a safe alternative.

\* The California Farm Labor Force: Overview and Trends from the National Agricultural Workers Survey. Aguirre International, June 2005. p. 27. Weighted average formula =  $0.18*(0) + 0.24*(10000) + 0.33*(12500) + 0.2*(20000) + 0.04*(25000)$

\*\* The California Farm Labor Force: Overview and Trends from the National Agricultural Workers Survey. Aguirre International, June 2005. p. 47.

\*\*\* The California Farm Labor Force: Overview and Trends from the National Agricultural Workers Survey. Aguirre International, June 2005. p. 47.

\*\*\*\* US Department of Labor, Feinstein Press Release, November 2000.

## AITS: SAFE AND AFFORDABLE ALTERNATIVE

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In 2000, Congress acted to bring an end to the unsafe transportation options agricultural workers faced on a daily basis, by appropriating \$4 million for innovative programs to address the unique transit needs of this significant population. The pilot was targeted at Fresno, Kern, Kings, and Tulare Counties, with a matching \$4 million from the State Public Transportation Account. Out of these resources, Kings County Area Public Transit Agency (KCAPTA) received \$5.8 million and through trial and error, and an unfettered commitment to provide safe and affordable transit alternatives for agricultural workers, KCAPTA launched the Agricultural Industries Transportation Services (AITS) in April of 2002 with 123 new 15-passenger vans. AITS has succeeded in providing a safe and affordable alternative to help meet a significant amount of the transit needs of agricultural workers in their service area. This innovative transit system is a model that can be replicated across the agricultural areas of the State and Nation.

## I. HOW AITS WORKS



Unlike most conventional county transit programs, but much like other vanpool programs AITS drivers are not county employees they are agricultural workers. This is one of the significant factors that has made AITS efficient and successful in meeting the transit needs of agricultural workers. Having agricultural workers provide their own transit routes facilitates meeting unconventional schedules, location pick-ups and destinations, and many other unique transit parameters for the agricultural worker.

There are currently 123 15-passenger vans in the agricultural worker vanpool program of which 100 are available and the remaining are kept as spares. The vans are each insured at \$2 million. Seventy-three percent of the vans' destinations are to agricultural fields and 32% go to other value-added agricultural locations, i.e. Packing, poultry facilities and food processing.



Each driver is responsible for getting the targeted amount of 14 passengers for their vans to make the program as resourceful as possible. The drivers are given some flexibility in attaining this target when the respective seasonality of the crop is beginning or ending. During the conduction of this survey in April the average van carried 9 passengers [10.25 average for field destinations and 8.85 for non-field destinations]. However, during the peak of the season in July AITS reported an average of nearly 11 passengers per van.

Each driver is responsible for collecting the transit fee from his/her riders and turning in the final amount to AITS on a weekly basis. The fees are dependent on mileage traveled and a schedule is posted in all vans to ensure no overcharging occurs. (See Appendix 1 - Farm Labor Vanpool Fee Schedule & Guidelines)

All AITS vans are equipped with GPS and radio communication equipment that monitor speed, location and mileage. This equipment has allowed for the vans to remain on location at the driver's homes. This has facilitated the efficient use of the vehicles and the use of time of the drivers and riders.



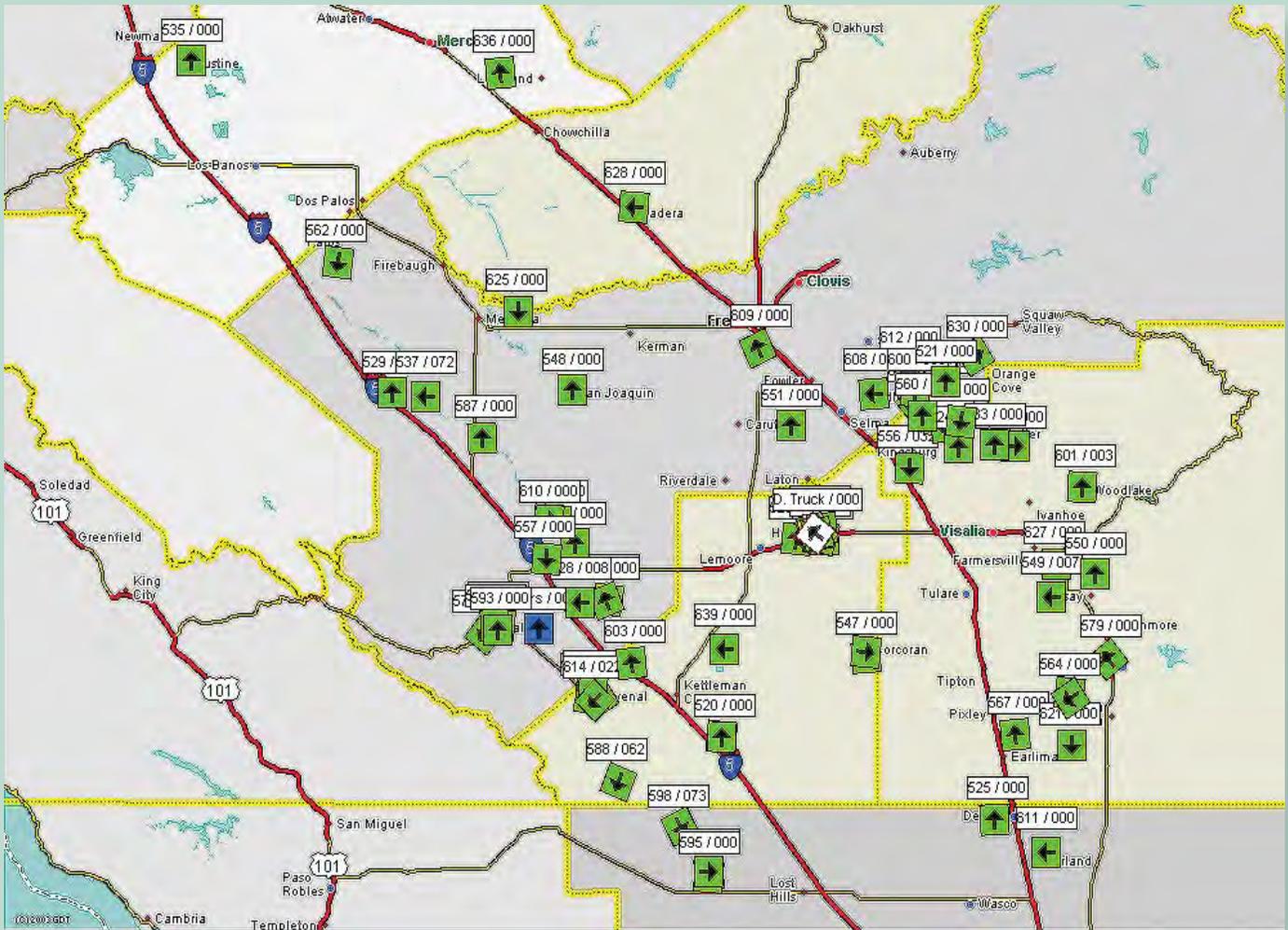
AITS staff ease the use of the vans for drivers by going on location to either their homes or work sites to conduct the needed maintenance work on the vans, from oil changes to battery changes.

At the end of a season, the driver returns the vehicle back to AITS where it is cleaned and prepared for the next eligible driver.



# I. HOW AITS WORKS (CONTINUED)

## MAP OF FARM LABOR VANPOOL



## II. AITS DRIVERS



The basic eligibility criteria for being an AITS driver includes a class C driver's license, a clean driving record and passing a Class B physical. The incentives for agricultural workers to volunteer to become AITS drivers is that they do not have to use their own vehicles, they do not have to pay for gas and they can make incidental stops on their way home from work. Drivers set their own rules as far as pick-up locations, time and conduct. However, it is important to recognize that these advantages are not a net gain for most drivers and that there is in fact a certain amount of altruism within each AITS driver, because they are often the last to return home and the first to wake, the ones responsible for picking everyone up on time, and most notably have all passed on their ability to be mainstream Raiteros. In essence, the AITS drivers have foregone an opportunity to charge a fee for their transportation services. This opportunity exists as a result of the limited supply of license-eligible drivers within the agricultural workforce.

*"A driver really doesn't receive any net benefit anymore, ...because we are not allowed to have a surcharge for ourselves"*  
*Trinidad Orta, Sanger, CA*

The success of AITS has largely depended on the critical decision made by drivers to give up the opportunity to personally benefit from charging riders. An interesting finding of the demographics of these drivers is that they are exceptionally representative of the local population. On average the drivers have been working in the agricultural industry in the Central Valley for over 8 years. Most have worked in agriculture for even more years, but in the Central Valley, 8 years. Undoubtedly, AITS is serving its regional population for their continuous transit needs.

Perhaps the most noteworthy finding of the driver demographics is the significant percentage of female drivers. Forty-seven percent of the drivers to 'non-field' agricultural destinations are women; driving at an almost equal rate to men (See Chart 1 - Driver Demographics). Although the spread is greater for 'field' destinations, where 28% were female drivers and 72% were male, it is still highly significant given that the percentage of the female to male population for the overall agricultural worker population is 27%\*, meaning that AITS has remarkably been able to offer the same opportunity for female agricultural workers as their male counterparts.

CHART 1. DRIVER DEMOGRAPHICS



\* The California Farm Labor Force: Overview and Trends from the National Agricultural Workers Survey. Aguirre International, June 2005. p. 49.

### III. RIDERS

#### SAFETY REALITY AND PERCEPTION:

Due to the overwhelming lack of safe transit options to agricultural workers, improved safety was the leading impetus behind offering more transit options for agricultural workers. Beyond the concrete evidence of greater safety, such as insurance, seatbelts, seats, and responsible drivers, there is no greater measure of success than that of the workers' perception of feeling safer.

*"My former transportation/van's door did not  
open from the inside"*  
Michaela Pimentel, Huron, CA

When asked to rank the AITS vans against their former form of transportation, on average the workers rated AITS at 9.67 versus 8.68 for their former transportation. Hence, on average workers felt that they were 10% safer riding in AITS vans than in their previous form of transportation.

In addition, 92% of the riders are aware that the AITS vans are insured, as opposed to only 85% of their previous form of transportation. Workers are not only receiving safer transportation, but are feeling safer when they ride in AITS vans.

*"Well for me this program is very good,  
because it is in line with all the prerequisites  
that it is supposed to have, like insurance.  
Well, in a few words it is a safer form of  
transportation and more reliable."*  
Jose Isabel Tetiello Bedolla, Dinuba, CA

Below are the results from examining the dependent relationship of safety with years in the program, years in agriculture in the Central Valley, current driver same as previous, gender of driver and destination.

$Y$  (Feel Safe) =  $X_1$  (years in program) +  $X_2$  (years in agricultural work) +  $X_3$  (driver same as old) +  $X_4$  (female rider) +  $X_5$  (male rider) +  $X_6$  (field) +  $X_7$  (non-field)

The major finding from this relationship is that the most significant gain in safety perception was felt by field workers. (See Appendix 2 - Safety Regression)



### III. RIDERS (CONTINUED)



#### RELIABILITY:

In addition, to a safer form of transportation, van-pooling is commonly related to greater reliability for riders and their employers. Ana's struggle was not uncommon amongst the riders, especially the 'non-field' riders. Unlike the field riders who for the most part were already traveling in vans, the 'non-field' riders do not have the transportation as directly tied to their employment. Hence, the 'non-field' workers often struggled more with basic access to transportation.

*"I'm satisfied with the transportation and the driver, because I struggled a lot to get rides to work, that is why I'm satisfied"*  
Ana Lilia Leon, Sanger, CA

This greater reliability has greatly impacted the ability for riders to arrive to work safely and on-time. All riders reported on average that they arrive on time to work 98% of the time. The mode (which was also 66% of the riders) is even more reflective of the reliability of AITS, because they reported arriving on time to work everyday (100%). Often reliability and vanpooling in general are seen as potential disincentives for riders, because of the false assumption that in order to achieve timeliness riders must wake-up earlier. However, seventy-two percent (72%) of the riders reported using the same amount of commute time.

*"Our driver is doing a good job. The way she treats us is very nice and most importantly we are always on time for work"*  
Guadalupe Ramos, Dinuba, CA

#### COMFORT:

The safety features of the AITS program, like seats and seatbelts for every rider have greatly contributed to the comfort as well as the safety of this transit program. Driving in the Central Valley in the middle of the summer can be a difficult and potentially hazardous situation if your vehicle is not properly equipped to protect you from the heat. The benefit of a well-operating air-conditioning system is one of the greatest unanticipated benefits of AITS. This past summer (2005), the Central Valley agricultural industry suffered from the deaths of four agricultural workers due to heat. Having the ability to cool the body from job-site to job-site and after a days work while in transit is absolutely beneficial to the health and safety of agricultural workers.



*"It is better because it has air conditioning, its more comfortable and its safe."*  
Refugio Rodriguez, Selma, CA

### III. RIDERS (CONTINUED)

#### SAVINGS:

AITS is an agricultural vanpool program where no profit can be made by the driver of the vans and all fees charged to the riders go directly to cover the costs of the program. The fees are established by distance traveled as reflected in the following Fee Schedule:

#### WEEKLY FEE FOR AITS PASSENGERS

WEEKLY MILEAGE	WEEKLY FEE PER RIDER
Less Than 400 miles	\$ 20.00
Between 401 & 600 miles	\$ 25.00
Between 601 & 800 miles	\$ 30.00
Between 801 & 1,000 miles	\$ 35.00

The miles per week and who rides is reported by the driver weekly (See Appendix 3 - Weekly Report Form). AITS has a zero-tolerance for overcharging by drivers. Although this policy deterred many drivers from abusing the prices, 2% of the riders reported being overcharged. Cost consistency is a key factor of the success of AITS.

There is anecdotal evidence that the fixed AITS rates have already become price setters for the private Raitero prices. For most agricultural workers these transit fees are less than their previous form of transportation.

On average all agricultural workers are saving \$8.33/weekly, with Field Workers saving an average of \$7.69/weekly and non-Field workers saving \$10.17/weekly. These savings are considerably significant, increasing an average agricultural worker's disposable income by up to 3.33%!

\*  $\frac{\{[(\text{Average Weekly Savings}) * 4] / [(\text{Annual Income}) / 12]\} * 100}{\%}$  increase in disposable income.

#### RIDER DEMOGRAPHICS:

Although riders going to field destinations were 24% women and 76% men, for workers going to non-field destinations, like packing sheds the female riders were an outstanding 76% and 24% male. Given that the drivers for non-field destinations were almost fifty-fifty, men-to-women, the proportion of female to male riders for non-field reflects a higher propensity for female workers to vanpool. This finding is helpful for discussions on AITS expansion. Overall, 37% of riders are female and 63% are male.

## IV. PUBLIC BENEFIT: AIR EMISSION REDUCTIONS

Although the original intent of public funding for AITS was based on the increased safety its transit service would afford agricultural workers, AITS has surpassed that public benefit and has multiplicatively increased the benefits to the communities it serves and the State of California. In addition to the greater reliability, comfort, affordability and opportunities for agricultural workers, the reduced cumulative emissions have contributed to improving the air quality in the Central Valley.

In order to calculate the estimated air emissions reductions that AITS has yielded some assumptions have been made in order to derive a credible range. The major differential to base these assumptions is if the driver is the same driver or a different driver than their previous form of transportation.

If a rider has continued to have the same driver there is an assumption that rider was previously riding in a van, just not one with one as efficient as the AITS vans. This assumption is based on the fact that AITS vans are LEV Medium Duty, and provided scheduled maintenance for oil, smog and other general maintenance. As such, the estimates for ‘Same Drivers’ will be based on a new van’s emissions\* versus an old van’s emissions\*\*. Conversely, If a rider reported that he/she had a “Different Driver” there is an assumption that the rider was previously not riding in a van. Therefore, the estimates for ‘different drivers’ will be based on a new van’s emissions\*\*\* as compared to an individual car\*\*\*\*.

Total Emissions Savings for the 522 interviewed riders range from 1,348.2 to 1,722.6 tons of annual Greenhouse Gas Emissions (See Appendix 4 - Emissions Savings Estimate). Given that the riders that were interviewed were approximately 62%

of the total number of AITS riders served this year\*\*\*\*, the estimated total Greenhouse Gas Emissions reductions that AITS yields is between 2,174.52 to 2,871 tons of Greenhouse Gas Emissions annually (See Appendix 5 - Annual Emission Reduction & Savings for Van Projects).



\* [www.fueleconomy.gov](http://www.fueleconomy.gov) estimates a 15-passenger van emits 10.5 tons of greenhouse gas emissions annually.

\*\* [www.fueleconomy.gov](http://www.fueleconomy.gov) estimates a 15-passenger van emits 12 tons of greenhouse gas emissions annually.

\*\*\* [www.fueleconomy.gov](http://www.fueleconomy.gov) estimates a 15-passenger van emits 10.5 tons of greenhouse gas emissions annually.

\*\*\*\* [www.fueleconomy.gov](http://www.fueleconomy.gov) estimates an individual car emits 8 tons of greenhouse gas emissions annually.

\*\*\*\* Only 61 of the 98 vans were in operation during the time of the interviews.

## VI. EMPLOYMENT LAW

### DRIVER'S RELATIONSHIP WITH RIDERS:

The AITS drivers' employment relationship with their passengers can be employer (supervisor/foreman) or coworker. When the driver is the employer or supervisor there is often a direct relationship between the transportation and the employment. Sixty-eight percent (357/522) of AITS riders are driven by their employers/supervisors and 29% (152/522) are driven by a coworker (See Chart 2 - Driver Employment Relationship). AITS does not change the fundamental dependency of a worker's transit to his/her employment.

The survey showed that the use of the AITS vans have not significantly impacted the workers/riders perception of feeling required to ride in their employers' vans. The majority of the riders (72%) stated that their dependency of transit to their work was the same, 17% felt that it was better and 1% felt worse. Hence, although AITS does not propose to address the inter-dependency of employment to transit, it does have a slightly more positive impact on the workers' sense of freedom and viewing AITS transit as voluntarily.

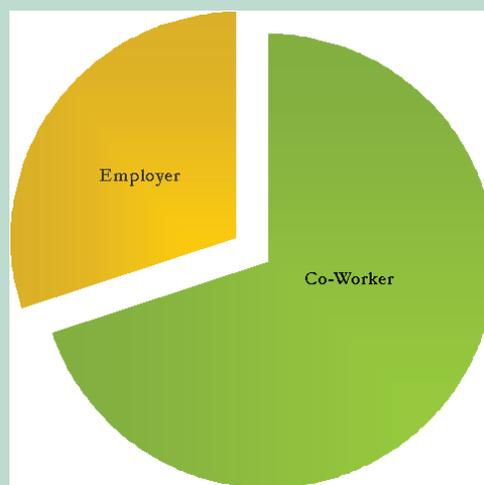
Some drivers stated that the reason for their participation in the program was because the company they worked for required that they use the AITS vans. Although this trend is a positive reflection of the large benefit and support that agricultural employers have for AITS, requiring the transit may trigger mandatory compensation for time of travel if the requirement for the drivers compels the riders to use only these vans.

Current law requires that when an employer requires "compulsory travel", the time spent during travel must be recorded and paid. (Morillion, et. v. Royal Packing Company, et al.) In a case decided in 2004, Medrano v. D'Arrigo Brothers Company of California (Case Number C 00-20826 JF (RS)) the Court ruled that D'Arrigo failed to accurately compensate some of their employees, in particular, the company failed to pay wages during mandatory travel time as required by

California Industrial Welfare Commission ("IWC") wage order No. 14-80 ("Wage Order No. 14-80"), California Labor Code section 205.5, and section 1832(a) of the Migrant and Seasonal Agricultural Worker Protection Act.

Based on this precedent, it is imperative for employers who utilize AITS vans to comply with the law by compensating employees for all time spent traveling when the use of the vans is required or by insuring that the use of the vans is purely voluntary. (See Appendix 6 - AITS Driver Agreement, which references the two relevant sections [15 & 16] of the AITS Driver Agreement that states all of the terms and conditions regarding Federal and State labor law.)

CHART 2. DRIVER EMPLOYMENT RELATIONSHIP



## AITS: FUNDING RECOMMENDATIONS



Based on findings from direct survey responses and correlations found within them, the following recommendations are offered for the expansion and improvement of AITS.

### **AGRICULTURAL TRANSIT - UNMET NEEDS:**

Many counties throughout the state with similar unique transit needs primarily in their rural areas are ripe for adoption of AITS program and potentially as an extension of the existing program. Particular counties for similar needs are Monterey, Santa Barbara, San Benito, Kern, Santa Cruz, Imperial, Riverside, Madera, Yolo, San Joaquin, Sacramento and many others. Some of the neighboring counties are already benefiting from AITS, like Madera, Fresno and Kern.

Fresno County transit leaders have included agricultural worker transit needs in their recent “Transportation Needs in Fresno County and the Proposed Extension of Measure C”. They are proposing funding anywhere from 250 to 500 vans, costing anywhere from \$1 to \$2 million for Fresno County alone.

Santa Barbara’s County Association of Governments (SBCAG) has been particularly inspired by AITS. Previously, SBCAG staff used the many difficulties inherent in designing agricultural workers transit as an excuse to delay its funding and to cast doubts about its feasibility\*. However, this fall Santa Barbara County allocated \$150,000 of TDA funds to pilot an AITS program in their county for targeted transit service for strawberry workers.

In San Benito County, Earthbound Farm has contracted with the county to pay \$56 per employee, per month, to ride the shuttle. Employees will receive a pass which they can use on an unlimited basis (including weekends and holidays) to ride any of the county’s buses. Earthbound Farm will pilot the program this Spring, beginning with several stops in Hollister, and hope

\* Meeting Notes from the SBCAG April Meeting.

to expand the program to Salinas, Gilroy and Watsonville in the months to follow.

The creativity and willingness to address agricultural workers’ transit needs is clearly increasing across the state. Furthermore, tragic agricultural vehicular accidents continue to occur. In November of 2005, five agricultural workers went off the edge of a canal on their way to work in Stanislaus County. Only two survived. In December of 2005, four agricultural workers were killed in a traffic accident south of Fresno.

There is both the continued need and the growing interest to continue to address the unmet transit needs of agricultural workers. The AITS transit service is a successful and efficient model that should be expanded or modeled to meet the unmet transit needs of agricultural workers throughout the state.

### **POTENTIAL FUNDING FOR AITS:**

The successful expansion of the AITS service throughout the state can take place carefully and sustainably through the use of a diversified pool of local, regional, state and federal funds. These funds can help meet specific capital infrastructure and operation and maintenance needs.

### **TRANSPORTATION DEVELOPMENT ACT (TDA):**

The TDA provides two major sources of funding for public transportation: the Local Transportation Fund (LTF) and the State Transit Assistance (STA). (See Appendix 7 - Transportation Development Act)

Unlike most other State funding, which can only be used for capital expenditures, TDA funds can be used for both capital (equipment acquisition) and operating costs. Clearly, the most appropriate use of TDA funds for agricultural transit is to fund the operation and maintenance costs to expand AITS or to implement new services.

## FUNDING RECOMMENDATIONS (CONTINUED)

The key of course is for the county to consider the proposed agricultural worker transit as a service eligible for TDA funding during its Unmet Needs hearings. Furthermore, it is important to consider the unique circumstances of agricultural workers when determining what qualifies as an operational cost. Unlike most other jobs in California, agricultural work is highly variable and many times, especially during the fall and spring, riders go to work without specific assurances that their will be work for them due to the weather\*\*. Hence, many workers might pay the cost of transit without making any money that day. This scenario is rare in most other individuals who depend on public transit. Because TDA resources only require a 10% farebox recovery ratio, alleviating this unfortunate burden on agricultural transit users is possible while helping counties with the operational and maintenance costs of providing agricultural workers transit services as well as appropriately subsidizing the rates for agricultural workers.

### **PUBLIC TRANSPORTATION ACCOUNT (PTA):**

The PTA offers a unique opportunity to fund vehicles or other capital needs for AITS. Proposition 42 transfer (allowed for the first time in 2005) provided a funding boost for transportation, and specifically, an additional \$127 million went to the PTA, half of it went to the State Transit Assistance Program and the other half is available for transit projects in the STIP.

Normally, vehicle acquisition projects programmed in the STIP (referred to as rolling stock) would need to be federalized because of the Article XIX restriction on use of the State Highway Account for rolling stock projects. But with the additional revenue from the Prop 42 transfer and other sources (Indian Gaming bonds, spillover funds and loan repayments) the account will provide 75% of the programming capacity for the new STIP when it is adopted in April 2006.

\*\* Wage Order 14 states that Act of God, hence workers who show up for work do not receive any pay.

The opportunity for AITS is that counties must identify enough PTA-eligible projects to maximize their 2006 STIP county shares, as these types of projects will have high priority for funding.

The opportunity for AITS is that counties must identify enough PTA-eligible projects to maximize their 2006 STIP county shares, as these types of projects will have high priority for funding. Although it may be too late to submit candidate projects for inclusion in the STIP adoption, it is always possible for counties to add projects via a STIP Amendment as long as a county has unprogrammed capacity.

Acquiring AITS vehicles through the STIP, with PTA funds, does not require matching funds, which can facilitate purchases for agencies with little or no alternative funding.

### **JOB ACCESS / REVERSE COMMUTE (JARC)- FTA SECTION 5316 GRANT PROGRAM:**

On August 10, 2005, President Bush signed the Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU). Among the changes initiated by SAFETEA-LU is the establishment of the Job Access and Reverse Commute Program (JARC), a new FTA Section 5316 Grant Program to be administered by the Caltrans' Division of Mass Transportation. This new formula-driven program develops transportation services for welfare recipients and low-income individuals to and from jobs, and from urban centers to suburban employment opportunities. The annual competitive application process is mandated with all projects being derived from a locally developed human services transportation coordination plan.

## FUNDING RECOMMENDATIONS (CONTINUED)

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The planning process must include representatives of the public, private, and nonprofit transportation and human services providers as well as the public.

JARC provides funds for planning, capital, and operating costs for projects to transport welfare recipients and eligible low-income individuals to and from jobs and employment related activities. The focus is on the expansion of existing public transit service, late night and weekend service, new transit service, and promotion of transit vouchers and employer-provided transportation. JARC grants can support up to 80 percent of capital projects and not more than 50 percent of projects for operating assistance.

Based upon FTA estimated apportionment, designated 5307 entities will implement 77% of the JARC formula grant program in large urban areas at the regional level. Caltrans will implement a portion (23%) of the JARC formula grant program in the small urban and rural areas statewide. An annual statewide competitive application process must be conducted to award JARC grants.

### **CAPITAL - 2006 INFRASTRUCTURE BONDS:**

The hard capital investment needed to get these programs off the ground is significant and currently only feasible through federal allocations of state or local bond measures. Hence, in order to establish the capital for agricultural worker transit programs across the heavily agricultural areas of the State, the State Infrastructure Bond would require an allocation of \$13 to \$52 million.

## AITTS: PROGRAM RECOMMENDATIONS

This pioneering program has many areas for program improvement that will further enhance their current success.

### **REDUCTION IN FEES:**

Not only do agricultural workers pay slightly more on daily transit fees than other public transit users, they are significantly burdened by the aforementioned “Act of God” days, where they pay for their transportation but do not actually work. AITS and any other transit agency that may adopt a similar project, should estimate at least 12 days annually of “Act of God” days in their planning estimates in order to establish their program in a manner that appropriately subsidizes these low-income workers.

In addition, a task force should be established with interested employers to explore the feasibility of maximizing the \$150 tax-free transit benefit for employees (TEA-21, tax-free limit on transit/vanpool benefits). The ability for employers to ride-off this transit expense would greatly benefit the employer and the worker.

### **TRANSIT FEE ENFORCEMENT:**

Although limited, there were reported cases of overcharged riders by their drivers. AITS staff has a zero-tolerance policy whereby a driver loses the privilege to participate in the program if found to be overcharging. Although it is clear that this practice is by no means prevalent, it is unclear how often or more importantly consistent AITS staff conduct random investigations to prevent and regulate fee enforcement.

There is a need for AITS and any other transit agency that may adopt a similar program to include a programmatic allocation of staff time to consistent investigations to take place as a part of the service. Furthermore, as this service is expanded throughout the state, there may be a need to examine a more appropriate enforcement agent.

### **DRIVER COMMUNICATION:**

There is an opportunity to further increase communication amongst drivers who are going to the same or near locations to more often maximize the number of riders per van. Some end-location sites have already begun to do this communication organically. AITS could administer certain information to help facilitate this communication earlier and more often. For instance, providing contact information of all drivers to all drivers that are transporting to the same location. And providing contact information of all drivers to all riders that are transported to the same location. AITS is currently updating their website ([southvalleyrideshare.com](http://southvalleyrideshare.com)) where participants will have the opportunity to list their vans for others to find.

### **BACK-UP DRIVERS:**

Although having back-up drivers is already a recognized component of the AITS program, there is still more effort needed to ensure that all vans have a designated back-up driver in case of illness, emergency or other circumstances that may prevent the lead driver from driving. This issue is highly dependent on the pool of available drivers which is discussed below.

### **INCIDENTAL MILEAGE:**

Many drivers have requested an exploration of the opportunities to expand the use of the vans for more diversified uses or to simply increase the amount of incidental mileage afforded to drivers. There are many other beneficial transit services that these vans can provide off-season that should be explored to better service the communities. A taskforce should be established to examine the opportunities of a more diversified use of these vans.

## PROGRAM RECOMMENDATIONS (CONTINUED)

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### **AMENITIES:**

The most unanticipated direct benefit of the AITS program has been the amenity of Air Conditioned Vans! Although this is a common amenity in all transit services it is one of the most beneficial residuals of this program. The summer heat of 2005 took the lives of four agricultural workers in the Central Valley. The necessity for relief from heat is a serious need for agricultural workers and having a well operating air-conditioning system is imperative to providing that relief. Although only a handful of riders surveyed requested that their van's air-conditioning system be fixed, it is vital that all vans have properly functioning air-conditioning systems. An improved tracking and maintenance system for air-conditioning and heating systems may be necessary to ensure greater success.

Second to Act of God days, the most solicited recommendation that riders offered for improving the service provided by AITS was the amenity of the vans having CD players instead of just AM/FM stereos. It is important to note that most other modern day vanpools do have vans with CD players.

Often time the distance and duration of travel is over an hour and having listening options is beneficial. In addition, many riders requested that TVs be installed in the vans.

### **ELIGIBLE DRIVERS:**

Seventy percent to as many as 94% of the AITS riders are not currently eligible for a State driver's license. As AITS looks to expand through the Central Valley and for all those other transit agencies exploring this model, the plausible reality of saturating the supply of available drivers interested and eligible to drive is likely to occur. A statewide task force should be established to examine the feasibility of a specialized driver's license for AITS drivers in order to successfully expand the program.

## IN CONCLUSION

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The AITS program has been incredibly successful in meeting the transit needs of hundreds of agricultural workers in the Central Valley. 2006 is filled with tremendous opportunities to improve, expand and replicate AITS throughout the State. Through the leadership of local transit agencies and the availability of local, regional and state funds, agencies can finally meet the transit needs of agricultural workers throughout the state.

## APPENDIX 1: FARM LABOR VANPOOL FEE SCHEDULE & GUIDELINES

THE DRIVER IS RESPONSIBLE AND LIABLE FOR COMPLIANCE WITH ANY APPLICABLE PROVISIONS OF THE MIGRANT AND SEASONAL AGRICULTURAL WORKER'S PROTECTION ACT AND THE CALIFORNIA LABOR CODE. FOR EXAMPLE, DRIVER UNDERSTANDS AND AGREES THAT HE/SHE:

- a. CANNOT CHARGE (OR COLLECT FROM) ANY VANPOOL RIDERS ANY MONIES OR FARES GREATER THAN THE FEE ESTABLISHED BY KCAPTA.
- b. CANNOT BE PAID BY OR ACCEPT ANY MONIES FROM ANY EMPLOYER FOR TRANSPORTING WORKERS.
- c. CANNOT REQUIRE ANY WORKERS, AS A CONDITION OF EMPLOYMENT ANYWHERE, TO RIDE IN A VANPOOL VEHICLE.
- d. CANNOT OFFER ANY INDUCEMENT(S) TO, OR RECEIVE ANY INDUCEMENT(S) FROM, EMPLOYER OR ANY VANPOOL RIDERS FOR TRANSPORTING.

### WEEKLY FEE FOR AITS PASSENGERS

THE WEEKLY FEE SHALL BE BASED ON TOTAL MILES DRIVEN AS REFLECTED IN THE FOLLOWING FEE SCHEDULE:

WEEKLY MILEAGE	WEEKLY FEE PER RIDER
Less Than 400 miles	\$ 20.00
Between 401 & 600 miles	\$ 25.00
Between 601 & 800 miles	\$ 30.00
Between 801 & 1,000 miles	\$ 35.00

## APPENDIX 1: FARM LABOR VANPOOL FEE SCHEDULE & GUIDELINES

EL CONDUCTOR ES RESPONSABLE INDIVIDUALMENTE POR EL CUMPLIMIENTO DE CUALQUIER ESTIPULACIÓN APLICABLE DE LA LEY “MIGRANT AND SEASONAL AGRICULTURAL WORKER’S PROTECTION ACT” Y EL CÓDIGO LABORAL “CALIFORNIA LABOR CODE”. POR EJEMPLO, EL CONDUCTOR ENTIENDE Y ESTÁ DE ACUERDO QUE ELLE/ELLA:

- a. NO PUEDE COBRAR (O RECAUDAR DE) CUALQUIERA DE LOS PASAJEROS CONJUNTOS NINGUNA MONEDA O TARIFA DE CANTIDAD MAS GRANDE QUE LA CUOTA ESTABLECIDA POR KCAPTA.
- b. NO PUEDE RECIBIR PAGOS NI ACEPTAR DINERO DE NINGÚN EMPLEADOR O COMPAÑÍA POR TRANSPORTAR A LOS TRABAJADORES.
- c. NO PUEDE EXIGIRLE A NINGUNO DE LOS TRABAJADORES, COMO CONDICIÓN DE SU EMPLEO EN CUALQUIER LUGAR, DE SER PASAJERO EN UN VEHÍCULO.
- d. NO PUEDE OFRECER NINGÚN INCENTIVO, NI PUEDE RECIBIR NINGÚN INCENTIVO DE, EL EMPLEADOR O COMPAÑÍA, O CUALQUIER PASAJERO EN UN VEHÍCULO DE PASAJEROS CONJUNTOS POR TRANSPORTAR A LOS PASAJEROS EN UN VEHICULO DE PASAJEROS

### CUOTA SEMANAL PARA LOS PASAJEROS DE AITS

LA CUOTA SEMANAL SE BASARÁ POR EL TOTAL DE MILLAS RECORRIDAS COMO SE REFLEJA EN LA SIGUIENTE ESTRUCTURA DE CUOTAS:

MILLAS RECORRIDAS CADA SEMANA	CUOTA SEMANAL POR PASAJERO
MENOS DE 400	\$ 20.00
ENTRE 401 Y 600	\$ 25.00
ENTRE 601 Y 800	\$ 30.00
ENTRE 801 Y 1,000	\$ 35.00

## APPENDIX 2: SAFETY REGRESSION

REGRESSION STATISTICS	
Multiple R	0.162767
R Square	0.026493
Adjusted R Square	0.012237
Standard Error	1.127019
Observations	486

	df	SS	MS	F	Significance F
Regression	7	16.52275	2.360393	1.858326	0.07455
Residual	478	607.1419	1.270171		
Total	485	623.6646	-	-	-

	Coefficients	Standard Error	t Stat	P-value	Lower 95%	Upper 95%	Lower 95%	Upper 95%
Intercept	3.287058	3859628	8.52E-07	0.999999	-7583936	7583942	-7583936	7583942
Participation Length	-0.0995	0.087962	-1.13119	0.25854	-0.27234	0.073338	-0.27234	0.073338
Years worked in CV Ag	0.009404	0.008586	1.095234	0.273966	-0.00747	0.026276	-0.00747	0.026276
Current Driver same as previous Driver	0.143286	0.110892	1.292128	0.196937	-0.07461	0.361182	-0.07461	0.361182
Female	1.417267	0.573337	2.471961	0.013785	0.290693	2.543841	0.290693	2.543841
Male	1.176586	0.575374	2.044907	0.041411	0.046011	2.307162	0.046011	2.307162
Field	5.079894	3859628	1.32E-06	0.999999	-7583934	7583944	-7583934	7583944
Non-field	4.989583	3859628	1.29E-06	0.999999	-7583934	7583944	-7583934	7583944

# APPENDIX 3: WEEKLY REPORT FORM

## AIT'S WEEKLY PAYMENTS / TARIFA SEMANAL DE AIT'S

Van#: \_\_\_\_\_ Driver's Name: \_\_\_\_\_ Date: \_\_\_\_\_  
(Nombre Del Conductor) (Fecha)

Write Odometer Reading »  
Escriba millaje del odómetro »



#	Date (fecha)	Name (Nombre):	M	T	W	T	F	S	S	Payment ( Pago )
1	11-7-05 / 11-13-05									
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
Total Amount ( Cantidad Total )										\$

Destination (Destino) » \_\_\_\_\_  
 Destination (Destino) » \_\_\_\_\_

No work  
(No hay trabajo)

## APPENDIX 4: EMISSIONS SAVINGS ESTIMATE

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### DRIVER CHANGES: [180 DIFFERENT DRIVER, 290 SAME DRIVER, 52 UNANSWERED]

- (i) ‘Different Drivers’ Rider Air Emissions Savings =  
 Previous Emissions by DDRiders – AITS Emissions by DDRiders =  
 $(8 \text{ tons}) * 180 \text{ DDRiders} = 1440 \text{ tons annually of Previous Emissions by DDRiders}$   
 $(10.5 \text{ tons} / 15 \text{ riders}) = 0.7 \text{ average tons emissions per rider}$   
 $(0.7\text{t/r}) * 180 \text{ DDRiders} = 126 \text{ tons annually of Current Emissions by DDRiders}$   
 $1440 - 126 = 1314 \text{ tons annual savings for DD Riders of Greenhouse Gas Emissions}$
- (ii) “Same Drivers” Rider Air Emissions Savings:  
 Previous Emissions by SD Riders – AITS Emissions by SD Riders =  
 $(12 \text{ tons}/15) * (290) - (10.5/15) * (290) = (0.8 \text{ tons}) * 290 - (0.7 \text{ tons}) * 290$   
 $232 - 203 = 29 \text{ tons annual savings for SDRiders of Greenhouse Gas Emissions}$
- (iii) DDRiders + SDRiders + {Range of Unanswered}  
 $(8 \text{ tons}) * 52 - (0.7 \text{ tons}) * 52 = 416 - 36.4 = 379.6 \text{ tons annual savings for assumed DD}$   
 $(0.8 \text{ tons}) * 52 - (0.7 \text{ tons}) * 52 = 41.6 - 36.4 = 5.2 \text{ tons annual savings for assumed SD}$

## APPENDIX 5: ANNUAL EMISSION REDUCTION & SAVINGS FOR VAN PROJECTS

### ANNUAL EMISSION REDUCTION AND SAVINGS FOR VAN POOL PROJECT

Vans	Miles/Day	Miles/Mo	Miles/Yr	Total Riders	Trips/Day	Trips/Mo	Trips/Yr	Rev/Mo	Rev/Year
125	9,442	245,480	2,945,760	1500	3000	78,000	936,000	\$ 181,750	\$ 2,181,000

Summary:	
Annual Miles	2,945,760
Annual Revenue	\$ 2,181,000
Annual Cost	\$ 2,181,000

Annual Auto trips Reduced	155,625
Annual Auto VMT Reduced	25,211,250

Annual Emission Reductions	
ROG:	23 Tons per year
NOx:	23 Tons per year
PM10:	6 Tons per year

Participant's Savings	
Overall	\$ 13,866,188
Per rider	\$ 9,244

Accidents Avoided/Savings		
Fatalities	1.51	\$ 3,925,392
Injuries	37.82	\$ 6,807,038

### ANNUAL EMISSION REDUCTION AND SAVINGS FOR AITS PROJECT

Vans	Miles/Day	Miles/Mo	Miles/Yr	Total Riders	Trips/Day	Trips/Mo	Trips/Yr	Rev/Mo	Rev/Year
96	4,652	120,960	1,451,520	864	1728	44,928	539,136	\$ 86,400	\$ 1,036,800

Summary:	
Annual Miles	1,451,520
Annual Revenue	\$ 1,036,800
Annual Cost	\$ 1,036,800

Annual Auto trips Reduced	89,640
Annual Auto VMT Reduced	14,790,600

Annual Emission Reductions	
ROG:	13 Tons per year
NOx:	13 Tons per year
PM10:	3 Tons per year

Participant's Savings	
Overall	\$ 6,507,864
Per rider	\$ 7,532

Accidents Avoided/Savings		
Fatalities	0.9	\$ 2,302,896
Injuries	22.2	\$ 3,993,462

### COMBINED BENEFITS OF BOTH PROJECTS

The two projects have grown to over 200 vehicles - The Total emission savings are:

Annual Auto trips Reduced	245,265
Annual Auto VMT Reduced	40,001,850

Annual Emission Reductions	
ROG:	36 Tons per year
NOx:	37 Tons per year
PM10:	9 Tons per year

Participant's Savings	
Overall	\$ 17,600,814
Per rider	\$ 7,445

Accidents Avoided/Savings		
Fatalities	2.40	\$ 6,228,288
Injuries	60.00	\$ 10,800,500

TOTAL PROJECTED INDIRECT SAVINGS IN EMISSIONS, PARTICIPANT SAVINGS & ACCIDENT COST:

\$ 35,905,683\*

\* Sources: San Joaquin Air Board, California AAA and California Highway Patrol

## APPENDIX 6: AITS DRIVER AGREEMENT

**KCAPTA**

### Kings County Area Public Transit Agency

VAN NUMBER \_\_\_\_\_

This Agreement between the lessee, (hereinafter called "Driver"), whose signature appears below and KCAPTA, (Hereinafter called "KCAPTA"), shall become effective on the date it is accepted by KCAPTA, as evidenced by the signature of its authorized representative.

#### **I. DEFINITION OF TERMS**

.....

#### **II REPRESENTATIONS AND AGREEMENTS BY THE PARTIES**

Each of the parties makes certain representations and agrees to terms, conditions, actions and requirements as specified below for the respective parties.

A. **Driver** represents and agrees that he/she:

.....

15. Is entering into this Agreement with KCAPTA as an individual and of his/her own free will, without any input, direction, or encouragement from his/her employer (or any other company); and agrees that entering into or maintaining this Agreement is not a term or condition of employment, and otherwise is a matter separate and apart from his/her employment.
16. Is individually responsible and liable for compliance with any applicable provisions of the Migrant and Seasonal Agricultural Workers' Protection Act and the California Labor Code. For example, Driver understands and agrees that he/she:
  - a. CANNOT charge (or collect from) any vanpool riders any monies or fares greater than the fee established by KCAPTA in II.A.14 above.
  - b. CANNOT be paid by or accept any monies from any employer or company for transporting workers in a vehicle covered by this Agreement;
  - c. CANNOT require any workers, as a condition of employment anywhere, to ride in a vanpool vehicle covered by this Agreement;
  - d. CANNOT offer any inducement(s) to, or receive any inducement(s) from, any vanpool riders for transporting the vanpool riders in a vehicle covered by this Agreement.

.....

## APPENDIX 7: TRANSPORTATION DEVELOPMENT ACT (TDA)

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### **THE TRANSPORTATION DEVELOPMENT ACT (TDA):**

TDA provides two major sources of funding for public transportation: the Local Transportation Fund (LTF) and the State Transit Assistance (STA). First, the LTF provides counties with revenues generated from a one-quarter percent sales tax on all goods for transportation purposes. These funds can be used for transit planning, construction and operations, capital (equipment) acquisition, as well as for local streets and roads after transit needs are met. Second, revenues from the sales tax of diesel fuel and gasoline are deposited in the PTA, and half of those revenues are allocated to the STA Program and are used mainly for bus and rail purposes.

The TDA designate transportation planning agencies the responsibility for allocating LTF and STA funds to transit operators and service providers. The act also specifies numerous requirements transit operators and providers must meet to be eligible to receive funds, as well as a number of variances and exemptions from the requirements.

### **ELIGIBILITY REQUIREMENTS:**

In general, the eligibility requirements are intended to promote cost efficiency in the operation of a transit system and to encourage local funding support for the provision of transit services. In particular:

- **LTF Funding.** To be eligible for LTF funding, an operator must maintain a ratio of fare revenue to operating costs (referred to as the farebox ratio) of either (1) at least 20 percent if serving an urbanized area or 10 percent if serving a non-urbanized area, or (2) the ratio it had attained in 1978-79, whichever is greater. Local revenues generated from taxes imposed by the operator or by a county transportation commission can be counted as fare revenue for purposes of the fare box ratio calculations. In addition, if an operator had a ratio of fare revenue and local support to operating costs in 1978-79 that exceeded 20 percent in an urbanized area, or 10 percent in a non-urbanized area, the operator must maintain at least that higher ratio to be eligible for LTF funding.
- **STA Funding.** To be eligible for STA funding, an operator must be eligible for LTF funds. In addition, current law prohibits the allocation of STA funds for transit operating purposes unless the transit operator meets one of two “efficiency standards.” These standards limit the increase in operating costs per revenue vehicle hour (that is, each hour a transit vehicle is in revenue-generating service) to the increase in the Consumer Price Index (CPI). An operator can either limit the increase from one year to the next, or average the increases over a three-year period. The transportation planning agency may adjust the calculation of the standard by excluding certain cost increases beyond the change in CPI. These increases include costs for fuel, insurance, or state or federal mandates.

## APPENDIX 8: SURVEY INSTRUMENT

AITS PASAJERO SURVEY QUESTIONS				
			VAN #:	
			INTERVIEWER:	
			DRIVER NAME:	
FECHA:		HORARIO:		LOCACION:
NOMBRE DEL PASAJERO:				
DIRECCION:				
TELEFONO:				

**I. FORMA ANTERIOR DE TRANSPORTE:**

1. ¿Cuál era su forma anterior de Transporte?

- Carro propio
- Contratista de trabajo agrícola
- Mayordomo
- Van/Bus de la compañía
- Amigo(a)
- Otro:

2. ¿Porque usted no maneja por si mismo? Lista por importancia.

- Costo - propio ,automóvil, gas, etc.
- Estatus legal
- Tiene licencia de conducir? Si/No
- En trabajo y el transporte van juntos
- Otro?

3. ¿Era su conductor anterior igual que su conductor de conductor de AITS?

- Si    No

**II. CONVENIENCIA RELATIVA CON AITS:**

1. ¿Usted pasa mas/menos tiempo en llegar al trabajo?

- Mas                       Menos                       Igual

2. ¿Cual es la diferencia en tiempo de llegar al trabajo?

- 5 min                       25 min
- 10 min                     30 min
- 15 min                     Otro:
- 20 min

## APPENDIX 8: SURVEY INSTRUMENT (CONTINUED)

3. ¿Tiene que levantarse mas temprano con el transporte de AITS para llegar a su trabajo a tiempo o mas tarde que anteriormente?
- Mas       Menos       Igual
4. ¿Cuanto tiempo mas temprano/ mas tarde tiene que levantarse ahora?
- 0 min       20 min  
 5 min       25 min  
 10 min       30 min  
 15 min       Otro:
5. ¿Usted llega a tiempo mas o menos seguido que con su transporte anterior?
- Mas       Menos       Igual
6. ¿Si usted llega mas o menos seguido que con su transporte anterior, cuantas veces a la semana usted llega a tiempo? (i.e. 4 de 6 días)
- \_\_\_ de \_\_\_ días o Nunca \_\_\_
7. ¿Usted paga mas/menos por su transporte?
- Mas       Menos       Igual
8. ¿Cual es la diferencia de lo que usted pago antes sobre una base semanal?
- \$0.00       \$5.00       \$10.00       \$15.00       \$20.00       \$25.00       \$30.00       Otro:

### III. INDICADORES DE SEGURIDAD:

AITS:

Indicadores Positivos	AITS		
¿El vehículo es asegurado?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Vehículo tiene todos sus asientos requeridos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Vehículo tiene todos sus cinturones requeridos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Conductor tiene licencia de conducir?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No

1. Total # de Si: \_\_\_\_

**Transporte Anterior:**

Indicadores Positivos	Transporte Anterior		
¿El vehículo es asegurado?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Vehículo tiene todos sus asientos requeridos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Vehículo tiene todos sus cinturones requeridos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Conductor tiene licencia de conducir?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No

2. Total # de Si: \_\_\_\_

## APPENDIX 8: SURVEY INSTRUMENT (CONTINUED)

3. En una lista de 1 al 10, (10 siendo el mas seguro):

a. ¿Que tan seguro se siente como un conductor de AITS?

1     2     3     4     5     6     7     8     9     10

b. ¿Que tan seguro se sentía con su forma de transporte anterior?

1     2     3     4     5     6     7     8     9     10

### IV. DEMOGRAFICAS DE CONDUCTOR:

1. ¿Cuanto tiempo tiene trabajando con la Industria Agrícola en el Valle Central?

1 yr.     2 yrs.     3 yrs.     4 yrs.     5 yrs.     6 yrs.     7 yrs.     8 yrs.     9 yrs.     Otro:

2. ¿Para que tipo de trabajo usted recibe el transporte?

Campo     Empaque     Ambos     Otro:

3. ¿Cuanto tiempo tiene participando en el programa AITS?

1-6 mo     7-12 mo     1-2 yrs.     2-3 yrs.

4. ¿Como escucho sobre el programa AITS?

Amigo(a)  
 Radio  
 Patron/Mayordomo/Compañía  
 Remate/ La Pulga  
 T.V.  
 Otro:

### V. INDICADORES DE SEGURIDAD PRIVADOS: (POR FAVOR PREGUNTE FURA DE LA VAN)

PREGUNTAS SOBRE AITS:

Indicadores Negativos	AITS		
¿Alguna vez fue abusado por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna vez se le fue cobrado excesivamente por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna vez fue acosado sexualmente por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna ves su conductor olvido recogerlo(a)?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Su conductor es su "mayordomo", FLC, o patrón?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Su transporte y el trabajo van juntos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No

1. Total # de NO: \_\_\_\_

## APPENDIX 8: SURVEY INSTRUMENT (CONTINUED)

PREGUNTAS PARA TRANSPORTE ANTERIOR:

Indicadores Negativos	Transporte Anterior		
¿Alguna vez fue abusado por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna vez se le fue cobrado excesivamente por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna vez fue acosado sexualmente por su conductor?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Alguna vez su conductor olvido recogerlo(a)?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Su conductor es su “mayordomo”, FLC, o patrón?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No
¿Su transporte y el trabajo van juntos?	<input type="checkbox"/> Si	<input type="checkbox"/> NS	<input type="checkbox"/> No

2. Total # de NO: \_\_\_\_

3. ¿Su libertad de elegir su lugar de empleo es mayor, peor, o igual?

- Mas                       Peor                       Igual

**VI. OTROS COMENTARIOS O SUGERENCIAS:**

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## APPENDIX 9: RECENT ARTICLES

WEDNESDAY, DECEMBER 7, 2005 NEWS | 3

# Crash victim's body found near Newman

By Jonathan Partridge  
Patterson Irrigator

The body of one of two people missing after a van plunged into the Delta-Mendota Canal near Westley last month turned up Sunday in the canal northwest of Newman.

Martin Albores, 28, of Stockton, was found in brush floating on top of the water near Bell and Stuhr roads, according to the Stanislaus County Sheriff's Department. A canal ditch tender found him there at 11:22 a.m. Sunday.

"At least this will give the family some kind of closure," said Sgt. Mike Parker of the sheriff's department.

Albores had been missing since Nov. 22, when a Chevrolet Astro he was riding in along with four other farm workers went off the edge of the canal bank and landed in the water north of Needham Road. The driver and the passengers, all of Stockton, managed to escape through the driver's side window.

However, only passenger Miguel Ornelas, 17, is known to have survived. He pulled himself out of the water using a ladder on the side of the canal.

Alicia Garcia, 16, and Ismael Hernandez, 31, both were pro-



#### SURFACED:

A ditch tender found the body of Stockton resident Martin Albores, 28, on Sunday in Delta-Mendota Canal waters shown at left, northwest of Newman near Stuhr and Bell roads. Albores was one of five farm workers in a van that plunged into the canal Nov. 22.

Jonathan Partridge/  
Patterson Irrigator

*"At least this will give the family some kind of closure. ... I'm sure we'll eventually find (driver Dimas Ornelas). It's just a matter of time."*

— Sgt. Mike Parker  
Stanislaus County  
Sheriff's Department

investigated the accident scene, and the California Department of Industrial Relations is investigating the work conditions and safety precautions taken the day of the accident. The latter investigation should be complete within six months.

In the meantime, the sheriff's department is waiting for Dimas Ornelas' body to surface. Parker said Dimas' body could be hidden by debris, noting the Delta-Mendota is filled with items ranging from weeds to cars and meth labs. "I'm sure we'll eventually find him," he said. "It's just a matter of time."

■ To reach Jonathan Partridge at the Irrigator, call 892-6187 or e-mail him at [jonathan@pattersonirrigator.com](mailto:jonathan@pattersonirrigator.com).

nounced dead the day of the accident, after their bodies were recovered by fellow farm workers. Driver Dimas Ornelas, 15, brother of Miguel Ornelas, is still missing and is presumed dead by the sheriff's department.

The sheriff's department called off the search for Albores and Dimas Ornelas last week, determining that their bodies eventually would surface.

Officials at the Stanislaus County Coroner's office said that Albores' family on Tuesday

confirmed that the body recovered in Newman was his.

Sheriff's officials said Albores had no dental records available to use as identification and the sheriff's department did not have records of his fingerprints because he had never been in trouble with the law, so there was no way for the coroner's office to positively identify him. He was identified through photographs provided by family members and by his clothing.

Albores' family stopped by the office regularly during the first couple of days after the accident, but had not come as frequently as time wore on, said Katie Soto, an investigator with the coroner's office.

Albores' body had traveled about 18 miles to the southeast of the crash site — a long distance from the accident scene, Parker noted.

"That water was moving fast," he said.  
California Highway Patrol

## Body found in canal may be from November crash

Discovered 30 miles from accident scene

By KIM YANCEY  
LOS BANOS ENTERPRISE

GUSTINE — Authorities are checking the possibility that the body of a male pulled from the Delta-Mendota Canal on Monday may be the missing victim of a Nov. 22 traffic accident near Westley.

The body was discovered at about 12:15 p.m. by an employee of the San Luis & Delta-Mendota Water Authority during a routine inspection of the Check 12 control structure just north of Butts Road.

Merced County Sheriff's Major Crimes Unit Detective Sgt. Jason Goins estimated the body had been in the water several weeks.

Although Goins did not know how the body came to be in the canal, he said inquiries would be

made of other agencies to find out if the male may have been involved in the Westley accident.

"We will be in contact with the Stanislaus County CHP to see if this person's description matches what they've got from the Nov. 22 accident," he said.

Dimas Ornelas, 15, is the only one of five people involved in the accident who has yet to be accounted for. Ismael Hernandez, 31, Martin Albores, 28, and Alicia Garcia, 17, drowned when the van they were in went into the canal. Miguel Ornelas, 17, swam safely to shore.

A water authority representative at the scene of the recovery said the traffic accident occurred about 30 miles upstream of where the body was discovered.

Although there are other control structures between the accident site and Check 12, he said it was possible for a body in the wa-

ter to pass through those structures and wind up here.

The Delta-Mendota Canal conveys water used primarily for irrigation from the Sacramento-San Joaquin Delta south 109 miles to the Mendota pool, which is near the city of the same name.

Merced County sheriff's dive team members retrieved the dead man from where he had become lodged in the control structure.

Goins said the body would be sent to the Merced County coroner's facility for identification.

