



# On the Hook

Supporting A Healthy Fishing Future in Massachusetts

May 2017

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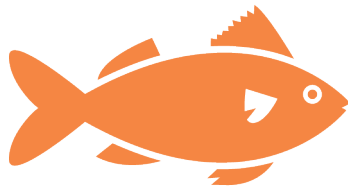
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UEP Field Projects 2017

Maggie Brown | Ruby Hung | Minnie McMahon | Kathleen Nay

In Partnership With

## FISHING PARTNERSHIP



S U P P O R T S E R V I C E S



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## Photographs

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## Key Informants

### Fishing Partnership Navigators Left to Right

**Angela Sanfilippo**, Gloucester  
**Debra Kelsey**, New Bedford  
**Lori Caron**, Plymouth  
**Monica DeSousa**, New Bedford  
**Morgan Eldredge**, Chatham  
**Nina Groppo**, Gloucester



*All Navigator photos provided  
by Fishing Partnership.*

### Fishermen Left to Right

**Al Cottone**, Gloucester  
**Christopher Stowell**, New Bedford  
**Joe Orlando**, Gloucester  
**Robert Martin**, Plymouth  
**Steve Holler**, New Bedford  
**Todd Jesse**, Plymouth



*Photos:  
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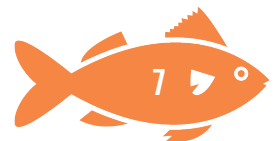






# Executive Summary

**F**ishing Partnership (FP) was founded in 1997 as an organization working in service of small business fishing families across New England, with the mission of improving health, safety, and general well-being among this underserved population. As it reaches its 20-year milestone, Fishing Partnership seeks to promote broader public understanding of the challenges faced by commercial fishing families and to explore ways of expanding Fishing Partnership services by learning from other models of support within industries and populations facing similar challenges. For Fishing Partnership to continue its work of promoting the well-being for fishermen, it is important to (a) communicate to a wider audience about the valuable resource that New England



stands to lose by leaving the fishing industry to struggle and possibly even dissolve, and (b) identify new ways that the organization can enhance its beneficial work for fishing families.

In the Spring 2017, Fishing Partnership commissioned a graduate student team from the Tufts University Department of Urban and Environmental Policy and Planning (UEP) to research current challenges facing the fishing industry, project the voice of fishermen and fishing families as they negotiate these challenges, and identify opportunities for supporting fishing communities. This project was intended to supplement Fishing Partnership's 20th anniversary initiatives to explore new avenues of support for fishing communities and to lead an outreach campaign on behalf of New England's local fishermen.

In support of those initiatives, this report offers an in-depth literature review in combination with the presentation of interview data that provide the personal perspectives of fishing community stakeholders. We highlight the cultural and economic significance of fishing communities to New England, focusing on four "typical" examples in Massachusetts- Gloucester, New Bedford, Plymouth, and Chatham. We then detail the regulatory context within which fishermen work, including the regulations for sustainable fish stock management that limit catch access for fishermen, the labor rights regulations

that do apply to fishermen and those that do not, and available healthcare options for fishermen. It is instructive to note that, while fishing is considered one of the most dangerous occupations, and in some regards is tightly regulated, fishermen do not enjoy many of the protections granted to other workers.

As to the challenges, they fall into categories of physical risks, fluctuating income, market pressures, and changing available fish stocks. We found that these stressors are intertwined and limit the opportunities for success in the local fishing industry. Together, they put small business fishermen in high-risk and high-stress situations.

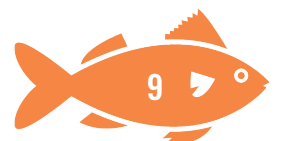
Although these challenges are serious and pressing, Fishing Partnership has been responsive to many of them, in part by using a community health model. In this model, FP hires employees from fishing families and staffs them directly in their communities to assist with family services. We outline other approaches to addressing these challenges, some of which fishermen share with other workers. Worker-based trade associations that focus on commercial promotion of local products, and associations that encourage collaboration between fishermen and policymakers are identified as alternative methods for supporting fishermen.

The recommendations that conclude this report suggest that there are further





options to pursue well-being for small business fishermen, and are grouped into categories of health and safety, participation and collaboration, and business. Finally, this report recommends that the community health model be promoted and the Affordable Care Act be upheld to address health and safety of fishermen, in addition to improving analysis of regulatory policies and providing safety equipment and trainings. To encourage collaboration, organizations should focus on political education of fishermen so that they can advocate and involve themselves in the regulatory process. In order to continue the industry, the next generation of fishermen must be trained in business, politics, and management, and continue to promote locally-caught seafood with messages that emphasize the sustainability of the local, small business fishing industry.







# Contents

<b>Acknowledgments</b>	4
<b>Executive Summary</b>	7
<b>1 Introduction</b>	13
<b>2 Methods</b>	19
<b>3 Community Context</b>	27
<b>4 Regulatory Context</b>	35
<b>5 Challenges and Opportunities</b>	45
<b>6 Supporting Fishermen</b>	57
<b>7 Common Ground in the Food Sector</b>	65
<b>8 Where Do We Go From Here?</b>	77
<b>Appendix A</b>	84
<b>Appendix B</b>	86





# 1



## Introduction

In recent years consumers have taken an interest in the source of their food and in the environmental and ethical concerns related to its production and consumption. Environmental sustainability, eating locally, and food justice are now familiar concepts in the national dialog about our food systems. Concurrently, agricultural and food service workers are advancing fair labor agendas in the face of dangerous and unjust employment practices. Despite its role in the economy and its place in the American imagination, however, the fishing industry is relatively unexamined. Many consumers are unaware that, while 91% (by value) of the fish consumed in America

is imported from overseas,<sup>1</sup> small-scale family fishing businesses struggle to survive in our own backyard.

Fishing is a low-paying and highly dangerous occupation. In 2016, American fishermen earned a median annual wage of \$30,740,<sup>2</sup> and fishing is consistently rated one of the most dangerous occupations.<sup>3</sup> Like other independent workers, fishermen are not protected by the Fair Labor Standards Act (1938), which stipulates minimum wage and overtime requirements, nor are they covered by the National Labor Relations Act (1935), which protects a worker's right to unionize. There are no regulations that require employers to provide employee benefits including health insurance, worker's compensation or paid sick time, and governmental safety regulations apply only onshore.

In Massachusetts, the focus of this report, MassHealth and the Affordable Care Act have come a long way in covering local fishermen over the last 10 years. Nevertheless, fishermen and their families live on unpredictable and changeable income, which may make them eligible for affordable health insurance one month and ineligible the next. With limited access to the benefits provided to workers in other industries, the health and livelihood of fishermen, and by extension their families and communities, are perpetually at risk.

The United States has strict environmental regulations intended to support domestic fisheries, but the vast majority of seafood consumed in the US is imported from countries with far weaker environmental and labor regulations. New England

*"We're reduced to the smallest amount ever [of] people working in [this] industry in the history of this fishery, only because [the government] says there's no fish in the ocean."*

**Angela Sanfillipo, Gloucester Navigator**

*"When I first started fishing we could walk from one wharf to the other wharf (across the boats). There's nobody left. We have a wharf where I tied my boat up for 36 years. When I first started fishing we were 22 big boats there, talking 70-, 80-, 100-foot boats. There's no boats there now, and no boats across the way, and no boats across the other way!"*

**Joe Orlando, Gloucester Fisherman**



fishermen, and the deeply-rooted fishing cultures they uphold, must compete with cheaper foreign imports while fishing in highly regulated waters. Some New England fishermen feel that the strong environmental regulations damage the independent fishing industry while missing the mark on protecting fish stocks.

This report focuses on Massachusetts fishing communities and the challenges they face. As we discuss the conditions of Massachusetts fishermen, it is important to remember that many small-boat, traditional fishing communities remain—including those of Native Alaskan peoples, Vietnamese fishers in the Gulf Coast, and enclaves of fishing families on the West Coast. Regardless of location, many fishing communities nationwide will be increasingly vulnerable to the vicissitudes of their occupation as traditional ways and basic social supports are further threatened in a political climate that does not favor these communities.

While the stories and the needs of Massachusetts fishermen are unique, fishermen have common ground with other groups of workers in the food system. This report concludes with a discussion of food system providers who are fighting for safe and fair work conditions, economic stability, and the dignity they deserve. We argue that seemingly disparate groups in the food system could learn important lessons from each other's struggles.

*“Someone in every family falls in love with fishing.”*

**Angela Sanfillippo, Gloucester Navigator**

*“We have nobody on our side for some reason. I don’t understand it. We’re losing ground all the time, it’s really sad.”*

**Joe Orlando, Gloucester Fisherman**

## Context for this Project

The research and writing of this report were undertaken by a team of four graduate students at Tufts University's Department of Urban and Environmental Policy and Planning to fulfill requirements of their Field Projects: Planning and Practice course. As Fishing Partnership Support Services celebrates its 20th anniversary, the organization charged the UEP Field Projects team with the task of illuminating, for a broad public, the realities faced by fishermen in New England today. In the wake of a polarizing 2016 Presidential election that has on one hand vilified working-class people, and on the other ushered in an era of decreased public spending, a report on the iconic, rugged (and

sometimes stigmatized) independent fishermen and the supports on which they have relied is timely and, hopefully, instructive.

## Project Partner

Fishing Partnership Support Services is a direct-service and advocacy organization serving New England fishing communities. Fishing Partnership originated in 1997 as Fishing Partnership Health Plan to provide health insurance to fishermen and their families, a population with limited access to health care and other services often obtained through employment benefits in other industries. Ten years into its existence, in 2007, 13% of Massachusetts fishermen were uninsured, compared to 43% before the Fishing Partnership Health Plan.<sup>4</sup> The health plan grew, in part, out of conversations at the Gloucester Fishermen's Wives Association, founded in 1969, which today "help[s] promote a healthy environment and a just economy that allows local and family-owned businesses to survive in a changing world."<sup>5</sup>

After 15 years of operating its own affordable health plan, in 2011 Fishing Partnership Health Plan transitioned its members to MassHealth, expanded the scope of its service, and changed its name to Fishing Partnership Support Services to reflect that expansion.

Twenty years into its work, Fishing Partnership retains its holistic health focus and seeks to cultivate a broader awareness of the challenges faced by New England fishermen, to learn about support and advocacy organizations used by populations with similar vulnerabilities, and more generally, to contribute to the development of a vibrant and secure blue collar workforce of the future.

## Project Goals

Throughout the course of our research and interviewing, we set out to discover: What is it like to be an independent fisherman (business owner) in New England? What barriers prevent independent fishermen from achieving economic security and physical safety in New England's waters? And lastly, what supports advance their goals and which other models of support and advocacy might offer useful lessons to Fishing Partnership and their constituency?

This report is an educational tool for Fishing Partnership to use in service of broadening awareness of and garnering public support for independent small-boat fishermen in the region. It is designed to be accessible to a general readership, including academics, policy-makers and curious consumers. We chose not to report on the multifaceted work of Fishing Partnership's 20-year history, but to produce an illustrative document





that uplifts the voices of fishermen and Fishing Partnership Navigators, because they are best equipped to tell their own stories and speak directly to their own concerns. Our role was to amplify these voices and to provide the context necessary to deepen a broader public's understanding of the particular opportunities and challenges lived by this unique community.

We aimed to highlight the pleasures, challenges, opportunities and supports that comprise fishing for a living in Massachusetts. We focus not only on the regulatory interventions that shape the ways fishermen conduct their work, but also on the opinions of members of the fishing community on how to protect and enhance their traditional livelihood. We aim to shed light on the human aspects of advancing "sustainability", and ultimately consider a broader strategy for supporting fishermen and other low-wage and independent workers across the food sector.

## Scope

We focus on four Massachusetts fishing communities—Gloucester, Chatham, Plymouth and New Bedford—in order to paint a vivid picture of specific places and of specific individuals who make up the fishing industry. Fishermen and community health workers shared their personal experiences, joys and concerns

about their work in in-depth interviews with us.

While each fishing town has a unique history and specific cultural lineage, all of New England's fishermen are subject to federal regulations and to the consequences of a globalized supply chain. Therefore, the review of literature, research of existing data, and original analysis necessarily consider a broader geographical and industrial landscape. We have attempted to amplify the voices and concerns of fishermen in light of these broader frameworks.

## Section References

1. Office of Aquaculture. "Basic Questions about Aquaculture." Office of Aquaculture. January 12, 2012. [http://www.nmfs.noaa.gov/aquaculture/faqs/faq\\_aq\\_101.html](http://www.nmfs.noaa.gov/aquaculture/faqs/faq_aq_101.html).
2. "45-3011 Fishers and Related Fishing Workers." U.S. Bureau of Labor Statistics. March 31, 2017. <https://www.bls.gov/oes/current/oes453011.htm#ind>.
3. "COMMERCIAL FISHING SAFETY." Centers for Disease Control and Prevention. October 28, 2014. <https://www.cdc.gov/niosh/topics/fishing/>.
4. "Without it, we would be lost: Members of the Fishing Partnership Health Plan Speak out" Report, Fishing Partnership Health Plan, 2007.
5. "Home." Gfwa.org. Accessed April 14, 2017. <http://gfwa.org/>.



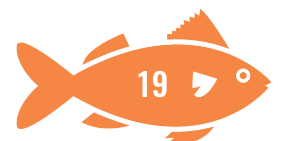


# 2



## Methods

The team's tasks were threefold: First, we needed to understand the social, economic, and regulatory contexts for New England's fishing industry. Second, but of primary importance, we wanted to collect and tell the stories of local fishing communities in their own words. Third, we hoped to identify strategies to bolster the economic, social, and physical health and wellness of fishing communities. With these objectives in mind, the field project team was given great latitude in deciding the direction and scope of this project.



Our first step was to conduct a literature review to become familiar with the basic scaffolding of the industry. Concurrently, in collaboration with Fishing Partnership staff, we constructed a tool for administering interviews with key informants. The interviews were then conducted, coded and analyzed, the findings of which informed us on areas of research to add to our project, or to note for future work.

We made the crucial decision to organize our report into chapters by theme, as opposed to separating the literature review from the interview content. This allows us to tell a fluid story while highlighting the importance of both personal experience and academic research.

## Literature Review

The literature review had two different lines of inquiry. One focus was to help us understand and communicate more broadly the challenges of fishing, key regulations that inform fishing practices, and the socioeconomics and demographics of the four Massachusetts ports of our focus (more on the selection of these ports below; see Interviews). The second focus was on current supports within the local independent fishing industry and on other strategies for support and advocacy currently in use across industries.

## Fishing Industry: Understanding the Context, Regulations, Challenges and Opportunities

Our background research included an orientation on environmental, workplace safety and commercial regulations; occupational risks and health concerns; and provision of healthcare and other services. Sources for literature on the fishing industry and regulatory frameworks included the U.S. Department of Commerce, National Oceanographic and Atmospheric Administration (NOAA), Occupational Safety and Health Administration, U.S. Dept. of Health and Human Services, Medicaid.gov, U.S. Dept. of Labor, and industrial journals like Marine Policy, Safety Science and Journal of Agromedicine. Historical and cultural data were gleaned from city websites and other gray literature.

The literature review illuminated gaps in knowledge pertaining to New England fishing, which ultimately helped us develop a strong and relevant interview tool. From this base of knowledge provided through reviewing the literature, we were able to identify questions and concepts we hoped to bring to light through our interviews with key informants. Those questions are discussed in the following section.



## Advocacy in the Food Sector

The team considered several approaches to studying strategies that serve other workers and might offer inspiration to Fishing Partnership. We first considered supports for different fishing communities nationally, then considered narrowing our focus to farmers, fishermen and loggers, who share an occupational classification under the Bureau of Labor Statistics. After several conversations we settled on four criteria for groups to consider: 1) workers within the U.S. food system, 2) workers who face serious challenges to their health due to their occupation, 3) workers who are disadvantaged in a globalized economy and 4) workers who are developing visible and robust supports for themselves and their communities in the face of limited labor rights and workplace protections.

Research for our discussion of models of support comes from gray literature like Fishing Partnership's 2016 annual report, presentations at the 2017 Just Food? Forum at Harvard Law School, academic literature on organized labor, and web searches for organizations that serve loggers, fishermen, domestic workers, child caregivers, farmworkers and food service employees. Research into Fishing Partnership was ongoing as we became increasingly familiar with our project partner and learned more about its history and services through many conversations.

## Methods

## Interviews

In order to gather and relay personal stories, we developed an interview tool for use with two groups of stakeholders: self-employed fishermen and community health workers from Gloucester, Chatham, Plymouth and New Bedford, MA, each of which are home to Fishing Partnership offices (see Figure 1). The interview questions were developed in collaboration with FP and an outside evaluator with whom FP regularly consults. We obtained approval from Tufts University's Institutional Review Board (IRB) to undertake these interviews in the four communities identified above.

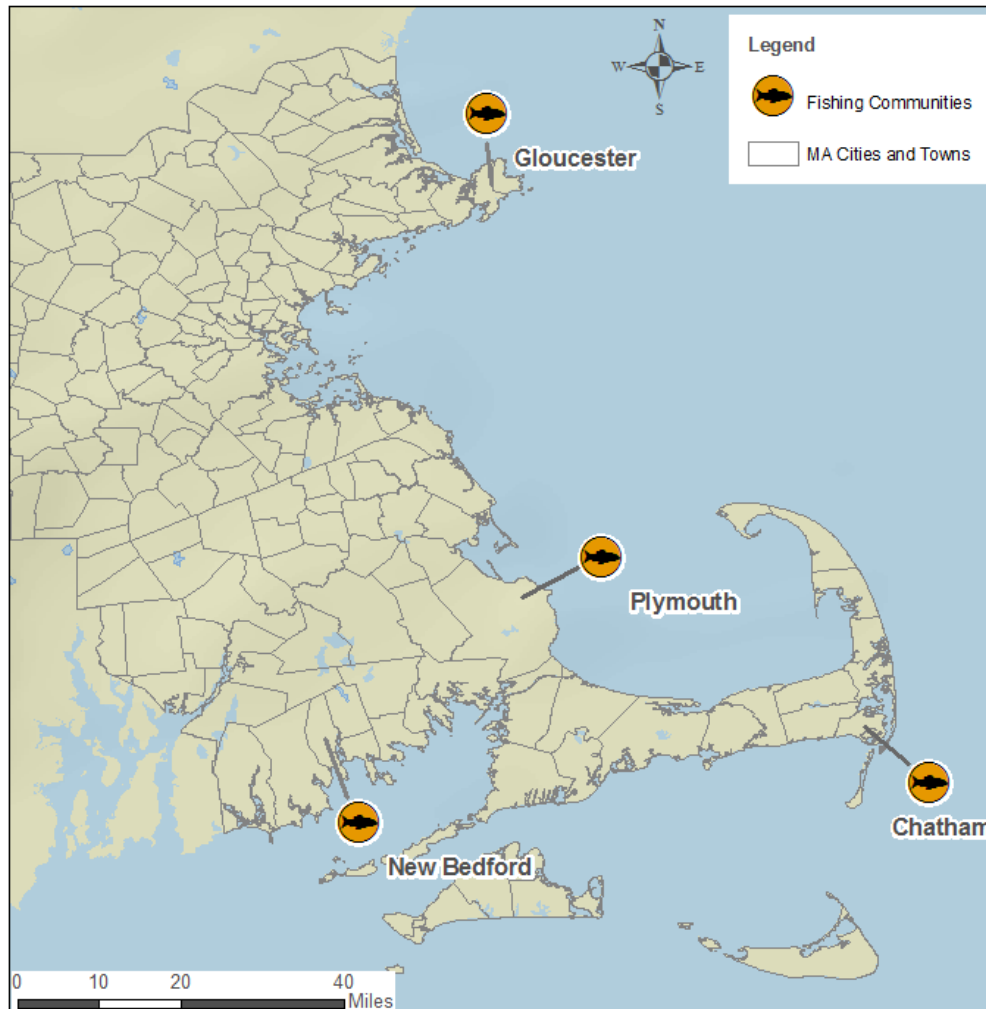
### Selection of Key Informants

We interviewed two groups of stakeholders: community health workers (called Navigators) employed by Fishing Partnership, and fishermen who own and operate their own businesses and who access services available from FP. Navigators and fishermen were identified by FP staff for their diversity of interests and knowledge, as well as for their willingness to meet with researchers and discuss their experiences.

We anticipated that each group would have unique, personal knowledge of the industry, of local culture, and of existing and absent safety nets. We expected that Navigators would provide broad, "zoomed out" insights,



**Figure 1. Map of key informant communities, Massachusetts**



Source: *massgis.gov*. Map created by Maggie Brown.

while fishermen were best positioned to tell their own stories. We interviewed a total of six fishermen and six Navigators: two fishermen and two Navigators in Gloucester, one Navigator in Chatham, two fishermen and one Navigator in Plymouth, and two fishermen and two Navigators in New Bedford. It is important to note that with such a limited

sample, the data we collected and the conclusions we draw, while valuable, are not representative of all fishermen, of all community health workers, of fishermen who do not access services through FP, or of all possible FP stakeholders.



## Instrument Design

The development of the interview tool occurred simultaneously to the literature review and key informant selection processes. Instrument questions were crafted after careful deliberation over what we hoped our interviews would bring to light. As a team, we compiled lists of questions, separating these into information we hoped to gather from fishermen versus that from Navigators. These lists were given to Andra Athos, FP Vice President, and Gretchen Biesecker, Ph.D., a consultant with whom FP works to perform program evaluations. Andra and Gretchen provided critical feedback for us to further refine our instrument in order to elicit high-quality responses from our key informants.

Our fishermen and Navigator questions were then further divided into broad topics: for fishermen, questions pertained to their work, services received from FP, and perceptions about industry challenges (see Appendix A). For Navigators, questions were organized around their role as community health workers, industry challenges, and FP services (see Appendix B).

Finally, we organized our instrument in a script-like format, ranging from basic introductory questions to more probing queries. We aimed to keep interviews to no more than one hour and identified questions to prioritize in the event that we found ourselves short on time. In

this regard, the interview should be considered “semi-structured.”

## Protocol

Interviews with key informants were conducted in teams of two: One person was designated to administer the interview, while the other person took written or typed notes. Each interview was audio recorded, and these ranged from 30 minutes to 75 minutes in length.

## IRB Review Process

A proposal to conduct research through interviews with fishermen and employees of the Fishing Partnership was submitted to the Tufts University Institutional Review Board. The application was accepted for an exempt review process and was approved for Exempt Status on March 16, 2017.

## Organization and Analysis of Interview Data

Interview data were organized in two stages. First, we listened to, and took notes on, all thoughts and ideas that were spoken during the interview. These data were entered into a matrix comprised of four categories, roughly corresponding with the topic areas of our chapters: 1 - Context/Demographics; 2 - Regulations; 3 - Challenges/Opportunities; and 4 - Models/Solutions (see sample, Table 1). In our matrix, we

**Table 1. Sample from Interview Coding Matrix**

Code	Name	Location	Role	Quote or Brief Summary	Time
1	Todd	Plymouth	Fisherman	Fishermen are hard working, honest people, don't like paperwork	22:30 - 23:00
1	Lori	Plymouth	Navigator	Fishing is a 24/7 lifestyle	6:40 - 7:15
1	Lori	Plymouth	Navigator	Fishermen are a resource. They don't want handouts, how can we give them an opportunity to give back to the community?	35:00 - 37:35
1	Rob	Plymouth	Fisherman	Lives in Sandwich, originally from Plymouth. Been in Sandwich 18 years, started fishing in 1980.	1:00 - 1:55

**Table 2. Sample from Findings / Solutions Matrix**

Need/Concern	Idea	Who said it
Health	Be healthier so that profession is safer, more appealing for next generation	Angela
	Retired fishermen's program - diet, yoga, health. Gov. subsidy	Lori
Gov. subsidize fishermen	Make safety equipment - fire extinguishers, defibrillators - more affordable	Rob
Adaptability	"Who's gonna take over? None of the young people are coming into this business."	Joe
	Trained in other disciplines where they can earn money through a different avenue while still fishing	Angela

included the name of the interviewee, their role as fisherman or navigator, their town, a quote or brief summary of the each answer to our questions, and a timestamp that allowed us to go back and listen to specific pieces of data.

The second stage of data organization took place in another matrix called Findings/Solutions (see sample, Table 2). On the left column of this matrix we placed the major needs and concerns that emerged from the interviews. In the middle column we included the different ideas that fell under each category. In the right column we included the names

of the interviewees who had shared the specific idea.

The data from the matrices were used in two ways. First, we took quotes directly out of the Interview Coding Matrix and inserted them into our text to show responses to, or highlight the importance of, findings from the literature review.

Secondly, organizing the data by need/concern, as in the second matrix, helped us identify recurring themes upon which we built our recommendations. When what we learned in the literature review matched the overall themes and the opinions yielded by the interviews, we





were able to draw more confident conclusions.

Ideas from interviews that did not relate to our literature search, were mentioned by only one person, or were not verifiable by the FP team were incorporated into the summary points section of the relevant chapter and are also described as areas for further research (see page 82). Ideas from interviews that were new to us and demonstrated gaps in our literature review were researched and added to the literature search, time and scope-permitting.



# 3



## Community Context

**T**he New England fishing community can fairly be summarized as a “group of subgroups.” The subgroups may refer to cultures or ancestries that, while comprised of different immigrant groups, each have a common heritage in fishing. The subgroups may also be different languages spoken, which serves to limit some groups’ interactions with one another, or the various fisheries represented New England (discussed further in Chapter 6). Despite differences, there is a deep sense of belonging and placemaking, strengthened through cultural institutions that build and preserve collective memories.

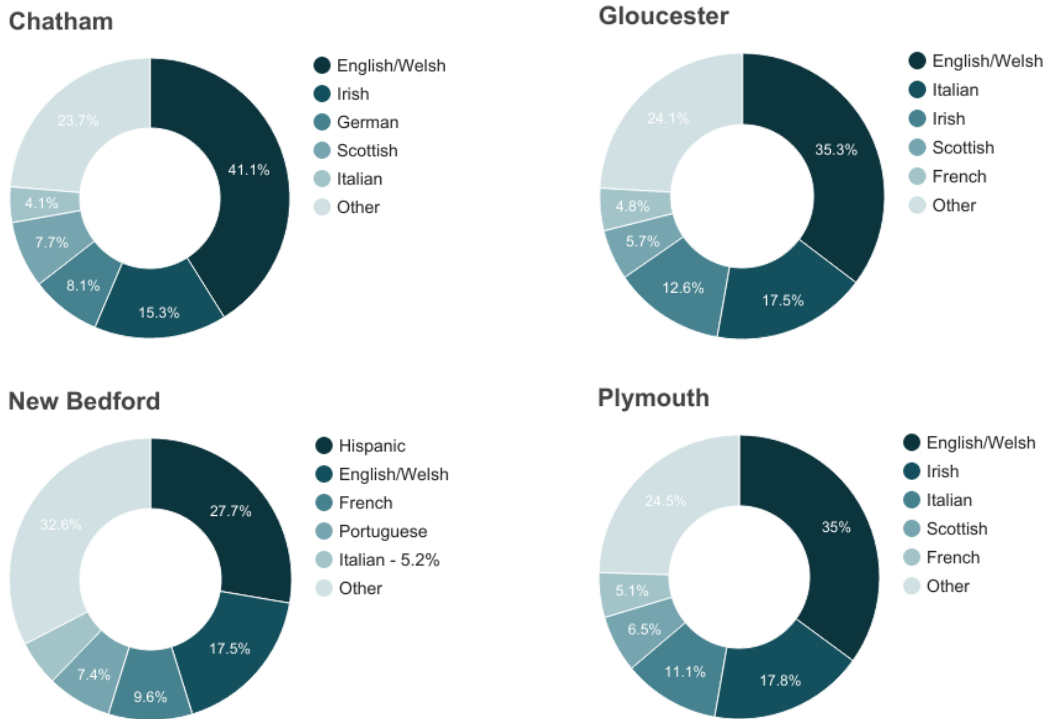
This chapter provides demographic information for each of the four cities in which the Field Projects team conducted interviews with Navigators and fishermen. It also provides historical and cultural contexts, painting a picture of fishing families deeply embedded in the cultural practices and norms of their communities. While fishing ports along the coast of Massachusetts have similar histories and economies, it is important to note that each community is also unique in its own way.

## Demographics of Selected Communities

The fishing ports at the center of this paper are overwhelmingly white. According to the 2010 U.S. Census, the cities of Chatham, Gloucester and Plymouth are between 91% and 96% white; percentages in other race categories are negligible.<sup>1</sup>

On this metric, however, New Bedford is an outlier: only 75.5% of population is white, while the next-largest racial

**Figure 2. Top five ethnic heritages, by city**



Source: 2010 U.S. Census. Census Viewer. Accessed April 20, 2017. <http://censusviewer.com/cities/MA>.



categories are listed as “Some other race alone” (11.2%), “Black or African American alone” (6.4%), and “Two or more races” (5.7%). The “Some other race” and “Black” categories have increased in size since the 2000 U.S. Census, indicating a growing minority presence in New Bedford, a city already more diverse than either Chatham, Gloucester or Plymouth.<sup>2</sup>

Despite the fact that these cities are largely white by racial categorization, these communities maintain strong ties to their immigrant heritages and identities. Figure 2 shows each city’s top five ancestries as reported to the 2010 U.S. Census. In particular, there is a heavy Sicilian influence in Gloucester. According to the best available data (2000 U.S. Census), Italian is the predominant language spoken on as many as 13% of Gloucester fishing vessels. Several fishermen only speak Italian and rely on their wives to communicate on their behalf in English, as necessary.<sup>3</sup> Similarly, New Bedford’s population includes a large contingent of descendants of Portuguese and Cape Verdean immigrants. Each year, the city hosts a Cape Verdean Recognition Day Parade in honor of the diaspora residing within its borders.<sup>4</sup> New Bedford’s relationship with Cape Verde dates to the 1800s when whaleships served as important conduits of immigration for Cape Verdeans seeking jobs in the whaling industry - an industry that, at the time, flourished in New Bedford.<sup>5</sup> Today

Massachusetts is home to the largest group of Cape Verdean Americans in the U.S., with New Bedford being the third-largest community of Cape Verdeans in the country, after Brockton and Boston, Massachusetts.<sup>6</sup>

## History and Culture of Selected Fishing Communities

Massachusetts’ coastal communities were among the earliest settled in the United States, and many began as shipbuilding, whaling and fishing ports that grew into booming economic centers. Fishing is an old industry in New England, comprised of generations of fishermen, some of whom trace their ancestry to fishing communities in old Europe. The communities that are the focus of this paper - Plymouth, Gloucester, New Bedford, and Chatham - have deep roots in fishing culture. Each was settled in the 1600s (1620, 1623, 1652, and 1664, respectively) and by the 1800s had developed as major fishing ports and economic centers.

Although these ports developed concurrently, each garnered renown for specialized industries and products. By the mid-1800s, Plymouth’s largest employer, the Plymouth Cordage Company, had gained a reputation as the world’s preeminent rope manufacturer, supplying shipbuilders with rigging and farmers with quality twine.<sup>7</sup> Gloucester was widely regarded as the

world's largest fishing port and in 1924, a Gloucester resident invented the first frozen packaging device for preserving fish and seafood without salt, opening up new possibilities for trade. New Bedford had gained recognition as one of the world's largest whaling ports by the 19th century, attracting immigrants to support the burgeoning industry through jobs selling provisions, outfitting and working on ships.<sup>8</sup> Chatham was a relatively isolated, modest center for shipbuilding and salt making, until the construction of the railroad in 1887.<sup>9</sup> Rail transport soon opened Chatham to an influx of wealthy tourists, transforming it into a summer resort town; its economy continues to rely heavily on tourism today, receiving 20,000-25,000 visitors annually.<sup>10</sup>

Today, these now-modernized communities remain some of the oldest functioning fishing ports in the United States. Their deep maritime heritages and cultures are honored not only day-to-day through the persistence of fishermen who find dignity and joy in their work, but also annually in the form of community-wide festivals. Annual public events and cultural institutions serve as tools for sustaining traditions, inspiring pride, and preserving collective memory.

In 2016, Plymouth launched the "Plymouth Lobster Crawl," a long-term public arts and tourism event featuring 25 fiberglass lobsters, custom designed and hand painted by local artists and installed throughout the historic



The iconic "Man at the Wheel." Fisherman's Memorial Statue, Gloucester, Massachusetts. Photo: Bobak at commons.wikimedia.org/w/index.php?curid=17374883. CC BY-SA 2.5.



Lobstermen Robert Martin and Todd Jesse pose with a custom-designed fiberglass lobster along the Plymouth Lobster Crawl. Photo: Kathleen Nay



*“Gloucester is a fishing community. We don’t have much of anything else, except the tourism industry. Many people think we should abandon fishing and just make Gloucester more of a tourist town. But that’s the reason people come to Gloucester - to see a live fishing industry. We are not dead yet. We are the oldest fishing port in the nation, and people really come to see what’s happening on the water. They go down to the docks, they like to see fishermen mending their nets... they are not so much coming to [museums] to see what fishing was. They can go do that anywhere else in the country - in all those unfortunate fishing communities that have disappeared.”*

**Angela Sanfillipo, Gloucester Navigator**

waterfront and downtown areas. The five-foot-tall lobsters, sponsored by local businesses and organizations, not only promote tourism but also “celebrate [Plymouth’s] hardworking lobstermen and women.”<sup>11, 12</sup> As the state’s number two port in terms of lobster landings, lobsters are an important cultural icon to Plymouth.<sup>13</sup> Another nod to the historic role of fisheries in Plymouth is the Herring Run Festival, hosted annually at Plimoth Plantation.<sup>14</sup> The festival is a tribute to the unique foodways around the cultivation of corn, traditionally co-planted with nutrient-rich herring, a method taught to the early pilgrims by the native Wampanoag peoples.<sup>15</sup>

Each year in Gloucester, the Italian-American fishing community organizes St. Peter’s Fiesta<sup>16</sup> in honor of the patron saint of fishermen, net makers and shipwrights. On Labor Day weekends, the City of Gloucester hosts the annual Schooner Festival in an effort to publicly recognize the role of fishing

schooners in Gloucester’s heritage, striving to embrace young sailors and to incorporate educational components for children into the event.<sup>17</sup> The Gloucester Fisherman’s Memorial is the site of an annual service remembering fishermen lost at sea over the city’s three-century maritime history.<sup>18</sup> This public recognition of lives lost holds deep meaning in light of the continued, inherent dangers of working at sea.

In Chatham, the Cape Cod Commercial Fishermen’s Alliance hosts the annual Hookers Ball gala, a fundraiser to support CCCFA’s work in sustaining the traditions of small scale fishing by being a voice for commercial Cape Cod fishermen and promoting sustainable fisheries management.<sup>19</sup> The nonprofit also organizes the Chatham Fish Pier Host Program, where local retired fishermen volunteer as pier guides for tourists, educating visitors about Chatham’s history, the boats, and the fish being unloaded.<sup>20</sup> Finally, the Chatham

Maritime Festival, an event hosted by the Chatham Maritime Trust, invites residents and visitors to take part in a day of contests, boat races and a fishing parade.<sup>21</sup>

gives commercial fishermen and industry stakeholders an opportunity to educate the public about the industry's ongoing role in the community and in providing seafood to consumers.<sup>23</sup>

New Bedford is home to several cultural institutions that celebrate its roots in the whaling and fishing industries and its immigrant heritage. These include the New Bedford Whaling Museum, New Bedford Whaling National Park, and the Azorean Maritime Heritage Society.<sup>22</sup> The city's fishing history and culture are also celebrated through a variety of annual events. Since the early 2000s, the annual Working Waterfront Festival



*Fish Pier Host Program in Chatham, Massachusetts. Cape Cod Commercial Fisherman's Alliance. [capecodfishermen.org/pier-program](http://capecodfishermen.org/pier-program).*



*“The industry is what keeps New Bedford afloat. If our industry goes down this city is in so much trouble. We all live off the industry. The restaurants, they live off the industry, how many fishermen, how much shore-side support are in the city of New Bedford? We all go grocery shopping, we all go out to eat, we go to church, we attend meetings. The industry makes up the big community of New Bedford and I love that, I do.”*

***Debra Kelsey, New Bedford Navigator***

## Highlights

- The New England fishing industry can be categorized as a group of subgroups, comprised of diverse ethnic heritages, languages, and fisheries. In spite of apparent differences, fishermen and their families find community in the common joys and challenges of fishing.
- Plymouth, Gloucester, New Bedford, and Chatham are some of the oldest functioning fishing communities in the United States.
- While largely white by race, each have richly diverse immigrant histories and collective memories, preserved through language and cultural norms. Many fishing families can trace their lineages back to Old World fishing communities.
- Although these coastal towns developed simultaneously as economic centers anchored in

the fishing industry, each garnered individual renown for niche products and services related to fishing, whaling, or shipbuilding.

- Today, public events and cultural institutions around each city's maritime heritage serve as tools for sustaining traditions, cultivating a sense of pride and belonging, and for placemaking.

## Section References

1. Census Viewer. 2010. Accessed April 10, 2017. <http://censusviewer.com/cities/MA> .
2. Ibid.
3. Clay, Patricia M., Lisa Colburn, Julia Olsen, Patricia Pinto Da Silva, Sarah L. Smith, Azure Westwood, and Julia Ekstrom. Community Profiles for Northeast US Fisheries: Gloucester, MA. Issue brief. National Oceanic and Atmospheric Association. Accessed February 3, 2017. <http://www.nefsc.noaa.gov/read/socialsci/pdf/MA/gloucester-ma.pdf>.
4. Ibid.
5. Urbon, Steve. “City of New Bedford, Whaling Museum, Cape Verde forge a cultural link.” South Coast Today. January 04, 2016. Accessed May 09, 2017. <http://www.southcoasttoday.com/article/20160104/NEWS/160109855>

6. American Factfinder - Results. Accessed April 24, 2017. <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.
7. "About Us." Plymouth Cordage Company. 2016. Accessed April 25, 2017. <http://www.plymouthcordageco.org/about>.
8. Ibid.
9. Ibid.
10. Plymouth Area Chamber of Commerce. May 09, 2014. Accessed April 25, 2017. <https://www.youtube.com/watch?v=ES93h8n3Vlw>.
11. "Plymouth Lobster Crawl." Plymouth Area Chamber of Commerce. 2016. Accessed April 3, 2017. <http://plymouthchamber.com/lobster/>.
12. "Plymouth Lobster Crawl." Facebook . Accessed April 3, 2017. <https://www.facebook.com/pg/PlymouthLobsterCrawl/about/>.
13. Plymouth Area Chamber of Commerce. May 09, 2014. Accessed April 25, 2017. <https://www.youtube.com/watch?v=ES93h8n3Vlw>.
14. "Annual Herring Run Festival." Annual Herring Run Festival | Plymouth, MA | Destination Plymouth County. May 06, 2017. Accessed April 25, 2017. <http://www.seeplymouth.com/events/3rd-annual-herring-run-festival-0>.
15. "Plimoth Plantation." Growing Food | Plimoth Plantation. Accessed April 25, 2017. <https://www.plimoth.org/learn/just-kids/homework-help/growing-food>.
16. "Fiesta History." History of St. Peter's. Accessed April 25, 2017. <http://www.stpetersfiesta.org/history.html>.
17. "Gloucester Schooner Festival, Labor Day Weekend, 2017." 33rd Annual Gloucester Schooner Festival. Accessed April 25, 2017. <http://gloucesterschoonerfestival.net/>.
18. "Gloucester Fisherman's Memorial, featured in Maritime History of Massachusetts--A National Register of Historic Places Travel Itinerary." National Parks Service. Accessed April 25, 2017. <https://www.nps.gov/nr/travel/maritime/glo.htm>.
19. "Who We Are." Cape Cod Commercial Fishermen's Alliance. Accessed April 13, 2017. <http://capecodfishermen.org/who-we-are>.
20. "Pier Program." Cape Cod Commercial Fishermen's Alliance. Accessed April 13, 2017. <http://capecodfishermen.org/pier-program>.
21. Chatham Maritime Trust. Chatham Maritime Food & Drink Festival. Accessed April 14, 2017. <http://www.cmtrust.co.uk/content/chatham-maritime-festival.rhtm>.
22. Clay, Patricia M., Lisa Colburn, Julia Olsen, Patricia Pinto Da Silva, Sarah L. Smith, Azure Westwood, and Julia Ekstrom. Community Profiles for Northeast US Fisheries: New Bedford, MA. Issue brief. National Oceanic and Atmospheric Association. Accessed February 3, 2017. <http://www.nefsc.noaa.gov/read/socialsci/pdf/MA/gloucester-ma.pdf>.
23. "Home." Working Waterfront Festival. September 13, 2017. Accessed April 14, 2017. <http://workingwaterfrontfestival.org/>.



# 4



## Regulatory Context

The most immediate threats to the fishing industry are overfishing and ineffective management of stock. With the rise of environmental protection awareness, the federal government has issued a set of regulations for the sustainable management of fisheries, which unintentionally resulted in an undercurrent of mistrust between fishermen and the scientists whose surveys and calculations determine the amount of fish they can catch. This section explores the primary federal regulations that impact fishing in New England, which we catalog here as the limitations on sustainable fishing stock, the requirements for safety in the workplace, and the concerns about fishermen's mental and physical health.

*"I will keep you here until tomorrow telling you all the regulations."*

**Angela Sanfilippo, Gloucester Navigator**

## Sustainable Management of Fish Stocks

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), passed in 1976, is the primary federal law addressing sustainable management of marine fisheries in U.S. federal waters.<sup>1</sup> Enacted by the National Marine Fisheries Service (NMFS), an office of the National Oceanic and Atmospheric Administration (NOAA), the Act promoted the development

of the domestic fishing industry by phasing out fishing by foreign vessels. In order to pursue long-term biological and economic sustainability, NOAA then created eight regional fishery management councils, which dedicated themselves to managing fishery resources by relying on science-based decision-making and public participation.<sup>2,3</sup> Stock assessments are conducted by science centers and used by the regional fishery management council to recommend better quotas.

Amendments to the MSA in 1996 led to the authorization of the Sustainable Fisheries Act, which focused on rebuilding and protecting endangered species and reducing bycatch, the unwanted fish and other marine creatures that are

*"The government is not a friend to them. It is all about regulations. They have a hard time trusting people because the more they try to find, the more has been taken from them."*

**Debra Kelsey, New Bedford Navigator**

*"So whatever fish they catch they have to measure, and even if it's the slightest bit bigger or smaller, they have to throw overboard... The fishermen say, 'Where is the conservation? So if we bring in 1,000 pounds of fish and can only take 500 pounds, we have to throw 500 pounds of fish overboard. The fish is already caught. Why do we have to throw it overboard? Let us bring it in, we're supposed to fish five days, so that fish goes towards the next day's [catch]. The one day, let's not go fishing...' Makes sense, right?"*

**Nina Groppo, Gloucester Navigator**



caught unintentionally when fishing for a different commercial species.<sup>4</sup> The 1996 amendments also included authorization of two million dollars towards fishermen's healthcare, which laid the foundations and inspired FP's creation of its insurance health plan for fishermen in New England.<sup>5</sup>

In 2007, the reauthorized Act enforced all federal fisheries to be managed under annual catch limits (ACLs) to end overfishing and rebuild overfished stocks. So far, ACLs have demonstrated progress toward these goals, although some species have struggled to recover after more than a century of overfishing, and fisheries now face the added challenge of rebuilding in areas of the ocean that are warming. Indeed, researchers from the Northeast Fishery Science Center (NEFSC) have found that warming waters

reduce the likelihood that young fish will survive to adulthood. Still, by the end of 2015, only eleven domestic stocks were on the overfishing list compared to forty-one of those stocks in 2007.<sup>6</sup>

In addition, the federal mandates also have required NOAA and the regional fishery management councils to comply with not only the MSA but also the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA), and other applicable rules.<sup>7</sup> That is, U.S. fisheries are nationally regulated, scientifically monitored, regionally managed, and legally enforced under multiple requirements.

There are several kinds of programs conducted by the branches of NMFS, that attempt to support the quota

*"The federal government has lied to us for many years. This is where we are now. The public does not know what we are going through at this point."*

**Joe Orlando, Gloucester Fisherman**

*"The hardest thing is dealing with managing your quota, and the frustration of not being able to fish, to having to run away from fish when you're catching too many of them... sometimes you see fish... and all your instincts want you to catch that fish. Well, you can't anymore. So it's a whole different ballgame now. You just can't be in fishing mode. I mean, I wanna fish 100% efficiency, [but] you have to be in quota mode, you know? How can I best utilize my quota?"*

**Al Cottone, Gloucester Fisherman**

monitoring and management decision-making:

### **Permits and Limited Access Programs**

The Greater Atlantic Region Permit Office is responsible for issuing permits for fishing vessel, dealer, and commercial operator, and authorizations for fisheries along the Atlantic coast, including Massachusetts. To manage the stock effectively, the sea-day schedule is enacted to protect fish by limiting fishermen's day at sea. In addition, fishermen are required to hand in the bycatch report in each sail in order to meet the requirement of MSA, stating that all fishery activities must "establish a standardized reporting methodology to assess the amount and type of bycatch

occurring in the fishery."<sup>8</sup> These rules have forced fishermen to make hard decisions and absorb the cost of conservation and investment in long-term economic and biological sustainability.<sup>9</sup>

Unfortunately, limited access programs based on research by government scientists' stock assessments is seen as suspect by many fishermen, who doubt the agencies' sampling methods and are wary of the government's lack of consultation with fishermen's expertise. This has resulted in tensions between scientists, the government, and fishermen--mistrust which can negatively affect the quality of ongoing research.

### **Monitoring and Analysis Programs**

*"Most boats, before they leave to go ground fishing, they have to call NOAA and say, 'I'm going to work,' and you have to call 48 hours before. So in the meantime, you get a bad storm, and they think you're going to work but you're actually not. So you be sure to call because otherwise they will count that day [as one of your fishing days]."*

*"They have an observer that the government used to pay. If they showed up and said, 'I'm coming fishing with you today,' you cannot say, 'Oh no, you can't.' You do have to take them."*

*"They're being told there's no fish, and now they want to put cameras, on top of being regulated by observers. Now they have to pay for the observers. It's \$800 a day. Some of these people don't even catch \$800 worth of fish a day because of the quota. They can lease fish, which means they buy fish or days. You can lease days to go fishing, so... you're buying days to go to work. You pay to go to work. You know of any other outfit that does that?"*

***Nina Groppo, Gloucester Navigator***



The Northeast Fisheries Observer Program (NEFOP) and the At-Sea Monitoring Program (ASM) are both programs to survey and analyze data during commercial fishing trips. These data are collected by trained observers or monitors. The data collected by these observers and monitors are used to set fishing quotas and assess fish populations.

Further systemic barriers exist when fishermen ask to install cameras on their boats, and are instead told they have to pay for onboard observers.

## Labor Rights for Fishermen

Passed in 1935, the National Labor Relations Act (NLRA) has been considered a foundational law that guarantees basic labor rights of private sector employees to organize unions and reach bargaining for better wages and working conditions in the U.S.<sup>10</sup> While the Act was meant broadly to benefit American employees, it did not apply to a number of categories of workers, such as independent contractors and small business employees, including fishermen.<sup>11</sup> Retail employers with sales under \$500,000 annually and non-retail employers with sales under \$50,000 annually are generally defined as small businesses.<sup>12</sup> In 2005, according to the U.S. General Accounting Office report, there were about 4 million small business workers (3,780,889) without

*“This is our livelihood. We want to be able to go to work every day. But they’re being told that they’re raping the ocean, that they’re taking all the fish. And they’re being treated like criminals. They really are not. They were the first ones who really asked for regulations because they knew... they were being paid three cents a pound because there was so much fish. There still is a lot of fish but they’re being told that there is no fish.”*

***Nina Groppo, Gloucester Navigator***

NLRA coverage and, these people represented about 3.3% of all private sector employees and about 2.8% of the total workforce.<sup>13</sup>

In addition, although the Fair Labor Standard Act (FLSA) establishes some standard requirements for employees in the private sector and in Federal, State, and local governments, fishermen are exempt from both minimum wage and overtime pay.

## Workplace Safety for Fishermen

In addition to the limitations on making a living, fishing itself is one of the most dangerous occupations in the U.S., leading to a series of rules and concerns being issued to promote safer workplaces for fishermen. In 2009, for example, the

Coast Guard established a temporary safety zone located 17 miles northeast of Scituate in Massachusetts Bay in order to protect the commercial fishing industry from potential hazards associated with a sunken vessel and its salvage operation.<sup>14</sup> In 2016, the Coast Guard proposed a rule that would improve vessel safety standards and terminate unsafe operations.<sup>15</sup>

In the 1990s, safety interventions declaring specific hazards identified in Alaska resulted in an evidential decline in the state's commercial fishing mortality rate.<sup>16</sup> The Occupational Safety and Health Administration (OSHA) issued the Improve Tracking of Workplace Injuries and Illnesses Rule to improve safe and healthy work environments through the collection of specific injury and illness data.<sup>17</sup> The final rule defined fishing as a high-hazard industry (others included agriculture, forestry, fishing and hunting; utilities; construction; manufacturing; and wholesale trade).

The Office of Worker's Compensation

*"When the guys work for me, I try to treat them as nice as possible. I do pay them well, I do give them bonuses at the end of the year, but that's it. They are independent contractors, and they do not get a W-2."*

**Steve Holler, Boston Fisherman**

U.S. Department of Labor, has required each insurance carrier authorized to write insurance under the Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions to demonstrate that the obligations are sufficiently met.<sup>18</sup> This procedure ensures the prompt and continued payment of compensation and medical benefits to injured independent contracted workers, including some fishermen.

## Health Concerns for Fishermen

To increase the quality and affordability of health insurance, and overhaul the healthcare system, the U.S. Congress enacted the Patient Protection and Affordable Care Act (ACA) in 2010. The ACA includes the creation of state health insurance exchanges, subsidies for low-income individuals to purchase health insurance, an individual mandate to purchase insurance, shared responsibility requirements for employers, and expansions of public health insurance programs.<sup>19</sup> Based on a report by the Centers for Disease Control and Prevention (CDC), ACA has reduced the number of people without health insurance from 16.0% in 2010 to 8.9% in 2016, which caused a significant reduction in citizens without health insurance.<sup>20</sup>

The ACA has also improved the lives of fishermen. Because the fishing industry is mostly composed of individuals or small





*“I feel like I am a mom all the time at Fishing Partnership. Not only do I care about my fishermen, but I care about their family. I want fishermen to keep coming home to their families every day, and thus I want them to come to our safety training, I want them to get health insurance, I want them to take CPR.”*

**Debra Kelsey, New Bedford Navigator**

family-owned businesses, fishermen have historically relied on private health insurance.<sup>21</sup>

According to the federal tax code, the crewmembers are independent contractors if they work on fishing vessels that have less than 10 people on board. Due to the nature of the job, health insurance for self-employed people working in the fishing industry comes with very high premiums. Unfortunately, some of these self-employed fishermen have to go without health insurance because the cost of health insurance is often just out of reach.

In fact, Fishing Partnership's health plan, founded in 1997, served as a model upon which both state and federal health reforms were based. Today, although FP no longer operates the health plan directly, Navigators in Fishing Partnership

offer free assistance with the application process and provide information on the different types of insurance plans and subsidies available for fishermen.

The inherent purpose of the ACA was to benefit lower-income insurance recipients. One 2016 study that assessed commercial fisheries in North Carolina found that fishermen already paying for insurance saw a decrease in business costs with the adoption of the ACA, allowing them to reinvest those saved costs into their businesses or to treat the savings as additional household income.<sup>22</sup> Conversely, while previously-uninsured commercial fishermen did benefit from subsidies available under the ACA, it also increased their business costs.<sup>23</sup> In economic terms, capital used for health insurance might be diverted away from household income or boat and gear investments, leading to an eventual loss in productivity. Still, the cumulative benefits realized by the ACA's reduction in the percentage of uninsured workers reflects a net benefit for fishermen and their families.

In addition, the ACA created the opportunity for states to expand and make improvements to Medicaid to cover more low-income Americans. Initially enacted in 1965, Medicaid has been a long-term health care coverage program. In 2014, the amendment provided eligibility for those who were not entitled to Medicare and who had family incomes below 133% of the

**Table 3. Increase in Medicaid Enrollment, 2013 to 2016**

State	2016 Enrollment	Increase Rate from 2013
Rhode Island	294,264	54.2%
New Hampshire	187,129	47.3%
Massachusetts	1,661,951	28.2%
Vermont	167,130	3.8%
Connecticut	N/A	N/A
Maine	N/A	N/A

Source: "State Medicaid & CHIP Profiles." Medicaid.gov. Accessed April 12, 2017. <https://www.medicaid.gov/medicaid/by-state/by-state.html>.

federal poverty level (FPL).<sup>24</sup> States were required to maintain the same income eligibility levels. Today both Medicaid and Children's Health Insurance Program (CHIP) are administered by states within broad federal guidelines and jointly funded by the federal government and states.<sup>25</sup> Table 3 contains key figures for Medicaid and CHIP enrollment in New England.

Most states administer Medicaid through their own programs. For example, Medicaid in Massachusetts is called Massachusetts Health Connector (MassHealth). Based on a comprehensive review of coverage redesign and guidance from state leadership, MassHealth, a renewed structure for subsidized health programs with five main coverage types are presented as following:<sup>26</sup>

1. MassHealth Standard (MH Standard): a coverage option for members currently involved Medicaid State Plan coverage;
2. Medicaid Benchmark: a plan for adults with incomes up to 133% FPL who are newly eligible for State Plan coverage in 2014;
3. A Basic Health Plan administered by MassHealth (BHP): provide direct coverage for adult citizens and qualified immigrants with incomes 133% - 200% FPL and Lawfully Present Immigrants with incomes 0% - 200% FPL, offering benefits similar to Benchmark;
4. Qualified Health Plans through the Exchange with federal tax credits and a state subsidy (QHP Wrap): reduce the impact of cost sharing requirements under the ACA for individuals with incomes 200% - 300% FPL;
5. Qualified Health Plans through the Exchange with federal tax credits (QHP): for individuals with incomes 300% - 400% FPL.



## Highlights

- The U.S. fisheries are nationally regulated, scientifically monitored, regionally managed, and legally forced under multiple requirements that fishermen have to obey.
- The stock assessed by scientists and monitored by the well-trained observers is provided to set fishing quotas and manage fish populations.
- However, more precise assessment and open communication could potentially resolve some of the mistrusts between fishermen and government.
- In addition, most fishermen are independent contractors that make them exempt from the protection of minimum wage and overtime pay, illustrated in the Fair Labor Standard Act (FLSA) and the National Labor Relations Act (NLRA).
- Due to their nature of work, fishermen without choices have to rely on private health insurance. With the enactment of the *Affordable Care Act (ACA)* in 2010, fishermen can afford health insurance for themselves and their families.

## References

1. Fisheries, Office Of Sustainable. "Magnuson-Stevens Fishery Conservation and Management Act." Office of Sustainable Fisheries, NOAA. March 26, 2013. Accessed April 20, 2017. [http://www.nmfs.noaa.gov/sfa/laws\\_policies/msa/](http://www.nmfs.noaa.gov/sfa/laws_policies/msa/).
2. Ibid.
3. "Federal Legislation." Massachusetts Fisherman's Partnership Health Plan. Accessed April 20, 2017. <http://www.mass-fish.org/health.html>.
4. "Sustainable Fisheries Act of 1996." Office of Sustainable Fisheries. September 13, 2013. Accessed April 26, 2017. [http://www.nmfs.noaa.gov/sfa/laws\\_policies/msa/sfa.html](http://www.nmfs.noaa.gov/sfa/laws_policies/msa/sfa.html).
5. "Fishing Partnership Health Plan." Massachusetts Fisherman's Partnership Health Plan. Accessed April 19, 2017. <http://www.mass-fish.org/health.html>.
6. "Ending Overfishing Through Annual Catch Limits." Office of Sustainable Fisheries. September 20, 2013. Accessed April 26, 2017. [http://www.fisheries.noaa.gov/sfa/management/acls\\_ams/index.html](http://www.fisheries.noaa.gov/sfa/management/acls_ams/index.html).
7. "Standardized Bycatch Reporting Methodology and Sea Day Schedule." U.S. Department of Commerce, NOAA. <https://www.nefsc.noaa.gov/fsb/SBRM/>
8. U.S. Department of Commerce. "Standardized Bycatch Reporting Methodology and Sea Day Schedule." National Oceanic and Atmospheric Administration. <https://www.nefsc.noaa.gov/fsb/SBRM>.
9. Methot, R. D., G. R. Tromble, D. M. Lambert, and K. E. Greene. "Implementing a science-based system for preventing overfishing and guiding sustainable fisheries in the United States." *ICES Journal of Marine Science* 71, no. 2 (2013): 183-94. doi:10.1093/icesjms/fst119.
10. "National Labor Relations Act." National Labor Relations Act | NLRB. Accessed April 26, 2017. <https://www.nlr.gov/resources/national-labor-relations-act>.
11. *The Haves and the Have-Nots: How American Labor Law Denies A Quarter of the Workforce Collective Bargaining Rights*. Report. American Rights at Work. 2008.
12. Ibid.

13. Ibid.
14. Safety Zone: F/V PATRIOT, Massachusetts Bay, MA, E9-12706, Department of Homeland Security (2009).Federalregister.gov
15. Commercial Fishing Vessels-Implementation of 2010 and 2012 Legislation, Vol. 81 No.119 Department of Homeland Security (2016). federalregister.gov
16. Conway, George A. *Surveillance and prevention of occupational injuries in Alaska: a decade of progress, 1990-1999*. Cincinnati, OH: National Institute for Occupational Safety and Health, 2002.
17. Improve Tracking of Workplace Injuries and Illnesses., Vol. 78 No. 217 Safety and Health Administration (2013). Federalregister.gov
18. Regulations Implementing the Longshore and Harbor Workers' Compensation Act and Related Statutes, Federal Register, Vol. 70, No. 142, U.S. Department of Labor, Employment Standards Administration. (2005).
19. *MassHealth: roadmap to 2014: Affordable Care Act Transition Plan (Revised)* <http://www.mass.gov/eohhs/docs/eohhs/cms-waiver/aca-transition-plan-draft.pdf>
20. US Department of Health and Human Services. CDC- National Center for Health Statistics. *Early Release of Selected Estimates Based on Data from the January - June 2016 National Health Interview Survey* . By Brian W. Ward, Tainya C. Clarke, and Jeannine S. Schiller. November 2016. Accessed April 12, 2017.
21. Buettgens, M. et al. *Americans under the Affordable Care Act*. Robert Wood Johnson Foundation. 2010.
22. Crosson, Scott. "The Affordable Care Act and Opportunities for Change in North Carolina's Commercial Fisheries." *Marine Resource Economics* 31, no. 2 (2016). Accessed April 11, 2017.
23. Ibid.
24. U.S. Cong. Senate. Responsible Reform for the Middle Class. *The Patient Protection and Affordable Care Act Detailed Summary*. Rept. Accessed April 2, 2017. <https://www.dpc.senate.gov/healthreformbill/healthbill04.pdf>.
25. "Eligibility." Medicaid.gov. Accessed April 4, 2017. <https://www.medicaid.gov/medicaid/eligibility/index.html>.
26. *MassHealth: Roadmap to 2014: Affordable Care Act Transition Plan (Revised)* <http://www.mass.gov/eohhs/docs/eohhs/cms-waiver/aca-transition-plan-draft.pdf>.

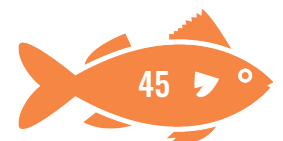
[mass.gov/eohhs/docs/eohhs/cms-waiver/aca-transition-plan-draft.pdf](http://www.mass.gov/eohhs/docs/eohhs/cms-waiver/aca-transition-plan-draft.pdf).



# 5

## Challenges and Opportunities

Local fishing culture remains the backbone of many coastal Massachusetts communities. There is a deep pride associated with the legacy of the industry in fishing towns and families that makes Massachusetts fishing communities unique, as demonstrated by the local community events described earlier in this report. Unfortunately, this historic trade faces several challenges for fishermen, their livelihoods, their families, and communities. Challenges for fishing industry workers include risks of injury and fatalities, fluctuating incomes, market pressures of cheaper imported fish, vulnerability to climate change, and the declining state of fisheries and infrastructure. However, there are also many opportunities for supporting fishermen.



## Challenges to Fishermen and Fishing Families

### Occupational Risks

Commercial fishing is the deadliest job in the United States, according to the Bureau of Labor Statistics, with New England leading as one of the most dangerous fisheries.<sup>1</sup> Commercial fishing workers are at increased risk for injuries, illnesses, and fatalities.<sup>2-3</sup> As addressed in Chapter 4, the fishing industry is not protected under the Fair Labor Standards Act, and the Occupational Safety and Health Administration only protects workers on shore. The methods for ensuring on-vessel safety, reporting injuries or illnesses, and addressing injuries or illnesses therefore do not meet the needs of fishermen to keep them safe and healthy.<sup>4-5</sup> In Massachusetts communities specifically, some fishermen who attend safety trainings provided by Fishing Partnership are surprised by how much essential safety information had never before been made available to them.<sup>6</sup> In some communities, such as

*“When you’re on land, the fire department is a couple minutes away, but on boats the Coast Guard isn’t.”*  
**Todd Jesse, Plymouth Fisherman**

New Bedford, vessel operators also face shortages of crewmen. Captains attribute labor shortages, in part, to the dangerous working conditions and safety issues inherent to fishing.

In addition, the challenges of this dangerous occupation are exacerbated by an opioid epidemic, with which many communities struggle. Between 2002 and 2014, fatalities from drug overdoses more than doubled in every Massachusetts county.<sup>7</sup> Opioid addiction is a particularly salient issue in fishing towns as a result of the high risk for injury among workers in the fishing industry. Workers who use prescribed opioids to treat symptoms of chronic pain and traumatic injury are at higher risk of developing the addictive behaviors and depression associated with prolonged opioid use.<sup>8</sup> However, it is important to note that the opioid

*“You know, we want to make a difference. We want [opioid] awareness because at least if you’re aware you’ve got a chance... It’s happening in our community and the industry is a part of the community... I’m careful when I talk about opioids because I don’t want my guys to be stigmatized like they’ve been in the past. But it’s a community epidemic, so of course it affects us too. Opioids are a problem for the whole community, and we’re a part of the community. It’s not just fishermen.”*

**Debra Kelsey, New Bedford Navigator**



epidemic is not specific to fishermen. Fishing community members interviewed for this report clarify that they see the effects of opioid addiction in their industry, but it is a problem that afflicts all communities, and not only fishermen.<sup>9</sup>

### **Fluctuating Income and Health Insurance**

Adding to the difficulty of dangerous working conditions, obtaining health insurance to alleviate the burden of their high risk for injury can be a hardship for some Massachusetts fishing families. Like many independent workers, fishermen are not unionized. No existing federal or state regulations require employers to provide employee benefits, and many employers (small vessel captains) are in precarious positions themselves, equally dependent on the ebbs and flows of the fishing season.

Furthermore, fishermen have highly fluctuating incomes due to the seasonal nature of their work.<sup>10</sup> Fishermen reported difficulties in financial planning due to the uncertainty of their incomes from year to year, based on variations of fish stock and changing regulations.<sup>11</sup> This variability in income is a barrier to many aspects of security, including obtaining health insurance. A fluctuating income may make fishermen eligible for health insurance one month and ineligible the next. As a result, uninsured status among fishing families is five times more likely than the national average.<sup>12</sup> With limited access to social programs and benefits

*“The biggest difference in this industry between the people who survive and the people who don’t survive is knowing how to budget money. You just don’t know year to year, so you have to be very good with money management.”*  
**Todd Jesse, Plymouth Fisherman**

provided to workers in other industries, the health and livelihood of fishermen, and by extension, fishing communities, are perpetually at risk.

The gap between having an occupation with high risks of injury and illness and the hindrance of a seasonal income with which to purchase health insurance was identified and then filled by the Fishing Partnership as an impetus for the organization. With the advent of statewide affordable health insurance in Massachusetts and the national Affordable Care Act, obtaining health insurance has become easier for fishing families. However, according to the Congressional Budget Office, potential revisions to the Affordable Care Act may leave many American families without health insurance in the coming decades.<sup>13</sup>

### **Market Pressures**

Massachusetts fishermen catch wild seafood that can be sold at a premium price. However if they sell their product

*"We're putting everyone out of business for no reason. Who are we gonna leave it to? The Tysons? The big corporations in the world?"*

**Joe Orlando, Gloucester Fisherman**

locally they must compete in the market with cheaper, unregulated imports from abroad and larger, more subsidized corporate fisheries within the United States. With these competitive threats, market prices of seafood in local markets are being driven down, meaning that some local fishermen are often not receiving fair prices for their valuable products.

American consumers buy much more imported seafood than they do local seafood. Even though the fish that is wild-caught in the waters surrounding the United States is fresh and of good quality, still 91% of the seafood consumed in the U.S. is imported from other countries, while one third of the seafood caught in the United States is exported to other countries.<sup>14</sup> Much locally caught seafood is exported due to in part to less expensive processing and greater foreign demand.<sup>15</sup>

The U.S. imports seafood because labor costs in other countries are less expensive and the seasonal regulations are less strict than in the U.S., making the final product less expensive and more

plentiful.<sup>16</sup> In addition to depressing the wages of Massachusetts fishermen, this situation endangers the global marine ecosystem because much of the imported seafood in the U.S. is caught illegally and without the regulations that protect marine species and the safety of fishermen abroad.<sup>17</sup> While buying less expensive, imported seafood appears to be a benefit to the consumer, the consumer is losing out on fresh and healthy seafood by choosing to purchase the imported option, because as Massachusetts fishermen have claimed, the imported seafood is often raised or stored in unsanitary conditions.<sup>18</sup> The global seafood market is significant to understanding the future of a sustainable fishing industry globally as well as locally in Massachusetts.

*"As a person who lives in Gloucester... I know, out there, there's fish, and there [are] people who can bring them in, and I need to support them any way I can.*

***Because if we're not there to catch the fish, someone else will, and we don't know who the someone else is. That food is not going to be left in the ocean, but if we eradicate the present industry, [others] are going to come from somewhere."***

**Angela Sanfilippo, Gloucester Navigator**





Local fishermen are facing market challenges domestically, as well as globally. As a result of The New England Catch Share Program created by the North Atlantic Marine Alliance, fish quotas can be bought and sold to the highest bidder, similar to company stocks.<sup>19</sup> Larger fishing entities are able to take advantage of this program by buying up fishing quotas from smaller fishing captains. Fishermen fear that local economies are losing control of their fishing industry, as it is being consolidated by a select few, larger fishermen.<sup>20</sup> Meanwhile, the small business fishermen are aging out and not enough young people are vying to replace them because the industry is struggling, according to interviewed community members.<sup>21</sup> With small business, local fishermen being edged out, larger corporate fishing entities may fill the void. New England stands to lose a valuable economic and cultural resource to corporate consolidation.

## Changing Fish Stocks and Regulations

Fisheries worldwide and fishing communities in Massachusetts face changes in fish stocks on which communities have historically relied. For example, Cape Cod's namesake fish species has dropped off the list of top six commercially important species in Massachusetts (see Table 4). Variations in fish stocks available to fishermen are the result of a combination of factors including overfishing, climate change, and government regulations. The relationship among these factors and the impacts they have on fish stocks

*“My son, who is now 10, is showing some signs [of getting into fishing], but I’m definitely not pushing him into it with the way the industry is.”*

**Chris Stowell, New Bedford Fisherman**

**Table 4. Top Commercial Landings in Massachusetts, 2010 and 2015**

2015			2010		
Species	Volume (thousand lbs)	Value (thousand US \$)	Species	Volume (thousand lbs)	Value (thousand US \$)
Sea Scallop	21,515	264,933	Sea Scallop	31,156	252,253
American Lobster	16,451	78,290	American Lobster	12,760	50,330
Eastern Oyster	593	22,742	Atlantic Cod	15,372	23,999
Atlantic Surf Clam	18,828	17,095	Haddock	21,089	21,211
Haddock	11,480	12,049	Atlantic Herring	71,922	10,251
Goosefish	11,084	10,251	Goosefish	8,887	9,922

Source: Annual Commercial Landings Statistics, National Marine Fisheries Service, National Oceanic and Atmospheric Administration. [www.st.nmfs.noaa.gov/commercial-fisheries-landings/annual-landings/index](http://www.st.nmfs.noaa.gov/commercial-fisheries-landings/annual-landings/index)

is essential to understanding one of the major challenges for fishermen in Massachusetts.

The effects of climate change are contributing to variations in fish stocks available to fishermen. Shifts in global average temperatures change the habitat ranges of marine species, forcing them to move out of the regions they have historically populated.<sup>22</sup> An alteration in species habitat reduces the availability of a population from the fishing communities that have built their economies around a particular species, such as lobster fishermen in New England. In southern New England, there has been a significant decline in lobsters compared to surveys conducted since 1990, due to warmer temperatures in Narragansett Bay, Rhode Island.<sup>23</sup> These shifting climatological conditions force an abrupt change in the relationship between fishermen and the marine species on which they have historically relied.

Fishing communities have also been subject to sudden changes in the species they are allowed to fish as a result of changing regulations that are imposed on them, some of which are discussed earlier in this report. The regulations are intended to maintain a long-term sustainable fishing industry, as well a healthy marine ecosystem, however they often are the cause of tension for fishermen. Four local examples of the tension between commercial fishermen

and conservation-minded regulations are detailed below and come from Gloucester, Chatham, Plymouth, and New Bedford.

Gloucester remains strong in terms of reported landings. Valued at \$41.2 million, it had the nation's ninth highest landings value in 2002. However, there are concerns that the industry would crumble if small businesses were to go out of business. While the catch restrictions imposed by federal regulations are meant to rebuild declining fish stocks, fishermen feel that their ultimate impact has been to place pressure on business owners to find sources of income outside of fishing.

Chatham faces many of the same challenges. Shellfish harvesting has been controversial in Chatham due to protests against the extraction of shellfish from the Monomoy National Seashore Wilderness Sanctuary.<sup>24</sup> While it is a protected area, it is also the largest shellfishery in New England; according to NOAA, one year Chatham's shellfish industry earned \$4.5 million, compared to \$9 million in the whole state of Maine.<sup>25</sup> Fishermen argue that turning clam beds, which takes place during extraction, releases sulfates from the soil that favor habitat for bottom-dwelling creatures, including the growth of more shellfish.

Additionally, redevelopment pressures threaten mooring space and other land-based fishing infrastructure. While



*"The Endangered Species Act and the Marine Mammal Act... drove our significant closure of 3,000 square nautical miles. The way that I describe that is they put a cork in the harbors of Sandwich, Plymouth, and Marshfield. There's nowhere for those guys to go."*

**Lori Caron, Plymouth Navigator**

*"[The whale closure] went into effect four years ago. This is the third year. About 3,000 square miles. We were closed down for February, March and April for right whales when they came around this area... National Marine Fisheries helped us out in the beginning because we asked them, and said this closure was a lot bigger than it was supposed to be, but no one really said nothin'. You snooze, you lose. If you're not at the table, prepare to be served..."*

*"The three-month closure is actually a five-month closure, 'cause I got a month beforehand - it's in the winter time - there's 800 pots in the water that have to come home."*

**Robert Martin, Plymouth Fisherman**

Chatham's fishing history and culture is in large part what draws tourism, it is feared that it could lose its cultural appeal if the industry were to close down - threatening not only a negative impact on the fishing economy, but also on the city's tourism.

Many Plymouth fishermen and lobstermen who work in the waters of Cape Cod Bay share the area with Northern right whales. Because this habitat is critical to the survival of the whales, a 3,000 square nautical mile area is subject to "closures," large swaths of ocean closed to vessels with fixed fishing gear, for three months at a time while the whales are present. The regulations are

dictated by the Endangered Species Act and the Marine Mammal Act.<sup>26</sup> In effect, however, fishermen can find themselves out of work for up to five months, once the time needed to ready their vessels and equipment is accounted for.<sup>27</sup>

New Bedford experienced a dramatic decrease in groundfish stocks and many fishermen went out of business. Federal regulations have been imposed to rebuild depleted stocks. Despite this, by early 2000s New Bedford was the highest value port in the U.S. (generating \$150.5 million in dockside revenue), and the number of vessels that made New Bedford their home port increased

again; this is in part because nearby ports such as Gloucester, Portland, Plymouth, Newport and others have relocated their fishing vessels due to collapsed fishing infrastructure.

These examples make clear the face of burgeoning environmental and socioeconomic threats to the fishing industry, fishing communities throughout Massachusetts are fighting to preserve their cultural identities and the infrastructure necessary for a functional industry. There are varying viewpoints between fishermen and regulators on the future of the fishing industry. The Massachusetts government recently conducted a survey of groundfish, confirming federal data that found historic lows in cod stocks - some 80

percent less than the stocks seen as recently as ten years ago.<sup>28</sup> But many fishermen disagree with state and federal assessments. They believe that fish stocks are rejuvenating naturally, based on the quantity and ages of the species they catch. They worry that the federal regulations putting pressure on the industry are unnecessary and will ultimately collapse their businesses.

## Opportunities for Advancing the Fishing Industry

Despite challenges in the fishing industry, there are also opportunities for growth. The New England fishing industry could be viewed as at a tipping point, due to the current uncertainties of regaining certain fish stocks, the potential

*“The problem is, you can’t go cod fishing, you can’t go scalloping, you can’t do this... You took all these permits away so now there’s no chance to do something else. It would be like a corner store where they say you can’t sell bread, and now you can’t sell milk either. If you want to branch out and try other things, you can’t do it.”*

**Todd Jesse, Plymouth Fisherman**

*“Back in 2014... these guys took it upon themselves to rent a bus, give up their day of work... there must have been 75 of them that took this bus up to Lobster Day at the Statehouse to talk to their senators. You know, it was pretty impressive that they were able to organize themselves... but the conversation with their representatives wasn’t that, ‘I’m looking for a handout,’ [it was] ‘I want to work. I’m just here to say I want to work, and you won’t let me work.’”*

**Lori Caron, Plymouth Navigator**



*“I would like to see grants, more ways to buy [safety equipment] and get more on boats.”*

**Todd Jesse, Plymouth Fisherman**

complications of climate change, and an aging workforce.<sup>29, 30</sup> The awareness of standing on this precipice may be the necessary impetus to change the fishing industry in a way that enhances the economic and social well-being of fishermen and fishing communities.

One growing opportunity for the fishing industry is *employing new technology*. While in the past improvements in technology for locating and catching fish have contributed to overfishing, technology can also be used to improve the safety of fishermen and allow fishermen to adapt to strict regulations.<sup>31</sup> Improvements in safety equipment can reduce risk of fatalities at sea, including new fire suppression systems, automatic emergency defibrillators (AEDs), floatation suits, and Emergency Position Indicating Radiobeacons (EPIRB). New technology is costly, but can ensure a safer workforce if it is made more accessible for fishermen.

In addition to reducing risk at sea, technological enhancements can allow fishermen to catch fish more efficiently and avoid negative ecological externalities. For example, fishermen

*“The closure we got stuck with in the third year was an overreach of time and space. 3,000 square miles. That’s in the past... but we’re trying to fix it, and... with the new vertical line we want to try using, it’s actually whale safe.”*

**Robert Martin, Plymouth Fisherman**

and scientists are working to develop new whale-safe equipment. By using new equipment, fishermen may be exempt from the ocean closures that are protecting right whales.<sup>32</sup> An essential consideration when assessing the capabilities of technological adaptations is ensuring equitable access to new resources and evaluating whether improved technology will produce a greater ecological burden.<sup>33</sup>

Another avenue for progress in the fishing industry is *improving the relationship between fishermen and regulators*. Academic literature has outlined benefits of increased community engagement in policy decisions in situations requiring adaptation, such as in planning for climate change.<sup>34</sup> Several Massachusetts fishermen have spoken out on the frustration of being shut out of the policy-making process.<sup>35</sup> Fishermen have valuable knowledge that should be used as a resource by policy-makers and incorporating fishermen into the

discussion will allow for more agreeable policies for all parties involved.

## Highlights

- Local fishing communities face significant challenges that threaten the long-term sustainability of the local industry.
- Fishing is one of the most dangerous occupations in America, but fishermen have limited access to health and safety services.
- Furthermore, fishermen's income fluctuates from month to month, creating an extra barrier in attempts to secure health insurance.
- Prices of seafood in local markets are driven down by cheaper imported seafood, meaning local fishermen don't get fair prices for their valuable products.
- At least 91% of the seafood consumed in the United States is imported from countries with far weaker environmental regulations.
- Still, regulators and fishermen are sometimes positioned as adversaries due to differing views on the health of the fisheries and the future of local fishing communities.

- Fishing infrastructure in traditional fishing communities is in decline due in part to strict regulations and changing fish stocks.
- Opportunities emerge amidst these challenges. Technology can aid fishermen in two ways:
  - > Automatic safety equipment can reduce the risk of fatalities at sea, and
  - > Monitoring systems can help fishermen fish more efficiently, reducing bycatch, and can facilitate compliance with regulations.
- Another opportunity for progress in the fishing industry is improving the relationship between fishermen and regulators by involving fishermen in the policy process.

## Section References

1. Lincoln, Jennifer and Lucas, L. Devin. "Fatal occupational injuries in the U.S. commercial fishing industry: risk factors and recommendations: East Coast Region." Anchorage, AK: NIOSH Commercial Fishing Safety Research Program, Dept. of Health and Human Services, Centers for Disease Control and Prevention, 2010.
2. Janocha, J. "Facts of the catch: Occupational injuries, illnesses, and fatalities to fishing workers, 2003-2009," *Beyond the Numbers: Workplace Injuries*, vol. 1, no. 9 U.S. Bureau of Labor Statistics. August 2012.
3. Fulmer, Scott, et. al. "Work-Time Exposure and Acute Injuries in Inshore Lobstermen of the Northeast United States." *Journal of Agromedicine* 21, no. 2 (2016): 190-99.
4. Weil, R., et. al. "The use of personal flotation devices in the Northeast lobster fishing industry: An examination of the decision-making



- process." *American Journal of Industrial Medicine* 59, no. 1 (2015): 73-80.
5. McGuinness, Edgar and Utne, Ingrid B. "Identification and analysis of deficiencies in accident reporting mechanisms for fisheries." *Safety Science* 82 (2016): 245-53.
  6. Robert Martin, interviewed by Kathleen Nay at Plymouth, MA, 4/5/2017.
  7. Monnat, M. Shannon. *Drugs, Death, and Despair in New England*. Federal Reserve Bank of Boston, September 8, 2016.
  8. Bohnert, AS., et. al. "Association between opioid prescribing patterns and opioid overdose-related deaths." *JAMA*; 305, 13 (2011):1315-1321.
  9. Debra Kelsey, interviewed by Kathleen Nay at New Bedford, MA, 4/9/2017.
  10. Kasperski, Stephen and Holland, Daniel S. "Income Diversification and Risk for Fishermen." *Proceedings of the National Academy of Sciences of the United States of America* 110, no. 6 (2013): 2076-081.
  11. Todd Jesse, interviewed by Kathleen Nay at Plymouth, MA, 4/5/2017.
  12. Biesecker, Gretchen. "Annual Report: Fishing Partnership Support Services" Report, 2016, Fishing Partnership Support Services, Pg. 4.
  13. Kurtzleben, Danielle. "GOP Health Care Bill Could Leave 24M More Without Coverage By 2026, CBO Says." NPR. March 13, 2017.
  14. Interview: Paul Greenberg, Author of 'American Catch: The Fight For Our Local Seafood,'" NPR: The Salt, July 1, 2014.
  15. Kearney, Melissa, Benjamin H. Harris, Brad Hershbein, David Boddy, Lucie Parker, and Katherine DiLucido. "What's the Catch? Challenges and Opportunities in the U.S. Fishing Industry." *The Hamilton Project*, September 2014.
  16. "Interview: Paul Greenberg, Author of 'American Catch: The Fight For Our Local Seafood,'" NPR: The Salt, July 1, 2014.
  17. Pramod, Ganapathiraju. et. al. "Estimates of illegal and unreported fish in seafood imports to the USA." *Marine Policy* 48 (2014): 102-133.
  18. Christopher Stowell, interviewed by Kathleen Nay at New Bedford, 4/9/2017.
  19. Mand, Frank. "Fishermen walk out of Fisheries Management Council Meeting." *Plymouth Wicked Local*. October 6, 2015.
  20. Ibid.
  21. Angela Sanfilippo, interviewed by Minnie McMahon at Gloucester, 4/5/2017.
  22. Bell, R.J. et. al. "Disentangling the effects of climate, abundance, and size on the distribution of marine fish: an example based on four stocks from the Northeast US shelf." *ICES Journal of Marine Science*, 72 (2014): 1311-1322.
  23. Wahle, RA., et.al. "American lobster nurseries of southern New England receding in the face of climate change." *ICES Journal of Marine Science: Journal du Conseil*, 72 (2015): 169-178.
  24. Clay, Patricia M., Lisa L. Colburn, Julia Olson, Patricia Pinto da Silva, Sarah L. Smith, Azure Westwood and Julia Ekstrom. "Community Profiles for Northeast US Fisheries: Gloucester, MA." National Oceanic and Atmospheric Administration, Northeast Fisheries Science Center, 2010.
  25. Ibid.
  26. Ibid.
  27. Todd Jesse, Robert Martin, and Lori Caron, interviewed by Kathleen Nay at Plymouth, 4/5/2017.
  28. Abel, David. "A Milestone in the War over the True State of Cod." *The Boston Globe (Boston, MA)*, April 2, 2017. Accessed April 15, 2017. [Thebostonglobe.com](http://Thebostonglobe.com)
  29. Kearney, Melissa, Benjamin H. Harris, Brad Hershbein, David Boddy, Lucie Parker, and Katherine DiLucido. "What's the Catch? Challenges and Opportunities in the U.S. Fishing Industry." *The Hamilton Project*, September 2014.
  30. "Sustaining Gloucester's Commercial Fishing Industry: Opportunities and Challenges." Mt. Auburn Associates, October 2009.
  31. Kearney, Melissa, Benjamin H. Harris, Brad Hershbein, David Boddy, Lucie Parker, and Katherine DiLucido. "What's the Catch? Challenges and Opportunities in the U.S. Fishing Industry." *The Hamilton Project*, September 2014.
  32. Robert Martin, interviewed by Kathleen Nay at Plymouth 4/5/2017.
  33. Moser, Susanne C., Roger E. Kasperson, Gary Yohe, and Julian Agyeman. "Adaptation to climate change in the Northeast United States: opportunities, processes, constraints." *Mitigation and Adaptation Strategies for Global Change* 13, no. 5-6 (2007): 643-59.
  34. Ibid.

35. Robert Martin, interviewed by Kathleen Nay at  
Plymouth 4/5/2017.





# 6



## Supporting Fishermen

**M**any individuals and organizations are hard at work advocating for independent fishing communities in Massachusetts, the rest of New England, and around the country. Nevertheless, industrial barriers impede giant leaps forward for fishing communities. In this chapter we present some major barriers to support, and highlight two models of support and two organizations employing these models in service of sustaining independent fishing communities.

*"[We need to be] protecting the people and also protecting the ocean."*

**Angela Sanfilippo, Gloucester Navigator**

Even with outstanding advocates on their side, serious challenges remain for fishing communities in a political economy that favors large-scale and corporate operations over small-scale and independent businesses.

## Industrial Barriers to Broad-Based Support

Building collective power among fishermen is a challenge when independent businesses may not readily identify a common body against which to demonstrate. Furthermore, fishermen who own their own business or who are one of a two-person crew have little to gain from a work stoppage. Because the fishermen themselves would suffer from the lack of harvest, collective bargaining or striking are not strategically effective tools.

While unionization is not traditional for fishermen and other independent contractors, the Freelancer's Union provides group health insurance among other services to self-employed people. The Freelancer's Union, however, is oriented towards writers, artists, and

tech startup workers, who face a largely different set of industrial challenges than those faced by fishermen. No heavy industry is represented among the membership of the Freelancer's Union.<sup>1</sup>

In interviews, some fishermen and Navigators reported feeling that regulations have positioned fishermen as adversaries with one another—as closures leave less ocean available for fishing, fishermen in different sectors must compete for territory. Additionally, because each fishery and state has its own regulations, there is not one particular regulation or issue common to all fishermen.

Unlike large-scale operators, independent fishermen in New England do not reap the benefits of traditional interest groups like the National Fisheries Institute, a powerful lobby of the industrial seafood industry. Nor do small fishing businesses benefit from government subsidies that promote certain fishing practices. As small fish in a big sea, independent fishermen are seeing the consolidation of their industry, and the attendant lowering of market prices

*"The regulations have always been, in a way, purposely to put people against each other so they do not work together."*

**Angela Sanfilippo, Gloucester Navigator**



and increased political clout among the corporate companies. In the years 2011 through 2016, National Marine Fisheries spent between \$800,000 and \$1.08 million per year lobbying, compared to \$340,000 in 2009 and in 2010, and even less before that.<sup>2</sup>

## Promising Models

Our research into organizational models in general and current supports in the fishing industry in particular yielded two models that take a holistic approach to meeting the needs of fishing communities while centering fishermen and their communities within the organizations.

### Navigator Model

The community health (or “Navigator”) model relies on existing community assets to improve individual and community wellbeing for the long term. Navigators are trusted members of a community who have personal knowledge of the challenges their constituents face, because they, too, face these challenges. The navigator model first emerged in the U.S. in the 1990s when cancer patients began to assist other (especially “underserved”)

*“I am no better than you. I am you, when you walk in that door.”*

**Lori Caron, Plymouth Navigator**

cancer patients in managing the myriad difficulties associated with their disease—from medical needs to systemic barriers to care.<sup>3</sup>

Navigators are trained to assist targeted populations with a breadth of needs, as opposed to serving a broad population with one or two services.<sup>4</sup> An organization using the navigator model might offer services like preventive health care provision and access, occupational trainings, financial services, and mental health and wellness education and services.

Many community-support groups engage in direct service provision to their constituents. The navigator model stands out among them because it utilizes, and therefore strengthens, community ties in the process of connecting people with the services they need. In taking a holistic approach to support, the navigator model not only builds community but is

*“We’re here to help everyone. We’re here to bring wellness to the community, safety and survival training to the community, along with a non-judgemental organization, services from opioid awareness to flu shots, CPR [training]... We are there to cover all bases. [We’re a] one-stop shop.”*

**Monica DeSousa, New Bedford Navigator**

better suited to address systemic issues than is a simple transactional approach focused purely on discrete needs.

### **Spotlight: Fishing Partnership**

Fishing Partnership has remained a community health organization since transitioning its members to health insurance coverage under the Affordable Care Act (in 2011). Now, Fishing Partnership focuses on a diversity of health needs and provides occupational safety education, direct-service preventive health care including vaccinations and cancer screenings and dental care, mental health and addiction programming, and support obtaining health insurance and financial services to almost 20,000 fishermen and their families in Massachusetts and Maine. FP extended its safety and survival trainings to fishing communities in New York in 2013, and to Rhode Island and Connecticut in 2016.

Fishing Partnership is concerned with the health of its individual members and with the long-term health of New England's fishing industry. The Partnership attributes much of its success to its model of localized support structures rooted in each community. Many of Fishing Partnership's navigators are the partners of fishermen, and one navigator in Chatham is, herself, a fisherman. In addition to its community-based work, FP engages in small-scale lobbying and has partnerships with research

institutions, medical providers and other organizations.

Since its inception, FP has relied on the Navigator model, and the fishermen and navigators we spoke to were unequivocal in their support of this method. Navigators spoke of the pride they have in their work, and trust they have earned as members of the community.

*"Because of the Partnership we have all kinds of services, training... the Partnership has really stepped up, and that has made a difference for the guys that are left."*

**Joe Orlando, Gloucester Fisherman**

*"[The fishermen] know we're genuine, they know we come from within. I've always been a caretaker, always had desire... [for] serving people... I feel like we're a family... I need to help this wife take care of her husband and her children."*

**Debra Kelsey, New Bedford Navigator**



## Worker-based Trade Associations

Trade associations or interest groups are organizations that focus on the promotion of their industry through lobbying, advertising, technology- and/or knowledge-sharing among member businesses.<sup>5</sup> Trade organizations are commonly large in size and political clout, oftentimes working in support of policies that financially benefit their member groups.<sup>6</sup> While fishermen do not reap the benefits of these larger groups and their corporate lobbies, they can band together with others in their trade to share best practices and promote their trade.

Focusing on sustainable resource management is one strategic mode for small food producers, including fishermen and small organic farmers, to compete with the large corporations and with trade organizations that do not represent their interests. While small producers do not enjoy political clout on their own, they can effectively target consumers and gain market influence when operating in concert. Trade associations, like any alliance, can be composed of a diverse constituency working toward a shared goal, and can face the challenge of competing needs of member groups once that goal is met.

## Spotlight: Community Fisheries Network

One example of a fishermen's trade association is Community Fisheries Network, comprised of 13 member organizations nationwide and three "support" organizations that provide financial support and technical assistance with both business operations and policy development and promotion.<sup>7</sup> Undergirding the work of the network are "triple bottom line sustainability standards that address ecological, social equity, and economic issues."<sup>8</sup> Member organizations are working to conserve the health of the oceans and the health of the fishing communities that rely on its fisheries. For these groups, the needs of people and of the oceans are not mutually exclusive. On the contrary, these groups promote themselves as stewards of the ocean and of thriving and economically sustainable communities.

As in the case of many similar organizations, financial stability and community economic development are central to the work of the Community Fisheries Network. Several member organizations employ the community-supported fisheries program. This is the marine version of community supported agriculture (CSA), which originated (in the U.S.) in the field of organic agriculture in the 1980s.<sup>9</sup> CSAs, like Community Supported Fisheries, are subscription systems in which buyers invest in a business (paid upfront) and receive their return in the form of weekly or monthly

allotments of whatever product is being produced. This model provides important operations capital for producers whose income fluctuates over the course of the year.

In 2007, Community Fisheries Network member organization Port Clyde Fresh Catch (ME) developed the country's first community-supported fishery program.<sup>10</sup> Producers gain financially by having more stable income and by having more control over prices. The program also provides consumers with access to the freshest product available and helps build relationships and understanding between producers and consumers.

Another membership organization that stands out among the Network groups is Maine Center for Coastal Fisheries (MCCF), founded in 2003, which places fishermen at the center of its work developing environmentally and economically sustainable fisheries in Maine, while rebuilding a resilient food system on shore.<sup>11</sup> Recognizing the need to build trust and credibility for both scientists and fishermen concerned with the future of the fisheries, MCCF employs a process called Community Fisheries Action Roundtable (C-FAR). With C-FAR, MCCF is demonstrating its belief that "local knowledge and community values [must] have a voice in shaping the future of fisheries, and that experience is passed from one generation to the next."<sup>12</sup>

*"I think it needs to happen more: where fishermen and scientists go out together... More of scientists wanting to know, and more of fishermen wanting to show scientists That, to me, sounds like a great plan."*

**Debra Kelsey, New Bedford Navigator**

## Highlights

- Traditional modes of support like organized labor is not an option, and fishermen may find themselves divided by issues particular to their fishery.
- Fortunately, important work is being done by Fishing Partnership and other groups that use a holistic community health model to address the complex concerns of fishermen and fishing communities.
- Existing worker-based trade associations also support fishermen by focusing on commercial promotion of their product.
- Some organizations and associations are engaging in critical collaboration between fishermen and policymakers in order to make better decisions for the fishing industry.

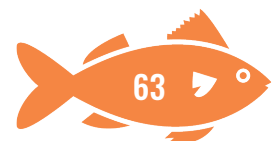


- The collective work of Fishing Partnership, Community Fisheries Network and similar organizations is crucial to the survival of independent fishing communities. Still, with challenges so great, this work is not enough.

- April 14, 2017. <http://www.newfarm.org/features/0104/csa-history/part1.shtml>
10. "Port Clyde Fresh Catch." Community Fisheries Network. Accessed April 14, 2017. <http://www.communityfisheriesnetwork.org/about/>
  11. "Mission and Vision." Maine Center for Coastal Fisheries. Accessed April 14, 2017. <http://www.coastalfisheries.org/mission-and-vision/>
  12. "A Unique Approach." Maine Center for Coastal Fisheries. Accessed April 14, 2017. <http://www.coastalfisheries.org/mission-and-vision/unique-approach/>

## Section References

1. "Hives." Freelancers Union. Accessed April 1, 2017. [https://www.freelancersunion.org/hives/?q=&tag=industry&sort\\_by=default](https://www.freelancersunion.org/hives/?q=&tag=industry&sort_by=default).
2. "The Center for Responsive Politics." OpenSecrets.org. Accessed April 1, 2017. <https://www.opensecrets.org/lobby/clientsum.php?id=D000027846>.
3. Valaitis, R.K., et al., "Implementation and maintenance of patient navigation programs linking primary care with community-based health and social services: a scoping literature review," *BMC Health Services Research*, 116, (2017); accessed March 11, 2017, doi: 0.1186/s12913-017-2046-1
4. Spiro, Anna et al, "A Unique Model of the Community Health Worker: the MGH Chelsea Community Health Improvement Team." *Family Community Health* 35, no. 2 (2012): 147-160.
5. *Britannica Academic*, s.v. "Trade association," accessed April 21, 2017, <http://academic.eb.com.ezproxy.library.tufts.edu/levels/collegiate/article/trade-association/73137>.
6. Lawton, Thomas C., Tazeeb Rajwani, and Amy Minto. "Why trade associations matter: Exploring function, meaning, and influence." *Journal of Management Inquiry* (2017) accessed March 14, 2017, doi:1056492616688853.
7. "About Us." Community Fisheries Network. Accessed April 14, 2017. <http://www.communityfisheriesnetwork.org/about/>.
8. Ibid.
9. McFadden, Steven. "The History of Community Supported Agriculture Part 1: Community Farms in the 21st Century: Poised for Another Wave of Growth?" Rodale Institute. Accessed







# 7



## Common Ground in the Food Sector

**W**hile some in the fishing community may feel isolated, left behind or misunderstood, Massachusetts' independent fishermen are not alone. In the United States today, millions of people work in low-paying and physically demanding jobs in industries that do not offer economic or social supports to the workers that sustain them. It is commonly understood that the blue collar workforce has been in decline for several decades, and that the strength of unions, a historically critical support for workers, has waned.\* While this weakening is of great importance for large sectors of the American public, many groups of workers, including fishermen, have never enjoyed the legal right to unionize or any of the benefits that traditionally

accompanied blue collar work--like minimum wage protections and overtime pay requirements.

This section highlights select groups within the food sector that are vulnerable to physical, economic and personal crises due to their professions—farmers, farmworkers and restaurant workers (see Table 5, pages 68-69). We have selected these groups because they are all within the food sector, because they share important workplace challenges with fishermen, because they are all disadvantaged in the global economy, and because each group must rely on non-union modes of support to protect themselves and their livelihoods.

The workers discussed below are conducting visible collective action for justice and dignity in the workplace and in their communities. While these groups' circumstances may diverge just as much as they overlap, we suggest that a blurring of lines between

groups may offer greater potential for developing collective power across industries. This may serve not only small fishing communities but a large sector of economically vulnerable American workers.

*\* Note from pg. 67: Union membership has dropped dramatically—in 1983, the earliest year with comparable data on membership, the rate of union membership in was 20.1% of all non-farm workers, compared to 10.7% in 2016.<sup>1</sup> In 2016, the rate of membership for workers in the public sector was 34.4%, and only 6.4% for workers in the private sector.<sup>2</sup>*

## Farmers

We include small farmers in this discussion because they face some of the major challenges faced by independent fishermen. In 2012, there were 2,109,303 principal farm owner/operators. Of these 2 million farms 75% were considered “small,” with less than \$50,000 in annual

*“They say it used to be other groups - farmers, coal miners. I don’t know about them, but I can tell you this: I can tell you what happened to us shouldn’t have happened.”*

**Joe Orlando, Gloucester Fisherman**

*“What has happened all through the years, not only here but everywhere around the world, like [with] farmers, the children would grow up and go into the industry with their father, with their grandfather, with their uncle... today that’s not happening anymore.”*

**Angela Sanfilippo, Gloucester Navigator**



sales, and almost 1.5 million of these farms provided for less than 25% of the income of the farming household.<sup>3</sup>

Like fishermen, farmers are FSLA and NLRA exempt, and small farmers face concerns over the succession of their business and increased consolidation of farmland, compete in a market affected by government subsidies, and work long hours in a dangerous occupation that is, in many cases, seasonal and economically changeable.

Like fishermen, small farmers are self-employed so cannot strike for better working conditions. Powerful lobbies like the American Farm Bureau and corporations like Monsanto influence federal farming policy, which is consolidating farmland and favors unsound environmental practices that are contrary to the ways and practices of traditional small farmers.

Countless organizations and associations exist to support small farmers. Small food producers, including farmers and processors, have created trade associations like the Organic Consumers Association, which engages in advocacy aimed at political representatives, and in marketing to consumers. Some organizations, like the Agricultural Justice Project, promote fair labor standards through certification programs, also aimed at consumers. The Local Food and Farm-to-Table movements have emerged as consumer-centric

grassroots efforts, and the grassroots organics movement has focused on traditional farming methods, advancing an economically and environmentally sustainable agenda. Organizations like Farm Aid and BeginningFarmers.org provide technical assistance, financial support and in some cases, legal aid to small and beginning farmers.

## Farmworkers

In 2012, there were approximately 787,000 farmworkers in the United States, and the average hourly wage for those in a non-supervisory role was \$10.80.<sup>4</sup> In 2015, farming and fishing were two among the top ten most fatal occupations (excluding military).<sup>5</sup> With no employer-provided health insurance, paid sick time, overtime or Federal minimum wage requirements, farmworkers are low-wage earners who are subject to increased risk at work and little associated protections.

Wages are low for farmworkers and the physical demands are high. Mean and median incomes ranged from \$15,00 to \$17,499, and only 8% of farm workers made more than \$30,000 and 65% of farmworkers did not have health insurance.<sup>6</sup>

Farmworkers, like fishermen and farmer owner/operators, are NLRA and FSLA exempt. Occupational risk is high, with exposure to chemicals, heat, heavy

## Table 5. Food Sector Workers - Barriers and Strategies for Change

	Problem	Collective Power	Tools	Audience
<b>INDEPENDENT FISHERMEN</b>	Economically marginal occupation - with current regulation, limits how much \$\$ you can make	No employer to strike against	Small-scale lobbying (Fishing Partnership)	Government
	Public subsidies (FAO) favor corporations, not independent fishermen	Lack of lobby		
	Competing with "big fish"- domestic commercial trawlers AND imports. Low market prices due to consolidation.		Trade Associations focused on environmental and economic sustainability for small business (Community Fisheries Network)	Consumers
	Succession- who will take over my business, fish these waters next?			
	Seen as anti-environment			Consumers, Government, Media
	Health insurance		Community Health (Fishing Partnership)	Fishermen
	Unsafe working conditions.		Safety trainings (Fishing Partnership)	Fishermen
<b>FARM OWNERS</b>	Competing with big ag. Low market prices due to consolidation.	No employer to strike against.	Trade associations	Government
			Certification programs (Agricultural Justice Project)	Consumers
			Organics/local- Farm to Table Movement, etc.	Consumers
	Succession- who will farm my land next?		Financial assistance, workshops, loan programs (Farm Aid, Beginning Farmers.org.)	Farmers
	Public subsidies favor big ag., not small, diversified farmers	Lack of lobby	Corporate lobby (Organic Trade Association, American Farm Bureau.)	Government, Consumers
<b>FARM WORKERS</b>	Subject to noncompliance with pay regulations. Wage violations.	Power to strike but at great risk if legal immigrant status is insecure	Litigation (vulnerable to deportation)	Corporations and employers
			Power to strike but at great risk if legal immigrant status is insecure.	Corporations, employers, consumers
	Limited voice because fears due to immigration status	Grassroots as opposed to corporate lobby is developing.	Strike, collective action- CIW, Migrant Justice	Corporations and consumers



## Table 5. Food Sector Workers - Barriers and Strategies for Change

	Problem	Collective Power	Tools	Audience
	Unsafe working conditions. (and further subject to noncompliance with safety already limited safety regulations.)		Strike, collective action (CIW, Migrant Justice)	Corporations and consumers
	Health insurance		Community Health groups (Puente de la Costa Sur)	Farm workers
<b>RESTAURANT WORKERS</b>	Subject to noncompliance with pay regulations. Wage violations.	Power to strike but at great risk if legal immigrant status is insecure.	Litigation	Employers
	Subject to noncompliance with already limited safety regulations. Unsafe working conditions.		Litigation	Employers
	Limited voice because fears due to immigration status (barrier to litigation)	Yes- worker's centers, grassroots mobilization		
			Strike (Day without Immigrants (2017), May 1st)	Consumers
			Public campaign (ROC's app that rates restaurants)	Consumer
	Health Insurance	Grassroots as opposed to corporate lobby is developing		Restaurant workers

machinery, loud noise, animals and unsanitary conditions posing health threats.<sup>7</sup> Furthermore, farms employing fewer than ten employees are OSHA exempt, and therefore not subject to workplace safety regulations and enforcement.

In 2013-2014, only 27% of farmworkers were born in the U.S., and 47% of all farmworkers did not have legal authorization to work.<sup>8</sup> In addition to limited legal protections within the industry, many farm workers are subject to abuses due to their status as immigrants. Some purport that the original exemption of both agricultural and domestic workers from the FSLA was due to the fact that a majority of workers in those industries were African American.

Farmworkers do not have legal protection to strike, and collective action for immigrants comes with the risk of abuse or deportation. For these same reasons, litigation for better enforcement of law is not, on its face, a viable tool for farmworkers.

Despite or because of the many factors that make farmworkers vulnerable to abuse, many grassroots organizations are engaged in effective advocacy for better conditions (discussed in greater detail below). Farmworkers have founded organizations that campaign for better working conditions—with corporations as a target—using the lever of public opinion.

*“You know what? You gotta keep fighting. Maybe something will happen, something will change.”*  
**Joe Orlando, Gloucester Fisherman**

*“I think we can turn this around.”*  
**Al Cottone, Gloucester Fisherman**

Many different types of organizations support farmworkers. Community health groups like the Maine Migrant Health Program engage in direct-service aimed at the wellness needs of agricultural workers. Countless organizations like Puente de la Costa Sur in Pescadero, CA offer English classes and know your rights trainings, give preventive care interventions like tetanus shots and dental screenings, and provide mental/emotional health supports in many forms.

## A Promising Model

### Worker-Driven Social Responsibility

Worker-driven social responsibility (WDSR) is a model developed by the Florida-based farmworkers justice group Coalition of Immokalee Workers (CIW). Founded in 1993, CIW has been waging successful justice campaigns, beginning with an anti-slavery campaign that has resulted in both preventive measures



against U.S. farmworker slavery and investigations into and assistance with prosecution of guilty employers.<sup>9</sup> CIW also runs the Fair Food Program, a binding agreement between farm workers, farmers and corporations. By paying an extra penny-per-pound of tomato purchased, buyers like McDonald's, Subway, Whole Foods and Trader Joe's support higher wages for tomato pickers in the Fair Food Program. The agreement ensures fair wages and dignified working conditions for farmworkers through premium pricing and a worker-developed code of conduct that employers agree to follow.<sup>10</sup>

In these major campaigns aimed at corporate farm operators and their corporate customers, the CIW attributes its success to its organizing approach. In WDSR, it is the workers, not the employers, who identify and articulate the problems associated with their work, and it is the workers, not the employers, who define safe and just workplace standards.<sup>11</sup> WDSR is at once a response to the idea of Corporate Social Responsibility<sup>12</sup>—the idea of “good” business—and a continuation of popular education methodology. In popular education, knowledge and power are collectively built and shared within the grassroots, and do not come from experts (or employers). WDSR has five elements: 1) workers create and monitor workplace standards; 2) standards are focused on preventing abuse; 3) workers educate one another; 4) three-way agreements

between employers, buyers and farmworkers ensure that employer noncompliance with standards precludes them from doing business with their customers; and 5) buyers pay a higher price for goods to ensure higher wages for workers.<sup>13</sup>

### **Spotlight: Migrant Justice**

Migrant Justice (MJ) originated in 2009 as the result of the workplace death of a young dairy worker in Vermont. The organization is committed to economic justice and human rights,<sup>14</sup> and engages in concrete actions and policy demands to bring just conditions to its largely immigrant constituency.\* Migrant Justice demands: 1) dignified work and quality housing; 2) freedom of movement and access to transportation; 3) freedom from discrimination; and 4) access to health care.<sup>15</sup> Like many other worker's centers, MJ relies on the knowledge within the community to build solutions.

To strengthen their organization, Migrant Justice members travelled to Florida to learn from the CIW. MJ now employs the “spiral model,” an organizing model derived from popular education. The model has five steps: 1) start with people's experience, 2) looks for patterns, 3) add new information and theory 4) practice skills, strategize and plan for action and 5) apply in action.<sup>16</sup>

Using the spiral model and worker-to-worker surveys, Migrant Justice has been

identifying issues common to Vermont's immigrant dairy workers, who work 60-80 hours a week, 40% of whom make less than minimum wage, 20% of whom have wages withheld, 16% of whom live in overcrowded housing, and 29% of whom work more than seven hours with no break.<sup>17</sup> With this data, worker members are empowered to demand better working conditions.

MJ created the Milk With Dignity program, targeted at employers and corporate buyers of dairy. Milk with Dignity is adapted from Coalition of Immokalee Workers' WDSR model. In it, corporations are asked to agree to: 1) a farmworker code of conduct, 2) worker-to-worker education, 3) a third party monitoring body, 4) economic relief to redistribute wealth from corporations to dairy farmers and 5) legally-binding agreements.<sup>18</sup>

Migrant Justice is currently undergoing a public awareness campaign targeting Ben & Jerry's, a Vermont-based company that, in May of 2015, agreed to sign on to the Milk With Dignity Program, but has yet to do so.<sup>19</sup>

*\* Note: At the time of this writing, three Migrant Justice organizers (and former dairy workers) were recently detained by Immigration and Customs Enforcement (ICE), ostensibly for their undocumented status, though many believe these organizers have been targeted for their political leadership. Two organizers have been released and one, Alex Carillo, remains in ICE custody.*

## Restaurant Workers

In 2014 there were 4.7 million restaurant workers in the United States, earning an annual median pay of \$19,040.<sup>20</sup> In 2015, nearly two-thirds of people earning minimum wage or less worked in the service industry, mostly in food service and preparation.<sup>21</sup> Due to workplace conditions, several types of restaurant workers have a higher rate of injury and illness than average,<sup>22</sup> and median pay depends on work conducted.

Restaurant workers, unlike fishermen, farmers and farmworkers, are protected by the NLRA and the FSLA. Restaurant workers may be legally entitled to certain protections, but tipped workers' minimum wage is \$2.13 an hour, making overtime pay, which is based on hourly pay, very low. One common issue in restaurant work is misclassification of employees, wherein an employer classifies a worker as an independent contractor in order to avoid FSLA requirements.<sup>23</sup>

While restaurant workers can legally unionize, high turnover and the part-time nature of many restaurant jobs are barriers to unionization in the industry.<sup>24</sup> Furthermore, franchise workers who unionize must do so under their specific employer, not across the franchise (i.e. McDonald's).<sup>25</sup> UNITE HERE! is a union that includes approximately 100,000 food services workers among its membership, but these workers are mainly employed in





hotel restaurants and school, corporate, and government cafeterias, and make up a small portion of the country's 4.7 million industry workers.<sup>26</sup>

Dishwashers, cooks, bakers, and cafeteria helpers rank among the top occupations with high shares of undocumented people in this country.<sup>27</sup> Immigrant workers, regardless of their legal status to work, may be more vulnerable to workplace abuses based on the greater risk they would take in speaking out.

Restaurant workers have the legal right to unionize, and therefore collectively bargain and strike. Still, mechanical barriers to unionization (high turnover) and social barriers to self-advocacy (fear of reprisal, of deportation) may impede the success of unionization on a larger scale.<sup>28</sup>

Individuals can and do litigate against employers when workplace violations are made, and staff can target their employer by engaging in public awareness campaigns about business practices. Restaurant Opportunities Centers United (ROC) is one such organization that does robust public awareness work—writing books, conducting research, and publishing reports on conditions for workers in the restaurant industry, among other work.<sup>29</sup> As in the case of farm workers, restaurant workers are, with the help of ROC, gaining public attention through campaigns to educate consumers and

advocate for better working conditions, and, ultimately, for jobs with dignity.

## Highlights

- The sets of challenges faced by fishermen and farmers, farmworkers and restaurant workers are unique to each group:
  - > Fishermen and farmers experience the joys and the burdens of self-employment while farmworkers and restaurant workers are subject to the conditions imposed upon them by their employers.
  - > Farmers and fishermen are witnessing the shrinking of their industry and fear for their traditional ways of life, while restaurant workers and farm workers suffer documented workplace abuses.
- Strategies for making change differ among groups, too, but each group values decision-making by the workers, themselves.
- The strategic focus on levels of power offers another key to success:
  - > The CIW farmworkers targeted major corporations like McDonald's and forced McDonald's to respond favorably or risk consumer outrage.
  - > The fishing communities of the Community Fisheries Network use commercial promotion of their products as a way to encourage economic growth.

> ROC United's use of an app for "good" restaurants helps consumers make informed choices and calls out businesses that do not comply.

> Migrant Justice's use of the WDSR model holds workers, employers, and buyers mutually accountable in a legally binding agreement.

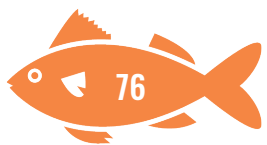
- Consumers' interest in reconnecting with the source of their food suggests that momentum is already building, and that the need for justice for all groups in the food sector will be understood by a wider public.

## REFERENCES

1. Economic News Release: Unions Members Summary," BLS.gov. Accessed April 25, 2017. <https://www.bls.gov/news.release/union2.nr0.htm>
2. Ibid.
3. "2012 Census Highlights." USDA Census of Agriculture. Accessed April 14, 2017. [https://www.agcensus.usda.gov/Publications/2012/Online\\_Resources/Highlights/Farm\\_Demographics/](https://www.agcensus.usda.gov/Publications/2012/Online_Resources/Highlights/Farm_Demographics/)
4. "Background". USDA Economic Research Service. Accessed April 14, 2017. <https://www.ers.usda.gov/topics/farm-economy/farm-labor/background.aspx>
5. "National Census of Fatal Occupational Injuries in 2015." Bureau of Labor Statistics. Accessed April 14, 2017. <https://www.bls.gov/news.release/pdf/cfoi.pdf>
6. United States Department of Labor Employment and Training Administration Office of Policy Development and Research. "Findings from the National Agricultural Workers Survey (NAWS) 2013-2014: iv. A Demographic and Employment Profile of United States Farm workers, Research Report No. 12. Accessed April 14, 2017. [https://www.doleta.gov/agworker/pdf/NAWS\\_Research\\_Report\\_12\\_Final\\_508\\_Compliant.pdf](https://www.doleta.gov/agworker/pdf/NAWS_Research_Report_12_Final_508_Compliant.pdf)
7. United States Department of Labor: Occupational Safety and Health Administration. "Agricultural Operations." Accessed April 14, 2017 [https://www.osha.gov/dsg/topics/agriculturaloperations/hazards\\_controls.html](https://www.osha.gov/dsg/topics/agriculturaloperations/hazards_controls.html)
8. United States Department of Labor Employment and Training Administration Office of Policy Development and Research. "Findings from the National Agricultural Workers Survey (NAWS) 2013-2014: 4. A Demographic and Employment Profile of United States Farm workers, Research Report No. 12. Accessed April 14, 2017. [https://www.doleta.gov/agworker/pdf/NAWS\\_Research\\_Report\\_12\\_Final\\_508\\_Compliant.pdf](https://www.doleta.gov/agworker/pdf/NAWS_Research_Report_12_Final_508_Compliant.pdf)
9. "Anti-Slavery Program." Coalition of Immokalee Workers. Accessed March 29, 2017. <http://www.ciw-online.org/slavery/>
10. Campaign for Fair Food." Coalition of Immokalee Workers. Accessed March 29, 2017. <http://www.ciw-online.org/campaign-for-fair-food/>
11. "Worker Driven Social Responsibility: A New Idea for a New Century." Coalition of Immokalee Workers. Accessed March 29, 2017. <http://www.ciw-online.org/blog/2014/06/wsr/>
12. Ibid.
13. "Worker-Driven Social Responsibility." National Economic and Social Rights Initiative. Accessed March 29, 2017. <https://www.nesri.org/initiatives/worker-driven-social-responsibility>
14. About Migrant Justice". Migrant Justice. Accessed April 17, 2017. <https://migrantjustice.net/about>
15. Ibid.
16. Milk with Dignity Presentation Balcazar, Enrique. "Migrant Justice and Milk with Dignity." Presentation, Just Food? Forum on Labor Across the Food System at Harvard Law School, Cambridge, MA, April 1, 2017.
17. Ibid.
18. Ibid.
19. "Milk with Dignity." Migrant Justice. Accessed April 17, 2017. <https://migrantjustice.net/milk-with-dignity>
20. "Occupational Outlook Handbook: Food Beverage Serving and Related Workers: Summary." Bureau of Labor Statistics.



- Accessed March 13, 2017. <https://www.bls.gov/ooh/food-preparation-and-serving/food-and-beverage-serving-and-related-workers.htm>
21. "Characteristics of Minimum Wage Workers, 2015." Bureau of Labor Statistics. April 2016. Accessed March 13, 2017. <https://www.bls.gov/opub/reports/minimum-wage/2015/home.html>
  22. "Occupational Outlook Handbook: Food Beverage Serving and Related Workers: Work Environment." Bureau of Labor Statistics. Accessed March 13, 2017. <https://www.bls.gov/ooh/food-preparation-and-serving/food-and-beverage-serving-and-related-workers.htm#tab-3>
  23. Kosovych, Adriana. "Restaurant Manager Misclassification Complaints Highlight Important Defense Strategies for Hospitality Owner/Operators." *National Law Review* (2017). Accessed April 11, 2017.
  24. Hannah, Mary. "The 'Fight for 15': can the organizing model that helped pass Seattle's \$15 minimum wage legislation fill the gap left by the decline in unions?" *Washington University Journal of Law & Policy* 51 (2016): 257, accessed April 19, 2017.
  25. Ibid.
  26. "Food Service." *Unitehere.org*. Accessed April 19, 2017. <http://unitehere.org/industry/food-service/>
  27. "Detailed Occupations with Highest Shares of Unauthorized Immigrant Workers, 2012." Pew Research Center. March 26, 2015. Accessed April 17, 2017. [http://www.pewhispanic.org/2015/03/26/share-of-unauthorized-immigrant-workers-in-production-construction-jobs-falls-since-2007/ph\\_2015-03-26\\_unauthorized-immigrants-testimony-report-21/](http://www.pewhispanic.org/2015/03/26/share-of-unauthorized-immigrant-workers-in-production-construction-jobs-falls-since-2007/ph_2015-03-26_unauthorized-immigrants-testimony-report-21/)
  28. Hannah, Mary. "The 'Fight for 15': can the organizing model that helped pass Seattle's \$15 minimum wage legislation fill the gap left by the decline in unions?" *Washington University Journal of Law & Policy* 51 (2016): 257, accessed April 19, 2017.
  29. "Home." *Restaurant Opportunities Center United*. Accessed April 17, 2017. <http://rocunited.org>



# 8



## Where Do We Go From Here?

**T**he deep-rooted fishing communities within Gloucester, Chatham, Plymouth and New Bedford, Massachusetts are facing threats to their survival. These four ports are unique in their heritage and in their traditions, and needs may differ across these communities and their respective fisheries. Still, these communities have common challenges and are seeking solutions that can lead to a thriving future for themselves and for the fisheries that sustain them. Other groups of workers in the food sector face similar challenges, and their efforts to improve their industries may shed light on a strategic path forward for fishermen.



## Key Findings

We believe our findings are the building blocks upon which fishing communities, fishermen, regulators and other stakeholders can construct a better fishing future.

1. Commercial fishing it is a beloved and traditional lifestyle that has cultural and historic roots in many Massachusetts communities.
2. Climate change, global overfishing, and a globalized consumer market have a direct impact on these local communities.
3. US regulations pertaining to ecological fisheries management are among the best in the world.
4. Unfortunately, 91% of the seafood we eat is imported from relatively unregulated waters. Therefore, the US government, big business and consumers continue to support overfishing and bad labor practices elsewhere in the world.
5. Local fishermen must comply with environmental regulations while competing with these cheaper imports. As such, they are seeing a diminished workforce and reduced infrastructure in their fishing communities.
6. Furthermore, there is a lack of trust between regulatory bodies and fishermen, who may take different positions on best practices in fisheries management.
7. Fishing is a low-paying and highly dangerous occupation. Still, fishermen don't enjoy workers' protections against economic pressures or physical hazards, which, in tandem, subject fishermen to devastating health outcomes- both physical and emotional.
8. Despite grave challenges, fishermen love what they do and are committed to their way of life. Fishermen and supportive parties know that the local fishing industry is at a precipice, which may open the door to new solutions.
9. Technology can aid fishermen in two ways:
  - > Automatic safety equipment can reduce the risk of fatalities at sea, and
  - > Monitoring systems can help fishermen comply with regulations.

*"I've been dealing with fishing regulations for 40 years. I haven't seen one that is fair and just."*

**Angela Sanfillippo, Gloucester Navigator**



10. Fishing Partnership is engaging in critical community health work, which takes a holistic approach to fishermen's welfare. This model allows for adaptability to the changing needs of their communities, but cannot address all systemic issues on its own.

11. Other workers within the food industry-- including farmers, farm workers, and restaurant workers-- face similar challenges. These groups are engaged in robust action to better their living and working circumstances.

12. While these groups differ in important ways, their strategies for making change are relevant to all groups, and include:

- > public awareness campaigns
- > political education of workers and
- > commercial promotion of food that is produced using sustainable practices.

13. The voices carrying demands for dignity and the right to live and work are mounting at the same time. Consumers' interest in reconnecting with the source of their food suggests that momentum is already building, and that the need for justice for all groups in the food sector will be understood by a wider public.

## Recommended Actions for a Brighter Fishing Future

The following recommendations are based on our key findings, and are presented for the consideration of Fishing Partnership and other interested parties. We organize our recommendations by theme.

### Health and Safety

- Direct-service agencies that support fishermen should consider employing

*"Some people do [take another job], but it's very hard. You gotta understand - we have a fishing boat. In that fishing boat, there's a million moving parts. That boat has constantly got to be working. You tie that boat up for two or three months, nothing works anymore. Everything's hydraulic now. All the hoses wear and break, chains, engine, computers - everything's computers now in a boat. Electronics and everything else. You cannot leave anything sitting. This business has gotten to the point where either you're in or you're out, and that's it... and this is why there's nobody left."*

**Joe Orlando, Gloucester Fisherman**

a community health model to better address systemic problems faced by fishermen.

- Fishing Partnership can broadcast its successes to other organizations with similar goals, and share best practices to encourage and promote its holistic model.
- Government should uphold the Affordable Care Act, which has been instrumental in insuring fishermen, and subsequently, in allowing Fishing Partnership to expand its reach and meet the changing needs of its community.
- In lieu of protecting fishermen under the FSLA and OSHA oversight, government should reduce workplace injury and death by providing safety equipment -- like automatic defibrillators and survival suits-- and safety training to all commercial fishermen.

- When analyzing the costs and benefits of regulatory policies, government should consider the fact that economic pressures compound negative health outcomes for fishermen.

### **Participation and Collaboration**

- Organizations should engage in political education of fishermen. Educating all fishermen on the regulations and their intended and possible impacts would help fishermen advocate on their own behalf.
- Educating fishermen in the regulatory process could empower fishermen to not only respond to the outcomes of that process, but help drive it. Trade organizations can include political education in their technological support work.
- Fishermen, scientists, and regulatory bodies should collaborate in the

*“They know they’re not going to get rich, but they can go out and have a steak if they want. It’s an honest day’s work. Ninety-nine percent of the fishermen don’t like paperwork. They don’t want to sit at a desk [or] behind a computer... This is something that happened years ago, when they started cutting back on the amount of [groundfish] draggers. They were trying to retrain these guys... and they were very good at what they did. They put food on the table. You’re not going to retrain them... that’s not what they are! That was a huge mistake. I don’t think there’s a lot of people in this industry who do it because they have to... they do it because that’s what they enjoy.”*

**Todd Jesse, Plymouth Fisherman**





*"[I want] the rest of our community to know the fishing communities like I do - to understand their plight, to understand they want to go fishing. Regular people like you and me. I wish our city would promote our industry more, have more support for our industry."*

**Debra Kelsey, New Bedford Navigator**

development and implementation of regulations. Fishermen and regulatory bodies should take affirmative measures to build trust and understanding as if the industry depended on it.

- Fishermen and scientists should each contribute their expertise in jointly devising and conducting fish stock studies.
- Fishermen who are aging out of the industry, or who want extra work, should be employed in the regulatory process.

### **Business**

- Non-profit organizations like Fishing Partnership, and government agencies like National Marine Fisheries, should support the training of the next generation of fishermen. Seasoned fishermen should use their

expertise to educate, support and encourage a new generation of fishermen savvy in business, money management, sustainable fisheries management and in political engagement.

- Fishermen and their advocates should engage in aggressive commercial promotion of locally-caught seafood, promoting consumption of any species caught sustainably.
- Outward-facing messaging from these groups should emphasize the human dimensions of sustainability, centering place-specific producers and cultural traditions so that consumers care about the people behind the product.
- Fishermen and their organizations should follow the lead of farmers, farmworkers and restaurant

*"It's a community that doesn't want handouts. How can we formally give fishermen the opportunity to give back to the community?"*

**Lori Caron, Plymouth Navigator**

*"The American public is not getting the opportunity to eat the best protein in the world."*

**Joe Orlando, Gloucester Fisherman**

workers who visibly demand justice and dignity in the face of great challenges.

## Opportunities for Further Research

Many topics emerged from our research that we were not able to cover in this project. Some of these areas of study fall outside of the scope of this report, and others could not be adequately researched within the limits of our time. These include:

### **Pertaining to Fishing Crews**

Throughout the course of our research, we wondered: Who crews on fishing vessels and how has their demographic profile changed over the course of time? What cultural issues and assets arise within the fishing industry between independent fishermen and the crew they employ? What sets of challenges do crew members face, and how do these compare to those of captains? How have environmental regulations and geopolitical shifts defined and impacted this labor force?

### **Pertaining to Supply Chain**

The Field Projects team was tasked with studying producers, not processors, still, we wondered: How are onshore seafood processing and distribution affected by the changing local fishing industry? What

are the working conditions within plants, and who is employed in this work? How are the local, regional and then national and international supply chain affected by environmental regulations, economic pressures, and a globalized food system?

### **Pertaining to a Shrinking Industry**

What efforts have been made to retrain the fishermen who have left the industry? How have fishermen responded to these efforts? Do fishermen want to gain other skills or do they prefer to fish? What other groups of workers (like coal-miners) are subject public scrutiny about whether or not their industry should exist?

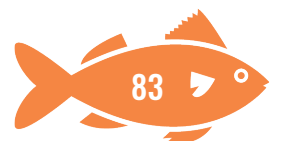
### **Pertaining to Other Industries**

A broader and more in-depth look at struggling industries, or struggling workers in thriving industries, in the U.S. could shed more light on the future of independent fishermen. It is worth examining other small fishing communities in the U.S., researching the effectiveness of government programs and private initiatives to support these groups, and more fully researching the impact of different models to support workers in different industries--within and outside of the food industry.



## Off the Hook - A Vision for Massachusetts Fishing Communities of the Future

This report is a modest attempt to support the New England fishing industry. We believe that a thriving and sustainable fishing industry of the future will be based on collaboration between stakeholders. Tomorrow's fishing industry will be attentive to the needs of workers and the environment, will be technologically advanced, and will ensure the physical, mental and economic health of fishermen and fishing communities.





# Appendix A

## Interview Questions for Fishermen (Script)

### Introduction

We are working with Fishing Partnership to learn about fishing communities and what it's like to be a fisherman in New England. We're interested in the challenges and in the joys of being a fisherman. We want to hear about your personal experience and your opinions so there are not right or wrong answers. We want to learn from you. You are free to skip any questions or stop the interview at any time. Is it alright if we audio record this interview? If your responses become too personal, we will stop recording and will not identify you in our report. You are free to tell us to stop recording at any time for confidentiality.

**Part One:** *We want to know what it's like to be a fisherman, and are interested in personal stories and perspectives, so anything you tell us today is great and we really appreciate you sharing with us. I'll start with some questions about you and your community.*

- Where do you live? How long have you been here in \_\_\_\_\_ and when did you start fishing?
- Do you come from a fishing family?
- Why do you fish? What's it like to be on the water?
- Do you own your own boat or work for others?
- How many people work for you?



- What do you like/love about being a fisherman here in \_\_\_\_\_? What makes this community special?

**Part Two:** *These questions are about services.*

- What kinds of services do you get from FP?
- What was it like for you before you received services from FP?
- What changes would you like to see that would make your day-to-day better?

**Part Three:** *These questions are about industry challenges.*

- What's the hardest thing about being a fisherman here in New England?
- How do you think your life and work are influenced by trends in the fishing industry outside of New England?
- We've learned a little bit about regulations, about corporate fishing, about how the US imports a big portion of the US fish market. Do you see these outside forces as threats?
- If you could change one thing about the industry, what would it be?
- How would you go about doing that?
- I hear that fishermen face big changes in income over the course of a year or years. Can you give us a picture of what your year/season looks like? How do you manage that? How do you get creative?
- Do you and your family feel economically secure?
- *[Optional depending on relevance/feeling of interview and time]* Opioid addiction has been in the news for a few years, and we know that this is hurting fishing communities. Is this happening in your community?
- Prompt if needed- *why do you think that is?*

**Part Four:** *Wrapping Up*

- If people were going to hear about your work, what would you want them to know?



# Appendix B

## Interview Questions for Navigators (Script)

### **Introduction:**

We are working with the Fishing Partnership to explore the conditions of the fishing industry in New England. We are interested in your opinions on different challenges or opportunities in the industry and will be asking a series of questions revolving around those ideas. You are free to skip any questions or stop the interview at any time. With your permission, we will be taking photographs and recording this interview. However, if your responses become too personal, we will stop recording and will not identify you in our report. You are free to tell us to stop recording at any time for confidentiality.

### **Part One:** *Background*

- Where do you live? How long have you been here in \_\_\_\_\_?
- How long have you been part of the fishing community? Do you come from a fishing family? How long have you been a navigator for FP?
- What do you love about job? What makes this community special?
- Why did you become a navigator? What role did you play in your family/community before you worked for FP?



## **Part Two:** *Challenges*

- In your opinion, what are the greatest challenges faced by fishermen in New England?
- What do you think are the most immediate needs of fisherman? How about the long-term needs?
- Do you think your answer as a navigator is going to be the same answer a fisherman would give? What special perspective do you have?
- Are there any changes, regulations, or events in particular that you think have had big impacts on this fishing community in the last generation?
- What are the biggest pressures you feel as a navigator?
- If you could change one thing about the industry, what would it be? How would you go about doing that?

## **Part Three:** *Services*

- From my understanding, FP has relied on this navigator model for its whole history. In what ways does it work? In what ways doesn't it work?
- What do you think fishing communities need to maintain and develop an economically sustainable industry and culture?
- Are the fishing towns in Massachusetts and Maine connected with one another and in communication, or are towns isolated? What's great about that and what challenges come from that? What does "fishing community" mean to you?
- Why do you think some people don't have access to Fishing Partnership?
- If people were to hear about your work, what you want them to know?
- What would you want them to know about fishermen?