



***Worker Centers and
Alternatives to Conventional
Trade Unionism...***

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Workers' Education as a Global Challenge
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Questions to Frame our Conversation:

- How have changes in the workplace: multiple employers, non-standard and short-term jobs, fewer benefits provided, fewer government protections and rise of the informal sector created a need for new forms of worker organization and new union structures?
- What are the fundamental functions of a union in your mind?

Which Organizations Will be the New Fixed Point in the Changing World of Work?



- Building Economic Power in Industries and Workplaces
- Creating Communities of Interest
- Job Placement /Hiring Halls/Representation with Employers
- Training/Skills Development
- Benefits: Health Insurance, Pensions, Financial Services
- Legal Clinics
- Building Political Power: Passage of Public Policy/Electing Officials
- Political Education
- Cultural activities
- Connecting to workers globally

Once upon a time...

Craft Unions

- Stable workers/stable worker organizations
- Unstable/shifting employers
- Rights and benefits come through a worker's long-term relationship to her occupation and she receives them through her union rather than through a long-term relationship with an individual employer.
- “Workable” labor law
- The strategy of building power in craft unionism was, first, unions controlled entry into the occupation through apprenticeship programs and licensing, second, they controlled job placement through the hiring hall system and third, they controlled the supply of skilled craftsmen by requiring contractors to enter into exclusive arrangements.

Once upon a time...

Industrial Unions

- Stable workers/stable worker organizations
- Stable employers
- Rights and benefits are tied to a workers' long-term relationship with an individual employer.
- “Workable” labor law
- The strategy for building power in industrial unionism was first, organizing wall to wall in a firm, second, organizing among all the firms of a single employer and third, across the industry. Industrial unions were powerful because they were able to build enough power to bargain collectively with an association of firms in their industries at the national or regional level and set “patterns” for the industry as a whole.

Once upon a time...

Public Sector Unions

- Stable workers/stable worker organizations
- Stable employers
- Political struggle to gain authorization for collective bargaining rights
- Strategy for building power and maintaining it involves political organizing and mobilization of members, families and allies and connecting worker concerns to larger issues

Given those “industrial logics” we knew how to organize unions...and millions of workers gained representation...

But today those ways of organizing and representing workers are not succeeding for many U.S. workers.

What will work for low-wage workers today? What forms of representation and political action are likely to be a better fit?

**UNSTABLE
FIRMS**

**UNSTABLE
WORKERS**

**MISMATCH BETWEEN OLD
LABOR and SOCIAL
INSURANCE LAWS &
STRUCTURES OF
REPRESENTATION & NEW
FIRM & INDUSTRY
STRUCTURES**

In the US, what is the fundamental mismatch?

- Our social insurance system is structured around employees receiving their benefits through their employers. It is based upon an assumption of a long-term relationship between a worker and her employer and the old “social compact” between them. That same assumption is embedded in our labor and employment laws and in many of our union practices and structures.

How Can the Urgent Problems of Low-wage Workers be Addressed?



**Immigration
Status**




**Exploitation at
Work**



**Discrimination in
the Public Schools**



Family Crises



**Limited or No
Access to
Healthcare**

What is a worker center?

Worker centers are community-based mediating institutions that provide support to low-wage, primarily immigrant workers.

The centers pursue this mission through a combination of programs:

- service delivery: legal representation to recover lost wages and dealing with immigrant issues, English classes and job placement
- advocacy: speaking on behalf of low wage workers to local media and government, and developing allies
- organizing: building an organization of workers who act together for economic and political change.

These are what set them apart from other immigrant service organizations

Is it an immigration problem, or a labor standards issue?

If we believe it is an *immigration policy or labor supply* issue then we assume that fewer low wage immigrants will lead to higher wages and better working conditions for those who are here. Not much evidence of this in the real world.

If we believe it is a *labor market policy problem*: then prevalence of subcontracting and independent contracting, lack of regulation requiring living wages and benefits, little monitoring of working conditions and wage payment in many industries, lack of unions are the real problems and **regulation or “re-governing the market” is the real solution**. How do we do it?

Geometric increase in the number of establishments in the United States covered under FLSA and decrease of DOL Wage and Hour enforcement personnel:

1975: 3,947,740 firms/921 investigators

2004: 8,377,266 firms/788 investigators

2008: 7,785,071 establishments /709 investigators

During the **1920s, 30s and 40s**, organizations like today's Worker Centers were instrumental to helping immigrant workers form unions (and to the passage of public policy). But those workers were embedded in industries that were structured in ways that made industry organizing more possible.

Today, Worker Centers are instrumental to helping immigrant workers win rights through the passage of public policy, litigation and public persuasion but not, by and large, through forming unions. Many of these workers are embedded in industries that are structured in ways that make union organizing extremely difficult.

Why? Changes In:

- Hostile Political Environment
- Structures of the Economy
- Bureaucratization of Labor Movement Structures

Worker centers are cropping up because they are filling a void

- Some workers are excluded from the National Labor Relations Act
- The National Labor Relations Act and other laws that protect the right to organize have been extraordinarily weakened over the past several decades
- Most employers wage aggressive, expensive campaigns to prevent unionization
- The labor movement has been in decline for more than a generation, with private sector unionization (where most immigrants work) now at about 8% nationwide
- Most unions are not organizing new workers
- Given the anti-union animus of most employers, those unions that are organizing new workers into unions are choosing targets with parsimony
- Immigrant workers not getting what they need from their unions

Unionization at the Bottom of the Wage Scale

In 2002, 5.6% of workers in the bottom fifth of the wage distribution (up to \$6.70/hour) were represented by unions.

Three Waves of Worker Centers in Contemporary History*

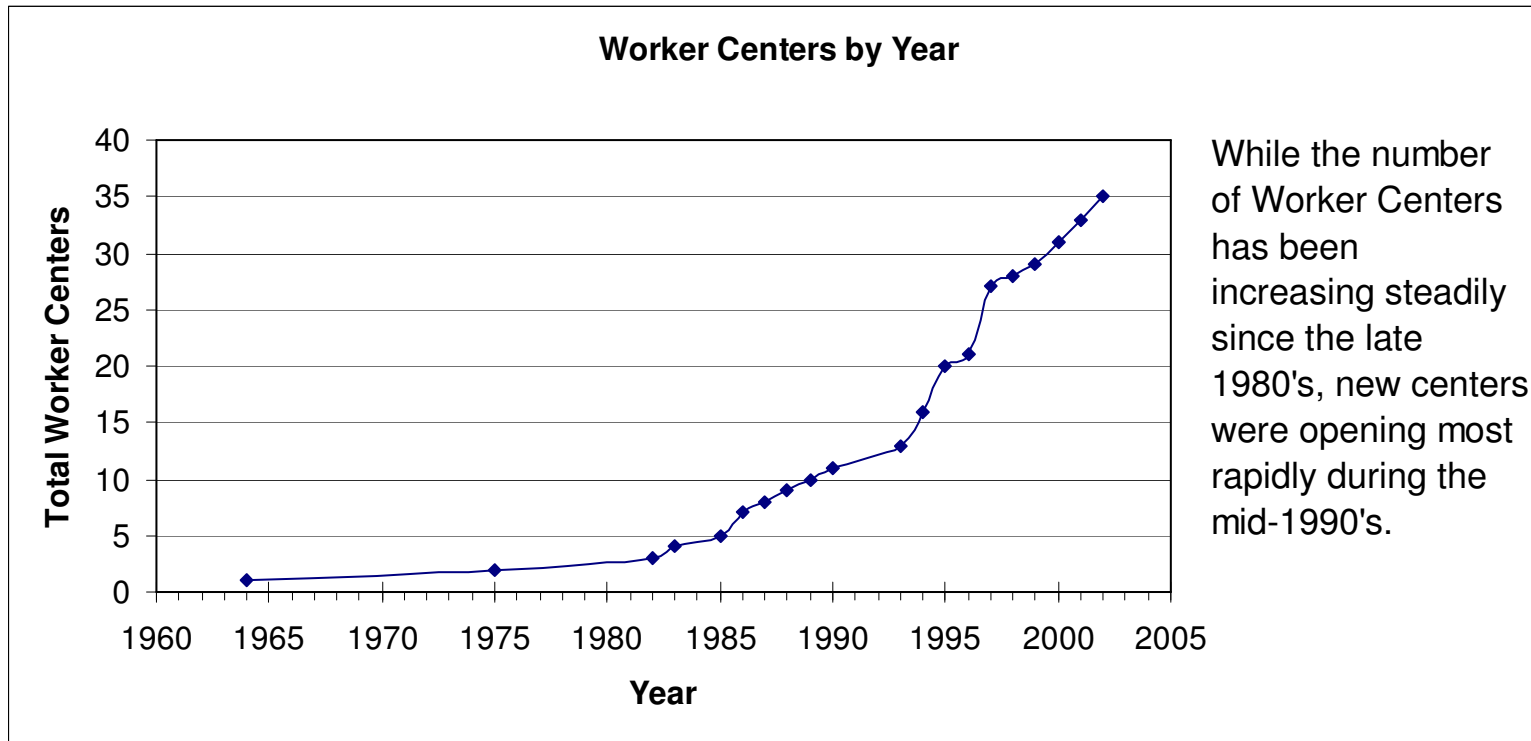
- Workers centers arise in “generational waves” because the need for them occurs when new groups arrive and have to find ways to negotiate with the larger society.
 - **Late 1970’s early 80’s:** The first contemporary worker centers were organized by African-American activists in the south and long-time activists in older immigrant communities like New York City’s Chinatown, along the Texas/Mexican border and among Chinese immigrants in San Francisco. The organizing was in response to: changes in manufacturing which resulted in worsened conditions, factory closings, rise of lower paying service jobs, unsuccessful union drives, working conditions in ethnic enclaves.
 - **Early 1990’s:** The early centers touched off a second wave of immigrant worker centers as new waves of immigrants from particular regions of Mexico, El Salvador and other Central and South American countries as well as Southeast Asia began coming to live and work in large numbers in urban metropolitan areas. The organizing was in response to huge influx of Central Americans fleeing U.S.-backed political repression and violence and Mexicans affected by financial crisis touched off by devaluation of the peso.

Three Waves of Worker Centers in Contemporary History*

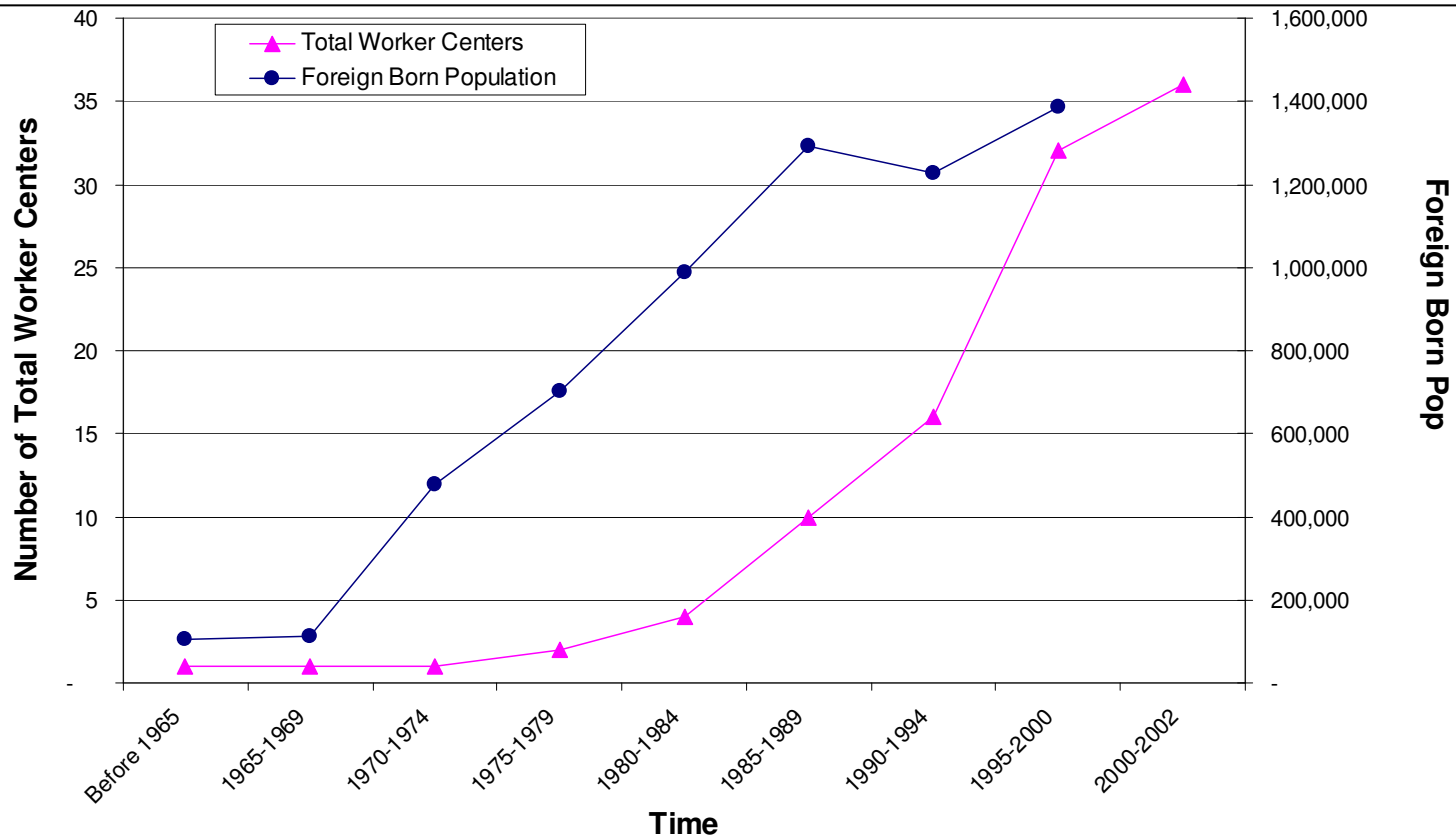
- **2000-present:** A new wave of centers came on line in the past three or four years largely in response to new chain migration from Mexico. More of these centers are in the South and in suburban and rural areas, are in specific industries and involve South Asian and Black workers. Some of them are connected to Interfaith Worker Justice and more of them are either directly connected to labor unions or working more closely with them than in previous waves. The migration was in response to push factors of uneven economic development, hemispheric free trade agreements, pull of plentiful US jobs in service, agriculture and meatpacking.

** there are a number of historic precedents for the contemporary worker centers including 19th century mutual aid and benefit societies and other “fraternal” organizations, Settlement Houses, Catholic labor schools, and unemployed councils and of course any number of unions including the old Amalgamated, the Garment Workers and others during the 1920’s and 30’s.*

When did Worker Centers arise?



Rise in Worker Centers and Foreign Born Population*



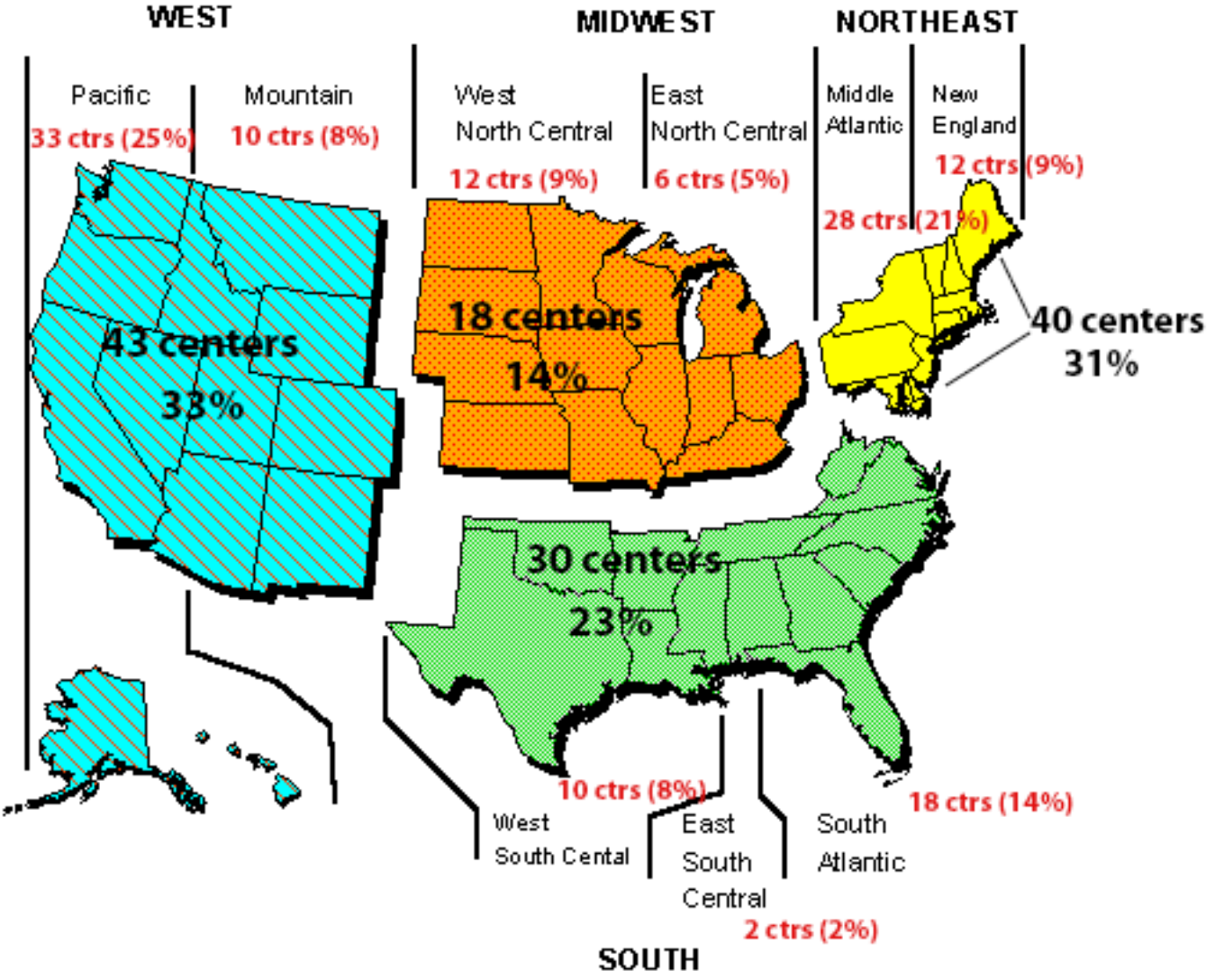
*Foreign Born Population includes Mexican, Central American, Chinese and Korean immigrants in 3 Major Metropolitan Areas (Chicago, LA, NY)

Source: US Census 2000

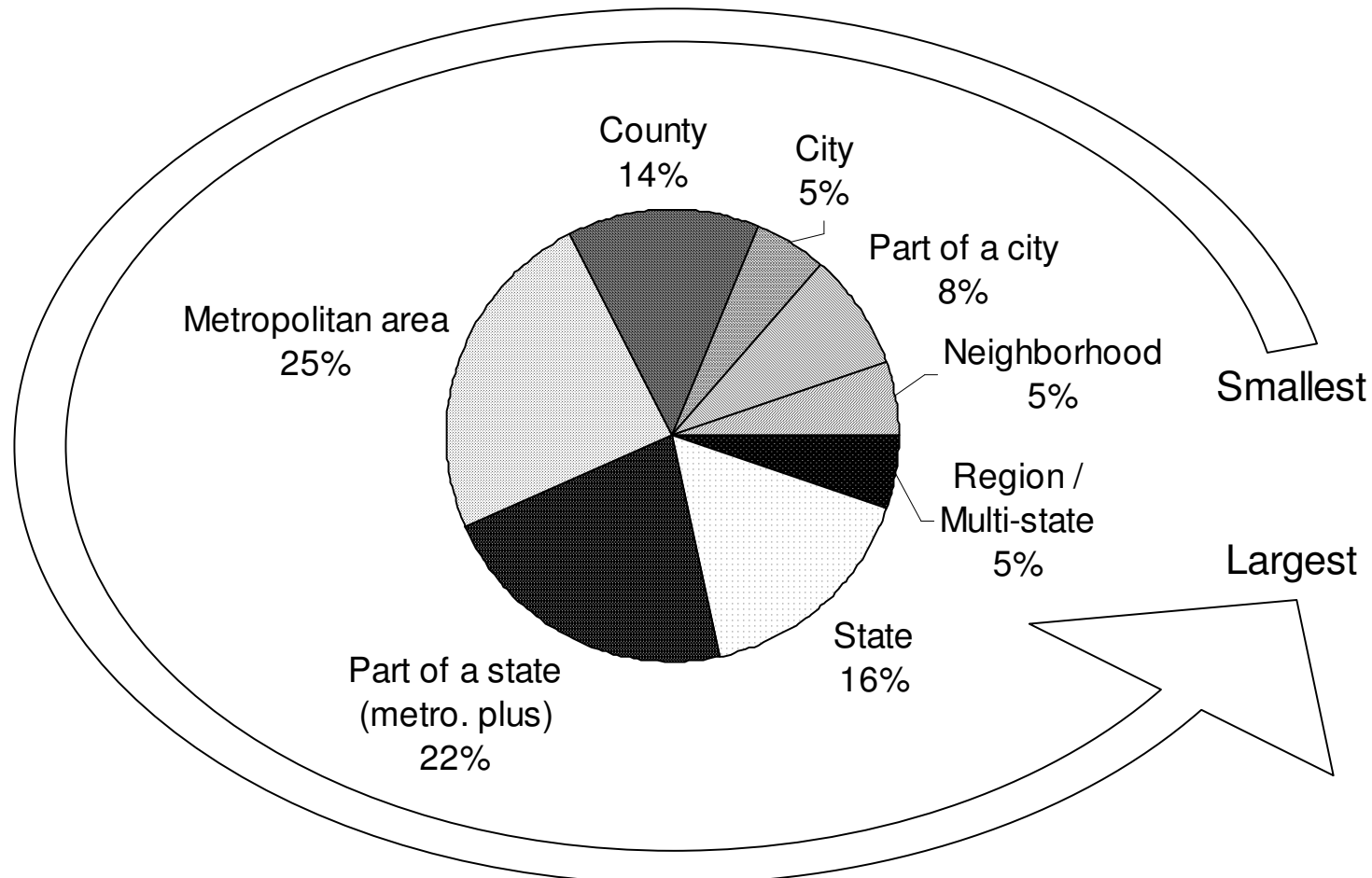
Dramatic Increase in Worker Centers

In 1992, there were fewer than 5 centers nationwide. As of 2007, there are 155 worker centers in over 80 U.S. cities, towns and rural areas (34 states).

Regional Analysis



How large a geographic area do worker centers cover?



While Worker Centers work in geographic regions of all sizes, they generally target a county, metropolitan area or slightly largely portion of a state.

Characteristics of Worker Centers

- Strong ethnic and racial identification
- Place-based
- Collective action, not collective bargaining
- Hybrids
- Organizing
- Services
- Leadership Development/Participatory processes
- Coalitional

Characteristics, continued

- Popular education
- Small and involved membership
- Identification as part of a global movement
- Broad agenda

Hybrids...A little bit of:

Settlement House

Purpose: Provide services, classes, meeting space, clubhouse, advocacy, community organizing, support for labor organizing

Labor Market
Intermediary

Purpose: Job training and placement, higher wages, better jobs and opportunities

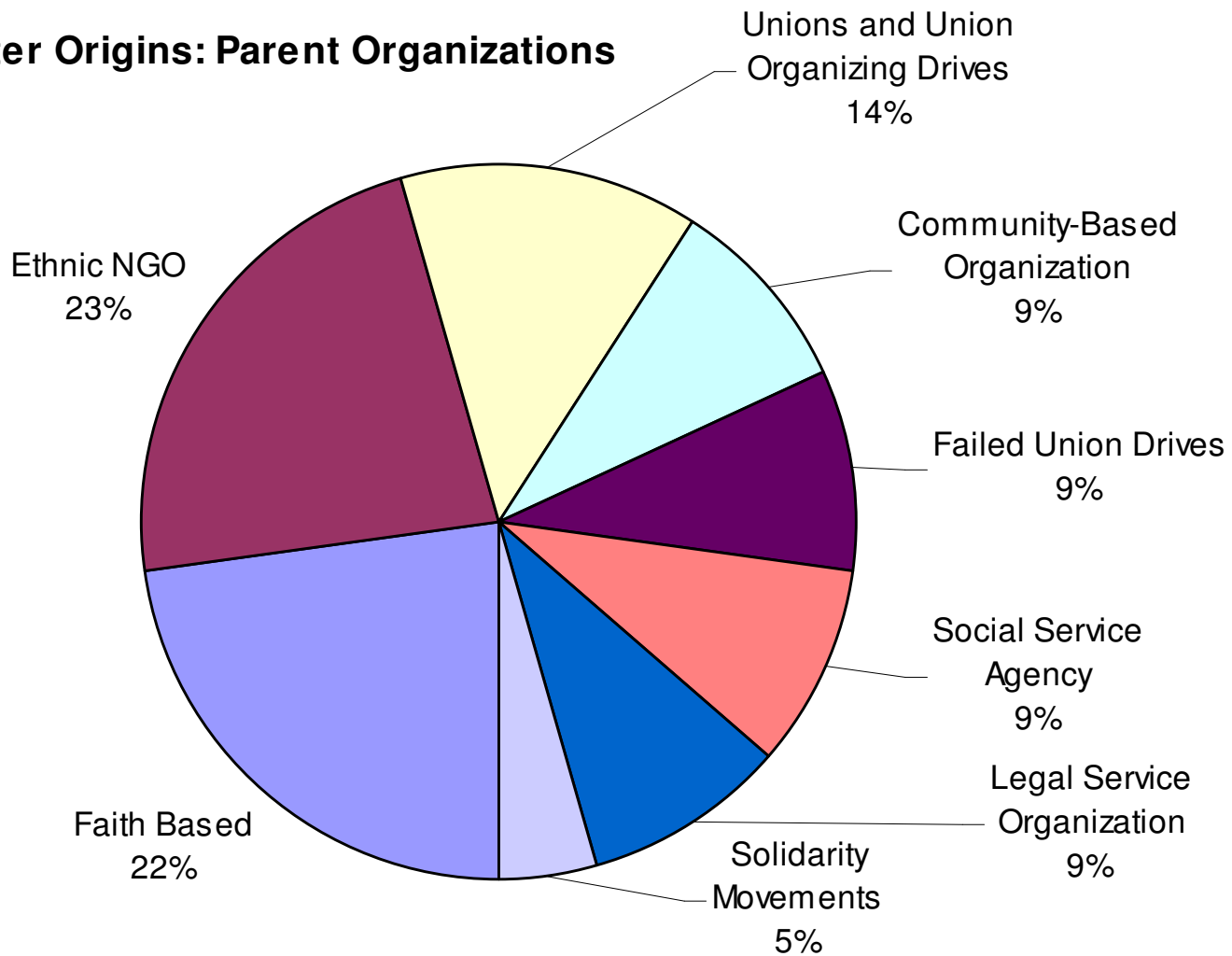
Union

Purpose: Build a worker organization and build the power of workers in the industry

Local Civil Rights
Movement Organization

Purpose: Fight exploitation of immigrant workers through advocacy and organizing, club-house, provide some services

Worker Center Origins: Parent Organizations



(n=22)

Origins of Worker Centers

- Coalition of Immokalee workers: 1993

Six immigrant workers from Haiti, Mexico and Guatemala borrowed space from a local church to set up an office. First case was a worker who came in after being beaten up in the fields for stopping to drink water. The coalition organized a 500-person march to the home of the crew leader.

- Chinese Progressive Association Worker Center (Boston): 1987

Established as a result of campaign organizing dislocated garment workers to fight for money for vocational training.

Origins... (continued)

- **Pilipino Worker Center of L.A.: 2002**
Begun by group of recent Pilipino UCLA graduates in response to problems of more recent immigrants including education, housing, employment, immigration and health.
- **Pomona (CA) Economic Opportunities Center: 1997**
Day laborers had been gathering on corners waiting for employers for 15 years when the City passed an ordinance banning solicitation of work. Day laborers and students from Pitzer College won a court challenge, and worked with city officials and representatives from Home Depot to get public money for a worker center, and organized to provide ESL and other classes to the workers.

Origins... (continued)

- **San Lucas (Chicago) Workers Center: 2000**
Organizing to protect workplace rights in the day labor industry in Humboldt where 5,000 day laborers working for 15 agencies gather daily.
- **Casa Maryland: 1986** Begun by a church-based solidarity movement. In 1991 was a small social services program, but that year a day labor crisis began near the office. Within 6 months of hiring an organizer, Casa had set up a temporary hiring spot that later became permanent. Today it has 70 staff and 4 worker center locations.

Origins... (continued)

- **Restaurant Opportunities Center (NY): 2002**
Created by the Hotel Employees and Restaurant Employees (HERE) Education and Support Fund in response to mass displacement of restaurant workers following September 11th. HERE local started worker center to provide support to workers from Windows on the World and their families. Long-run goal is to organize industry, which is currently 99% unorganized by first creating a labor-friendly climate among non-union workers.
- **D.C. Employment Justice Center: 2000**
Founded to fill the gap in D.C. for employment-related legal services.

Nadia Marin-Molina, Executive Director of the Workplace Project:

“Before I entered kindergarten, my mother used to take me with her to clean houses in the wealthy suburbs of Boston. More than 20 years later, she is working two jobs every day instead of one. One is in a school cafeteria and the other is in a department store fitting room. She is being paid slightly more than the minimum wage, but has no complaints except about the kind of gloves they give her in the cafeteria-
-‘too thin’ she says.”

Jose Oliva, Executive Director, Chicago Area Workers Rights Center:

“My family actually came here in 1984. I was 13. ...My mom was a student teacher. She worked in the western highlands in Guatemala. She was involved in a couple of organizations outside of the school in which she was doing organizing to get running water and electricity inside the schoolhouse and it got her in a lot of trouble with the government, and we went into hiding in Mexico for a while. We went back to Guatemala and my dad, a student, was...captured and tortured. And when he was released, which was actually something that didn't happen all that often in Guatemala at that time, you know, people weren't released they were just disappeared-there are still 45,000 people who were just disappeared. And so, when he was released, one of the things that they told him was that we're only letting you go so you could tell your friends what's coming. So we left and came to the States.”

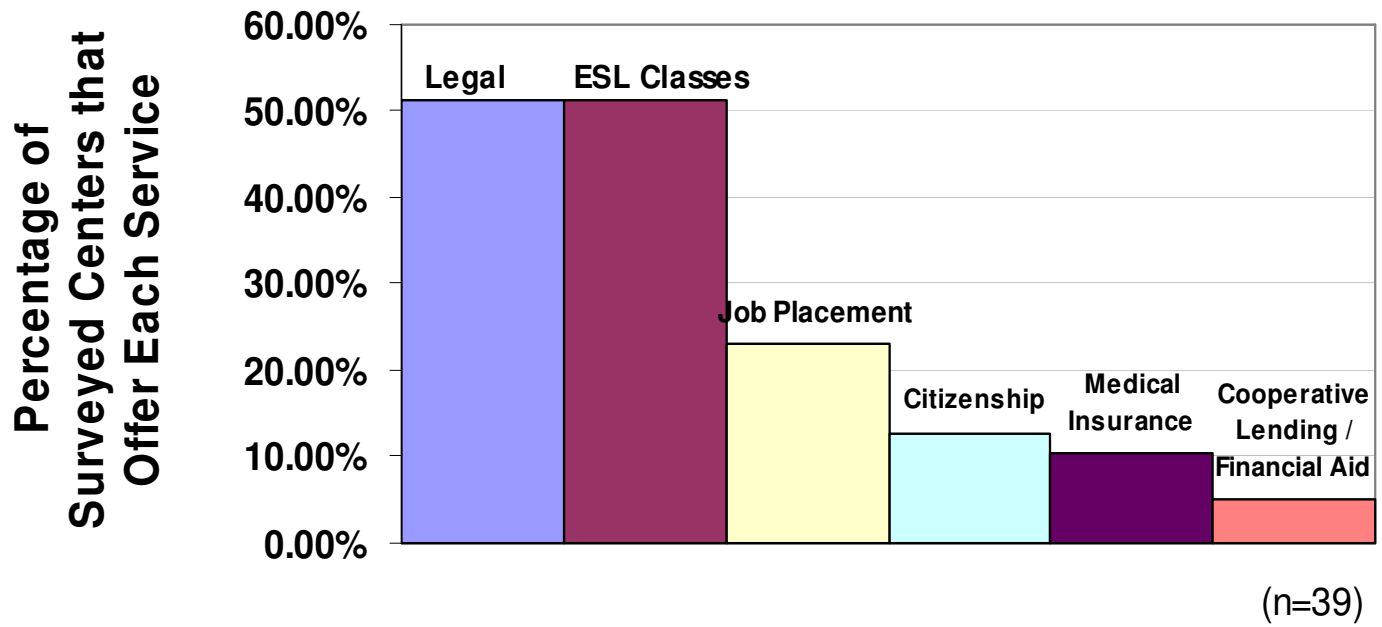
Irma Solis, Organizer at the Workplace Project:

“I was born in Mexico and was brought to this country at the age of four. ...As a single parent, my mother has worked at a sweatshop garment factory in Brooklyn, six days a week, eleven hours a day since she first arrived in the United States. I recall spending my afternoons sitting by my mother’s sewing machine while she worked because her weekly pay was not enough to pay for a baby sitter.”

Cindy Cho, Organizer, Korean Immigrant Workers Advocates:

“I didn’t know that my parents had been undocumented until just this year. I was talking with my mom. Apparently my father came like a lot of Korean immigrants do with a visiting visa and they overstayed their visa and became undocumented that way. My mom came in and she didn’t have any sort of visa and she got caught. Luckily because we had family here, she was able to get an immigration lawyer, got out and got sponsored through a church because she had gone through seminary in Korea. That’s how we got our status, but it could’ve very easily have gone a different way.”

Worker Center Major Services



Services Provided by Worker Centers

New York Taxi Workers Alliance

- Summer 2002: held first health fair for taxi drivers at taxicab holding lot at JFK. 18 different health care institutions were present and 600 drivers were enrolled into Family Health Plus, given educational materials and referrals on HIV and AIDS and screened for blood pressure, cholesterol, blood sugar, vision, spinal care, stress, asthma, hepatitis B, colorectal cancer and tuberculosis.
- Assistance with FEMA mortgage and rent assistance application

Services Provided... (continued)

New York Taxi Workers Alliance (continued)

- Website resources: “Know Your Rights” handbook, links to helpful sites
- Legal services:
 - Attorney for DMV (with set fee depending on location of ticket and charge), Attorney for TLC (same)
 - Protect DMV License: print-outs of license and evaluation of points
 - Protect TLC license: printouts of license and evaluation of points
 - Attorney for different legal matters: criminal defense, personal injury and property damage, workers compensation, immigration, contracts, bankruptcy, medallion, real estate closings...

Services Provided... (continued)

Garment Workers Center (LA)

- Case management-help workers file unpaid wage claims and other workplace cases
- Referrals: access to legal and other services
- Workshops: provides information about workers rights and immigrant issues
- Health Education: education about health topics and services
- Women's Group: education and support group for women
- Loans: provides small loans to assist with paying rent or emergency expenses, after 6 months of membership
- Cultural Exchanges: provide opportunities for cross-cultural events

Services Provided... (continued)

IDEPSCA Day Labor Hiring Halls (LA)

- Assist workers and employers in the negotiation of working conditions such as wages, transportation and meals
- Help filing wage claims
- English literacy classes
- Classes in computer skills and technology
- Free medical and dental clinics
- Tool lending
- Free food and clothing distribution

Services Provided... (continued)

IDEPSCA Day Labor Hiring Halls (continued)

- Recreation and sports activities (soccer leagues and marathon teams)
- Cultural celebrations
- Workshops on workers' rights
- Use of the telephone
- Use of on-site library
- Occupational training
- Translation and assistance filling out immigration and tax forms

Services Provided... (continued)

Korean Immigrant Workers Advocates (LA)

- Community-based health clinic where members are served by a physician who speaks Korean, Spanish and English and a case manager who makes referrals to other health providers
- Micro-loan project provides no-interest loans. Workers can borrow up to \$500 and have 6 months to repay.
- Membership card
- Check cashing
- Worker Empowerment Clinic: assists workers in filing cases for back wages and overtime

Services Provided... (continued)

Farm Worker Association of Florida

- Pesticide trainings conducted in English, Spanish and Creole
- HIV/AIDS education
- Vocational rehabilitation program: connects injured farm workers with services so they can either continue in farm work or switch occupations
- La Campesina Ethnic Food Stores: employ farm workers, offer ethnic foods, cultural music, international phone cards and check wiring services
- Community Trust Federal Credit Union: offer opportunities to farm workers for saving and loans

Why Do Many Worker Centers Provide Services?

- Long-term nature of social agenda/policy solutions (Withorn: “The broader the social change goals and more ‘alternative’ the ideology, the more sympathetic the movement will be to service delivery.”) organizations need to be able to deliver something in the meantime
- Pressing immediate needs of workers
- Legitimacy in the community
- Recruitment tool

Successful Movement Services Should:

Provide a utilized service:

- address an important need *that is not readily available elsewhere*
- do so in a way that fosters self-determination and self confidence among the receiver
- be consistently available over an extended period of time to a targeted constituency group
- *get to scale*
- *bring in some income to offset the cost/generate funds for organizing*

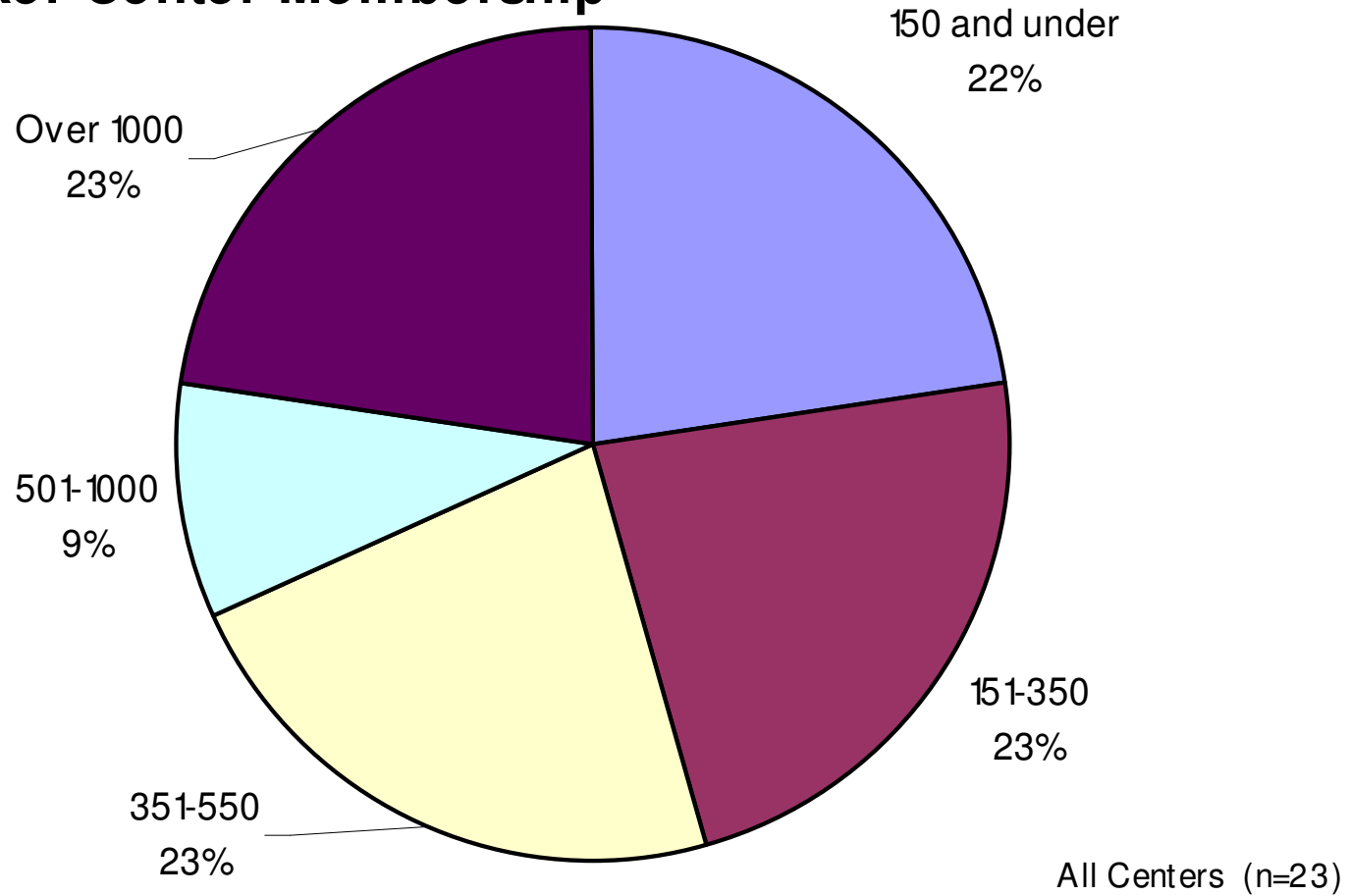
Serve the strategic needs of the movement:

- be a draw for new recruits
- enhance retention of existing members and give them opportunities to move into service provider role (do we really want workers to spend their time providing services?)
- reflect the ideology of the movement in both content and structure
- be viewed as a valid and valued activity for movement members to engage in
- *not crowd out the time and resources for organizing*

Service Delivery: The Dilemma

Provide services as a concrete way of responding to the urgent and immediate needs of the base and recruit new members. The form of service delivery should reflect ideology of empowerment but at the same time, be efficient, so that the bulk of resources are available for organizing and advocacy.

Worker Center Membership



What does it mean to be a member of a worker center?

Who is counted as a member?

- Not someone who has just come in to the center or received a particular service
- Not someone who has just come to an event

Many worker centers treat membership as a privilege which workers attain through participation and which is attached to specific responsibilities and duties:

- 1- Take and complete a workers' rights course/participate in other trainings
- 2- Serve on a committee/volunteer for a specific period of time
- 3- Attend membership meetings
- 4- Pay dues (in most cases workers are told that dues payment is voluntary, not a requirement and payment is not monitored or enforced)
- 5- Respect the rule of the center

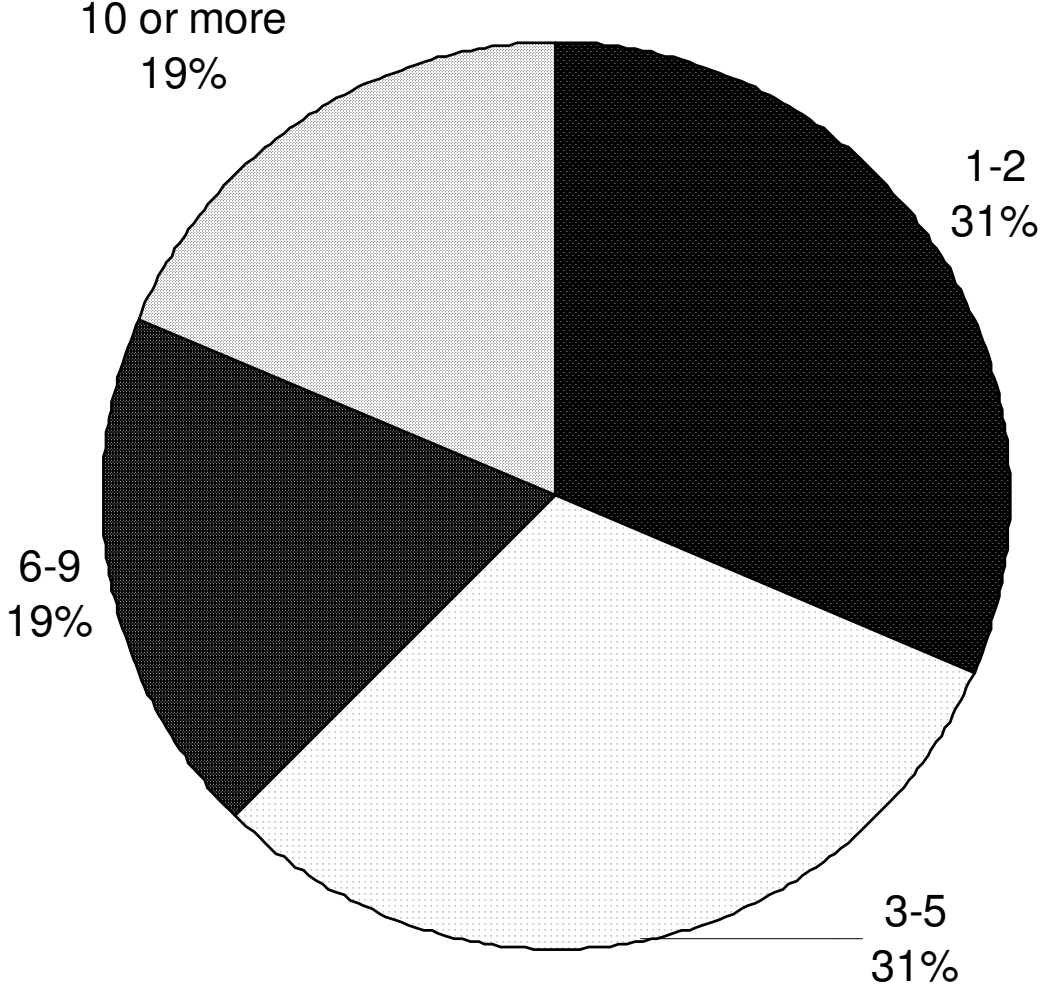
On the other hand, most worker centers do not require members to:

- 1- Have a job
- 2- Work in a specific industry
- 3- Have legal authorization to work
- 4- Pledge to participate in job actions, honor picket-lines, etc.
- 5- Be registered to vote

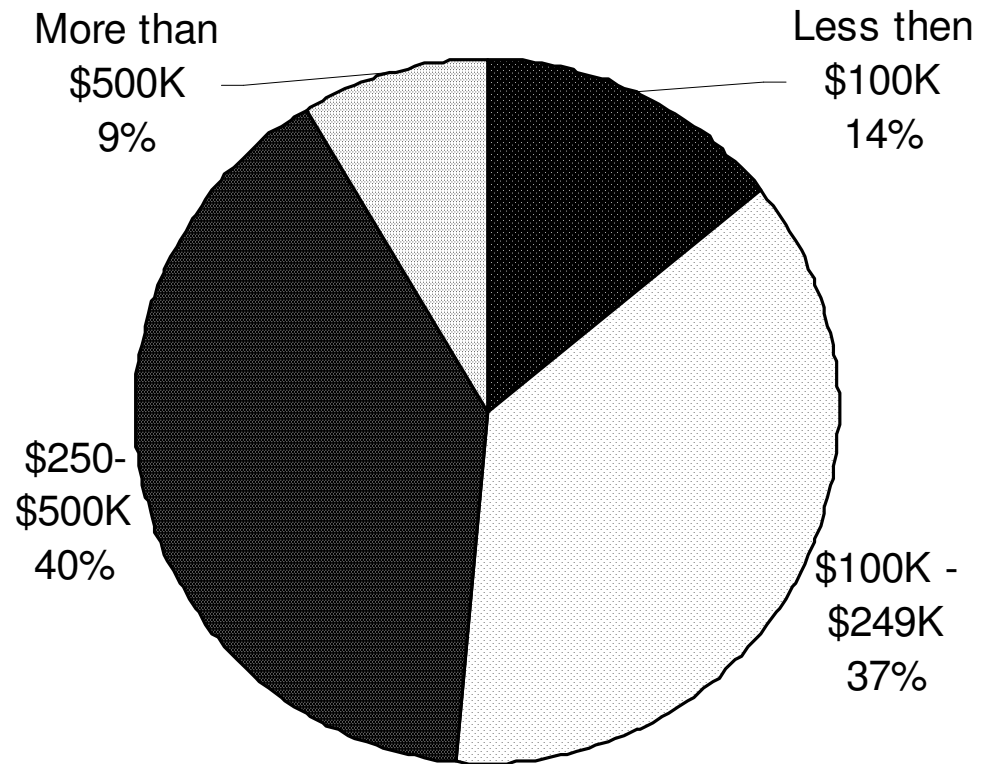
Less common:

- Worker center who consider anyone who pays dues a member whether or not they take an active role
- Worker centers who consider anyone a member who signs a form saying they want to join, whether or not they pay monetary dues

Worker Centers: Size of Staff



Worker Center Budget Sizes



Worker Center Budget Sources

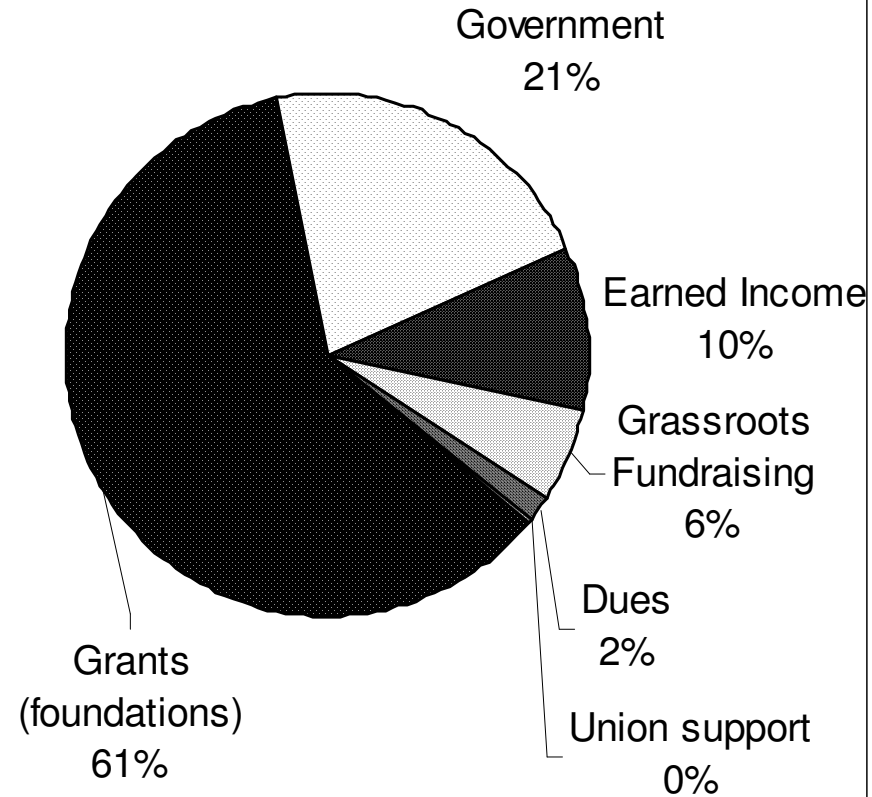
* Grants make up a slight majority of all funding

* Government funding is often in exchange for providing services, or represents in-kind support such as renting facilities

* Earned Income is anything provided for services not from government

* Grassroots fundraising includes all community fundraising efforts and events

* Dues and unions contribute very little to total budgets.

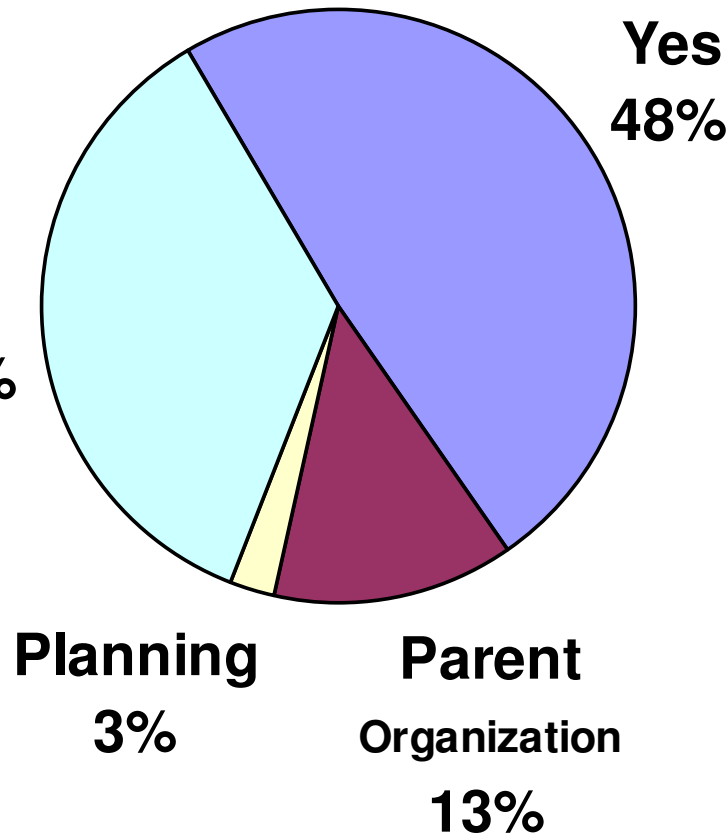


Worker Centers: Dues Collection

Centers have not systematized or institutionalized their dues payment:

- Many centers report dues payment is irregular
- Many centers have completed only one cycle of dues collection

No
36%



Dues amounts:
Typically \$5 - \$10 per month.
Highest at centers that most resemble or originate from unions
Lowest (~\$15 / year) at centers that operate out of community or ethnic organizations and may not differentiate membership between the center and larger organization

Barriers to Collective Action for Immigrant Workers

- **Undocumented status—fear and insecurity, they lack protections due to lack of resident or citizenship status**
 - *(on the other hand, may be more mobile—willing to leave a workplace because they are not trapped there like guest workers)*
- **“Sojourner mentality” Plan to return to home country at some point/feeling that they are here “temporarily”**
 - *(many stay for much longer than they intended to, some live transnationally, also impermanence doesn’t mean they don’t want justice while they are in this country working)*

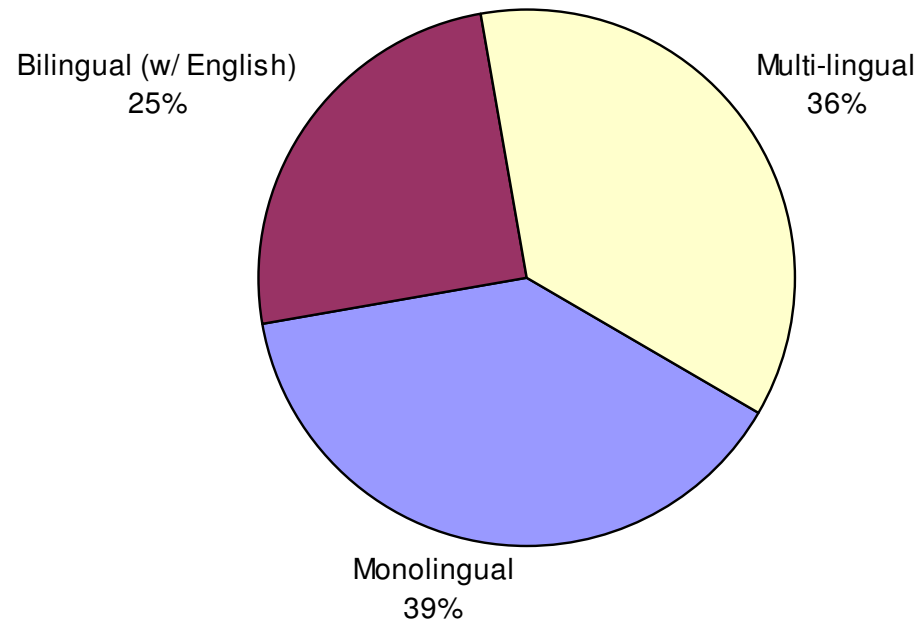
Barriers continued...

- **Reference group for wages and working conditions is home country not USA**
 - *(this changes the longer people are here, many are disillusioned with the low wages they find here and while it is true wages are much better than back home, they are aware that they are working very hard and being compensated poorly by American standards)*
- **Workers are in industries that are difficult to organize, sometimes classified as “independent contractors” sometimes work in very small, isolated workplaces**
- **Very long hours of work**

Resources for Collective Action

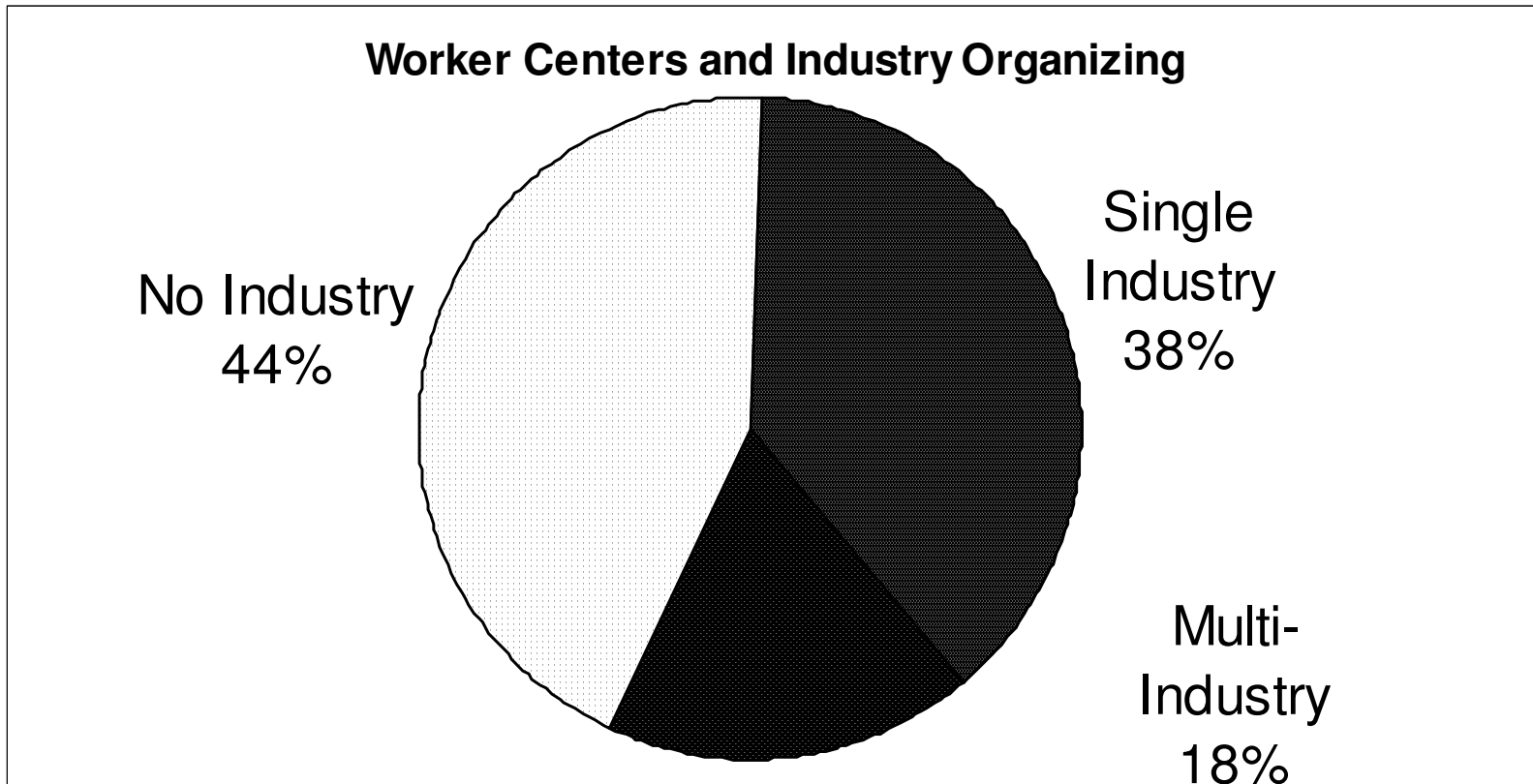
- Ethnic solidarity as an appeal
- Individuals are strongly embedded in ethnic communities: strong family, community and social networks for communication and mobilization at home and work
- Mobility: willingness to move between jobs if one is unsatisfactory
- Experiences with collective action in home countries
- Worker center fuses ethnic and class concerns

Worker Centers: Organizing Across Language Barriers

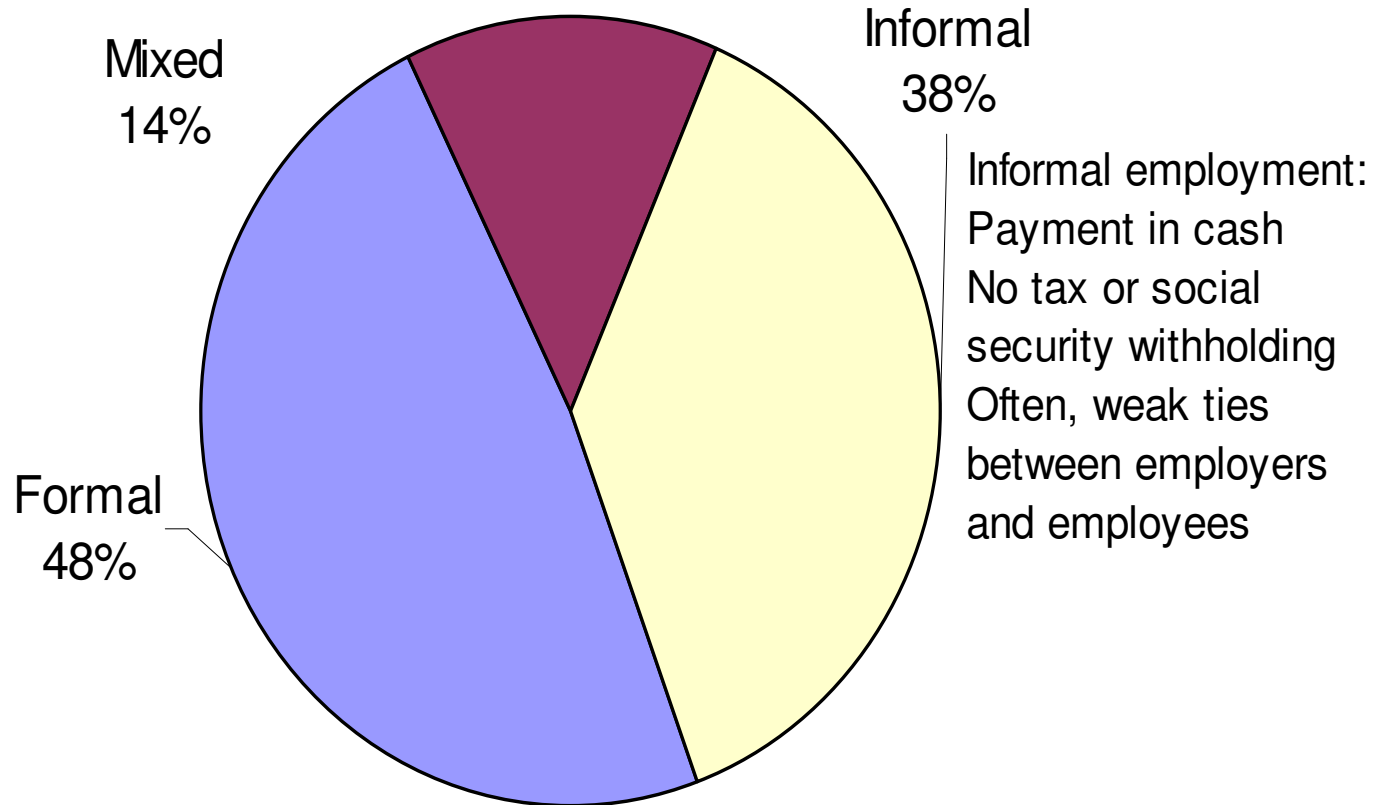


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How do Worker Centers Organize?



Organizing in the Formal and Informal Sectors



Informal: Largely day labor, also private domestic workers

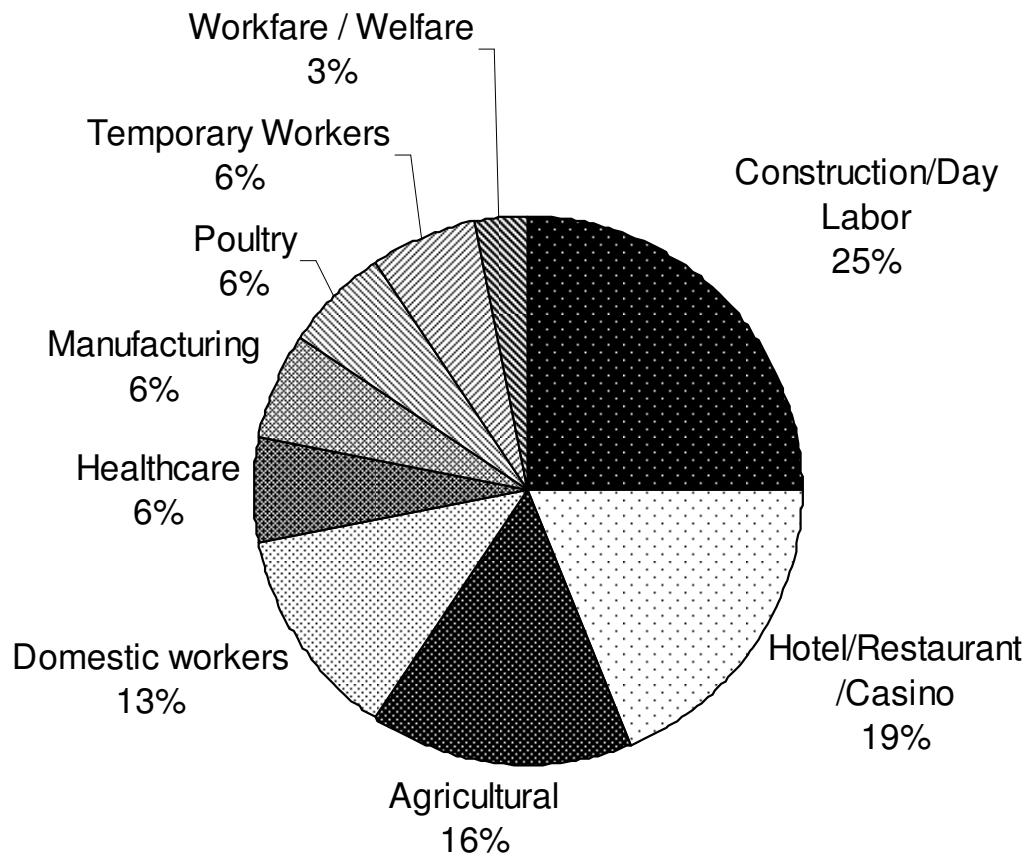
Formal: Includes manufacturing, agricultural, food processing and agency-based employment

n=29

Worker Centers: Most Common Industries

While 44% of Worker Centers do not organize by industry, of the 56% that do, these are the most common industries:

Centers that organize day laborers, the most common industry, report that their workers work in construction, landscaping, warehouse and other areas.



Worker Center Goals

- 1.) **Build engaged networks of low-wage (largely immigrant of color) workers**, develop leaders and critical thinking skills through popular education, help to bring together larger movements around “Right to the City”, global justice
- 2.) **Frame the issues in human rights and racial justice terms**
- 3.) **Raise wages and improve working conditions in low wage industries**
- 4.) **Stop racial and ethnic discrimination and legalize undocumented**
- 5.) **“Immigrant incorporation/integration”**: improve access to education, housing, healthcare, public safety

Worker Center Campaigns

- **helping workers learn their rights and battle wage theft/file wage claims**, workers compensation, etc.
- Right to seek work in public places
- bringing **direct economic pressure to bear on employers and industries** (corporate campaigns, pickets, boycotts)
- working toward the **passage of public policies** that require employers and industries to improve wages and working conditions
- **working with unions** to organize the workforce
- **working with government** to improve labor standards enforcement
- Immigrant rights/**Immigration reform**

Direct Economic Organizing

Targeting a Single Employer/Corporation

- wage claims followed by pickets
- Garment Workers Center Forever 21 campaign: holding a retailer responsible for its contractors
- Coalition of Immokalee Workers Taco Bell, Burger King, McDonalds campaigns: holding the fast food companies responsible for conditions and wages of agricultural contractors, a penny more per pound picked

Targeting an Industry continued...

- **KIWA:** campaign to raise wages and safety standards for Restaurant and Grocery Workers in LA
- **Interfaith Worker Justice/UFCW and RWDSU:** worker center to support labor organizing of Poultry workers in North Carolina, Mississippi, Arkansas
- **New Labor:** organizing workers in residential construction and temporary workers in warehousing
- **Domestic Workers United:** organizing nannies, maids, home health aids for a bill of rights including a standard contract

Direct Economic Organizing Policing the Industry—driving out bad actors through wc/union partnerships:

Maintenance Cooperation Trust Fund (MCTF-LA):

union contractors pay a penny per hour to fund MCTF to monitor the industry and go after unscrupulous contractors, has won multi-million dollar back-pay cases

Carpenters Local 108/Casa Obrera ADP in Springfield, Mass:

working together to uncover abuses in prevailing wage jobs, cost bad subcontractors money, helps make union bids more competitive

RWDSU in NYC working with Make the Road By Walking:

union and community organizing on retail strip in Brooklyn--
uncover cases of retailers not paying minimum wage and overtime,
supportive AG's office helped compel employers to accept card
check and CBA



Union Helps Workers Seek \$200,000 in Unpaid Wages

“Representatives from Local 108 and Local 43, along with members of the community-based Anti-Displacement Project (ADP), recently helped organize a group of non-union workers who were being exploited by various companies working at the Pynchon Terrace/Edgewater Apartments in Springfield, MA. The group of workers is seeking restitution for an estimated \$200,000 in unpaid wages. ...”

Source: New England Carpenter newsletter of the New England Regional Council of Carpenters, January to March, 2007

Immigration Policy and Unions

There is understandable tension between adopting a stance of **exclusion**—limiting the supply of labor in order to protect the existing labor force **versus solidarity**--organizing the newcomers as the best way to uphold standards. In the US, efforts to limit supply are unlikely to succeed.

Labor's dilemma: Justice for those who are coming... Justice those who are already here.

National AFL-CIO and Worker Centers

- National Partnership Agreement announced in August 2006 with National Day Laborers Organizing Network (NDLON) and January 2007 with Interfaith Worker Justice (IWJ)
- AFL-CIO President authorized to issue Certificates of Affiliation to worker centers interested in joining state federations and central labor councils

AFL-CIO/NDLON Agreement

“Many of these centers are important to the immigrant community and play an essential role in helping immigrant workers understand and enforce their workplace rights. In doing so, they also play a critical role for all workers—immigrant and US-born alike—by fighting unscrupulous employers who try to use the immigrant workforce to lower wage and other benefit standards that protect the entire workforce...”

Migrant-Friendly Unions

How can unions adjust processes, structures and contracts to accommodate immigrant member needs?

- Contracts that directly address racial, ethnic and gender discrimination in hiring
- Pay hikes, work quotas and meals for “back of the house” workers
- Hire field reps and organizers that are fluent in all the spoken languages of members and potential members, affirmative protections for workers speaking their native languages on the job

Migrant-Friendly Unions cont'd

- Use peers and outside translators to communicate with workers who spoke other languages
- Develop rank and file committees that reflect the demographic characteristics of the workforce and identify natural leaders, immigrants included on slate of officers
- “Equality of languages” all materials and all meetings translated
- Institute an extended leave policy for migrant members who need to go home for extended periods

Migrant-Friendly Unions continued

- “no employee shall suffer any loss of seniority, compensation or benefits due to any change in that employee’s name or social security number” protects immigrant workers who used false names and numbers before receiving legal status
- Added immigration assistance to the legal benefit plan
- Allowing for education fund portion of the health and welfare benefits to be put toward English language training
- Childcare/Eldercare coverage provision accommodating the practice of having a relative rather than formal caregiver take care of children or the elderly

Public Policy Organizing Examples

Policy Changes to Strengthen Compliance with Existing Laws and Improve Enforcement

- Workplace Project and the Unpaid Wages Law: significantly increased penalties and fines, raised the criminal penalty for repeat violators from misdemeanor to felony, prohibited settlements for less than 100% of what was owed to worker passed by Republican Senate and signed by Republican Governor

Policy Changes continued...

- Domestic Workers United and the Domestic Workers Bill of Rights NY City Council: requires employment agencies to ensure terms and conditions of employment are spelled out in writing at time of placement, mandates agency to get signature of employer on statement that lays out state and federal employment laws

Public Policy Organizing Examples

Partnering with Government Agencies to Ensure Enforcement of Existing Laws and Regulations

- Coalition of Immigrant Worker Advocates (CIWA: coalition of worker centers) in California and the Office of Low Wage Industries in State Government: CIWA built an alliance with key government officials and strongly supported more enforcement resources, made concrete proposals for improving wage claim process as well as development of enforcement strategies appropriate to low wage industries

**Public Policy Organizing Examples:
Partnering with Gov't Agencies to develop new
policies and bureaus within gov't and to create
ongoing partnerships**

Most sweeping example to date...in

New York State:

- Attorney General's office created a low wage immigrant worker rights bureau that aggressively targeted abuses in a range of industries, signature strategy was working with worker centers and unions to bring cases with high penalties and maximal publicity

The NY story, continued

- When AG was elected governor he brought that operation to the state Department of Labor
- State established a strategic enforcement division to target industries (full-time staff who are proactive rather than complaint-driven)
- State DOL created a new division: Bureau of Immigrant Workers Rights
- BIWR just created Wage and Hour Watch: a partnership with 6 worker centers and unions to actively walk the beat and bring cases



New York State Department of Labor
David A. Paterson, Governor
M. Patricia Smith, Commissioner

Labor Department Issues \$650,000 in Violations Against Poultry Workers

“...issued dozens of wage and hour violations totaling \$650,000 in unpaid minimum wage and overtime wages against seven poultry markets in Brooklyn, New York. ...”

Source: Press release, November 21, 2007

Labor Department Announces New Proactive Approach to Enforcement

“...a major proactive approach to enforcing the state's labor laws in various industries, beginning in New York City. This new enforcement effort will partner with advocacy and community groups and unions to gather information necessary to conduct wage and hour investigations. ...”

Source: Press release, December 19, 2007



Restaurants: New York City Council Bill Would Tie Restaurant Permits to Labor Practices

“A restaurant's record of labor law compliance would be considered as a condition of renewing its city operating permit as a food service establishment, under a pending New York City Council bill backed by labor advocacy groups. ...”

Source: BNA, April 7, 2008

The New York Times

Street-Level Groups Enlisted to Report Labor Violations

“To crack down on businesses that pay less than the minimum wage, fail to pay overtime or to pay wages altogether, steal tips or commit other labor violations, the New York State Department of Labor is starting an experimental program that will rely on community organizations to monitor compliance with labor laws. In an announcement, the state labor commissioner, M. Patricia Smith, called the program, the New York Wage Watch, a **‘one-of-a-kind grassroots tool in the fight against illegal labor practices.’**”

“The six-month pilot will begin with six participants: the Chinese Staff and Workers’ Association, which will focus on Chinatown, Flushing and parts of Long Island; Make the Road New York, which will focus on Bushwick; the Workplace Project, based on Long Island; the United Food and Commercial Workers union, which will look at high-end supermarkets; the Retail, Wholesale and Department Store Union, which will focus on retail stores in Lower Manhattan, Bushwick, the Kingsbridge section of the Bronx and parts of Queens; and the Centro del Inmigrante, based on Staten Island.”

Source: New York Times, January 27, 2009

The New York Times

Wage Watchers

“... But here is a heartening sign of change: New York State has begun a new effort to expose and prosecute abusive employers by enlisting the people who know them best: their immigrant employees. Last weekend, the State Labor Department began a **pilot partnership with six nonprofit workers’ organizations**, whose members will be the government’s eyes and ears in the abuse-prone immigrant workplace.

“...workers at day-labor corners, laundries, restaurants, nail salons, supermarkets and department stores will be trained to know and defend their rights and be given contacts in the Division of Labor Standards to report violations. ...

“All sides of the immigration debate should be able to agree that this sort of program, one of the first in the nation, is wise and overdue. ...”

Source: New York Times, February 12, 2009

Brooklyn Daily Eagle

Bushwick's 'Street of Shame' Being Swept by Labor Dept.

“Issuing numerous fines for wage and hour violations, the New York State Department of Labor has begun conducting sweeps of several dozen food markets and retail stores along Knickerbocker Avenue.

“Knickerbocker Avenue has long been known as the “Street of Shame” by labor advocacy groups that want to put an end to the numerous violations of employee rights to earn minimum wage and overtime pay.”

Source: Brooklyn Daily Eagle, December 11, 2007

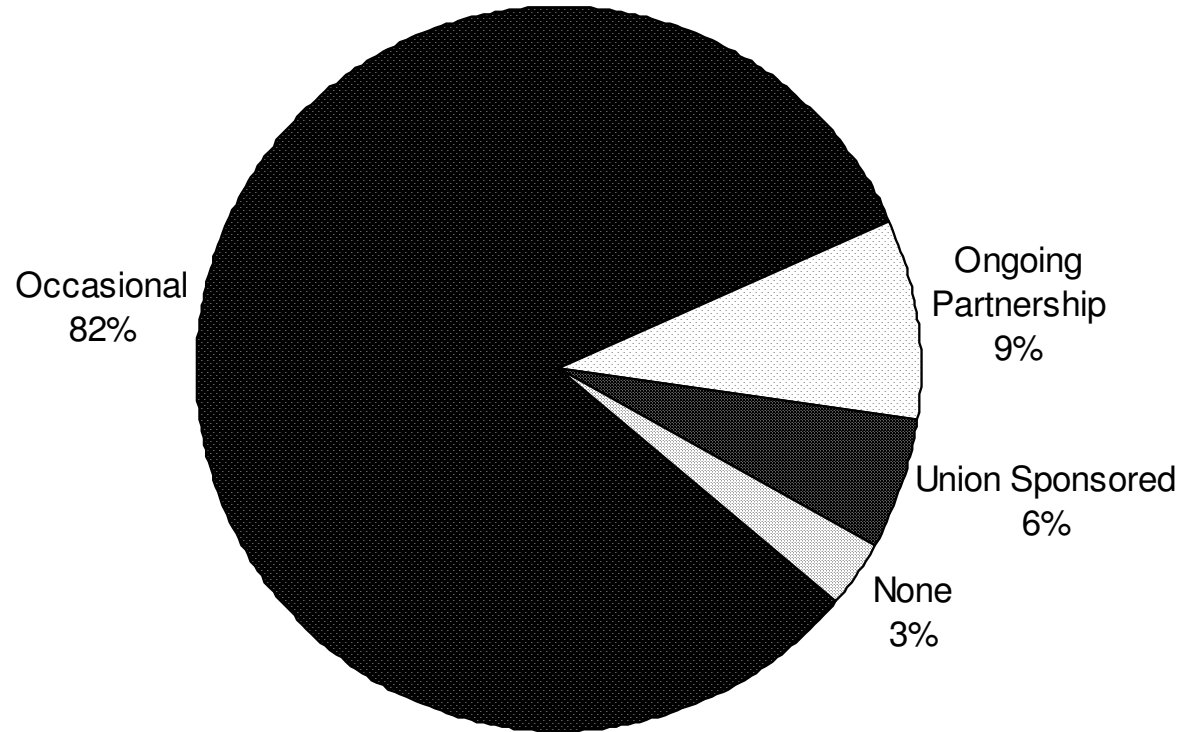
The New York Times

Asian Restaurant Workers to Get Back Pay

“The owner of eight Asian restaurants in Manhattan, including Ollie’s Noodle Shop and Grill, agreed to pay \$2.3 million to 813 workers in what the State Department of Labor called **the largest amount ever collected in a single case of minimum-wage and overtime violations.**”

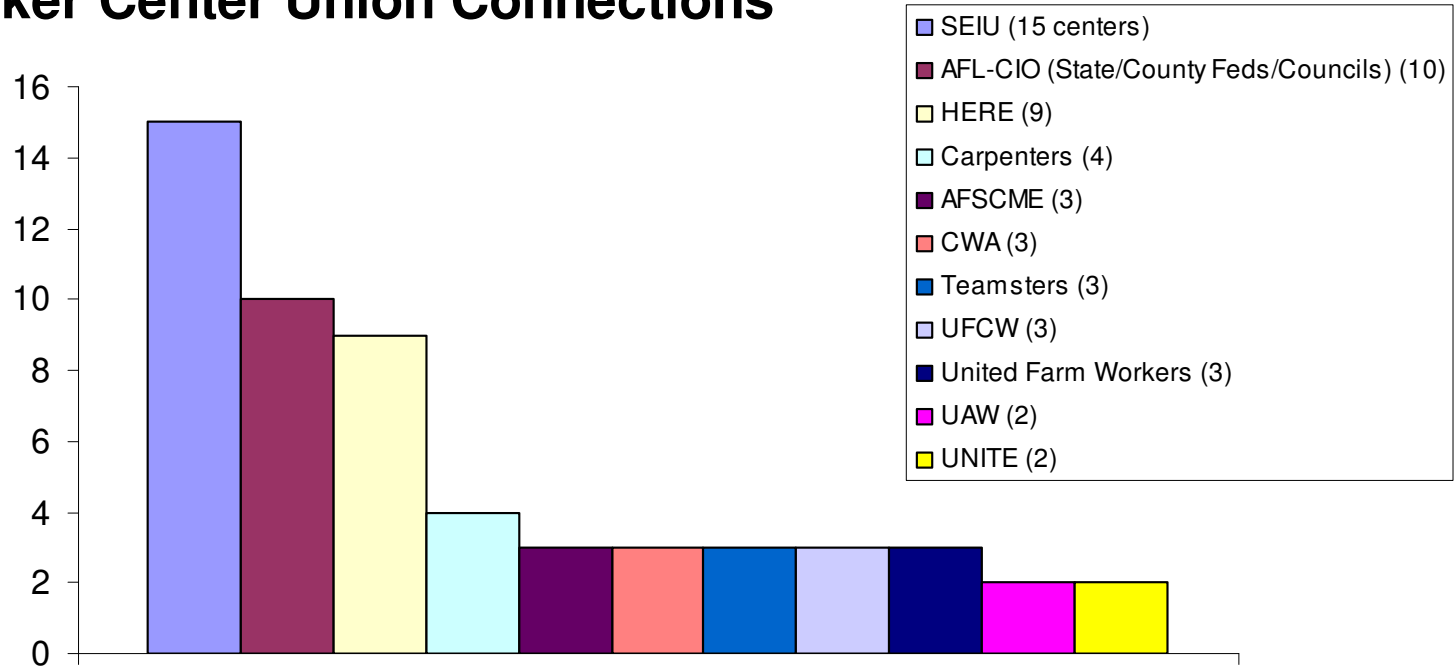
The owner, Tse Yue Wang, also agreed to allow the Labor Department’s staff to conduct seminars at the restaurant to educate the workers, who are mainly Chinese, about their rights under state law. ...”

Worker Centers: Collaborations with Unions



While almost all worker centers report some contact with local unions, only 15% have an ongoing partnership or are union-sponsored.

Worker Center Union Connections



Unions that partnered with only one center were: UE, IUE, Laborers and Southwest Public Workers Union

Mismatches and Misunderstandings

	Unions	Worker Centers
Structure	Industry/Employer- Specific Pro-active targeting Formal and Exclusive Membership/mandatory dues And participation	Broad Constituency base: Multi Industry/Geographic/Ethnic Hot shops Loose and Voluntary Membership & Participation
Ideology	Institutional Pursuit of Self Interest and more soc m'ment... Politics of Production Democrats	Social movement Social Reproduction/Political and Economic Incorporation Transnationalism
Culture	Focus on native-born Well-established patterns and routines/ Top-down	Immigrant-centric Ad-hoc/reactive Loose and informal
Goals	Majority & CBA Labor market power	Labor Standards, Social Wage, Social Movement

Complimentaries

Worker Centers:

- Relationships with workers knowledge of language they speak and problems they face
- Workers trust them
- Knowledge of immigrant community and relationships with immigrant institutions including churches
- Knowledge of what goes on at employers
- Knowledge of immigration law
- Ability to engage in leadership development
- Ability to change the public policy debate
- Not viewed as “self-interested” the way unions sometimes are

Complimentaries

Unions:

- A paradigm for organizing and representing workers
- Capacity for Industry analysis
- Knowledge of labor law
- Experience with organizing and dealing with employer opposition
- Financial and staff resources
- Membership numbers
- Political capacity
- Economic leverage
- Relationships with elected officials

Mismatches

Worker Centers:

- Reacting to workers who come in seeking help individuals and “hot shops”—less proactive
- Often bring in workers based upon ethnicity and geography—not industry-specific
- Even when they have industry-based projects not always in shops or industries that unions are organizing, workers often work for small employers that standard union organizing models have so far not figured out how to organize on scale (need a craft union for low-wage workers structure)
- Often not steeped in industry-analysis and don’t understand union structures, methods of operation or culture
- Don’t have the resources or experience to provide ongoing representation at the worksite level

Mismatches

Unions:

- Union organizing is trying to get away from “hot shops,” but these are the groups that worker centers come into contact with
- Because labor law makes organizing so difficult unions are choosing their targets carefully developing their strategies proactively
- Unions are not premised upon ethnic identity
- Union structures of representation don't synch with worker centers: in most cases, to be a union member and join a union local, you have to have a majority of workers at the workplace, union structures of representation don't synch with many low-wage industries in which workplaces are highly decentralized and average firm size is small

Tensions

Worker Centers:

- Unions can't easily take in new members
- Unions don't always represent their immigrant members very well, don't translate contracts into other languages, don't have staff who speak the languages well, don't know immigration law (don't know how to handle no-match and other issues)
- Unions don't focus enough on leadership development, too top-down
- Unions are too "formulaic" and don't let workers make the decisions for themselves
- Too focused on immediate political gains versus long-term movement building
- Not good coalition partners—too heavy-handed

Tensions

Unions:

- Worker centers don't understand industry organizing
- Are “hyper-democratic” don't understand the constraints too critical of unions
- Worker centers are insignificant in terms of numbers and labor market and political power
- Worker centers are unrealistic about what it takes to organize an industry, too utopian about what can be won

Why does RWDSU's Strategy Make Sense?

1-Spotlighting exploitation of workers and fighting for their rights gives strong moral legitimacy to the campaign to organize unions (climate change) in retail and wins workers' trust

2-It threatens to take away customer base: by mounting consumer-focused campaigns at the community-level (and local retail=local workers)

3-Filing large wage claim cases and having support of AG (and now Gov and State DOL) leverages employers to agree to neutrality/CBA's

4-Movement-building lays the groundwork for organizing

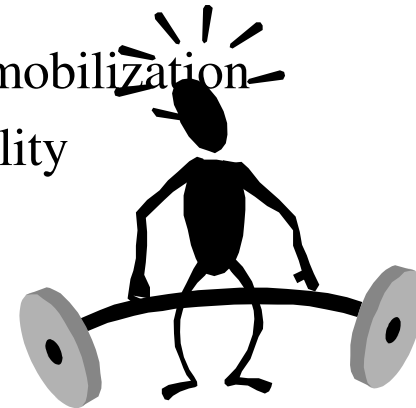
Strengths:

- Vehicle for Collective Voice
- Leadership development
- Winning back-wages
- Targeting individual employers
- Calling attention to exploitative industry practices
- Changing the debate/climate
- Labor market intervention via govt. admin action and public policy
- Monitoring and enforcement of minimum wage, overtime, health and safety, workers' comp and other regulations
- Pioneering campaigns and connection to the global anti-sweatshop movement
- Experimentation/ "Bottom-upness"



Weaknesses:

- Small membership base, not institutionalized
- Labor market intervention via direct economic action
- Hiring Hall functions are relatively weak at most centers
- Lack of detailed economic/industrial research and analysis
- Electoral mobilization
- Sustainability
- Isolation



Why have worker centers been more successful at labor market intervention via public policy than via direct economic action?

Low wage workers and their organizations have more power in the polity as *voters* (or influencers of voters), where every individual's vote counts equally. As unskilled *workers* in plentiful supply in the labor market they have limited power over employers and modest resources limit their organizations' ability to pressure firms.

In politics:

- Low levels of voter turnout and active political engagement mean that to win on a public policy issue, a community organization often just needs to mobilize a dedicated minority.
- The multiplier effect: when a legislator receives fifty calls, the assumption is they are representative of a much larger number.
- While low wage workers over-supply in the labor market is a disadvantage in terms of building economic power, in politics their large numbers are a decided advantage.

In the labor market:

- Low wage workers cannot control entry into the occupation
- Industries with high level of sub-contracting nominal employers have no power to improve conditions and it requires resources to bring pressure higher up the food-chain
- Retention of the workforce is not valued as much as with skilled workers--there is little incentive for firms to take the high road

Worker Centers are Playing a Unique Role

- They have emerged as central components of the immigrant community infrastructure and are playing an indispensable role in helping immigrants and other low wage workers of color navigate the world of work
- They are gateway organizations that are providing information, training, services and acting as mediating institutions between workers and broader society
- They have attracted workers who are often the hardest-to-organize
- They are acting as “organizing laboratories” creating and testing new and innovative strategies

To Organize Low-Wage Workers In Today's Environment, Unions Must Be Able to Do 5 Things:

- 1-Launch cross-firm “whole market” strategies in specific industries
- 2-Be able to more easily take in new members: Develop new union models that feature flexible, portable membership and benefits structures and programs to complement traditional organizing strategies (alternatives to cb)
- 3-Complement organizing around workplace-related identities of job, occupation and industry with other aspects of identity: ethnicity, race, geographic community/neighborhood, gender
- 4-Conduct campaigns that place unions on the moral high ground and win the sympathy of the larger community in support of pressuring individual businesses, adopting community-wide or industry-wide standards, more regulation of the low wage labor market through public policy, union drives (develop consumer social justice angles to campaigns)
- 5-Work with organizations that can be strong allies, who are on the ground, already have reputation and relationship with workers and are not viewed as “self interested”

Elements of a Plan B Approach:

- 1-Doesn't require exclusive representation at the worksite level in order to succeed.
- 2-Premised upon nurturing dynamic occupational, ethnic and geographic communities of interest.
- 3-All are efforts that seek to provide benefits, training and information and tailoring these offerings to the needs of each individual worker for advancement and support in her job.
- 4-They bring workers together for collective action targeting a specific employer, corporation, industry or government body.

How do worker centers play a role in immigrant integration?

They are among a set of possible institutional mechanisms that provide a way for low wage foreign born workers to attain equal rights. These institutions, in combination with workers' social capital, open the way for integration or incorporation.

**What are the Institutional
Mechanisms for Integrating
Low-wage Foreign-
Born Workers into American
Civil Society and Providing
Pathways to Economic
Stability?**

Janice Fine fine@smlr.rutgers.edu

Worker Centers help *individuals* to integrate

Worker centers are new pathways of incorporation that help members learn their rights and what it takes to enforce them, engage in self-improvement through learning English and access broader sources of information which leads to better opportunities: jobs, housing schools

Worker Centers help *groups* to incorporate

- Provide a space for people to come together and develop a political identity
- Legitimate the individuals' right to be here and to make claims for equal treatment
- Provide a vehicle for asserting their rights in the broader polity

Worker Centers invite us to re-imagine immigrant integration

- Political participation *before* citizenship
- Asserting worker rights *regardless* of immigration status
- Class doesn't *thin* ethnicity—the two march hand in hand

What are the Elements of an Effective Worker Center?

- Strong, organic ties to the community through staff, board, members and physical site
- Mix of advocacy and organizing, not just service
- Strategic provision of services
- Strong leadership and staff
- Ability to retain staff of color in leadership and organizing positions
- Ability to document programs, successes and service provision
- Fundraising savvy
- Sustainability: grassroots fundraising/revenue-building strategies
- Focus on leadership development
- Focus on action

Elements of effective centers... (continued)

- Staff longevity
- Strong media skills
- Industry/labor market analysis informs choice of campaigns and targets
- Political sophistication
- Clear membership model, plan for expansion, dues and membership benefits
- Openness to new ideas, changing strategies
- Embedded in a network of other organizations
- Coalitional in nature as opposed to isolated, strategic, “out of the box” thinking about allies
- Ability to do strategic internal planning, goal-setting and campaign planning for organizing