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Formalizing Day Labor Markets:
Worker Centers and Worker Integration

A dissertation submitted in partial satisfaction of the
requirements for the degree Doctor of Philosophy
in Urban Planning

by

Ana Luz González

2015

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ABSTRACT OF DISSERTATION

Formalizing Day Labor Markets:
Worker Centers and Worker Integration

by

Ana Luz González

Doctor of Philosophy in Urban Planning
University of California, Los Angeles, 2015

Professor Abel Valenzuela, Chair

This dissertation examines several aspects of day work from the worker's perspective and the organizations created to mitigate conflict surrounding day labor practices. I use the 2004 National Day Labor Study to compare worker characteristics and labor market outcomes by type of hiring site, investigate factors associated with site preference, and identify obstacles to and challenges of formalizing a day labor hiring site. I draw on qualitative data to investigate the efficacy of worker centers in three areas: labor market outcomes, the mitigation of abuse and hazards, and the civic integration of workers into the communities in which they work and live.

The following four research questions guide this study: (1) What are the worker and labor market outcomes of day laborers who frequent informal sites compared to those who frequent worker centers? (2) Are worker centers improving the labor market outcomes of day laborers, mitigating abuses and hazards, and engaging workers civically? (3) What explains a worker's selection of a particular site? (4) Finally, what are some of the obstacles to and challenges of formalizing a day labor site?

My findings show that the conditions and outcomes of workers at informal sites differ significantly by key variables compared to day laborers at worker centers. Instances of employer abuse in the form of wage theft, and merchant and police abuse in the form of insults and threats also differ significantly by site type, suggesting better outcomes for day laborers who search for work at worker centers. My findings demonstrate that worker centers help protect workers from wage theft and abuse, and that they also encourage the civic engagement of participants.

My analysis on site preference demonstrates that a worker's level of civic engagement and higher age increase the probability of choosing a worker center over an informal site. Channeling workers to worker centers and promoting civic engagement provide an important pathway for those whose immigration status, education, and occupational levels might otherwise predispose them to living in the shadows.

Lastly, utilizing a case study approach (including focus group interviews) that observes day laborers in Santa Monica, California, I identify best practices and challenges of formalizing day labor hiring sites. I find that most workers support worker centers but have mixed views on the effectiveness of the job dispatch process and the setting of wage minimums. Respondents identified obstacles in meeting the needs of day laborers including funding, infrastructure and administration, community and worker support, and employer demand for work and workforce development. I conclude by proffering policy solutions and ideas for future research.

The dissertation of Ana Luz González is approved.

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2015

DEDICATION

To my parents, Gloria and Pedro González, who inspire and motivate me to pursue my dreams.

Los quiero con todo mi corazón.

To my amazing husband, Nelson Vasquez, who has unselfishly supported and encouraged my scholarly and personal endeavors.

Eres mi amor, mi cielo, y mi vida.

TABLE OF CONTENTS

List of Tables.....	vii
List of Figures, Maps, and Exhibit.....	viii
Acknowledgments.....	ix
Vita.....	xi
Chapter 1: Introduction, Research Questions, and Data and Methods.....	1
Chapter 2: Setting the Context: Day Labor Work in the United States.....	15
Chapter 3: Spatial Organization of Day Labor Work and Worker Centers.....	50
Chapter 4: Civic Participation and Site Preference.....	91
Chapter 5: Formalizing Day Labor Informal Sites: A Worker and Organizational Perspective.....	121
Chapter 6: Conclusion: Summary of Findings and Recommendations.....	152
Appendix.....	161
References.....	169

LIST OF TABLES

Table 1.1: Summary of Data Sources.....	11
Table 2.1: Estimates of Construction Laborers, Unauthorized Immigrants, and Home Center Establishments in the United States, 2000–2012.....	19
Table 2.2: Community Concerns Surrounding Day Labor Practices.....	30
Table 2.3: Policy Responses to Day Labor Practices.....	38
Table 3.1: Type of Day Labor Hiring Site by Region.....	58
Table 3.2: Day Labor Hiring Sites by Site Size and Type of Site.....	62
Table 3.3: Demographic Characteristics of Day Laborers by Site Type.....	66
Table 3.4: Earnings and Employment Characteristics by Site Type.....	70
Table 3.5: Workplace Injuries and On-the-Job Training by Site Type.....	71
Table 3.6: Day Labor Abuses by Site Type, Selected Two-Month Period.....	73
Table 3.7: Worker Center Minimum Wage and State Minimum Wage, 2004.....	79
Table 4.1: Introduction to the Day Labor Market and Site Preference.....	93
Table 4.2: Introduction to the Day Labor Market and Site Preference by Years in the United States.....	103
Table 4.3: Descriptive Statistics of Day Laborers by Type of Hiring Site.....	105
Table 4.4: Demographic Characteristics of Day Laborers and Civic Engagement.....	107
Table 4.5: Multinomial Logit Estimates for Site Preference	109
Table 4.6: Description of Dependent Variable.....	109
Table 4.7: Variable Definitions for Multinomial Logit Model.....	110
Table 5.1: Opinions and Experience with Day Labor Worker Centers.....	134
Table A. Number of Hiring Sites per Metropolitan Statistical Area.....	168

LIST OF FIGURES, MAPS, AND EXHIBIT

Figures

Figure 2.1: Day Labor Tenure and Years in the United States22

Figure 3.1: Number and Type of Day Labor Hiring Sites.....57

Figure 3.2: Hourly Wage of Day Labor Jobs by Site Type.....67

Figure 3.3: Civic Participation of Day Laborers by Site Type.....75

Figure 4.1: Predicted Probability of Site Preference by Age.....112

Figure 4.2: Predicted Probability of Site Preference by Age and
Civic Participation.....113

Figure 4.3: Difference in Predicted Probabilities of Site Preference and Civic Participation
by Age.....115

Figure 4.4: Difference of Differences in Predicted Probabilities of Site Preference and
Civic Participation by Age.....116

Maps

Map 3.1: Latino Population and Day Labor Hiring Sites in the United States59

Map 5.1: Santa Monica Field Sites.....126

Exhibit

Exhibit 3.1: Type of Day Labor Hiring Sites.....53

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CHAPTER 1

INTRODUCTION, RESEARCH QUESTIONS, AND DATA AND METHODS

My interest in day labor began during my sophomore year as undergraduate student at the University of California, Irvine. Every morning as I drove to school, I noticed a group of men looking for work on a street corner adjacent to a parking lot of a home improvement store. I would see the men approach vehicles during a busy morning, stopping traffic, and moving their hands or yelling in effort to get an employer to choose them. The scene was very chaotic and looked unsafe. I would hear drivers honk at the cars that stopped and, on occasion, yell racial epithets at the men while they were standing looking for work. The men would often approach a car on either side of the street, causing cars to swerve out of the way to avoid waiting behind the vehicle that stopped to pick up a worker. I often wondered where the workers lived, if they experienced abuse, and if there were organizations that could help them. As a member of an immigrant family, I could relate to many of the issues with which I imagined day laborers struggled—issues of poverty, lack of work, adaption to society, and discrimination. I remember then thinking that there had to be a better way to help these men find work.

At this time immigration was a national issue. In California, a weakened economy, high unemployment rates among African Americans, and a growing Latino population heightened hostilities toward immigrants (Esbenshade 2000). Republicans launched state anti-immigration measures like Proposition 187 and Proposition 227 in response to the anti-immigrant hysteria of the 1990s. Day laborers became the face of “illegal aliens” and were subjected to continuous campaigns to eliminate their presence (Esbenshade 2000). At day labor hiring sites near my campus in Costa Mesa, and in other parts of the country, day laborers became the primary focus

of anti-immigrant organizations and targets for harassment, exploitation, and even violence (Carcamo and Pak 2010).

As a master's student at UCLA, during my last year of my studies I became aware of the work conducted by Dr. Abel Valenzuela on day laborers. I remembered my experiences at UC Irvine and believed that my work at UCLA could address an issue about which I had a strong interest and that needed further analysis and reform. Soon after, I approached Professor Valenzuela to inquire about opportunities to get involved in researching day labor. During my first year of the doctoral program at UCLA, I became part of a research team led by Dr. Valenzuela that would survey day laborers and day labor worker centers nationwide. The project specifically focused on day laborers who look for work at two types of hiring sites: informal sites, such as parking lots of home improvement stores, and formal or regulated sites, better known as worker centers.¹

As project manager of the National Day Labor Study, I had the privilege of traveling to various hiring sites throughout the United States and talking to workers about their experience working in day labor and as community members. I was able to witness firsthand the conflicts surrounding day labor work and hear from both the workers and community-based organizations about the complexities of formalizing day labor hiring sites. It soon became apparent from the conversations I had with workers and administrators at worker centers that a more detailed investigation was needed to explore the benefits and challenges of formalizing day labor work through worker centers and in understanding why workers choose one site over the other. It is for these reasons that my dissertation focuses on the effectiveness of worker centers in addressing the needs of day laborers and the laborers' site selection process.

¹ For the sake of clarity, I will refer to formal hiring sites as "worker centers" throughout this dissertation.

My dissertation examines worker centers, their efficacy in improving work and worker lives, and the ways these community institutions undertake an important role in integrating workers into work, civic life, and community. I investigate the formalization of day labor hiring sites and the challenges and conflicts that arise as men, predominantly Latino and undocumented, solicit work in public spaces. I focus on worker centers because of their ability to mitigate abuse and the exploitation of one of the most vulnerable groups of workers in the country (Theodore, Valenzuela, and Meléndez 2008). Worker centers offer mechanisms to improve the working conditions of day laborers and to protect workers from unscrupulous employers. As community institutions, they are able to address the concerns of local stakeholders and reach a segment of the population that is marginalized and excluded from various aspects of civic life. Moreover, worker centers serve as conduits for community building by providing volunteer opportunities and service, and they can help day laborers achieve respect.

This dissertation examines the following questions: (1) What are the worker and labor market characteristics of workers who frequent informal sites compared to those who frequent worker centers? (2) Are worker centers improving the labor market outcomes of day laborers, mitigating abuses and hazards, and integrating workers into the communities in which they live and work? (3) What explains a worker's selection of or gravitation toward a particular site? (4) Finally, what are some of the obstacles and challenges of formalizing a day labor site?

My dissertation fills a gap in the scholarship on this topic by exploring, for the first time, the factors associated with day laborers' site selection and civic participation (for the purposes of this analysis, civic participation is defined as membership in organizations and institutions such as churches, community-based organizations, soccer leagues, hometown associations, or neighborhood associations). By analyzing worker characteristics and why workers choose

informal sites over worker centers, or vice versa, a better understanding can be gained of the particular attributes linked to site selection and, therefore, contribute to the movement to regularize day labor. This exercise is important and will aid in the assessment of policies and programs to deliver public resources and services to workers whose needs are often neglected.

My dissertation adds to the existing literature on day labor by intimately analyzing the role and efficacy of day labor worker centers in three areas: labor market outcomes, abuses and hazards, and community integration, an area in the literature that has not been deeply explored. I complement this analysis by further investigating the attitudes and opinions of day laborers in formalizing hiring sites. A worker's perspective is critical to better understand the viability of worker centers and the ability of those institutions to meet the needs of the day labor population. In addition, identifying the challenges and benefits of formalizing hiring sites is important as a planning and policy tool to address the conflict over day labor and the role of civic municipalities in the integration of a marginalized and vulnerable population. Moreover, my research highlights the importance of incorporating day laborers into community life and focuses on the ways in which formal hiring sites facilitate the engagement of those whose immigration status, education, and occupational levels might otherwise predispose them to living in the shadows.

This dissertation is important for several reasons. First, the literature on the impact of intermediary institutions like worker centers is limited and little is known about the role and effectiveness of their activities. It is equally important to identify the challenges and barriers these organizations face in meeting the needs of their members. Second, few studies incorporate the worker's perspective in the formalization of informal hiring sites. A worker's perspective is often missing from discussions and decisions on how to mitigate the conflicts surrounding day labor practices, and for any policy prescription to be effective those that will be most affected by

the policy must be included. An assessment of attitudes and opinions regarding the creation of worker centers could provide a better understanding of the role these kinds of organizations play in the lives of day laborers, not only as workers but also as community members. Third, little is known about the challenges day labor worker centers face in meeting the needs of their members and their effectiveness in helping integrate workers in the communities in which they live and work. Finally, from a planning perspective, there is little knowledge about the future viability of worker centers as a community development strategy and as a planning and policy tool to address conflicts surrounding day labor practices.

DATA AND METHODS

I rely on various sources of empirical data that allow me to analyze individual- and organizational-level characteristics of day labor work (see Table 1.1). I use original survey data from the National Day Labor Study (NDLS), completed in 2004 and led by Professor Abel Valenzuela from the University of California, Los Angeles, for which I served as the project manager. The NDLS is the only available national data set on day laborers. It contains demographic and employment information on day laborers and links that information to the particular sites day laborers chose to look for work on the day they were surveyed.

In addition, I use survey and ethnographic data from a 2006 study of day laborers in Santa Monica, California, for which I also served as the project manager. Given the nature of my research questions, these data sources are the most adequate and available for my analysis.

Below, I summarize both of these data collection efforts.

NDLS

The NDLS consists of two main components that were administered simultaneously: a Day Labor Worker Survey (DLWS) and a Day Labor Worker Center Survey (DLWCS). The

NDLS is the first of its kind to survey day laborers nationwide and captures information about a population, such as that of unauthorized immigrants and other vulnerable workers, that is typically missed in conventional surveys. The purpose of the NDLS was to document and analyze the characteristics of day laborers nationwide, identify as many hiring sites (both formal and informal) as possible, and better understand the role of worker centers in this occupation.

A scientific study of day laborers like the NDLS poses several methodological issues. First, day labor work is not an occupational category that exists in the Standard Occupational Classification system or the Standard Industrial Classification system, commonly used by government agencies to monitor labor statistics. Second, the day labor market is fluid and day laborers enter and exit at any given time. As a result, the status of a worker fluctuates from being unemployed and looking for work as a day laborer to being employed in the formal or informal economy. Lastly, day labor hiring sites are also hard to monitor. New sites emerge and old sites disappear, making it difficult to calculate the day labor population based on a total count of hiring sites.

To address these methodological issues, we used novel research approaches to ensure an accurate count of day laborers and hiring sites. To implement a study of this magnitude, we gathered as much information as possible about day labor sites in selected cities to determine if a day labor population existed in those areas.

Although the NDLS did not survey all known hiring sites, its survey design allows me in my dissertation to generalize findings for *jornaleros*² and day labor worker centers nationally.³ This rich dataset allows me to analyze both worker and organizational data to identify factors

² Day laborers are commonly referred to as *jornaleros* (Valenzuela 1999) or *esquineros* (Malpica 2002), the former meaning “day worker” and the latter meaning “street corner worker.” Throughout this dissertation I use *day laborers* and *jornaleros* interchangeably.

³ For a detailed description of the study’s sampling methodology, please see the Appendix.

associated with site selection and to compare worker characteristics and labor market outcomes by type of hiring site. I also use data from the NDLS to provide an overview of the organizational structure and institutional capacity of day labor worker centers.

DLWS. The first component of the NDLS, the DLWS, was designed to take a national count of day laborers in the United States and to analyze regional and local differences among workers in this industry. The DLWS was administered during a continuous seven-week period from late June until August 2004.⁴ The survey instrument was a revised version of a survey conducted by Abel Valenzuela in a study of day laborers in Los Angeles and in New York. The survey took approximately 35 minutes to complete, and respondents received \$10 as compensation and a certificate of appreciation. The majority of the interviews were administered in Spanish, with a few in English and French.⁵ In the end, we surveyed 2,660 day laborers at 264 hiring sites, which were located in 139 municipalities in 20 states plus the District of Columbia.

The survey instrument consisted of seven sections that included over 100 questions about worker demographics, previous work experience and day labor work, health status and access, workplace abuse, social networks, associational ties and organizing experiences, and immigration experience. The survey was administered face to face, and prior to administering the survey, we gave each respondent a flyer containing information about the study and a small booklet with information on workers' rights and strategies to prevent wage theft. We gave both

⁴ The data are more than 10 years old, but they document conditions that basically still exist today. Day laborers continue to look for work on street corners and in worker centers in many cities across the country (Olivo 2014; Walshe 2014; DePillis 2014; Cappola 2015). The need for temporary, flexible part-time work continues to fuel the day labor market. Although some municipalities may try to prohibit day laborers from congregating on street corners by penalizing workers and contractors for engaging in market transactions, day labor practices have not been eliminated entirely (Valenzuela 2000; Gonzalez 2007; see also Vongsarath 2008).

⁵ In Maryland, the research team trained a few day laborers as interviewers. Under the supervision of an interviewer from UCLA, they successfully interviewed French-speaking day laborers at the CASA of Maryland Worker Center.

documents to all workers at the hiring site, regardless of whether or not they participated in the study.

DLWCS. The second component of the NDLS, the DLWCS, focused on understanding the critical issues surrounding day labor and the local policies and programs aimed at addressing those issues. We administered the DLWCS to staff at all known day labor worker centers in the United States. At the time of the survey, we identified 63 day labor worker centers in total. The surveys were conducted between August and October 2004. All identified day labor worker centers were mailed an advance copy of the survey instrument along with a letter informing the staff of the study. We conducted the majority of the interviews over the telephone; two were conducted face to face and one was returned via mail. Interviewees included executive directors and administrators of worker centers with knowledge of their center's history, organizational capacity, and relationships with key community stakeholders. The goal of the worker center survey was to take a census of all day laborer worker centers nationwide and to understand the challenges and opportunities day labor worker centers face in their respective communities.

Santa Monica Day Labor Study (SMDLS)

Lastly, to inform the research for this dissertation, I analyze quantitative and qualitative data from a 2006 study of day laborers in Santa Monica, California. This data source helps me identify the issues and benefits, from a worker's perspective, of creating a worker center. Santa Monica is a coastal city of 90,000 residents, located 15 miles west of downtown Los Angeles. The City commissioned the SMDLS to explore the possibility of creating a worker center for day laborers in an empty lumberyard located less than half a mile from two informal sites in Santa Monica—one on 11th Street and Olympic Boulevard and another on 11th Street and Colorado Avenue. Through my employment at the UCLA Center for the Study of Urban Poverty, I had the

opportunity to gather survey, interview, and focus group data. We conducted face-to-face surveys of 60 workers, each survey lasting approximately a half-hour and conducted in Spanish. The survey was voluntary and anonymous, and we gave respondents a \$10 incentive for their participation in the study.

To complement the quantitative data, we conducted several focus groups with day laborers to capture the attitudes and opinions of a proposed new worker center in the local area and to discuss their experience working as day laborers. We held the focus groups at a nearby park, located four blocks away from the two street corners where the men gather looking for work. We conducted a total of three focus groups—two with day laborers who had never frequented, nor had knowledge of, worker centers; and one with day laborers who had previous experience with worker centers. Interview questions revolved around three central themes: experience with current site, knowledge of and experience with day labor worker centers, and thoughts and concerns about using a city-operated worker center. We gave respondents \$10 for their participation and focus groups took approximately two hours.

Two weeks prior to implementing the study, I conducted fieldwork to gain a better understanding of the day labor situation in the area. I performed daily counts (from 7:00 a.m. – 11:00 a.m.) of day laborers looking for work at the two sites. I conducted participant observation and informal interviews with five day laborers at the corner of 11th Street and Colorado Avenue, and 11th Street and Olympic Boulevard in Santa Monica. I took handwritten, detailed notes that included my observations on the employers and workers who frequented the site, as well as the social organization of the site. Through informal conversations I queried the men on an array of subjects that included reasons for choosing the site; experiences with employers, police officers, and business owners; and attitudes about formalizing the street corner as a hiring site.

I faced several challenges during my fieldwork. As a young woman, day laborers were nervous and dubious about my intentions. During my routine daily counts, a day laborer asked me to show him my school identification card because he was scared I was an undercover U.S. Immigration and Naturalization Service (INS) agent. Initially, most of the day laborers were hesitant to talk to me out of fear that I was going to restrict their opportunities to find work. I was very clear about my intentions and told them my motives for being there. To gain their trust, I communicated in Spanish and shared stories about my trips to Mexico. As the days passed, the men were more willing to talk to me and shared increasingly intimate details about their experiences day laboring at these particular sites. I visited the sites for two consecutive weeks, and had numerous conversations with individual workers and groups of workers at both hiring sites. At each site visit, I wrote down my observations and field notes in a notebook. I did not carry a tape recorder because I wanted the day laborers to feel comfortable and have a conversation with me, as they would with any other person. As a result of the two-week scouting exercise, the survey response rate was 90 percent, with few day laborers refusing to participate in the study.

Methods. In Chapter 3, I use survey data from the DLWS and the DLWCS to describe the types of sites in the day labor market (see Table 1.1). I use the DLWS to compare worker characteristics and labor market outcomes by type of hiring site. I test the differences using a Student t-test, and interpret the differences in rates between the two groups as statistically significant when $p \leq 0.05$. In addition, I use interview responses with worker center staff from the DLWCS to examine three measures of efficacy of worker centers. The first measure focuses on labor market outcomes, such as wages and hiring rates; the second, on mitigating workplace hazards and abuses; and the third, on integrating workers into community life.

Table 1.1. Summary of Data Sources

Chapter	Source	Description of Sample and Survey Participants
Chapters 3 and 4	Day Labor Worker Survey (DLWS), 2004	The sample consisted of 2,453 day laborers in 264 sites. The majority of survey respondents were predominantly immigrant and Latino. Most (59 percent) were born in Mexico and two-fifths (40 percent) had lived in the United States for more than six years. Three-quarters (75 percent) of survey participants were undocumented and the majority (63 percent) reported having children.
Chapters 3 and 5	Day Labor Worker Center Survey (DLWCS), 2004	A total of 63 day labor worker center were surveyed. Interviewees included senior staff and administrators of worker centers. The majority of worker centers were located in the West, followed by the East, Southwest, South, and Midwest. Most (57) had been established since 2000 and the majority were created by community organizations, municipal governments, faith-based organizations, and other local stakeholders.
Chapter 5	Santa Monica Day Labor Survey (SMDLS), 2006	The sample consisted of 60 day laborers. The majority of the survey participants were from Mexico (82 percent) with the remainder from Central America (18 percent). Only 18 percent had legal documentation that allowed them to reside or look for work in the United States, and all spoke Spanish. The majority (62 percent) had been in the United States for six years or more, and most (62 percent) were 40 years of age or younger, with an average age of 37. Almost half (45 percent) were married or living with a partner, while 38 percent had never been married. The majority (63 percent) had at least one child and most (56 percent) lived in Santa Monica or reside in nearby communities.
Chapter 5	Santa Monica Day Labor Focus Groups, 2006	The focus group sample consisted of twelve day laborers, eight from Mexico, two from El Salvador, one from Honduras, and one from Guatemala. On average, participants had low levels of education (mean = 7.2 years) and had been in the United States for more than 10 years. The average age of the participants was 41 years old.

In Chapter 4, I use the DLWS to assess the relationship between site preference, worker characteristics, and civic participation. The DLWS consists of a stratified random sample of day laborers in the United States.⁶ The analysis makes use of 2,453 complete data cases, only excluding a total of 207 cases on the basis of conflicting data.⁷ The data afford me the statistical

⁶ At the time of the study, less than two percent of the day labor workforce was female. For the purposes of this analysis, female day laborers were excluded.

⁷ The 207 excluded cases included workers who were interviewed at an informal site but claimed membership to a worker center.

power to estimate the probability of choosing one site over the other, conditional (controlling for) on workers' demographic and socioeconomic characteristics. Because I use sample weights in the data analysis, the results presented in this chapter are representative of day laborers nationwide.⁸

I answer the following questions: (1) To what extent do day laborers' individual characteristics explain site preference? (2) Do day laborers' levels of civic engagement affect the type of hiring site they frequent? (3) What factors affect the probability of going to worker centers versus the probability of going to informal sites? Worker characteristics are essential to understanding site preference. Often worker centers measure efficiency by reducing the number of or eliminating the day labor population that look for work on the street. Most worker centers conduct outreach at the corners to achieve this goal. A better assessment of worker centers' outreach strategies is achievable through studying the worker characteristics that explain site preference.

I provide descriptive statistics of the sample and use multinomial logit regression to identify significant correlates of site preference. A multinomial logit regression is best suited for the analysis of the survey data because the probability of choosing a site can be calculated for each type of hiring site. The multinomial model allows me to estimate the two mutually exclusive probabilities of attending a worker center or an informal site while simultaneously controlling for the same set of informative covariates (i.e., worker characteristics). Additionally, a multinomial logit model is inherently interactive, thus allowing me to estimate changes in the probability of site preference due to changes in a specific covariate susceptible of a policy implementation, such as integrating workers civically. By doing so, I am able to estimate the

⁸ For more information on the research design, please refer to the Appendix and Valenzuela et al. 2006.

changes in the probability of day laborers selecting a worker center over an informal site due to changes in their level of civic participation.

This type of analysis allows for a better understanding of factors that promote membership at informal sites and worker centers as well as a better understanding of local policies to better meet the needs of day laborers. Instead of interpreting incorporation into the community as a goal, I think it is important to explore the incorporative nature of community institutions, and reinterpret incorporation as the means through which marginalized communities can be formally integrated into society.

In Chapter 5, I use a case study approach to analyze the attitudes and opinions of day laborers about formalizing a hiring site in Santa Monica, California. I use survey and ethnographic data from the SMDLS to assess the challenges and obstacles of creating a worker center. I begin with descriptive statistics on the opinions and attitudes of day laborers to create a worker center and, following the discussion of descriptive statistics, I present qualitative data findings from focus groups of day laborers, analyzing the data using Atlas.ti. In addition, I use interview responses from the DLWCS to identify the challenges worker centers face in meeting the needs of the day labor population. I focus on four key challenges and obstacles that worker centers face: infrastructure and administration, community support, worker retention, and employer recruitment. My analysis relies on in-depth interviews with executive directors and administrators at 63 worker centers in the United States. The findings from this research will alert key stakeholders on the possible obstacles they might face when trying to “fix” the day labor problem through the creation of worker centers.

Altogether, the surveys, interviews, and focus groups provide a rich set of data to measure the efficacy of worker centers and to better understand the complexities and conflicts of formalizing day labor practices.

CHAPTER 2

SETTING THE CONTEXT: DAY LABOR WORK IN THE UNITED STATES

In many cities and towns throughout the United States, it is common to see workers gather early in the morning on street corners, in parking lots of home improvement stores, and in various public spaces to search for work.⁹ Day labor is a male-dominated workforce, comprised of mostly middle-aged undocumented immigrants from Mexico and Central America, with low levels of education (Valenzuela 1999; Valenzuela and Meléndez 2003; Valenzuela, Theodore, Meléndez, and González 2006). Work is unstable and dangerous, and securing employment is often contingent upon weather conditions, the demand for work, and the supply of workers (Valenzuela 2003). Day labor serves as a convenient port of entry for many workers, particularly immigrant males, because there are few barriers and requirements to enter this labor market (Valenzuela, Kawachi and Marr 2002). Day labor work also offers workers anonymity: workers can enter and exit the labor market at any time and documentation is not required.

In general, day labor work mirrors the cyclical fluctuations of the economy (Valenzuela 2003). There is demand for day laborers when the economy is strong because firms seek to control labor costs by employing a contingent workforce. Employers can hire and relieve workers at will, and are absolved of the costs associated with a more permanent labor force such as health benefits, pension plans, and other benefits. Conversely, during a downturn in the economy, the demand for day laborers declines.

⁹ There are different types of day laborers, such as temporary workers who use staffing agencies to secure daily work (Southern Regional Council 1988; Theodore 2000; Kerr and Dole 2001; Roberts and Bartley 2002). This dissertation focuses on informal day labor that is characterized by men (and, in few cases, women) who congregate in the open air or along the curb—in empty lots, on street corners, at store fronts of home improvement establishments, in parking lots, and in designated or “official” public spaces (e.g., worker centers) to solicit temporary daily work.

This chapter is divided into four sections. The first section provides a brief historical overview of day labor in the United States and the factors leading to the expansion of this labor market. The second section describes the characteristics of the workforce and the labor market conditions of workers who solicit work in day labor hiring sites. Using a 2006 report published by the Center for the Study of Urban Poverty, *On the Corner: Day Labor in the United States*, of which I was a coauthor, I provide a demographic profile of day laborers and present employment characteristics such as earnings, frequency of hire, and type of employer. Included in this section are workplace injury rates and the types of abuses that workers experience performing day labor work. This section also provides key findings on the personal well-being of day laborers and discusses the potential stressors day laborers experience, apart from the obvious uncertainty about securing work. The third section discusses the increasing battle over public space and the community conflicts surrounding day labor practices. The last section describes informal and formal policy responses to day laborers and day labor hiring sites.

GROWTH IN DAY LABOR IN THE UNITED STATES

The day labor phenomena has a rich history in the United States that dates back to the 1700s when Irishmen, indentured to the Potomac Company of Virginia, were brought to Philadelphia and Baltimore and forced to dig canals throughout the Northeast (Way 1993). They worked alongside slaves and free laborers and “toiled as casual labourers, rarely with a full day’s work” (Way 1993: 272). In the 1830s, in New York, both men and women gathered in the streets to be hired as day laborers and domestics, respectively. According to Wilentz (1984), more than half of the city’s day laborers were Irish men and a quarter of domestics were of Irish women.

In California, agricultural work historically has been the principal form of day labor work, but the growth of urban areas attracted both skilled and unskilled workers and day labor

hiring sites proliferated (Valenzuela 2000). According to Lopez, citing research by David Bautista, the day labor phenomena did not emerge until the late 1970s, although informal hiring sites had existed in rural areas since the 1940s during the Bracero Program (Lopez 1994).¹⁰ By the mid-1970s, urban areas began to experience a growth in the number of men looking for work in open-air markets (Esbenshade 2000).

The determinants of the growth of the day labor market can be attributed to the expansion in contingent employment arrangements; the influx of primarily undocumented immigrants to the United States; a segmented U.S. labor market; and the expansion of the informal economy (Portes and Sassen-Koob 1987; Castells and Portes 1989; Sassen 1995; Williams and Windebank 1998; Peck and Theodore 2001). In 2005, on-call laborers and day laborers, temporary help agency workers, wage and salary independent contractors, and contract company workers represented 4 percent of total U.S. employment, or 5.7 million workers (U.S. Bureau of Labor Statistics 2005). This population of workers is less likely to have employer-provided benefits and health insurance than workers in traditional arrangements (Ditsler, Fisher, and Gordon 2005; U.S. Bureau of Labor Statistics 2005). Contingent workers are also much more likely to be Latino than their non-contingent counterparts (U.S. Bureau of Labor Statistics 2005).

While temporary work has made visible inroads in the American workplace over the last several decades, the phenomenon is not new (Hudson 1999). In fact, turning back the clock to the early part of the 20th century reveals workplace conditions that mirror those of today's temporary workers—an absence of labor organizations, fringe benefits, and job stability. It was

¹⁰ The Bracero Program was a bilateral agreement between Mexico and the United States that began in 1942 to fill the demand for manual labor during World War II. Initially, seasoned agricultural workers were contracted to harvest sugar beets in California, but the program soon spread to other parts of the United States.

common to see workers “lined up outside factory plants as early as 5:30 a.m. in the hope of being allowed to work and to receive a pay check” (Farrant 1996:10).

The demand for flexible labor in all sectors of the U.S. economy, particularly in the construction industry, coupled with the increase in immigration flows outside of traditional port-of-entry cities contributed to the proliferation of day labor hiring sites and the growth in the day laborer population in the United States (Valenzuela et al. 2006). The prosperity of the 1990s and the housing boom during the early 2000s fueled the demand for construction workers, and immigrant workers quickly responded to the needs of the U.S. economy and its labor market (Passel and Suro 2005).

In 2004, the construction industry was a key source of new jobs, fueling the demand for low-skilled, low-wage workers (Kochhar 2005). Employment data from that same year show that recently arrived Latino immigrant workers comprised a large share of construction workers with nearly one out of every two plasters and stucco masons being an immigrant Latino worker (Kochhar 2005). Foreign-born Latino workers filled about 40 percent of new construction jobs created in 2004, and they made up about 20 percent of the overall U.S. economy. According to a report by the Pew Hispanic Center, more than half of the two million foreign-born workers in the construction industry were unauthorized immigrants and of the 10 million unauthorized workers in the United States, approximately 1.1 million or 17 percent held a job in the construction industry (Kochhar 2005).

From 2000 to 2006, the number of construction laborers increased by 40 percent (see Table 2.1). During that same period, the population of unauthorized immigrants grew by 61 percent (Passel and Cohn 2012). In 2006, during the peak of the housing boom, more than a million people worked as construction laborers (U.S. Bureau of Labor Statistics 2006). The

number of home improvement establishments also experienced an increase. In 2007, there were more than 7,000 home centers operating in the United States, a sharp increase since the turn of the century (Statistics of U.S. Businesses 2007).

Table 2.1. Estimates of Construction Laborers, Unauthorized Immigrants, and Home Center Establishments in the United States, 2000–2012

Year	Construction Laborers	Unauthorized Immigrants	Home Center Establishments
2000	821,210	8,400,000	4,366
2001	825,390	9,300,000	4,841
2002	830,860	9,400,000	5,280
2003	837,650	9,700,000	5,795
2004	854,840	10,400,000	5,870
2005	934,000	11,100,000	5,925
2006	1,016,530	11,300,000	6,749
2007	1,053,060	12,000,000	7,150
2008	1,020,290	11,600,000	7,009
2009	856,440	11,100,000	6,897
2010	777,700	11,200,000	6,764
2011	779,370	11,100,000	NA
2012	814,470	NA	NA

Note: “NA” denotes that data were not available.

Source: The estimates of construction laborers were derived from the U.S. Bureau of Labor Statistics, using SOC Code Number 47-2061. The estimates of unauthorized immigrants were obtained from Jeffrey Passel and D’Vera Cohn, “Unauthorized Immigrants: 11.1 Million in 2011,” www.pewhispanic.org, Dec. 6, 2012. The estimates of home centers were derived from the Statistics of U.S. Businesses (SUSB) annual data using NAICS 44411.

The demand for flexible labor, particularly in construction, pushed many businesses to adopt alternative hiring practices, thereby increasing the demand for temporary workers. In the case of Los Angeles, Milkman (2006) documents the creation of new subsidiaries in residential construction that were union-free, paid low wages, and cared little about maintaining labor standards. Moreover, the deterioration of employment opportunities in urban labor markets, specifically in old industrial centers, caused by the exodus of manufacturing jobs left many

workers with few options, making day labor hiring sites and temporary agencies the most viable options for employment opportunities (see Eberts 1995).

Historically, the United States has relied on immigrants to fill the demand for workers in a variety of industries and occupations, primarily in low-wage sectors of the economy. Since the mid-1980s immigrants have established new areas of settlement in nontraditional gateway regions of the United States (Massey, Durand, and Malone 2002; Suro and Singer 2004; Zúñiga and Hernández-León 2005; Massey 2008). For most immigrants, new destination states like South Carolina, Alabama, Tennessee, Delaware, Arkansas, South Dakota, Nevada, Georgia, Kentucky, North Carolina, Wyoming, Idaho, Indiana, and Mississippi have afforded opportunities for employment, and day labor hiring sites have been able to capture the demand for workers (Fine 2006; Theodore, Valenzuela, and Meléndez 2009).

Many new arrivals view day labor as the only viable option for employment. As Jennifer Gordon (2005: 36) explains, “Most day laborers [are] undocumented newcomers who [see] in the street-corner either their best option for entry into the labor market and a lasting relationship with a particular employer, or their best hope to make money on a temporary sojourn in the United States.” For many, day labor is not the type of work they would choose, but it is the only opportunity for work available to them. These workers face several barriers to entry into the formal economy including: 1) undocumented status, 2) lack of jobs or jobs that pay well, and 3) lack of English or job skills (Gonzalez 2007).

Day labor allows employers to forgo the cost and time associated with recruiting workers and the liability costs and paperwork associated with offering regular employment. As such, it offers employers a plentiful, relatively inexpensive, and easily accessible workforce that is eager

to work. For day laborers, however, daily work entails the absence of labor protections that guarantee workers a safe working environment and adequate pay.

WORKER AND LABOR MARKET CHARACTERISTICS OF DAY LABOR WORK

The Workers

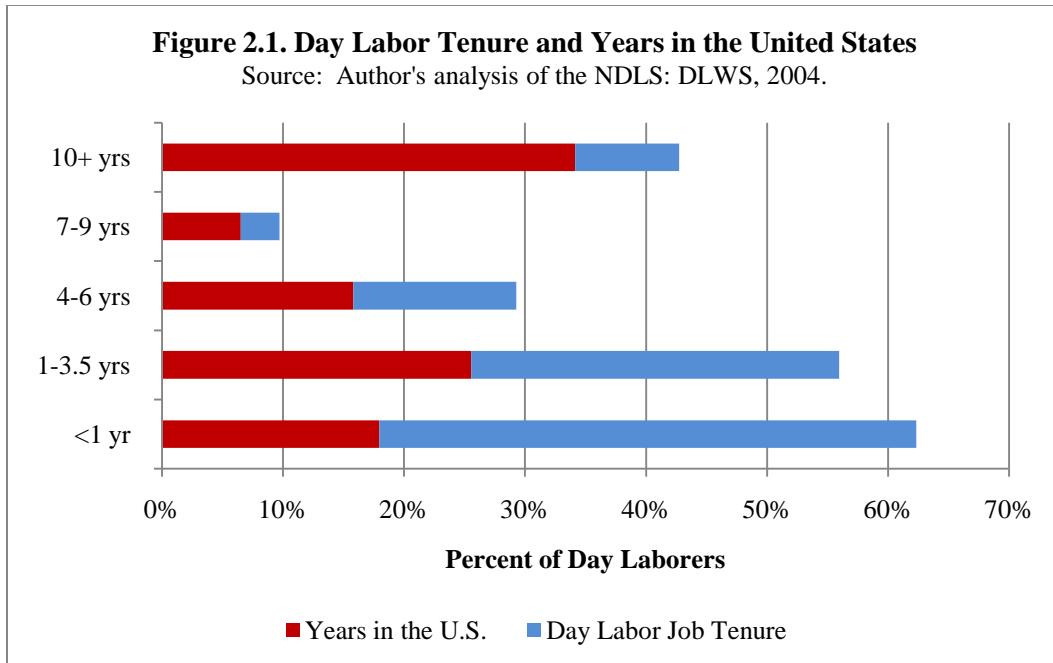
Unquestionably, immigrant males make up the majority of the day labor workforce. Three-quarters of the day labor workforce are undocumented migrants and about two percent are women (Valenzuela et al. 2006). The vast number of day laborers in the United States are of Latino origin and are middle-aged, with the mean age of 34 (Valenzuela et al. 2006). For many, day labor work is the primary means by which they support themselves and their families. The majority of day laborers (63 percent) have children and 29 percent of those children are U.S. citizens (Valenzuela et al. 2006). For most day laborers, the need to secure daily employment is compounded by the responsibility of supporting their families.

The educational attainment of day laborers is low. The majority of day laborers have little formal education, with more than half (59 percent) completing eight years of schooling or less (Valenzuela et al. 2006). Only 7 percent of day laborers have completed 13 or more years of schooling either in the United States or in their country of origin (Valenzuela et al. 2006).

Due to the undocumented status of many immigrant workers and the lack of formal requirements to enter the day labor market, many immigrants look to day labor as an immediate source of work. For most (60 percent), the work they solicited at a day labor hiring site constituted the first job they had in the United States (Valenzuela et al. 2006). The majority (78 percent) of immigrant day laborers also reported that they were unaware of the day labor market in their country of origin and only learned about the day labor market after migrating to the

United States (Valenzuela et al. 2006). Therefore, contrary to the claims of some critics, day labor is not a magnet that attracts workers to the United States.

As seen in Figure 2.1, a substantial share of day laborers has worked in the day labor market for less than a year. In fact, few have worked as day laborers for seven years or more. Similarly, most day laborers have resided in the United States less than six years.



The fluidity of the day labor market is demonstrated in Figure 2.1. Many day laborers enter and exit the day labor market, but few stay for a long period of time. Short-term employment is common and suggests that many day laborers are able to transition to other types of employment arrangements.

Most day laborers are searching for more stable employment. A substantial share of day laborers (86 percent) is looking for permanent employment and more than half (57 percent) have had a permanent job, primarily in construction, restaurant, and manufacturing (Valenzuela et al.

2006). Few, however, have another job, aside from that of looking for day labor work, suggesting that day labor is, for many, their primary source of income (Valenzuela et al. 2006).

Health Access and Personal Well-Being of Day Laborers

Day laborers experience several stressors that extend beyond the most obvious one of looking for work. Day laborers are under tremendous pressure to provide for their families, as a significant number are either married or living with a partner and have children (Valenzuela et al. 2006). Undocumented immigrants experience additional stress from immigration-related issues such as fear of deportation, language difficulties, social isolation, acculturative stress, and the challenges stemming from separation from family (Sullivan and Rehm 2005; Arbona, Olvera, Rodriguez, Hagan, et al. 2010). In their study of Latino immigrants in a Midwestern city, Cavazos-Rehg, Zayas, and Spitznagel (2007: 1126) found that “among the many stresses that undocumented Latino immigrants experience, worries about their legal status and preoccupation with disclosure and deportation can heighten the risk for emotional distress and impaired quality of health.” Furthermore, they found that more than a third of the study participants do not visit social or government agencies because of the fear of exposure and deportation (Cavazos-Rehg, Zayas, and Spitznagel 2007: 1130). In the case of day laborers, fear of being deported or of disclosing their immigration status exposes them to abuse and exploitation (Valenzuela 1999; Toma and Esbenshade 2001; Valenzuela 2003; Valenzuela et al. 2006).

Although little is known about the mental health outcomes of day laborers, the DLWS (2004) provides some insights to address this research gap. When asked if they struggled with feeling interest or pleasure in doing things, 28 percent of day laborers reported they felt that way at least once during the two weeks prior to being surveyed. Almost half (46 percent) of the day laborers surveyed reported feeling down, depressed, or hopeless at least one day during the last

two weeks prior to being surveyed. A quarter reported having trouble falling asleep, or staying asleep or sleeping too much, 41 percent reported feeling tired or having little energy, 24 percent reported having poor appetite or overeating, and 29 percent reported feeling bad about themselves at least once during the same period. When asked if there is a regular place they frequent when they get sick or when they need advice about their health, 43 percent said they did not have such a place. Among the top reasons why day laborers reported not seeking care were they do not know where to go for care, they do not have insurance, and they seldom get sick.

These statistics shed light into the mental health of day laborers. Although we did not ask follow-up questions regarding their reasons for feeling a particular way, one can surmise that the stress associated with providing for their families, coupled with their immigration status, and the challenges of being away from their families are all contributing stress factors and further isolate day laborers from seeking help or accessing agencies that can offer them the help that they need.

Employment Conditions

By design day labor is short-tem, part-time, casual work. Workers are contracted by the day or hour and few are contracted for a longer period of time to perform a particular job, such as installing a fence or roof. Workers need a high level of physical stamina because they are often hired to lift and carry heavy objects. The top occupations performed by day laborers include construction, moving and hauling, gardening and landscaping, and painting (Valenzuela et al. 2006). Work is often performed outside or in partially enclosed structures. Exposure to harsh weather conditions is common. Few are offered the appropriate safety training to perform the job they have been hired to do, and many are exposed to hazardous working conditions, such as exposure to toxic emissions and dust, yet they are rarely provided protective gear and safety equipment (Buchanan 2004; Walter, Bourgois and Loinaz 2004; Mehta and Theodore 2006).

Day laborers often complain of working at great heights and handling construction equipment that requires more extensive training and experience to use properly or that is faulty or in poor condition (Valenzuela 2000).

According to data from the U.S. Bureau of Labor Statistics, construction trade workers experienced higher incidences of work-related injury and illnesses than the national average (U.S. Bureau of Labor Statistics 2012). Nationally, one in five day laborers has suffered an on-the-job injury and the overwhelming majority found their jobs to be dangerous (Valenzuela et al. 2006). Data show that Latinos are overrepresented among occupational fatalities. In fact, the Occupational Safety & Health Administration reported that construction-related accidents among Latino workers resulting in worksite fatalities increased from 20 percent in 1992 to 32 percent in 2001 (Tinajero 2005).¹¹ This increase is particularly troubling for immigrant day laborers as their need for work may lead them to take on jobs that they are not trained to do or that they know are dangerous.

When day laborers become injured, they often are unable to receive the medical care they need. Most cannot afford health care and employers often refuse to cover workers under the workers' compensation insurance policies of their companies. In many cases, day laborers experience severe work-related injuries resulting in extensive lost time from work (Valenzuela et al. 2006). The average number of days missed due to workplace injuries is more than a month (Valenzuela et al. 2006).

Day laborers are among the most vulnerable low-wage workers in the United States. Fear of retaliation keeps day laborers from challenging dangerous working conditions and allows

¹¹ Workers' immigrant status and the need to make a living may cause an underreporting of workplace injuries. Workers fearing deportation or job loss may be less inclined to report injuries or seek medical help.

employers to continue to evade health and safety laws, forcing day laborers to continue to endure unsafe working conditions.

Employers and Earnings

Day laborers are primarily employed by homeowners who need help with short-term projects in their homes, such as moving or gardening. Contractors are the second-largest employer of day laborers, and most day laborers are hired to perform manual-labor jobs mainly in construction (Valenzuela et al. 2006). Day laborers are hired to work in a variety of occupations that include construction labor, moving, gardening, painting, roofing, carpentry, and house cleaning. Most day laborers are hired repeatedly by the same employers, indicating a high level of satisfaction with the work performed (Valenzuela et al. 2006).

Due to the low probability of finding work every day, day laborers look for work an average of six days per week (Valenzuela et al. 2006). Few day laborers (17 percent) have another job; therefore most rely on day labor as their only source of income (Valenzuela et al. 2006). Although day laborers look for work almost every day of the week, factors such as the weather and employer demand for workers affect their potential earnings.

For day laborers, work is provisional and thus earnings are volatile, but the need to look for work is constant. Although the median hourly wage of \$10 for day labor jobs was higher than the federal minimum wage of \$5.15 (at the time of the survey), day laborers typically do not find work every day; therefore their monthly and yearly earnings place them among the working poor (Valenzuela et al. 2006).

Workplace Abuses and Violations

Although day laborers are eligible for basic wage and safety protections,¹² day labor is characterized by rampant workplace violations and abuses. A significant portion of day laborers are often picked up by complete strangers and taken to unfamiliar neighborhoods (Valenzuela 2003; Valenzuela, González, Theodore, and Meléndez 2005). The anonymity of employers and the workers' immigration status are key reasons why day laborers are at high risk of abuse and exploitation.

Wage theft (underpayment or nonpayment of wages) is the most common type of wage and hour violation that day laborers experience. One out of two day laborers reported not receiving payment for the work they performed in the two months prior to being surveyed (Valenzuela et al. 2006). A similar number reported that employers underpaid them during that same period (Valenzuela et al. 2006). These statistics reveal the exploitative nature of day labor work and the need for enforcement of labor laws in the day labor market.

Day laborers experience other types of hardships and abuses. Some examples of employer abuse include denying day laborers food, water, and rest breaks; forcing laborers to work more hours than agreed upon; insulting or threatening workers; abandoning workers at the worksite; and inflicting some form of violence on workers (Valenzuela et al. 2006). Wage disputes and conflicts over work expectations, in some instances, can lead to physical attacks on day laborers. Valenzuela's 2006 article includes the following first-person account describing the abuse that a day laborer experiences at the hand of his employer:

¹² The Fair Labor Standards Act (FLSA) and the Occupations Safety and Health Act (OSH Act) are two key federal laws that can potentially cover day laborers, and both laws do not depend on the worker's immigration status. In short, FLSA requires that employers pay the federal minimum wage and overtime to covered workers, while the OSH Act requires employers to provide a safe workplace that is free of recognized hazards that can lead to a worker injury, illness, or death.

I had an experience when I got here with a boss who took me to work. At the end of the job, after eight hours, he tells me, “You know what? Here is \$20, and go help yourself. I’m going to help you and give you \$20.” I told him, “Hey, but \$20 is very little.” He took out a weapon and told me to leave. Since I didn’t know how to get around in the city, I got lost. I got home very late with less than half of the money because I had to spend it. It was sad, it was a bad experience, and then they threaten you with a gun when you complain (Valenzuela 2006b: 203–4).

The fear of deportation, losing a job, or of not getting paid are factors that contribute to day laborers’ reluctance to report crimes inflicted on them (Valenzuela 2006b). Some employers discern the precarious predicament day laborers are in and will intimidate them to work longer hours for less pay, or not pay them at all for the work they perform (Valenzuela 2006b).

Similarly, day laborers are subjected to abuse at the hands of local merchants, residents, police, and security guards. More than a third of day laborers reported that in the two months priority to being surveyed, they were forced to leave the hiring site by law enforcement. During that same period 14 percent stated they were refused services by local merchants, and 12 percent reported that security guards had called police or immigration authorities on them (Valenzuela et al. 2006). Merchants often fear a decline in their business and residents fear a decline in property values if day laborers choose to look for work nearby (Valenzuela 2000; Esbenshade 2000). As a result, merchants, residents, police, and security guards will mistreat, and at times, react violently toward day laborers. A Mexican day laborer recalls a typical day at a hiring site,

What I like the least is when they don’t treat you like they should. Or the attacks on immigrants – people drive by yelling, “Wetback! Go back to your country! Go back to Mexico.” A lot of times neighbors will pass by and insult us throw rocks at us, eggs, and what-not to intimidate us to leave (quoted in Valenzuela 2006b: 202).

These types of negative reactions toward day laborers occur in many cities across the country (Hegstrom 2005; Gilbert 2005; Plocek 2005). There is little day laborers can do to

protect themselves against these types of abuses. Language barriers and immigration status are two important factors that contribute to the day laborers' likelihood of falling victims to abuse and exploitation. It is also why so many abusive acts go unreported. Undocumented day laborers are unlikely to speak up, complain, or defend themselves because they fear deportation, and, as a result, are at high risk of exploitation, abuse, and violence.

CIVIL SOCIETY AND RESPONSES TO DAY LABOR

The proliferation of day labor hiring sites has garnered national attention due to the high visibility of day laborers, as well as the heated debate surrounding immigration (Esbenshade 2000). Strategically, day laborers look for work in areas where employers can see them to increase the possibilities of finding employment. However, it is their presence in these areas that troubles residents and business owners, particularly because most sites are near residential neighborhoods or in parking lots of local businesses (Valenzuela 1999; Valenzuela et al. 2006).

Community concerns over day labor practices can be attributed to several factors (see Table 2.2). Since the 1980s, the growth in the day laborer population intensified community concerns over the presence of predominately Latino male workers searching for work in public spaces (Esbenshade 2000). Day labor opponents perceive day laborers as outsiders, invading community space and not fitting with the racial and economic characteristics of the community (Esbenshade 2000). In Glendale, California, for example, during a meeting with city officials, residents, day laborers, and immigrant advocates, a city council member suggested that city employees go to Goodwill and buy day laborers suits and briefcases to disguise the laborers' "otherness," and thus residents would not be bothered by their presence (Esbenshade 2000: 34). This outsider status is reinforced by the belief that the laborers do not have the right to be in the

community because of their legal status, and the notion that they are taking away employment opportunities from legal residents (Narro 2005; Campbell 2010; Cummings 2011).

Table 2.2. Community Concerns Surrounding Day Labor Practices

Issue		Description
Aesthetics	Outsiders (Esbenshade 2000; Valenzuela 2000; Robin and Esbenshade 2001)	Because day laborers are Latino and poor, they are often perceived as not belonging to the community in which they look for work.
Public Safety	Traffic Hazard (Valenzuela 2000; Esbenshade 2000; Robin and Esbenshade 2001; Guerette 2006)	The flow of traffic may be disrupted as day laborers approach vehicles in hopes of getting hired. Employers may also block driveways or park in an unsafe manner before getting out of their cars to choose a worker.
Public Welfare	Lewd Behavior (Valenzuela 2000; Robin and Esbenshade 2001; Guerette 2006)	Day laborers are accused of littering, urinating in public, drinking alcohol, or other illicit activities, and of sexual harassment in the form of whistling or “cat-calling.” Workers may gather in areas that do not have a trash can or a place to urinate. To discourage day laborers from congregating nearby, often businesses will deny workers access to restrooms or services.
	Increase in Crime (Robin and Esbenshade 2001; Guerette 2006)	Day laborers are accused of engaging in unlawful behavior because of their need to make a living.
Private Economic Interests	Loss of Revenue (Robin and Esbenshade 2001; Guerette 2006)	Day laborers are accused of harassing or discouraging customers from frequenting a business because patrons may feel intimidated as workers approach a vehicle that enters the parking lot.
	Lowering Property Values (Esbenshade 2000; Robin and Esbenshade 2001; Guerette 2006)	Day laborers who congregate in areas undergoing gentrification or that are close to homes are accused of reducing the value of those properties because the laborers don’t fit the image of the community.

Day labor work is therefore positioned as a public nuisance¹³ that imposes negative externalities and threats “to public safety (based on claims that day laborers created traffic congestion and accidents; to public welfare (based on claims that they littered, urinated in public,

¹³ Councilman Ed Glasgow of Costa Mesa referred to day workers as “a nuisance for people in town.” See Rivera (1989).

bothered women, and generally intimidated residents); and to private economic interests (based on claims that they undercut legitimate business and scared away customers” (Cummings 2011: 12; also see Narro 2005).

The threat to public safety is the most common justification that various stakeholders make for restricting day laborers from searching for work on street corners (Valenzuela 2000; Esbenshade 2000; Toma and Esbenshade 2001; Valenzuela 2006a). They argue that when employers approach day laborers to solicit their services, they could cause an accident or hit pedestrians with their vehicles. Men eager to work will often flock to cars as potential employers approach or stop at hiring sites. Simply making eye contact while driving near a site may also incite solicitation for employment. It is not uncommon for men to pop their heads into a car, gesture with their hands, yell, or open the door in hopes that their aggressiveness will appeal to a potential employer and secure them work. Vehicles will stop to negotiate employment arrangements and select workers, thereby disrupting traffic and causing traffic jams (Elias 2011).

The presence of day laborers also ignites local resident complaints of decreased property values and increased crime (Esbenshade 2000; Valenzuela 2000; Toma and Esbenshade 2001; Valenzuela 2006a). Residents frequently complain that day laborers exhibit undesirable social behavior, such as loitering and public intoxication (Valenzuela 1999; Gonzalez 2007). Women complain that day laborers practice lewd behavior in the form of “catcalls.” Residents and law enforcement also complain that day laborers vandalize and damage property and make the neighborhood unsafe (Pascual 1991). The overall sentiment is that day laborers diminish the quality of life, are a threat to public safety, and are simply undesirable (Valenzuela 1999; Esbenshade 2000; Chang 2002; Gonzalez 2007).

Similarly, merchants complain that day laborers deter customers, damage property, litter, harass patrons, and lower property values (Pascual 1991; FAIR 2002; Howell 2003). Despite these concerns, there is no empirical evidence to substantiate claims that crime rates rise and property values decline due to the presence of day laborers in the area.

Community stakeholders are not the only individuals with complaints; day laborers also complain of abuse and harassment by employers, local merchants, law enforcement, and residents, mainly in the form of insults, threats, and racial epithets (Valenzuela 1999; Guerette 2006; Loffee 2011). Day laborers are quick to point out that if the demand for their work did not exist they would not be looking for work on the street.

Many municipalities have spent hundreds of thousands of dollars to eradicate the practice of looking for work in public spaces and in addressing complaints that day laborers are a public nuisance (Reyes 1990). Despite efforts to portray day laborers as outsiders, many day laborers live in the community in which they seek work (Esbenshade 2000; Valenzuela, González, Theodore, and Meléndez 2005). Those who commute to look for work show a vested interest in the well-being of the community they frequent for employment. In Topanga, California, for example, when in 1995 a wildfire swept through the hills, day laborers stood on rooftops, risking their lives to help put out the blaze (Bacon 1998). The perception that workers do not belong to or care about the community in which they look for work often serves as a reason to further alienate and exclude day laborers and to create policies aimed at eliminating their presence.

Responses to Day Laborers and Day Labor Hiring Sites

Municipalities have addressed concerns over day laborers in various ways. Often referred to as a “problem,” day labor is viewed as a “public nuisance that imposes negative externalities on a locality by disturbing normal patterns of business, traffic and pedestrian exchange”

(Cummings 2011:1617). The most popular practice that localities have adopted is to enact hostile and exclusionary policies aimed at eliminating the presence of day laborers, not only from the place they look for work but from the communities in which they live.

The public mode in which day laborers search for work makes them extremely vulnerable to discriminatory and exclusionary practices (Valenzuela 2000; Esbenshade 2000; Gonzalez 2007) and even violence (Valenzuela 2006; see also Negi et al. 2013). Their hyper-visibility is a constant reminder of a flawed immigration system and a growing Latino population.

Most polices that seek to eliminate the presence of day laborers have primarily focused on the workers and less on the employers who hire casual workers, and to an even lesser extent the structural forces in the economy fueling the demand for contingent workers and the expansion of the informal economy. Day laborers are penalized for looking for work through informal polices of harassment and formal policies in the form of anti-solicitation ordinances.

Valenzuela (2000) identifies three factors that must be considered in creating a policy response to day labor: “1) the economic demands of workers and employers, 2) the commercial and aesthetic needs of residents, merchants, and passersby, and 3) the civic, political, and liability needs of local government officials and police enforcement” (p. 9). Although municipalities do not always consider all three factors, many have adopted policies that focus more on getting rid of workers all together than of meeting their needs. Community-based organizations and immigrant rights advocates have fought for many years to protect workers’ freedom to look for work in public spaces and to improve labor standards in the day labor market. Despite continuous efforts by day labor opponents to regulate day labor as a public nuisance and to criminalize day labor work (Esbenshade 2000; Toma and Esbenshade 2001; Campbell 2010; Cummings 2011), some municipalities have adopted more creative and inclusive

strategies that involve the creation of worker centers as a way to improve working conditions and protect workers from unscrupulous employers.

In the pages that follow, I discuss the attack on day laborers and their rights over the use of public space to solicit work, and its lasting impact on policies and practices regarding day labor today. I then summarize in greater detail the policy responses municipalities have adopted to eliminate or manage day labor hiring sites.

The Demonization of Day Laborers and the Attack on Hiring Sites

The anti-immigrant hysteria of the 1990s demonized day laborers and made them the face of “illegal” aliens. Today, the anti-immigrant sentiment is manifested in federal, state, and local policies aimed at restricting or eliminating immigrants’ rights and their presence in public spaces (Esbenshade 2000).

On the federal level, in 1994, over 100 immigration control bills were pending in Congress (Esbenshade 2000). In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) was passed “restricting access to political asylum; instituted long-term bars to legal immigration for those residing in the country without authorization; made it more difficult for the poor to help their relatives immigrate, and exponentially increased the number of border patrol agents station at the southern border” (Esbenshade 2000). A month prior to the passage of IIRAIRA, the Personal Responsibility and Work Opportunities Reconciliation Act was passed, changing the nation’s welfare system into one that is based on work performance. It also included provisions that restricted most forms of public assistance to legal immigrants and denied those benefits to undocumented people.

On the state level, 45 anti-immigration measures were introduced in the 1995–96 session (Esbenshade 2000). In California, the passage of Proposition 187, also known as the Save Our

State initiative, occurred in direct response to the concerns over illegal immigration. The law denied public services, such as public education and healthcare, to people who were unauthorized to be in the United States.

In the absence of federal immigration reform to normalize the legal status of undocumented workers, local municipalities have had to make their own decisions on how to deal with receiving immigrants into their communities. The impact of immigration, whether real and perceived, has pressured many local governments to implement local immigration policies to deal with the presence of new arrivals. According to Rubaii-Barrett (2008), the “increasing rates of both legal and undocumented immigration, greater diversity among new immigrant populations, and the more dispersive settlement patterns create challenges for all levels of government. The most intense and direct pressure is felt at the local level in counties, cities, towns, and villages across the nation” (p. 5).

While some municipalities have pursued inclusive policies to deal with the day labor population (Fine 2006; Valenzuela et al. 2006; Theodore et al. 2008), others have sought to drive the day labor population out of their communities, through harassment and city ordinances prohibiting day laborers to look for work in public spaces (Gonzalez 2007; Varsanyi 2008; Cummings 2011). Rubaii-Barrett (2008) argues that “the current piecemeal approach to immigration—in which some local governments provide sanctuary to undocumented immigrants and others force landlords to check the immigration status of all tenants—jeopardizes the safety and security of the citizens and immigrants alike, strains small and large businesses relying on immigrant labor, imposes significant burdens on the economic and social fabric of localities . . .” (p. 5).

The inability of legislators to pass comprehensive immigration reform has dangerously allowed municipalities to take matters into their own hands and make their own decisions as to how to deal with immigrants. Arizona is a prime example of the danger that exists when local law enforcement agencies enforce federal immigration laws. The sheriff of Maricopa County in Arizona, Joe Arpaio, has gained national attention for using illegal and unconstitutional practices to apprehend immigrants. Known as “America’s Toughest Sheriff,” Arpaio has become the face of local efforts by law enforcement to crack down on illegal immigration. In a lawsuit filed by the U.S. Justice Department, Arpaio is accused of carrying out anti-Latino policies using police and a volunteer group of untrained civilians to harass and apprehend Latinos, regardless of their legal status (Ruiz 2011; Gaynor 2012).¹⁴

Federal initiatives like Secure Communities,¹⁵ launched in March 2008 by the Bush administration and expanded by President Obama, have enabled city and state law enforcement officials to collaborate and enforce federal immigration laws. This policy initiative enables the federal government to check the immigration status of anyone who is arrested by local police. According to the rationale behind the initiative, deporting immigrant offenders would make communities “safer” because immigrants are more likely to commit crimes, pose a threat to public safety, and repeatedly violate immigration laws.¹⁶ Since its implementation, U.S. Immigration and Customs Enforcement (ICE) has detained over a quarter of a million

¹⁴ According to a lawsuit filed by the U.S. Department of Justice, Latinos were four to nine times more likely to be stopped than were non-Latino drivers (see Ruiz 2011; Gaynor 2012).

¹⁵ In 1996 the Immigration and Nationality Act added the 287(g) program, which allowed state and local law enforcement entities to enter into agreements with ICE to “act in the stead of ICE agents by processing illegal aliens for removal.” According to the ICE website, it has agreements with 35 law enforcement agencies in 18 states. It is reported that in 2007, ICE began to teach Maricopa County Sheriff’s deputies to enforce some immigration laws (Gabrielson and Giblin 2008).

¹⁶ A recent study conducted by two law professors, however, questioned the effectiveness of this policy initiative. According to Cox and Miles (2014), “Secure Communities led to no meaningful reductions in the FBI index crime rate. Nor has it reduced rates of violent crime—homicide, rape, robbery, or aggravated assault” (p. 41). The program, in other words, “has not served its central objective of making communities safer” (i).

immigrants and deported over 200,000. In August 2008, at a conference of police and sheriffs, the former executive director of ICE Office of State and Local Coordination, James Pendergraph, said, “If you don’t have evidence to charge someone criminally, and you think he’s illegal, we can make him disappear” (quoted in Gill 2010:49)

For day laborers, this is particularly problematic, because they are the most visible local representation of undocumented immigration. Their hyper-visibility makes them easy targets for harassment, violence, and abuse (Esbenshade 2000). Their presumed illegality denies them the “right to the city,” even though many frequently live in the same communities as those that want to get rid of them. The seemingly large-scale nature of day labor creates a sense of fear resulting in the normalization of misguided policies, both locally through the use of public-space and land-use ordinances and federally with initiatives like Secure Communities.

In California, Arizona, Texas, Colorado, Maryland, and other parts of the country, day laborers have been the victims of campaigns from anti-immigrant groups, most notably the Minuteman Project, which aims to get rid of day laborer hiring sites by protesting and harassing day laborers as they wait for work. In Houston, for example, the Texas Minuteman Civil Defense Corps launched “Operation Spotlight,” a program designed to keep track of employers of day laborers by writing down their license plate numbers (Hegstrom 2005). The Minutemen also videotape and photograph day laborers in efforts to intimidate them and scare off potential employers (Gilbert 2005; Plocek 2005)

Many municipalities have taken concrete ways to eliminate day laborers from the communities in which they live and look for work. Through exclusionary policies, local governments and opponents of day labor hiring sites are violating the rights of day laborers to solicit work in public spaces and are violating their right to the city.

Responses to Regulate Day Labor Practices

Responses to regulate the day labor practices can be categorized into four strategies: inaction, harassment, prohibition, and the creation of worker centers (see Table 2.3). The identification of these strategies is adopted from Valenzuela (2000), Esbenshade (2000), and Varsanyi (2008) and their analysis of policy responses to day labor work. Valenzuela identifies three distinct ways municipalities respond to day labor: leaving day labor unchecked, outrightly prohibiting day labor, and creating worker centers. Esbenshade and Varsanyi, however, add an important and often overlooked approach to the list: harassment and intimidation. This additional strategy is imperative to consider in light of the rise in anti-immigrant sentiment and attacks on day laborers.

Table 2.3. Policy Responses to Day Labor Practices

Response	Description	Goals	Results
Inaction (Esbenshade 2000; Valenzuela 2000)	Leave day labor as is	None	Community conflict is not addressed and workers are still vulnerable to exploitation, abuse, and hostility by and from local stakeholders.
Harassment (Esbenshade 2000; Varsanyi 2008)	Intimidate workers by insulting them or threatening to call immigration authorities or by calling law enforcement	Eliminate the presence of day laborers	Workers can be arrested, deported, or made targets of violence. Community concerns are avoided and workers are more likely to experience abuse.
Prohibition (Esbenshade 2000; Valenzuela 2000; Cummings 2011)	Pass ordinances to ban day laborers from soliciting work on the street	Eliminate the presence of day laborers	Workers can be cited, arrested, or deported. Community concerns seem to be addressed, although ordinances are, for the most part, ineffective. Day laborers are even more vulnerable to abuse.
Worker Centers (Robin and Esbenshade 2000; Narro 2005; Fine 2006; Theodore et al. 2008)	Create alternative hiring sites	Provides a more structured hiring process and a safe place for workers to congregate	The response eliminates traffic hazards, provides an orderly job-allocation system, helps mitigate abuses, raises labor standards, and provides opportunities for civic engagement.

The local government and policy responses that Esbenshade (2000) identifies include efforts to threaten and intimidate day laborers (harassment), ban day labor solicitation (exclusion), or create alternative sites to remove day laborers (seclusion). As with Esbenshade and Valenzuela, Varsanyi (2008) includes the establishment of worker centers and harassment, but she further delineates exclusionary policies to differentiate between the enforcement of existing ordinances and the creation of new city ordinances. While Varsanyi's analysis is useful, city ordinances, whether old or new, aim to diminish the rights of day laborers as well as make it inhospitable for day laborers to live and work in the cities they reside in. I will borrow Valenzuela and Esbenshade's terminology because I believe it encapsulates the responses to day labor practices in a more cohesive way.

According to Valenzuela (2000), most municipalities assume a laissez-faire attitude and have a minimal or nonexistent role in regulating the day labor market. Although this practice is a popular approach, there are risks and costs associated with avoiding community concerns over day labor practices. By not taking action, "city officials may risk future electoral defeats, increased frustration with inadequate local governance, and the spurring of homeowners and local merchants to undertake vigilante actions on their own" (Valenzuela 2000:7). This policy response does nothing to alleviate conflicts surrounding day labor hiring sites and continues to leave workers vulnerable to harassment, exploitation, and even violence.

To address issues concerning day labor, municipalities, community organizations, and worker's rights, advocates have taken a more comprehensive approach and established worker centers, where workers have the opportunity to seek employment under a more structured hiring process. For over two decades, worker centers in the United States have emerged as primary agents in the integration of immigrant workers into American society, politics, community life,

and the world of work (Gordon 2005; Fine 2006). These worker centers are often designed to serve immigrants and low-wage workers and play a dual role as service providers and advocates. Worker centers engage in a combination of community-based and community-led activities aimed at improving the lives and working conditions of its members (Gordon 2005; Valenzuela et al. 2006; Fine 2006; Milkman 2006; Theodore et al. 2008; Bobo 2008: 88–106; Milkman 2010).

According to Kettles (2009), state and local government policy makers have pursued two flawed strategies to address day labor issues. The first approach is to adopt exclusionary policies that prohibit day laborers to use the sidewalk to solicit work. Through the passage of loitering and vagrancy laws and traffic regulations, day laborers are criminalized for looking for work on public property. The second strategy is to provide an enclosed space for day laborers to congregate and look for work, or provide worker centers that will match potential employers with workers. Kettles (2009) argues that an option that is often overlooked is to simply allow day labor markets to function as they should and for workers to be left alone to pursue economic opportunities. He says,

The strategy of exclusion ignores economic theory, which justifies the presence of day labor markets in public space. Exclusion also overlooks the nation's rich history of allowing day laborers and other temporary workers to use the sidewalk to solicit work. Exclusion further ignores fundamental economic and demographic changes that have increased demand for day laborers—whether illegal immigrants or not—and made public sidewalks the most efficient way to match these workers with potential employers. Finally, the strategy of exclusion is at odds with the contemporary push toward the “New Urbanism,” with its sidewalk-intense uses, and the character of today's suburbs, which are increasingly integrated (p. 139).

According to Kettles, workers rarely use worker centers due to the loss of control over securing work and choosing an employer. He suggests that workers can choose the most favorable location to find employment and are capable of handling their own policing against abuse and

wage theft by refusing to work for employers who have bad reputations. He further argues that worker centers, therefore, force these “street entrepreneurs” to be dependent on the center, and instead of empowering them, take power from them.

Below, I describe the varying policy prescriptions adopted by various stakeholders to solve conflicts over day labor practices in the United States. I focus on the three types of responses that are used to deter, manage, or eliminate the presence of day laborers: harassment, prohibition, and the creation of worker centers.

Harassment

A less documented strategy to deter men congregating in street corners is through harassment. Day laborers often complain of harassment in the form of insults and threats from security guards, merchants, and police. In fact, nationally, 16 percent of day laborers reported being harassed by merchants during a two-month period. Another 28 percent stated they had either been insulted or threatened by business owners, and 9 percent of day laborers mentioned they had been insulted, harassed, or threatened by a securing guard during the same period (Valenzuela et al. 2006). Additionally, 11 percent of day laborers reported receiving a citation at the hiring site and 37 percent reported they were forced to leave the site by law enforcement officials (Valenzuela et al. 2006). In Agoura Hills, for example, sheriffs from the Lost Hills station were accused of systemically harassing day laborers and sending deputies to chase them while yelling racial slurs, and at one point, even using helicopters to chase them away (Bacon 1998).

In an attempt to deter workers from looking for work near their businesses, some local merchants will harass workers and summon the police. Nearly one-quarter of day laborers reported that local merchants called law enforcement authorities when they were looking for

work (Valenzuela et al. 2006). Businesses will also discriminate against day laborers by refusing to serve them or sell them goods. Nationally, 14 percent of day laborers reported they have been refused services by local merchants (Valenzuela et al. 2006). In Agoura Hills, day laborers won a lawsuit for discrimination against Jack in the Box, for not allowing day laborers access to public restrooms (Toma and Esbenshade 2001; see also Cummings 2011).

Law enforcement officials have also collaborated with federal immigration agencies to intimidate and harass day laborers in an effort to rid them from the streets and prohibit workers their only means of subsistence. According to the *Los Angeles Times*, in the city of Orange, California, hundreds of day laborers were arrested on misdemeanor violations and the majority turned over to immigration officials and processed for deportation (Reyes 1990).

Day laborers have also been targets of violence from residents who view them as outsiders, as well as thieves who by logic know that the laborers, lacking access to bank accounts, carry money on their person. In 2003–2004, from November to February, a group of high school students in Canton, Georgia, offered day laborers work, kidnapped and robbed them, and violently beat them. In one of the attacks a day laborer was robbed and beaten with a baseball bat. Another day laborer was beaten with a 3-foot metal fence post and then robbed of his jewelry and money (Plummer and Payne 2004; Payne 2004; Niese 2004). According to the assistant police chief in Canton, the young men bragged about the robberies and spent the money they stole at restaurants and stores (Plummer 2004). Five out of the seven students were charged and later pled guilty to armed robbery, aggravated assault, and false imprisonment, with the two other cases still pending (Barry and Sloan 2004; see also Williams 2005). Although the teenagers specifically targeted the workers because they were “Mexican,” hate crime charges were never pursued.

In 2004, from September to December over 22 robberies and attacks targeting day laborers, including home robberies were reported in Jacksonville, Florida. Most of the attacks were violent, occurred in people's homes, and involved multiple victims. One attack that occurred in November involved four armed robbers who shot at five day laborers in their mobile home, killing one and seriously injuring two others (Murphy 2004; Mitchell 2004).

Incidences of abuse and violence against day laborers are not limited to a particular area or geography. All across the United States, day laborers are being attacked, beaten, robbed, and harassed. Unofficial enforcement strategies such as harassment and intimidation are common practices employed by community stakeholders to get rid of day laborers from soliciting work in public spaces, and in some cases, from the communities in which they live. The discriminatory and violent practices enacted by law enforcement and residents against day laborers illustrate the need to find solutions that will minimize conflict and foster mutual respect and increased trust among day laborers, residents, police, merchants, and city officials.

Prohibition

To address the issue of day labor practices, some municipalities have adopted exclusionary legal tactics and repressive strategies to limit or ban day labor activity in their city. Through land-use regulations or anti-solicitation ordinances opponents of day laborers aim to eradicate the problem of workers congregating in the street looking for work. The visibility of day laborers is often regarded as a nuisance by residents and businesses owners who blame day laborers for decreasing property values and loss of revenue. The most common reason for passing an ordinance is to eliminate the potential traffic hazard by the approach of day laborers toward oncoming vehicles (Toma and Esbenshade 2001). Although traffic laws already exist that

prohibit blocking driveways, jaywalking, and other forms of obstructing traffic, ordinances seem like an easy solution to keep day laborers from soliciting work in public spaces.

Through anti-solicitation ordinances, local governments aim to discourage employers from hiring day laborers, curbing the demand for workers while encouraging day laborers to seek employment elsewhere. If caught, day laborers can be cited or detained, resulting in time in jail and, for undocumented day laborers, possible deportation. In 2007, in California, there were close to 60 anti-solicitation ordinances that targeted day laborers and their employers (Gonzalez 2007). The purpose of these ordinances is to eliminate the presence of day laborers in a particular area, near a business or property or within a city. A common tactic employed by home improvement stores, like Home Depot, is to hire consultants to appear in front of the city councils and convince council members to pass ordinances against day laborers to eliminate the presence of workers on their property (Glazer 1999). Although these types of efforts are, for the most part, unsuccessful, the temporary displacement of day laborers does not last long, with day laborers and their employers congregating in the same exact area soon after the ordinance has been passed. To date, there are over 60 cities in California with anti-solicitation ordinances (Gonzalez 2007) that according to the president of the Mexican American Legal Defense Fund are rarely enforced (Esquivel 2011).

In Redondo Beach, California, local police initiated a massive crackdown of day laborers looking for work at two major intersections. In 1987, the city passed an ordinance that prohibited anyone “to stand on a street or highway and solicit, or attempt to solicit, employment, business or contributions from an occupant of any motor vehicle” and made it unlawful for any person to stop their vehicle on a street or highway to attempt to hire a person (Redondo Beach Municipal Code § 3-7.1601). According to Redondo Beach officials the city ordinance was needed to

regulate traffic safety (Esquivel 2011). During the course of four weeks in 2004, nearly 60 day laborers were arrested in sting operations by law enforcement officials who disguised themselves as employers and solicited workers for jobs. When the workers accepted the offer for work, they were arrested; some were even jailed for violating the ordinance.

The workers quickly responded to the arrests by marching on City Hall and filing a federal lawsuit against the city, with the help of the National Day Labor Organizing Network (NDLON) (Gorman 2006). In 2011, the U.S. 9th Circuit Court of Appeals ruled that the ordinance “regulates significantly more speech than is necessary to achieve the city’s purpose of improving traffic safety and traffic flow” and, therefore, was unconstitutional (Esquivel 2011).

Cities have also tried to get rid of undocumented residents through the use of anti-undocumented immigrant ordinances. For example, in Hazleton, Pennsylvania, an Illegal Immigration Relief Act was passed to restrict and eliminate the hiring of and presence of undocumented immigrants. Hazleton was the first city to pass such an ordinance, which included three key provisions:

- (1) it declared that English is the city’s official language;
- (2) it required all tenants and potential tenants to apply for an “occupancy permit” to establish their legal residency in the United States, and established fines for undocumented residents who did not have an occupancy permit while renting property within the city, as well as on landlords who rented to undocumented residents (\$1,000 per day per undocumented resident); and
- (3) it denied permits or contracts to businesses that “aided and abetted” (hired) undocumented immigrants, not only in the city of Hazleton, but anywhere in the United States, including the establishment of a day labor hiring site which did not verify legal work status (quoted in Varsanyi 2008; 37).

The mayor of Hazleton wanted the city to be regarded as one of America’s toughest cities on undocumented immigrants and declared a war on undocumented immigrants, vowing to get rid

of them (Powell and Garcia 2006). Soon after, neighboring cities in Pennsylvania and Riverside, New Jersey, followed suit and passed identical ordinances.¹⁷

As described above, local efforts to restrict and eliminate the rights of immigrants take several forms. By enforcing existing city ordinances or creating new ones, cities are restricting or eliminating the presence of day laborers, thereby undermining their ability to make a living. In recent years, however, the courts have found that ordinances prohibiting workers from looking for work in public spaces violate people's First Amendment right to free speech. Moreover, the courts have ruled that municipal codes or ordinances that target day laborers cannot be enforced because those laws and regulations violate the Fourteenth Amendment's equal protection clause, and therefore discriminate against day laborers on the basis of race and natural origin (Cummings 2011; see also Campbell 2010).

Ordinances are also costly to enforce, ineffective and can take years in court to uphold. The City of Agoura Hills, for example, spent \$200,000 to defend its anti-solicitation ordinance (Toma and Esbenshade 2001). Despite their popularity, ordinances have not made the day labor population disappear. Workers will continue to gather in public places as long as there are employers seeking their labor.

Creation of Worker Centers

For over 20 years, community-based organizations and immigrant rights advocates have fought to improve the labor standards in the day labor market and advance the rights of day laborers. Many have been involved in creating worker centers, organizing workers on street

¹⁷ Two weeks after the passage of the ordinance, a lawsuit was filed by the Puerto Rico Legal Defense and Education Fund (PRLDEF) and the American Civil Liberties Union (ACLU) on the grounds that it was “‘riddled with unconstitutional flaws,’ overstepped the bounds of municipal authority and would discriminate against any residents who appeared to be foreigners” (Preston 2006; see also Varsanyi 2008).

corners, fighting against wage theft (by filing wage claims or participating in direct actions), and protecting the rights of day laborers to solicit work in public places (Fine 2006; Narro 2009; Theodore, Valenzuela, and Meléndez 2009; Dziembowska 2010).

The creation of worker centers has become an approach that focuses less on getting rid of day laborers, and more on meeting the needs of the day labor population. Finding a location suitable for a hiring site has always been problematic. Many community stakeholders adopt a “Not in My Back Yard” or “NIMBY” attitude, preventing the building of worker centers. Opponents of day labor will sometimes push for the creation of a worker center but then undermine those efforts by refusing to allow the site of the center anywhere near their home or business (Esbenshade 2000). As a result, worker center advocates often deal with projects pushed to remote areas that are difficult for workers and employers to reach, thereby causing workers to return to the old corners and the open-air hiring sites (Toma and Esbenshade 2001).

More developed worker centers create partnerships and coalitions to broaden the ability of those entities to address broader issues, such as immigration reform, affecting day laborers. Worker centers are also engaged in collaborations and partnerships to connect workers with organizations and institutions to improve labor standards and their quality of life.

More recently, labor unions and day labor worker centers have created initiatives to improve labor standards in low-wage industries. In 2006, NDLON and the nation’s largest union, the AFL-CIO, formed a historic partnership to improve the wages and working conditions of low-wage contingent workers. In a press release, John Sweeney, then president of AFL-CIO, stated:

Day laborers in the United States often face the harshest forms of workplace problems and this exploitation hurts us all because when standards are dragged down for some workers, they are dragged down for all workers.

The work being done by worker centers and NDLON in particular is some of the most important work in the labor movement today, and it's time to bring our organizations closer together. Through this watershed partnership, we will strengthen our ability to promote and enforce the workplace rights for all workers—union and non-union, immigrant and non-immigrant alike (AFL-CIO 2006).

This landmark agreement also “called for joint efforts to work for comprehensive immigration reform that supports workplace rights and includes a path to citizenship and political equality for immigrant workers—and against anti-immigrant, anti-worker legislation at the federal, state, and local levels” (Theodore 2010:9).

In 2006, NDLON Executive Director Pablo Alvarado and the presidents of unions from Change to Win¹⁸ met at the request of the president of Laborers International Union of North America (LIUNA), Terry O’Sullivan. After subsequent meetings, NDLON and LIUNA agreed to work together to organize workers in the residential construction industry throughout Los Angeles County. Currently, they are focused on a residential organizing campaign in Riverside County (Narro 2009).

In New York and New Jersey, joint initiatives between worker centers and labor unions have proven to be successful in organizing workers in the residential construction industry and improving workplace standards in the weatherization sector (Theodore 2010). Local 10 in New York and Local 55 in New Jersey and Delaware launched six-week weatherization training programs and administered OSHA trainings to workers recruited through worker centers, thereby creating opportunities for workers to build careers in the construction industry and become union members.

¹⁸ In 2005, seven unions including the Service Employees International Union, the Teamsters, the Carpenters, the Laborers, the United Food and Commercial Workers, UNITE-HERE, and the United Farm Workers officially withdrew from the AFL-CIO and created the Change to Win Coalition to focus on worker organizing and membership development. For more information see Cleeland (2005).

One of the most prominent examples of worker organizing is the Worker Defense Project, in Austin, Texas. The organization has assisted workers through wage recuperation efforts and worker rights' education, and has advanced public policies to contest substandard conditions in the construction industry and other low-wage industries. The Worker Defense Project's collaboration with local building trades unions and the AFL-CIO resulted in a groundbreaking study that documented labor and employment law violations in Austin's residential construction industry. The Worker Defense Project also partnered with several legal organizations and a labor union to defeat HB 904, which sought to prohibit government agencies from constructing or operating day labor centers that serve undocumented immigrants (Theodore 2010).

The formation of a national network of community-based organizations and the partnership between worker centers and the labor unions illustrate new opportunities for collaboration to improve labor standards in low-wage sectors of the economy (Narro 2009; Theodore 2010; Dziembowska 2010). These collaborations advance progressive policies and initiatives that raise employment and living standards for low-wage workers, promote worker leadership and development, and combat substandard conditions in the low-wage labor market.

CHAPTER 3

SPATIAL ORGANIZATION OF DAY LABOR WORK AND WORKER CENTERS

In 1999, in over 100 hiring sites in Southern California, between 15,000 and 20,000 workers were either looking for day labor jobs or employed as day laborers (Valenzuela 1999). In 2001, the Bureau of Labor Statistics estimated that 260,000 day laborers were searching for work on street corners (U.S. General Accounting Office 2002). Five years later, in a national study I participated in, we estimated that over 110,000 day laborers were working or searching for work in over 264 hiring sites in the United States (Valenzuela et al. 2006).¹⁹

The practice of searching for work in open-air informal markets such as on street corners or in city-sanctioned hiring sites, better known as worker centers, has become increasingly common and an important means of securing employment for unemployed ethnic minorities and predominantly male immigrant workers (Malpica 1996; Valenzuela 1999; Fine 2006; Valenzuela et al. 2006).²⁰ In California, New York, Illinois, Texas, and Arizona, and other parts of the United States, day laborers have become a part of the nation's landscape (Valenzuela et al. 2006; Valenzuela and Meléndez 2003; Kerr and Dole 2001; Theodore 2000).

Day labor hiring sites can be categorized into two types: worker centers and informal sites (Valenzuela 1999). Informal sites are open-air markets and are considered more intrusive because they are predominantly located in areas where residents live or frequent such as gas stations and convenience stores (see Exhibit 3.1). Valenzuela (1999) further divides informal day

¹⁹ The number of day laborers at any given site fluctuates tremendously because new sites emerge and others may disappear overnight (Valenzuela 1999).

²⁰ It is common to think of day labor as a predominately male workforce. In fact, few women look for work in open-air hiring sites. In San Francisco, California, for example, female day laborers tend to rely on social networks and community-based organizations, such as the Women's Collective (administered by El Centro Legal de la Raza) to find a job, mostly as domestics (Bhatia et al. 2009). In New York, however, women do look for work on street corners as cooks, housekeepers, and caretakers (Bernstein 2005; Kim 2013). According to a 2003 study of day laborers in New York, women made up five percent of the day labor workforce (Valenzuela and Meléndez 2003). Valenzuela et al. (2006) estimate that nationwide, women make up less than two percent of the day labor population.

labor hiring sites into two distinct types: connected and unconnected. Connected sites are associated with a particular industry such as a paint store, nursery, or home improvement store. The most recognizable connected sites are those that are located in the parking lots of home improvement stores, and the largest such store is Home Depot. At some sites, workers advertise a particular skill and are often seen carrying tools or equipment needed to perform their skill. For example, it is common to see painters outside a paint store wearing a white shirt and pants smeared with paint. Unconnected sites do not have any connection to a specific industry and are predominantly located near a store front or gas station.

Worker centers are enclosed spaces that are generally run by nonprofit agencies. The majority of worker centers implement job-allocation systems to ensure an equitable job placement process, provide services, and promote worker education (Theodore et al. 2008). To date, worker centers represent the most comprehensive response to day labor practices. From a public safety perspective, they minimize traffic congestion and accidents, and from a worker's right perspective, they protect workers from exploitation and abuse. In 2004, 63 day labor worker centers were operating in 17 states, and another 15 community-based organizations served, organized, or advocated on behalf of day laborers (Valenzuela et al. 2006).

In the pages that follow, I discuss the characteristics of day labor hiring sites and describe some of the regional differences among the sites. I then present survey results from the DLWS to gain a better understanding of the demographic and labor market characteristics of workers who frequent informal sites compared to those who frequent worker centers. Lastly, I provide a historical context of worker centers in the United States, and present findings from the DLWCS to assess the efficacy of worker centers in three areas: labor market outcomes, the mitigation of abuse and hazards, and the civic integration of workers in the communities in which they look

for work. From a planning and policy perspective, worker centers offer a unique opportunity to aid in the incorporation of immigrants and to respond to the needs of a segment of the population that is vulnerable to exploitation and abuse and excluded from various aspects of civic life.

Exhibit 3.1. Type of Day Labor Hiring Sites

Worker Centers



Los Angeles, California



Phoenix, Arizona



San Mateo, California

Informal Sites



Las Vegas, Nevada



Phoenix, Arizona



Westminster, California

Source: Photographs courtesy of Francisco Pacheco and UCLA's Center for the Study of Urban Poverty, 2004.

DAY LABOR HIRING SITES

Informal sites are the most common type of hiring sites in the day labor market (Valenzuela et al. 2006). The scene at informal hiring sites is often chaotic. To get chosen for a job, workers must be visible to employers and they must stand out in the crowd. Workers will often wave their hands back and forth or swarm a stopped vehicle. It is common for workers to shout at potential employers, advertising a particular set of skills in effort to get selected for the job. Workers will also try to communicate with potential employers by pointing at themselves as a way to promote their availability and eagerness to work. A common strategy implemented by employers is to shout their hourly rate and the type of work they need performed, creating an even more frenzied atmosphere. This strategy works very well for employers because workers respond by decreasing their going hourly rate in hopes of getting chosen for the job.

Daniel Malpica (1996) argues that underneath the seemingly chaotic appearance of informal hiring sites there is “an informal social organization that imposes considerable structure on the market” (Malpica 1996: 81). Through his ethnographic study of two informal day labor hiring sites in Los Angeles, Malpica applies Fisher’s model of a structureless labor market and finds that although there is no seniority, unions, or barriers to entry, day labor markets impose a structure along gendered lines, thereby excluding women, and create divisions between those who are hired repeatedly and those either hired on a one-time basis or not hired at all (Malpica 1996: 86).

With few exceptions, Malpica is correct in asserting that day labor is structured along gendered lines. Although day labor is open to anyone, it is overwhelmingly performed by men. Only two day labor hiring sites exist nationally where women look for work (Valenzuela and Meléndez 2003; Bernstein 2005; Kim 2013).

Malpica's second assertion is also correct: a substantial share of day laborers is hired repeatedly by the same employer. Although the majority of workers are hired for an hour, for the day, or for the job and work is generally short-term and temporary, employers seek workers they have hired previously, suggesting a level of satisfaction with the work the laborers performed.

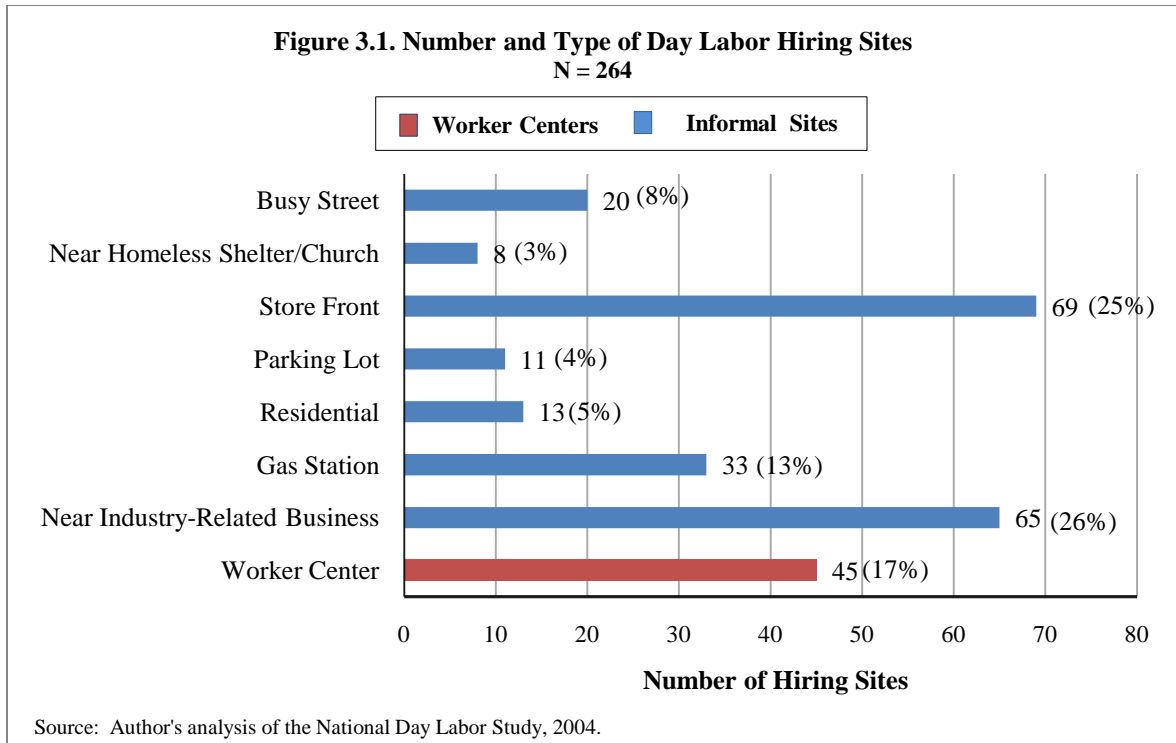
In sharp contrast to the scene at informal hiring sites, the process of looking for work at a worker center is highly structured. To alleviate the chaotic environment that occurs when employers negotiate employment arrangements with workers, worker centers implement organized systems and mechanisms for allocating jobs randomly and distributing jobs equitably (Theodore et al. 2008). Employers choose from a list of workers who have been pre-selected earlier in the day.

At a worker center, a job-allocation system is important for maintaining order and ensuring that workers have an equal opportunity of being selected for a job. The majority of worker centers implement two types of job-allocation systems: lists and lotteries (Theodore et al. 2008). When a list is used, workers write their names down on a registry and are chosen in chronological order. If an employer requests a worker with a particular set of skills and the day labor that was chosen does not possess those skills, the coordinator will go down the list to match the worker with the needs of the employer. With a lottery, workers will register at the worker center and are chosen randomly from a drawing of available workers. In this case, workers who do not meet the qualification of the employer will be withdrawn from the process and a new worker will be picked randomly, until the employer is matched with the preferred worker. Rather than choosing one job-allocation system over another, the majority of worker centers will employ a hybrid of both (Theodore et al. 2008).

There are clear rules regarding a workers' membership in a worker center, and the majority of worker centers are involved in maintaining minimum wages (Theodore et al. 2008). By establishing a minimum wage, competition among workers diminishes and employers cannot undercut the going rate by pitting workers against one another. Employers and workers must follow a set of guidelines, and negotiation on wages is based on the requirements of the job and the qualification of the worker (Theodore et al. 2008).

Characteristics of Day Labor Hiring Sites

As depicted in Figure 3.1, most of the day labor markets are located in informal settings. A quarter of informal hiring sites are located near a business that is connected to an industry—for example, a paint store or nursery—and over half (58 percent) are located near a store front, gas station, residential area, busy street; in a parking lot; or near a homeless shelter or church. Worker centers range from rented trailers and tarps with benches to vacant parking lots. The majority of worker centers are located along a busy street or in a residential area; a smaller number are located near building-supply stores where workers solicit work (Theodore et al. 2008). These statistics depict an overrepresentation of unconnected hiring sites compared to the number of worker centers.



The visibility of day labor hiring sites is an important factor in determining their viability and longevity (Valenzuela 2000). A site must be visible and accessible to employers. But it is particularly the visibility of both the site and the workers that raises concerns and questions about how to deal with day labor practices and traffic safety.

The size and scope of the day labor market are in constant flux, as is the distribution of hiring sites, because the demand for day labor work and the supply of workers is never fixed (Valenzuela et al. 2006). It is common for sites to surface overnight, and for others to disappear. There are, however, some hiring sites that have been a part of a community for years and are well known by employers, day laborers, and local residents. According to day laborers at an informal hiring site in West Los Angeles, California, employers have come to that site to pick up landscapers and gardeners since the 1920s.

Geography

It is no surprise that the majority of day labor hiring sites are located in the West and the East (Valenzuela et al. 2006; also see Map 3.1). These regions have a long history of attracting immigrants and are key destination regions for recent arrivals. As Table 3.1 shows, 33 percent of day labor informal hiring sites are located in the West, another 33 percent in the East, 14 percent in the South, 13 percent in the Southeast, and only 2 percent in the Midwest.

Table 3.1. Type of Day Labor Hiring Site by Region

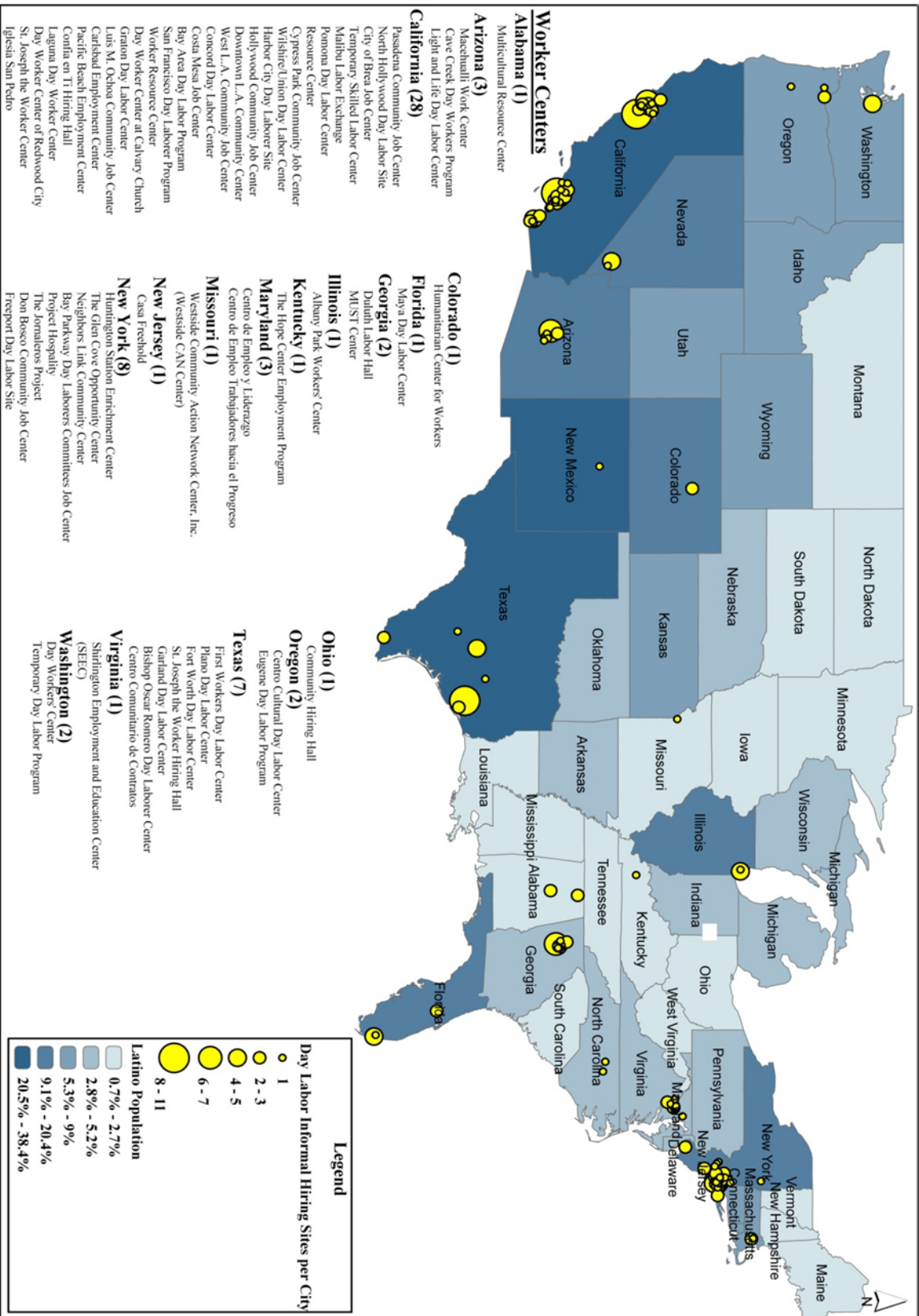
Region	Informal Sites (N = 221)	Worker Centers (N = 63)
West	33%	50%
Midwest	2%	3%
Southeast	13%	16%
South	14%	13%
East	33%	18%
Total	100%	100%

Source: Author's analysis of the National Day Labor Study, 2004.

Most worker centers can be found on the two U.S. coasts as well, with over half in the West, followed by the East, Southwest, and South, and the fewest located in the Midwest. The majority of worker centers are located in California and New York—areas that have a high concentration of Latino immigrants—with the remainder scattered throughout the United States, as seen in Map 3.1.

Map 3.1. Latino Population and Day Labor Hiring Sites in the United States

Source: U.S. Census and NDIS, 2004.



- Worker Centers**
- Alabama (1)**
 - Multicultural Resource Center
 - Arizona (3)**
 - Machenhall Work Center
 - Cave Creek Day Workers Program
 - Light and Life Day Labor Center
 - California (28)**
 - Pasadena Community Job Center
 - North Hollywood Day Labor Site
 - City of Brea Job Center
 - Temporary, Skilled Labor Center
 - Malden Labor Exchange
 - Pomona Day Labor Center
 - Resource Center
 - Cypress Park Community Job Center
 - Wilshire/Union Day Labor Center
 - Harbor City Day Laborer Site
 - Hollywood Community Job Center
 - Downtown L.A. Community Center
 - West L.A. Community Job Center
 - Concord Day Labor Center
 - Costa Mesa Job Center
 - Bay Area Day Labor Program
 - San Francisco Day Laborer Program
 - Worker Resource Center
 - Day Worker Center at Calvary Church
 - Granton Day Labor Center
 - Luis M. Ochoa Community Job Center
 - Carlsbad Employment Center
 - Pacific Beach Employment Center
 - Conita en Ti Hiring Hall
 - Laguna Day Worker Center
 - Day Worker Center of Redwood City
 - St. Joseph the Worker Center
 - Iglesia San Pedro
 - Colorado (1)**
 - Humanitarian Center for Workers
 - Florida (1)**
 - Maya Day Labor Center
 - Georgia (2)**
 - Duluth Labor Hall
 - MUST Center
 - Illinois (1)**
 - Albany Park Workers' Center
 - Kentucky (1)**
 - The Hope Center Employment Program
 - Maryland (3)**
 - Centro de Empleo y Liderazgo
 - Centro de Empleo Trabajadores hacia el Progreso
 - Westside CAN Center
 - Missouri (1)**
 - Westside Community Action Network Center, Inc. (Westside CAN Center)
 - New Jersey (1)**
 - Casa Freshfold
 - New York (8)**
 - Huntington Station Enrichment Center
 - The Green Cove Opportunity Center
 - Neighbors Link Community Center
 - Bay Parkway Day Laborers Committees Job Center
 - Project Hospitality
 - The Jarameros Project
 - Don Boscos Community Job Center
 - Freeport Day Labor Site
 - Ohio (1)**
 - Community Hiring Hall
 - Oregon (2)**
 - Centro Cultural Day Labor Center
 - Eugene Day Labor Program
 - Texas (7)**
 - First Workers Day Labor Center
 - Piano Day Labor Center
 - Fort Worth Day Labor Center
 - St. Joseph the Worker Hiring Hall
 - Garland Day Labor Center
 - Bishop Oscar Romero Day Laborer Center
 - Centro Comunitario de Contratos
 - Virginia (1)**
 - Shirlington Employment and Education Center (SEEC)
 - Washington (2)**
 - Day Workers Center
 - Temporary Day Labor Program

Fluid Market

Despite extreme weather conditions and fluctuations in the availability of work, day labor hiring sites are open year-round. Demand for day laborers peaks during the summer months, paralleling the activity in the construction industry. Day laborers have the most difficult time securing employment during the winter months, particularly in areas that are affected by heavy snow or rain (Valenzuela et al. 2006). The holidays, coupled with extreme weather, reduces the demand for workers and decreases workers' opportunity to find employment.

The weekly, daily, and hourly flow of workers rises and falls depending on employer demand for labor, weather conditions, and local public policy (Valenzuela 2003). A typical day labor hiring site will experience the greatest number of day laborers early in the morning, and toward the late afternoon the number of day laborers will start to diminish. Most day laborers try to arrive at the site early because their chances of finding employment are better in the morning than later in the day. It is less common to see day laborers looking for work in the evenings because the work that they are hired to do, for the most part, must be performed earlier in the day. For example, construction jobs typically begin early, as do landscaping jobs. The same early schedule applies to many of the jobs day laborers are hired to perform.

As project manager of the NDLS, I was able to observe firsthand the flow of workers throughout the day at various sites across the country. For example, while surveying in Farmingville, New York,²¹ I observed a day labor hiring site in front of the town's 7-Eleven convenience store that had approximately 26 workers looking for work by 6:30 a.m. An hour later that number quadrupled to 104 workers and, by 8:30 a.m., 66 day laborers remained looking

²¹ Farmingville is a small Long Island town that has made national news for a series of incidents of violence, extreme discrimination, and human rights violations against day laborers. See Bart Jones, "Latest Crimes Against Migrants on L.I. Have a Familiar Ring," *New York Times*, 27 July 2004, p. B1, available at <http://nytimes.com/2004/07/27/nyregion/27migrants.html>.

for work. By 9:30 a.m. only about a third of the laborers were still searching for work. And by 10:30 a.m., 27 remained, signaling the end of their search for the day.

In contrast, at the Pacific Beach Employment Center in San Diego, California, I observed only three day laborers at 6:30 a.m. at the worker center. An hour later, the number dramatically increased to 29 day laborers. By 8:30 a.m., the number decreased slightly to 21 day laborers, and by 9:30 a.m., 19 remained looking for work. An hour later the number slightly increased to 24.

Size of Sites

The majority of day labor hiring sites are small in the number of laborers they attract, with fewer than 25 workers looking for work at one time. Another third are medium-sized sites (26–50 workers), fifteen percent are large sites (with 51–100 workers), and two percent are mega sites (more than 100 workers) (Valenzuela et al. 2006).²²

As Table 3.2 shows, informal sites had the most variability in terms of size. Worker centers were more likely to be small and medium, with few large sites. For example, in Maryland and New York, the men waiting at informal sites typically number well over 200, but they are concentrated in only a few hiring sites. In contrast, Los Angeles has many more hiring sites with fewer men at each seeking day labor work, though a few large sites serve as outliers.

²² This particularity brings up some methodological challenges: with no requirements for union or other membership, new workers can enter and exit this labor market at any given time, thus making it difficult to count accurately at any given time the number of day laborers at a particular site. Since the flow of workers in and out of a particular site is proportional to the size of the hiring site, there could be some biases based on the different sizes of the hiring sites. Taking these challenges into account, the estimates were derived from hourly counts of day laborers who were present at the hiring site on the day the interviews were conducted. Additional counts were also taken prior to the implementation of the survey to gauge the size of the day labor market. The estimates are likely to undercount the size of the day labor workforce because the counts exclude absent day laborers who were not at the hiring site the day of the interview and workers who may have been hired prior to the arrival of the interview teams.

Table 3.2. Day Labor Hiring Sites by Site Size and Type of Site

Site Size	Worker Centers	Informal Sites	Total
Small Site (≤ 25)	18 (43%)	111 (51%)	129 (50%)
Medium Site (26–50)	18 (43%)	68 (31%)	86 (33%)
Large Site (51–100)	6 (14%)	33 (15%)	39 (15%)
Mega Site (100+)	NA	6 (3%)	6 (2%)
Total	42 (16%)	218 (84%)	260* (100%)

Source: Author's analysis of National Day Labor Study, 2004.

"NA" denotes "not applicable."

* Hourly counts were not available for four sites.

Interestingly, there were variations of site size by region. Half (3) of all the mega sites were concentrated on the East Coast, in Maryland, New York, and Virginia. Two mega sites were located in California and one was located in Illinois. The South and Southwest regions did not have any mega sites. Relative to other sites, mega sites require a significant amount of physical space and can create a great deal of challenges due the sheer number of workers soliciting work.

The average number of day laborers at informal sites is slightly higher compared to those at worker centers (Valenzuela et al. 2006). The size of the day labor population is represented by the number of day laborers who frequent the hiring sites. Taking into account that there are slight differences in the average number of day laborers frequenting either type of hiring site, and that the majority of hiring sites are informal, the great majority of the day labor population operates in deinstitutionalized settings.

Race and Country of Origin

Although day labor hiring sites are largely composed of Latino immigrants, there are some exceptions. In Chicago, for example, the two largest sites—which have existed for over 20 years—are comprised of mostly Polish, Ukrainian, and Czechoslovakian day labor workers (Avila and Kapos 2003). Women, albeit in exceptionally small numbers, also look for work at

these day labor hiring sites. In Brooklyn, New York, at the corner of Macy Avenue and Division Avenue, a site also known as *La Parada*, mostly Latina but some Eastern European women stand on the street corner looking for work. The women are predominantly hired to clean homes in Williamsburg's Hasidic Satmar enclave and have done so since the 1990s (Bernstein 2005; Kim 2013). Until the early 2000s, *La Parada* was located at a different intersection and the day laborers searching for work there were almost exclusively Polish, Russian, Albanian, and other white immigrants (Kim 2013). The increase in Central and South American immigrants in the area "overwhelmed the corner and drew complaints from neighbors, despite the Hasidic community's persistent demand for household labor" (Kim 2013:3). *La Parada* is one of two known sites in the country where women day laborers search for work in public spaces.²³

In Atlanta, Georgia, Easton (2007) describes a number of day labor sites, or "catch-out corners," that are entirely used by African Americans to look for work. While surveying in Atlanta, I was able to visit several sites that consisted of only African American day laborers. One of the sites I visited attracted older day laborers (their average age was 50) who were hired mostly as construction laborers or movers. They all confirmed that no other racial or ethnic group frequented that particular site.

Similar to the demographics of the informal hiring sites, Latinos made up a large percentage of laborers who frequent worker centers. There is, however, greater diversity in the ethnic and racial composition of the workers who frequent formal sites. More than half (59 percent) of worker centers reported that whites frequent the center to look for work. Similarly,

²³ The other known site is also in New York, located in Manhattan's garment district (see Valenzuela and Meléndez 2003). The presence of women in the day labor market is not common and it was estimated in a national study that only two percent of day laborers are women (Valenzuela et al. 2006).

almost half (49 percent) reported that African Americans came to the center to look for work. Very few centers reported Asians as part of their membership base.

Knowing the regional and structural composition of sites is important for better understanding this industry and formulating policy and programmatic activities that address community conflicts over day labor practices. Equally important is to consider the real and perceived characteristics of the day labor population. For example, in New York, day laborers include women and non-Latinos—two groups of workers not found in the Los Angeles day labor market, which is overwhelmingly male and Latino.

In the following section, I present survey results from the DLWS to gain a better understanding of the demographic and labor market outcomes of workers who frequent informal sites compared to those who frequent worker centers. I also include an analysis of the civic participation, organizing experience, and use of social networks among day laborers by site type. Lastly, I measure the efficacy of worker centers in three areas: labor market outcomes, mitigating hazards and abuse, and in integrating workers into community life.

FINDINGS OF THE DLWS

Demographic Profiles of Day Laborers by Site Type

The demographic characteristics of day laborers differ greatly by site type. As Table 3.3 shows, day laborers at worker centers are, on average, two years older than workers at informal sites. Day laborers at informal sites are more likely to be married than those at worker centers (45 percent compared to 39 percent). These differences are statistically significant.

Day laborers at worker centers are more likely to be authorized immigrants than workers at informal sites (20 percent compared to 14 percent). Although the day labor market is primarily comprised of unauthorized workers, day laborers at informal sites have higher rates of

unauthorized workers than worker centers (77 percent compared to 73 percent). Approximately 9 percent of day laborers at informal sites are U.S.-born, compared to 7 percent at worker centers. These differences, however, are not statistically significant.

Day laborers at worker centers have resided in the United States, on average, two years longer than day laborers at informal sites (although the difference is not statistically significant). Immigrant day laborers at worker centers also have a stronger command of the English language than those at informal sites (27 percent compared to 17 percent), a statistically significant difference. Years of education, number of dependents (i.e., children), and race and ethnicity do not appear to have any relationship to site type.

Table 3.3. Demographic Characteristics of Day Laborers by Site Type

	All	Informal Site	Worker Center
Race/Ethnicity*			
Latino	95	95	97
White	1	1	2
Black	3	3	1
Asian/Other	1	1	1
Age			
Mean Age	34	34	36
Marital Status			
Married or living with partner	43	45	39
Divorced, separated, or widowed	16	15	23
Never married	41	40	38
Mean Number of Dependents (children)	2	2	2
Mean Years of Education	7	7	7
Legal Status			
Foreign-born unauthorized	75	77	73
U.S. citizen	9	9	7
Foreign-born authorized	16	14	20
Immigrants Only			
Mean Years in the U.S.	8	7	9
English Proficiency			
Speaks very little or not at all	80	83	73
Speaks well or enough to get by	20	17	27

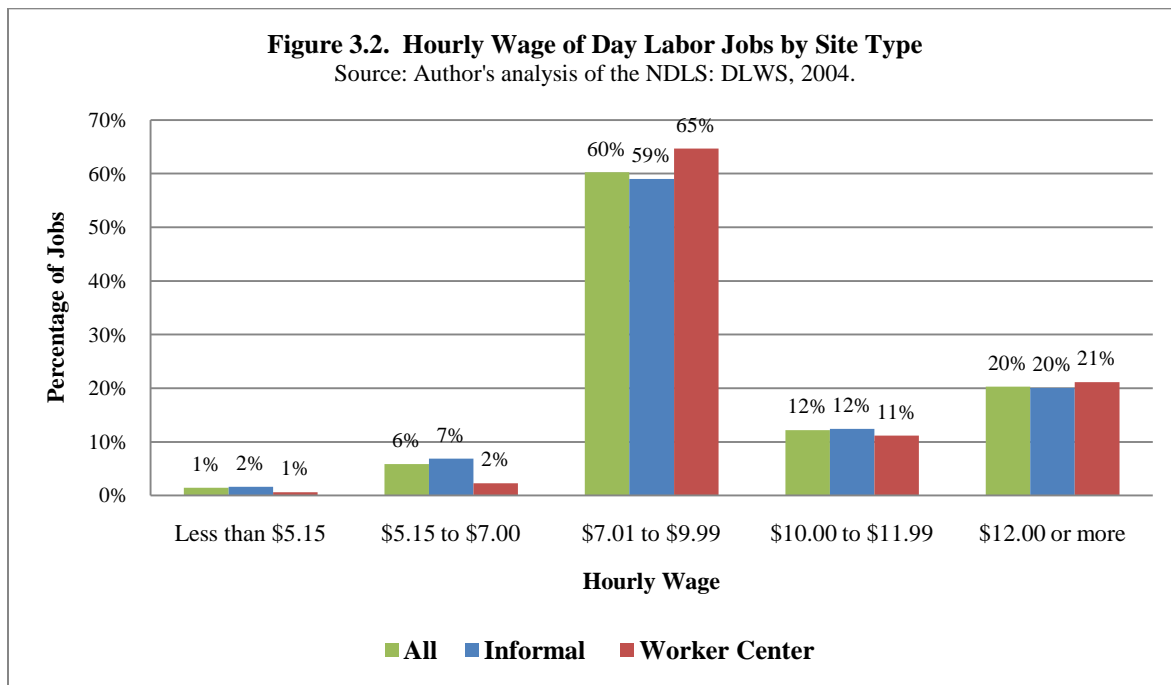
* Only respondents who were born in the United States self-identified their race to the interviewers. The foreign-born respondents were coded a racial category based on their country of birth. For example, a foreign-born day laborer from Poland was coded as "white." In addition, because the NDLS sample includes only small numbers of American Indians and people of mixed race, these groups, along with self-identified Asians, were included in the "Asian/Other" category.

Note: All estimates are weighted.

Source: Author's analysis of NDLS: DLWS, 2004.

Labor Market Outcomes by Site Type

The median hourly wage of day labor jobs²⁴ is \$9.99, irrespective of the type of site day laborers choose to look for work. As seen in Figure 3.2, the hourly rate for day labor jobs at worker centers is slightly higher than that at informal sites. For example, at the high end, 33 percent of day labor jobs at worker centers pay \$10.00 or more, compared to 32 percent at informal sites. At the low end, 9 percent of day laborer jobs at informal hiring sites pay \$7.00 or less compared to only 3 percent of jobs at worker centers. These differences are not statistically significant.



To capture an accurate depiction of earnings, we asked survey respondents a series of questions regarding their earnings during the week prior to being surveyed, and during a good

²⁴ Survey respondents were asked the wages and earning of each job they were hired to do and the number of hours it took to complete the job in the work week prior to their interview with us. From their response, we computed hourly wage rates for every job performed last week.

month (when demand for their work is high) and bad month (when demand for their work is low). As described in Chapter 2, day labor is cyclical and unstable, and earnings fluctuate based on the demand for day labor work. The instability of securing employment opportunities, coupled with the occasional low-paying job, result in low monthly earnings for most day laborers; this is particularly salient for day laborers at worker centers. As evidenced in Table 3.4, there is tremendous volatility in the monthly earnings of day laborers by site type (although all these differences are not statistically significant). The median monthly earnings in June/July 2004 for day laborers at worker centers was \$121.17 less than for workers at informal sites. Similarly, the median monthly earnings during a good month and during a bad month for day laborers at worker centers were lower when compared to workers at informal sites (\$1,450.19 compared to \$1,216.86 and \$450.32 compared to \$393.60, respectively). Although the median hourly rate is \$9.99, which is \$4.84 higher than the federal minimum wage at the time of the survey, the monthly and yearly earnings of day laborers place them among the working poor.

The reason for the differences in earnings can be attributed to fewer days and hours worked by day laborers hired at worker centers (see Table 3.4). Workers at informal sites look for work at a higher rate than do workers at worker centers—an average of one day more per week. Day laborers at worker centers also worked an average of four hours less per week than workers employed at informal sites. These differences are statistically significant.

Pay type also differed significantly by site type. Day laborers at worker centers are hired more often by the hour than workers at informal sites, whereas workers at informal sites are more likely to be hired by the day compared to their counterparts at worker centers. Previous studies suggest that workers who are paid an hourly wage are less likely to experience wage and hour violations than those paid either a flat weekly or flat daily amount (Bernhardt et al. 2008;

Milkman et al. 2010). Indeed, wage theft rates are the highest at informal sites, where workers are more likely to be paid by the day. The wage theft rates at informal sites mirror national rates of wage theft among day laborers, where 50 percent of day laborers reported that in the two weeks prior to our survey they experienced at least one instance of underpayment of wages; 51 percent experienced one instance of nonpayment of wages, and 34 percent worked extra hours without receiving compensation. Wage theft rates are the lowest, however, among day laborers at worker centers (see Table 3.6). This difference is statistically significant.

Both workers at informal sites and worker centers report high rates of repeat hire by employers (71 percent and 72 percent, respectively), but these differences not statistically significant (see Table 3.4). Day laborers are predominantly hired by contractors and private individuals; however, workers at informal sites reported slightly higher rates of employment by contactors compared to day laborers at worker centers (44 percent compared to 39 percent). The difference, however, is not statistically significant.

Table 3.4. Earnings and Employment Characteristics by Site Type

	All	Informal Site	Worker Center
June/July 2004			
Median	\$684.13	\$753.76	\$632.59
Good Month			
Median	\$1,254.09	\$1,450.19	\$1,216.86
Bad Month			
Median	\$438.18	\$450.32	\$393.60
Hours Worked in the Previous Week			
Average number of hours	24	25	21
Number of Days Looking for Work			
Mean	5.5	6	5
Pay Type			
Contract	3	3	4
Hour	69	67	78
Day	28	30	18
Type of Employer			
Other day laborers	1	1	1
Company	5	5	8
Contractor	43	44	39
Private individual	51	50	52
Hired Repeatedly by Employer	72	71	72

Note: All estimates are weighted.

Source: Author's analysis of NDLS: DLWS, 2004.

Workplace Health and Safety

The overwhelming majority of day laborers consider the work they perform to be dangerous. About three-quarters (73 percent) of day laborers at informal sites find their occupations to be dangerous. A slightly lower percentage of day laborers (72 percent) at worker centers share the same view. This difference is not statistically significant.

Overall, day laborers experience high incidence of workplace injuries. As shown in Table 3.5, one out of four day laborers at worker centers reported having suffered a work-related injury compared to 17 percent of worker at informal sites, a statistically significant difference. The high injury rates are particularly troubling because day laborers at worker centers reported higher rates of on-the-job training and training on how to prevent workplace injuries than workers at informal sites, although these differences are not statistically significant. The lost time due to an injury is highest among workers at worker centers: the average number of days missed is 30, 4 days more than the average number of days missed at informal sites (although these differences are not statistically significant). The share of workers who suffered an injury requiring medical attention is also highest among day laborers at worker centers (24 percent).

Table 3.5. Workplace Injuries and On-the-job Training by Site Type

	All	Weighted Percentage	
		Informal Site	Worker Center
Share of day laborers who consider jobs dangerous	75	75	73
Received on-the-job training	17	16	18
Received training to prevent workplace injury	52	51	53
Share of day laborers who suffered a work-related injury	20	17	25
Mean number of days missed due to work-related injury	31	26	30
Share of day laborers who suffered an injury requiring medical attention	19	18	24

Source: Author's analysis of NDLS: DLWS, 2004.

Day Labor Abuses

Workers in the day labor market experience high levels of abuse from employers, merchants, police, and security guards. Focusing on the two-month period prior to the survey, day laborers at worker centers reported slightly higher rates of abuse by employers than workers

at informal sites reported. This reported abuse took the form of insults (29 percent compared to 28 percent), violence (26 percent compared to 18 percent), and not providing food (50 percent compared to 46 percent), but the differences are small and not statistically significant.

Surprisingly, day laborers at worker centers also reported higher rates of receiving citations by law enforcement officials. Approximately 19 percent of day laborers at worker centers reported being arrested or cited while looking for work compared to 11 percent at informal sites, a statistically significant difference. Day laborers at worker centers, however, reported lower rates of being insulted by police or of being asked to leave the site than workers at informal sites (10 percent compared to 17 percent, and 25 percent compared to 41 percent, respectively). These differences are statistically significant.

As shown in Table 3.6, workers at worker centers, focusing on the two-month period prior to the survey, reported fewer instances of merchant and security guard abuse than workers at informal sites. Instances of merchant abuse in the form of threats and insults and the summoning of law enforcement were lowest for day laborers at worker centers than workers at informal sites (19 percent compared to 29 percent, and 9 percent compared to 29 percent, respectively). Both of these differences are statistically significant.

Table 3.6. Day Labor Abuses by Site Type, Selected Two-Month Period

Employers	Weighted Percentage		
	All	Informal Site	Worker Center
Nonpayment of wages	51	51	45
Underpayment of wages	50	50	47
Worked extra hours	34	34	33
Abandoned	30	30	25
No Food	47	46	50
Violence	20	18	26
Insulted	29	28	29
Merchants			
Insulted or Threatened	28	29	19
Violence	6	6	5
Refused Services	16	14	18
Called Police	24	29	9
Police			
Insulted	16	17	10
Arrested or Cited	11	11	19
Confiscated papers or Asked for legal status	19	19	23
Asked to leave the site	39	41	25
Photographed	14	13	19
Security Guards			
Insulted	11	11	9
Violence or Robbery	6	6	6
Called Police	13	14	5

Source: Author's analysis of NDLS: DLWS, 2004.

Day laborers at worker centers also reported lower rates of being insulted by security guards than day laborers at informal sites (9 percent compared to 11 percent) and of having law enforcement called by security guards when soliciting work (5 percent compared to 14 percent). This latter difference is statistically significant and also not surprising, given that worker centers often discourage workers from leaving the site, and by doing so, limit the interaction workers have with security guards.

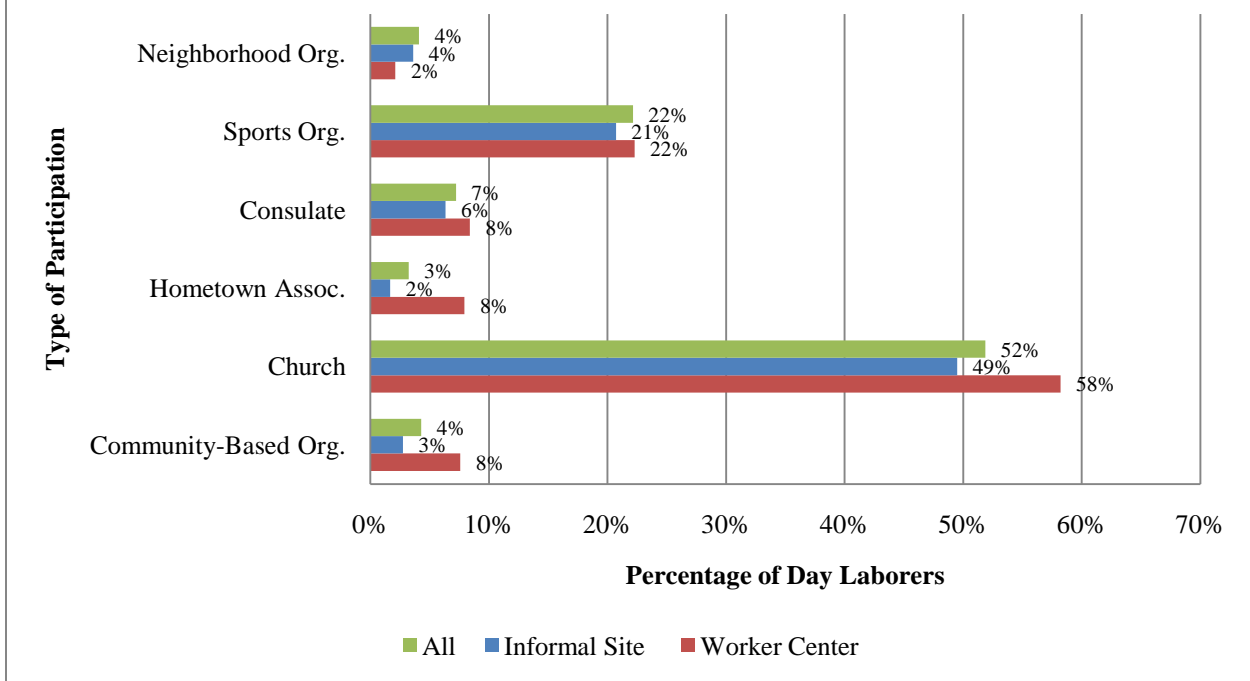
Lastly, when asked if they knew where to report abuse, less than half (48 percent) of day laborers at worker centers reported not knowing where to report workplace abuse compared to 77 percent of worker at informal sites, a statistically significant difference.

Civic Participation, Social Networks, and Organizing Experience

As Figure 3.3 shows, there are significant differences in the levels of civic participation of day laborers by site type. While more than half (52 percent) of the day labor population belongs to or frequents a church, day laborers at worker centers do so at a much higher rate than workers at informal sites (58 percent compared to 49 percent), a statistically significant difference. Day laborers at worker centers also had statistically significantly higher rates of participation in community-based organizations (8 percent compared to 3 percent) and hometown associations (8 percent compared to 2 percent). Workers at informal sites had slightly higher rates of participation in neighborhood organizations than day laborers at worker centers (4 percent compared to 2 percent), but the difference is minor and not significant.

Figure 3.3. Civic Participation of Day Laborers by Site Type

Source: Author's analysis of the NDLS and DLWS, 2004.



Survey respondents were asked if they relied on other day laborers for social support, such as help with finding work, getting rides, aid in the form of loans or favors, and assistance with housing or food. Day laborers at informal sites reported slightly higher rates than workers at worker centers in relying on other day laborers for loans (36 percent compared to 32 percent) and food (58 percent compared to 56 percent). These differences are not statistically significant.

We also asked workers if they would join a union, and overall an overwhelming majority expressed an interest in doing so. Additionally, we asked workers if they had any previous organizing experience and only 13 percent reported they did. Interest in joining a union and organizing rates of workers did not vary significantly by site type.

DAY LABOR WORKER CENTERS: THEIR EFFICACY AND ROLE IN WORKER INTEGRATION

For over two decades, worker centers in the United States have emerged as primary agents in the integration of immigrant workers into American society, politics, community life, and the world of work (Fine 2006; Theodore et al. 2008). The membership of worker centers is often composed of low-wage immigrants who are, for the most part, unfamiliar and/or skeptical about organized labor in the United States. Worker centers engage in a combination of community-based and community-led activities aimed at improving the wages and working conditions of their members. Their strategic approach to organizing is not focused entirely on the worksite or set of worksites; rather, it maintains a geographic focus—on a specific city, neighborhood, or metropolitan area. For some worker centers, their primary catalyst for organizing is a shared ethnic identity, while others organize around a workplace identity (Fine 2006: 3–4)

Janice Fine's book, *Worker Centers: Organizing Communities at the Edge of the Dream*, details the emergence of worker centers and provides case studies to illustrate the organizational structure and organizing strategies that worker centers have implemented to address the needs of low-wage workers. Fine's study identified more than 130 worker centers in over 80 cities, towns, and rural areas throughout the United States (Fine 2006). The worker centers in Fine's study were active in a variety of industries from day labor/construction (25 percent) to domestic work (13 percent).

According to Fine (2006) the proliferation of worker centers can be characterized by a succession of three generational waves. The first wave of worker centers was introduced in the 1970s and 1980s as a means to counter the shift from manufacturing to a low-paying service

economy, and to mediate the degradation of traditional workplace standards. In New York City, El Paso, Texas, and San Francisco, California, and in cities in North and South Carolina, immigrant and black worker activists created worker-based organizations aimed at improving the working conditions and employment opportunities of low-wage workers.

The next wave of worker centers took place in the 1980s and 1990s, and the centers borrowed from previous organizational models but also ventured into new terrain. During the 1990s, the United States experienced an unprecedented rise in immigration—primarily from Latin American countries like Mexico, El Salvador, and Guatemala and from Southeast Asia. This wave of immigrants did not settle in traditional gateway cities, but was more geographically dispersed in states such as Arkansas, North Carolina, Georgia, and Indiana (Camarota and McArdle 2003). Worker centers became increasingly focused on addressing the needs of recent immigrant workers and were operated by a diverse set of organizations, from the traditional community-based organizations to labor unions (Fine 2006:11).

The increased demand for low-wage work coupled with increased immigration has given rise to the most recent wave of worker centers, marked by the creation of new centers extending into suburban (Gordon 2005; Easton 2007) and rural areas in southern states (Fine 2006). These worker centers continue to address the needs of immigrant and minority workers but are now facing more aggressive anti-immigrant sentiment and must deal with budgetary cuts that have forced some centers to close their doors (Revkin 2007; Genovese 2008).

Day labor worker centers are a relatively new phenomenon. In California, the first day labor worker center was opened in 1989 at the Harbor City Regional Park in South Los Angeles. Most subsequent day labor worker centers were established after 2000 (Valenzuela et al. 2006; Theodore et al. 2008).

In this next section, I expand on the research conducted by Theodore, Valenzuela, and Meléndez (2009) on worker centers and their role in regulating the day labor market by focusing my analysis on the efficacy of worker centers in three important areas: labor market outcomes, the mitigation of hazards and abuse, and the civic integration of workers. I use the DLWCS and report survey results of executive directors and senior staff at worker centers. By focusing on these three areas of efficacy, we can gain a greater understanding about the effect worker centers have on improving workers' lives.

FINDINGS OF THE DLWCS

Labor Market Outcomes

The majority (84 percent) of worker centers establish a minimum hourly wage at the center to ensure workers are properly compensated for a day's work. The minimum hourly wage, as reported in 2004, ranges from a low of \$5.15 to a high of \$12.00 (at the time of the survey, the federal wage was \$5.15), but all established minimum wages at the worker centers match or are greater than the minimum wage in the state in which they reside (see Table 3.7). Almost half (48 percent) set minimum wages at \$10 and higher. Most centers, however, allow workers to negotiate with the employer, as long as the minimum threshold is met.

Table 3.7. Worker Center Minimum Wage and State Minimum Wage, 2004

State	State Minimum Wage	Worker Center Minimum Wage
Alabama	NA	\$7.00
Arizona	NA	\$5.15–\$12.00
California	\$6.75	\$8.00–\$12.00
Colorado	\$5.15	\$8.00
Georgia	\$5.15(a)	\$8.00–\$10.00
Maryland	\$5.15	\$10.00
New York	\$5.15	\$8.00–\$10.00
Oregon	\$7.05	\$8.00
Texas	\$5.15	\$7.00
Virginia	\$5.15(b)	\$10.00
Washington	\$7.16	\$8.00–\$10.00

Source: U.S. Department of Wage and Hour Division, historic table, “Changes in Basic Minimum Wages in Non-Farm Employment Under State Law: Selected Years 1968 to 2013” and author’s analysis of the NDLS: DLWCS, 2004.

“NA” denotes “not applicable.”

(a) Rates are applicable for employers of six or more.

(b) Rates are applicable for employers of four or more.

Theodore et al. (2009) found that worker centers regulate the day labor market through wage setting to discourage employers from paying less than the market norm. A key strategy employers use to drive wages down is to pit workers against each other. Workers desperate to find work will lower their hourly rate in hopes of getting picked for the job. Worker centers prevent this scenario from happening by establishing a minimum threshold, thereby encouraging workers not to accept a job at a low rate. This allows for negotiations to take place between worker and employer that is based on the skill of the worker and the requirement of the job (Theodore et al. 2009).

Most worker centers have a strict minimum-wage policy and staff makes sure that both the employer and the worker adhere to it. A coordinator at a worker center explained, “When an employer comes and wants to pay \$5, \$6, or \$7, I tell him right away, it starts at \$8” (interview, worker center #36). Another coordinator explained, “The minimum is \$10 an hour. We don’t

want [day laborers] to come and say, ‘I’ll go with you for \$7.’ It’s \$10 an hour” (interview, worker center #20).

At one worker center, workers are encouraged to negotiate with the employer if they have a specific skill, to ensure they are compensated adequately. The coordinator at the worker center explains:

If it’s laying down tile and it’s a bathroom, they could do it by contract and not by hour. Because they can finish it in two days, but they are not going to charge \$10 an hour because that would be about \$160 for a bathroom. . . . Since it requires more experience, more technique, a bathroom is done and finished for \$400 (executive director, interview, worker center #24).

By setting a minimum wage that is consistent or above the market norm, most worker centers are ensuring that day laborers are compensated the hourly rate required by state and federal laws. At one worker center, the administrator reported that some workers earn \$40,000–\$50,000 per year (interview, worker center #43). However, this is not typical. Due to the instability and casual nature of day labor work, many workers receive annual earnings that keep most at or below the federal poverty level threshold (Valenzuela et al. 2006). It is also important to note that not all worker centers engage in minimum wage setting. In fact, 11 percent of worker centers do not have a minimum-wage policy. Some worker centers take a neutral stance in the negotiation process and encourage the worker to decide their own terms of employment.

Most worker centers use the measuring of hiring rates as an important proxy to demonstrate efficiency. The overwhelming majority (92 percent) of worker centers maintain daily counts of the number of workers that come to the center. Eight-five percent of worker centers collect data on the number of jobs dispatched, 63 percent track new members, and 47 percent collect employer data. More than half (56 percent) make it a requirement for workers to sign in every time they solicit work at the center.

Most worker centers manage a large flow of workers and job opportunities. Almost half (47 percent) of all worker centers reported a daily average of 60 day laborers or fewer, 27 percent reported 61–100 workers, and 20 percent reported 100 or more. The majority (71 percent) of worker centers allocated an average of 30 jobs or fewer per day, and 29 percent dispatched 31 or more jobs per day. An organizer at a worker center stated that in the summer months there can be upwards of 200 workers per day at the center (interview, worker center #42). A coordinator at a worker center reported placing in a two-year span almost 150 workers in permanent employment arrangements (interview, worker center #17).

In a given year, worker centers provide job opportunities to thousands of workers. Their ability to set minimum wages prevents wages from falling to low levels and ensures workers are compensated fairly.

Hazards and Abuses

As discussed in Chapter 2, wage theft and workplace injuries are a common characteristic of the day labor market. Nationally, almost half (49 percent) of workers reported not being paid at all and 48 percent reported receiving less than the agreed-upon rate during a two-month period (Valenzuela et al. 2006). Similarly, day laborers experience high incidence of workplace injury, and most workers consider day labor work unsafe (Valenzuela et al. 2006).

To help workers recuperate their lost wages, worker centers employ several strategies that include the following: contacting the employer and negotiating a payment plan (83 percent), filing a claim with the state wage-enforcement authorities (63 percent), and providing legal advice through pro-bono attorneys who partner with the worker center or refer workers to a legal clinic (39 percent). Some worker centers are able to recuperate a substantial amount of money. An executive director at a worker center explained, “Even if our center is new, we have received

a lot of wage claims issues from workers and this is the only [center] in the area that really helps undocumented workers with wage claims, and within a year we have recovered about \$20,000” (executive director, worker center #33).

An important method of preventing wage theft is through worker education and training. Worker education is also an important aspect of outreach efforts designed to help protect workers from abuse. More than a quarter (27 percent) of worker centers engages in workers’ rights education through offering trainings or by providing pamphlets. A coordinator at a worker center explained his strategy for preventing wage theft:

I teach them to write down the [employer’s] license plate number, name, or to take a business card and to keep in mind where they are going, the address (interview, worker center #43).

Due to high rates of wage theft among the day labor population, it is a priority for many worker centers to educate workers on their rights and on ways they can protect themselves from unscrupulous employers.

Worker centers are also engaged in providing training on health and safety to prevent workers from getting hurt on the job. For example, one center explained that the staff bring in a company that teaches day laborers occupational and safety standards in the construction industry. The company supplements the seminars by giving day laborers hardhats, goggles, and leather and plastic gloves (interview, worker center #43).

To help protect workers from abuse and harassment, worker center staff will form partnerships with law enforcement and merchants and attend meetings to dispel misconceptions about the day labor population. A coordinator at a worker center explained the relationship they have with police after months of working together:

Prior to opening the center there was a strong police presence. Now the police respect the day laborers since they say that all they are really trying to do is work. They have had the opportunity to arrest the day laborers and [they] haven't (interview, worker center 61).

Another coordinator at a worker center discussed the relationship they had with police as one of a mutual partnership:

The police will call us and ask us for advice on things. They tell us the problems they are having with day laborers drinking. They talk to us very openly. For example, recently they called us about providing an ID card for day laborers. We also had police come and talk to the day laborers about what to do when a cop stops you to ask you questions and how to handle it in a non-confrontational manner (executive director, interview, worker center #46).

A coordinator at another worker center explained that they “try to be a catalyst that brings together the American community and the Latino community . . . so when they see each other on the street they are not intimidated” (interview, worker center #46).

Worker centers are actively engaged in protecting workers from unscrupulous employers, and through worker education and training programs, they are mitigating abuses and hazards. They are also finding ways to build positive relationships with local law enforcement and residents to alleviate some of the tensions that arise when predominantly Latino men solicit work in public spaces.

Integrating Workers into Community Life

Worker centers are in a unique position because as community-based organizations they engage in a multitude of activities that can connect workers to institutions and integrate workers into the fabric of the community. The majority of worker centers provide opportunities for day laborers to engage with the broader community. In fact, 60 percent of worker centers reported that day laborers participate in neighborhood clean-ups, 27 percent attend local community fairs, 27 percent participate in local conferences, and 26 percent attend neighborhood meetings.

According to a director at a worker center, day laborers “go to different houses, primarily retirement homes, so they could fix up their gardens for free” (interview, worker center #30). Another director mentioned day laborers participating in clean-ups early in the morning at a pier (interview, worker center #45). In another city, a worker center hosted a special Father’s Day celebration for the day laborers because “most of them are fathers, but most of them are also separated from their families and their children . . . [we wanted] to celebrate that they are fathers and celebrate their families but in a different way” (interview, worker center #42). Activities such as these allow workers to be acknowledged in the many different roles they play, not only as workers but as family men and members of the community.

Worker centers also offer opportunities for workers to engage with one another and to build solidarity among the workers. More than half (60 percent) of the worker centers engage in celebrations, 40 percent plan soccer games and tournaments, 13 percent host popular theater performances or dances, and 15 percent hold conferences. “We celebrate the anniversary of the center, in late October or early November. Various artists come and we have food games, we give away prizes, and the families of the workers come on that day. On Christmas we receive various gifts from our supporters and we have a little celebration where the children and family [of day laborers] all receive new items,” said the coordinator of a worker center (interview, worker center #11). Sponsoring sporting activities for day laborers was among the top activities worker centers engage in. An organizer at a worker center mentioned that workers involved in soccer clubs create their “own little community” (interview, worker center #43). An executive director of a worker center mentioned the need to have activities and events so that the day laborers “see the center as an extension of their home” (interview, worker center #24).

Worker centers also promote leadership development, empowerment, and skill-building activities. Almost all (97 percent) worker centers offer English as a Second Language (ESL) classes, while 16 percent offer computer classes and 16 percent offer job training programs. A coordinator at a worker centers stated, “We give them the opportunity to be leaders; we also have discussions about different oppressive systems on race. We had one recently about gender and equality among women and men and this helps us create a safe and respectable place. . . . We have workshops on workplace safety and accident prevention. English classes are also very important because it helps them advance and once they begin to speak English they have a lot more opportunities” (interview, worker center #37). Another coordinator at a worker center said, “[Day laborers] have taken the initiative in raising funds, in creating their own soccer team, [and] in organizing themselves for marches” (interview, worker center #37).

Another important function of worker centers is connecting workers with organizations and resources to which they may not have access. Almost half (47 percent) of worker centers partner with service providers to offer health education classes, 16 percent connect workers with counseling services, 13 percent offer nutrition classes, and 23 percent coordinate food drives for day laborers at the center. A coordinator at a worker center also mentioned the importance of providing housing assistance to fight against landlord abuse. He said, “Many have problems with landlords so we intervene to prevent them from becoming homeless. [There are] problems with abuse because [the workers] aren’t aware of their rights” (interview, worker center #44).

Workers are also encouraged to participate in leadership positions and in the decision-making process at worker centers. The majority (71 percent) of day laborers at worker centers are involved in establishing the rules at the center, and 81 percent are part of a task force or

assembly. A coordinator at a worker center expressed the importance of having day laborers participate in the governance of the center:

“[Their] role is the most important. Any change or any rule that we want to add to our mission or the way we organize, is rejected or applied by the day laborers themselves” (interview, worker center #62).

Worker centers are also able to promote opportunities for advancement from within the organization. Some day laborers are able to transition from members to coordinators.

Approximately 30 percent of worker centers reported their staff was composed of a former day laborer.

Day laborers are also afforded opportunities to serve on committees and to take on more responsibilities as board members. Approximately 28 percent of worker centers reported that day laborers were represented as board members, and a third had committees that were solely made up of day laborers. An executive director of a worker center explained:

“We have a small committee made up of six day laborers and we meet every Wednesday afternoon and we ask them for suggestions on what their needs are and maybe even [discuss] needs that they weren’t aware of. . . . On Thursday morning they talk to the rest of the workers and by next Wednesday they bring to us their questions or things they want to do” (interview, worker center #20).

Administrators at worker centers are also actively involved in community events and neighborhood meetings to dispel misconceptions about the day labor population and to promote the center. An executive director of a worker center explained that they often attend meetings because they have to defend the workers from unfounded accusations. He said, “Once a month we have a task force meeting that organizes the [business] aspects of the city. We participate even though sometimes people always find a way to blame the workers for all the problems that occur. An ecologist complained that the park does not have birds because of the workers and

[that] the fish are dead because of the workers.” (interview, worker center #11). Another executive director mentioned the need to address misconceptions about the day labor population by “having a space for dialogue that includes day laborers because a lot of times there’s a negative perception [about them]. Often people from the community view day laborers as something negative, but it’s important to have that relationship with the entire community to show the reality [of the workers]” (interview, worker center #52).

Some administrators at worker centers also mentioned the need to form partnerships and coalitions with local organizations to maintain support for the center. A site coordinator explained, “A day labor center cannot be effective without a coalition of collaborative agencies, and without the full support of local elected officials and contractors” (interview, worker center #59). When asked about what strategy worked best to gain community support, an organizer said, “It’s better to organize the entire community, not just the workers . . . united together with the center we can organize another coalition and keep the [center] open” (interview, worker center #48). More than two-thirds (69 percent) of worker centers collaborated with other organizations to deal with day labor issues and 58 percent are members of a coalition, or are part of a formal network. Another 7 percent reported working with a hometown association, and 40 percent reported collaborating with local, state, or federal government agency from Mexico and other countries.

As demonstrated above, worker centers perform several important functions in the labor market and in the community in which day laborers live and work. Given the high violation rates of labor and employment laws and the high incidences of abuse and on-the-job injury rates, worker centers are making sure workers get paid a wage above the market norm and are assisting workers in the recuperation of wages in cases of underpayment or nonpayment, and with other

grievances. They provide worker education programs to protect workers from unscrupulous employers. Moreover, as community institutions, they are able to offer services and undertake activities that improve the well-being of day laborers. Through community-service activities and opportunities to engage civically, worker centers aid in the integration of day laborers into community life.

CONCLUSION

A large number of day labor worker centers engage in service, advocacy, and organizing and work with key stakeholders to address the needs of day laborers, primarily their needs as workers but also as community members. Although worker centers vary in the type of operation, capacity, and approaches they use to organize and normalize the hiring of day laborers (Fine 2006; Theodore et al. 2008, 2009), they are proving to be effective institutions that help workers earn a fair wage, recover wages owed to them, and engage civically. As discussed in this chapter, day labor worker centers offer day laborers a multitude of services and benefits. Worker centers provide day laborers opportunities to interact with other workers, share their lives and history, discuss issues important to them, partake in services such as ESL or computer classes, and feel part of a community of workers that is often perceived as a nuisance. My research demonstrates that in light of all they offer, worker centers are important institutions that can help improve the lives of day laborers.

Furthermore, my research findings demonstrate that worker characteristics and the employment outcomes of day laborers differ considerably by site type. Day laborers at worker centers are older, more likely to be single, and have a better command of the English language. They are more likely to be paid by the hour and work fewer hours and days per week; however,

they also experience lower rates of wage theft, are less likely to be insulted or threatened by police and merchants, and are more likely to know where to report workplace abuse.

Surprisingly, workers at worker centers are more likely to be cited by police than workers at informal sites. Conversely, workers at informal sites experience higher rates of wage theft and are less knowledgeable about where to go to report abuses. These findings support the argument that worker centers are improving the lives of workers worker through workers' rights education programs and by mitigating some forms of abuse by employers, police, and merchants.

Worker centers also integrate workers into community life through the delivery of services and by coordinating community events and volunteer opportunities for workers to participate in neighborhood activities. And by setting minimum wages, worker centers are ensuring that workers are paid wages that are fair and that do not fall below the market norm.

My research complements recent studies indicating that the growing number of worker centers throughout the county may help reduce some of the chronic conflicts that day laborers face and successfully integrate them into the local economy (Valenzuela et al 2005; Fine 2006; Valenzuela et al. 2006; Theodore and Martin 2007; Milkman, Bloom, and Narro 2010). Worker centers are in a unique position to mitigate abuses and serve as a vehicle for community integration. They can help unite workers' voices to advocate for change and improve labor standards in the day labor market. Worker centers are also partnering with organizations nationally and engaging in local initiatives to improve the economic well-being of low-wage workers and combat substandard conditions in the low-wage labor market. While not perfect, these organizations have shown the best results in mitigating abuses, and in engaging workers civically.

In the next chapter, I investigate the factors associated with hiring site preference and the impact civic participation has on a worker's choice of hiring site. Due to the overrepresentation of informal hiring sites in the day labor market and low number of worker centers, it is important to investigate policy prescriptions that will encourage the participation of day laborers in more formal settings.

CHAPTER 4

CIVIC PARTICIPATION AND SITE PREFERENCE

This chapter examines factors influencing site preference among day laborers and the effect of civic participation²⁵ on choosing a day labor hiring site. I use data from the DLWS (2004), which includes in its sample vulnerable workers and, most importantly, an oversampled number of unauthorized immigrants, who are often missed in standard surveys. This study adds to the existing literature on day labor by exploring, for the first time, factors associated with hiring site preference and civic participation among the day labor population.

Assuming that site preference is a mutually exclusive practice among day laborers,²⁶ I implement a multinomial logit model to analyze how a set of informative day laborer characteristics determines the probability of choosing one site over the other. This model allows me to estimate how changes in the civic participation of day laborers who attend a given hiring site correlate with their probability of attending a different hiring site. Does the incorporation of day laborers through civic participation decrease their probability of attending informal hiring sites while increasing their probability of attending formally established worker centers? This multinomial logit model, therefore, allows me to formulate policy prescriptions intended to engage day laborers through civic participation that in turn could affect their site preference.

Understanding how the characteristics of day laborers are associated with their site preference is important for any policy prescription and program aimed at improving the lives of day laborers. Factors associated with site selection are key to understanding the nuances of the

²⁵ Participation and engagement are used interchangeably throughout this chapter. Both denote the participation of workers in organizations and institutions such as churches, community-based organizations, hometown and neighborhood associations, and sports clubs.

²⁶ A more comprehensive analysis of site preference would include an analysis of how often, if at all, workers switch from an informal site to a worker center to look for work. Unfortunately, this information was not captured in the NDLS.

day labor market, how it functions, and the spatial organization of day labor work. It can also help identify the specific needs, experiences, and attributes of disenfranchised workers, such as day laborers, both documented and undocumented. Considering that there are few worker centers compared to informal sites and that worker centers are primarily funded by government grants, it is important to assess the effectiveness of governmental interventions and agencies at delivering public goods and services. Given the scarcity of resources and budgetary constraints, this understanding can also assist in identifying those individuals who need public goods and services the most and/or those who are most responsive to such interventions. Given the existence and contributions of worker centers, the characteristics of an individual that make him choose an informal site over a worker center, or vice versa, offers a unique opportunity to disentangle the social mechanisms through which members of disadvantaged communities are connected or disconnected to their government, community-based organizations, and other public institutions.

Taking into account the intrinsic roles that representation, membership, and institutionalization play in American democracy, it is imperative to know how the same mechanisms through which day laborers become marginalized could be advantageously implemented to successfully engage and integrate this group. Studying how civic participation affects the probability of choosing a site in the day labor market is a vital exercise that may lead to the integration of one of the most marginalized groups in today's society, and may lead to interventions and mechanisms that could inform us about the incorporation of other marginalized groups, as well.

Site Preference

Table 4.1 shows that a very small number (2 percent) of day laborers rely on organizations such as nonprofits or churches for information on the locations of day labor hiring

sites, bringing to light a drastic disconnect between day laborers and some of the key institutions that provide opportunities for integration into community life and access to public resources. In line with their entrepreneurial spirit, some day laborers rely on their own set of skills and resources to choose a hiring site. Indeed, approximately 18 percent of workers found a hiring site on their own. Remarkably, over 80 percent of workers were informed of hiring sites by their family, friends, or acquaintances (i.e., “social networks”), confirming that social networks are an unquestionably important element of day labor work (Valenzuela 2006; Gonzalez 2007).

Table 4.1. Introduction to the Day Labor Market and Site Preference

What is the main reason you come to this site to look for work?	Weighted Percentage			Total
	How did you learn about this site?			
	Through an organization	On their own	Through social networks	
Proximity to home	0.2	7	27	34
Friends	NA	1	8	9
Better pay and job opportunities	0.7	7	30	38
Environment at Site	0.6	2	5	8
Only site they know	0.4	1	10	11
Total	2	18	81	100

Source: Author’s analysis of the NDLS: DLWS, 2004.
“NA” denotes not applicable.

Table 4.1 also shows that the main sources of attraction of a hiring site are its proximity to a day laborer’s home as well as the better pay and job opportunities the site offers—two positive factors cited by over 70 percent of day laborers. These factors, however, are not identified independently of the initial source through which day laborers learn about a hiring site: Apparently, day laborers go to sites that were already favorable to their social networks in the first place. In the case of immigrant day laborers, these factors seem to be related to pre-established connections that were forged, via families and friends, through sending communities (Falcon 2007). Social networks are thus important mechanisms by which day laborers receive information and make decisions about what site they go to to look for work.

Because the day labor market is competitive by design, workers learn quickly how to attract a prospective employer's attention. It is very common to see day laborers swarm a car and raise their hands or shout their going hourly rate to get noticed. Getting noticed is instrumental in securing employment because employers will often choose the first worker that approaches their vehicle (Turnovsky 2006; Gonzalez 2007).

As noted above, proximity is an important factor in deciding where to look for work.²⁷ Day laborers do not travel too far from their home to search for work. Reasons for not straying too far may include unfamiliarity with the city, fear of harassment, and limited access to transportation. A study of day laborers in the greater Washington, DC, region found that more than half look for work at a hiring site that is within an area within 15 minutes from their home and only 5 percent travel more than an hour to a hiring site (Valenzuela et al. 2006). Additional reasons for going to a site include having friends at the site, not knowing other sites, and having a good impression about the environment at the site (e.g., workers experience less harassment or the site is well organized).²⁸ Day laborers also report that the site they frequent may not be the only site they know but subsequent questions were not asked regarding the frequency of visiting other sites. These two observations regarding proximity and non-exclusive preferences reaffirm the notion that day laborers demonstrate an important degree of detachment with regards to the site they choose to look for work.

As detailed in Chapter 3, each of the two options that day laborers have for looking for work presents both advantages and disadvantages. An advantage of using informal sites such as

²⁷ Although proximity is a factor in selecting a hiring site, the sample in the NDLS only surveyed 27 informal sites that had a day labor worker center in close proximity to the hiring site. The sample size at each of those informal sites is very small (less than 15) and therefore is not reliable to yield robust estimates. Therefore, that variable is excluded from the model.

²⁸ As described in Chapter 3, the social organization of the day labor market is not as chaotic as it seems. Although not very common, some sites informally implement a hiring queue, a minimum wage and try to mitigate employer abuse (Malpica 2002 and Turnovsky 2006).

street corners include the ability to negotiate the wage rate directly with the employer; anonymity associated with the hiring process; a more proactive approach to securing work compared to the approach found through a worker center; and the opportunity for securing multiple jobs in one day (Camou 2002). In their study of day laborers in Los Angeles, Valenzuela, Kawachi, and Marr (2002) find that “seeking work at a regulated site removes most of the advantages found in informal or unregulated sites such as the freedom to aggressively compete for prospective employers, negotiating wages, and not having to queue up for a job” (p. 210).

Another important advantage of looking for work at informal sites relates to employment frequency and earning levels. As described in Chapter 3, workers who solicit work at informal sites reported higher monthly earnings than those hired at worker centers (\$753.75 and \$632.59 respectively), although the difference was not statistically significant. Laborers at informal sites worked an average of five hours more a week and looked for work one day more than had laborers at worker centers (this latter finding was statistically significant). There is, however, evidence that points to the employer as a primary factor behind the wage gap. Contractors (who account for 44 percent of all employers) tend to hire workers at informal sites more often than they hire workers at formal sites (45 percent and 39 percent respectively). The contractors’ reluctance to hire day laborers at worker centers represents an important loss of potential jobs, which translates to lower employment opportunities at a worker center and therefore a potential loss in earnings.²⁹

As discussed in Chapter 3, some of the disadvantages associated with looking for work on street corners include potential harassment by residents, businesses, and police; and a higher

²⁹ A more comprehensive analysis on the labor market outcomes of day laborers would include an analysis of the reasons why employers prefer informal sites over formal sites. Such an analysis is beyond the scope of my dissertation.

risk of employer abuse in the form of nonpayment of wages, lower pay than the agreed-upon rate, and more work hours than those agreed upon.

Because workers are publicly visible when they look for work on the street, they are susceptible to abuse by police, residents, and business owners. In their search for work, day laborers also draw the attention of law enforcement, and encounters with police are often negative. Day laborers working at informal sites reported that during the two months prior to being interviewed, they experienced higher instances of being insulted by law enforcement officials than those looking for work at worker centers.

Day laborers participating in worker centers enjoy a system that monitors employer behavior and protects labor standards (Camou 2002; Theodore et al. 2008, 2009). “One thing the center does is get the name of the employer and his license plates. That way, if there is any exploitation, they can call the police. We don’t have that here [at informal sites]” (as quoted in Johnson 2013: 119). As discussed in Chapter 3, day labor worker centers have emerged as alternate labor market intermediaries to help regularize the labor market and lessen community conflict over day labor practices.

Recent research, however, has begun to question the effectiveness of day labor worker centers. Johnson (2013) provides a rich ethnographic analysis of the inner workings of a worker center in Los Angeles and outlines three principal limitations of the worker center: opposing priorities between the organizers and the workers, a lack of jobs available at the center, and resource limitations that prevent the organization from meeting the needs of the workers.

LITERATURE REVIEW

Civic Participation Among Migrants

Civic participation among migrants is gaining attention from scholars, activists, government officials, and funders. The social, civic, and political participation among migrants is just beginning to be seriously documented, but major gaps remain. Currently there is no single agreed-upon definition for *civic participation* as a term, and its definition largely depends on the perspective of the individual or group that is defining it.³⁰ Adler and Goggin (2005) define the concept of civic engagement as “the ways in which citizens participate in the life of a community in order to improve conditions for others or to help shape the community’s future” (p. 236). When applied to immigrants, civic participation is referred to as the “process that draws newcomers into collective problem solving to improve the conditions in matters affecting their lives” (McGarvey 2004). Participation can, therefore, take several forms that include community service, collective action, political involvement, and organizational membership.

Civic participation includes a full range of activities through which individuals, groups, and organizations can collectively work to improve their overall quality of life. Civic participation can occur at the individual, group, and institutional level and can take on a variety of forms that range from marching for workers’ rights to becoming a member of a community-based organization to testifying at a public hearing. Thomson (1987) provides a conceptual framework to analyze the meaning of civic participation that uses *inputs* and *outputs* as terms that describe participation. Inputs denote the equal opportunity and access that all community members must have to engage or participate, and the guiding principle behind inputs is that all members should be able to participate in the decision-making process at all levels. If this

³⁰ For a thorough review on existing definition(s) of civic engagement see Adler and Goggin (2005).

happens, the resulting outputs will be the enactment of policies that serve the needs and interests of those involved and that improve the mechanisms for interacting with government institutions and influencing their decisions (Association of the Study and Development of Community 2002). This framework can be applied to the various ways in which migrants participate civically. Methods of participation can vary, and factors influencing participation can include experience and capacity to participate in their country of origin, among others.

Much of the literature on civic participation focuses on political participation (particularly in the context of voting) and therefore excludes groups and individuals who cannot participate in the electoral process (Bada, Fox and Selee 2006; Bada, Fox, Donnelly and Selee 2010). Other contributions to the literature focus on non-electoral participation, a type of participation accessible to all residents irrespective of their migratory status (Bada et al. 2006; Bada et al. 2010). However, while most research on civic participation focuses on the barriers to participation that migrants face, less is known about the effective models and programs of civic participation to successfully address the challenges facing a growing migrant population. For most migrants, their integration into American society, economy, and way of life occurs first as a worker (Ramakrishnan and Viramontes 2006). It is well established that their primary purpose in coming to the United States is to find work and provide a better life for themselves and their families. Most migrants face enormous work and family responsibilities that take precedence over their involvement in civic institutions and organizations (Ramakrishnan and Viramontes 2006).

Often, lower levels of civic engagement translate into less visibility for migrants and disadvantaged ethnic minorities, and fewer opportunities for them to engage in strategies to address their needs and concerns. Migrants in particular may feel linguistically, culturally, and

socially isolated, preventing them from soliciting information on mainstream institutions (Ramakrishnan and Viramontes 2006). Moreover, migrants may manifest anxiety about their legal status or may feel intimidated by American civic organizations (Ramakrishnan and Viramontes 2006).

As a pathway to integration, community organizations can play a pivotal role in creating opportunities for leadership development, skill building, collective action, and policy advocacy. Community organizations are also a source of information and can offer skill building and leadership opportunities. Involvement in community organizations can potentially lead to other forms of participation, particularly policy advocacy and electoral work (Verba, Schlozman, and Brady 1995). Both the motivation and capacity to engage in politics is rooted in the fundamental non-political institutions (such as schools, voluntary associations, and churches) with which individuals associate over the course of their lifetime (Verba et al. 1995).

Community organizations also affect people's lives on a personal level. They offer a variety of services to address the needs of diverse ethnic and racial groups that range from basic health care to housing. While some organizations focus on the immediate needs of community members, others provide opportunities that can empower individuals to take on leadership roles in their communities.

In response to the rise in migration to the United States, new community-based organizations have flourished to meet the needs of new arrivals (see Fine 2006 and Cordero-Guzman 2005). Among these new organizations are worker centers, which over the span of 20 years, have grown in number, from 5 to more than 130, and are geographically dispersed throughout the United States (Fine 2006).

A growing body of literature conceptualizes worker centers as part of “migrant civil society.” Theodore and Martin (2007) define migrant civil society as “community based organizations, social movements, hometown association, churches, and faith based organizations, social clubs, and other organized groups that represent the interest of migrants and operate between markets, households, and the state” (p. 271). According to Fox (2005) migrant civil society involves diverse forms of representation and collective action and recognizes that migrants in the United States are joining institutions and even creating their own. The concept of migrant civil society is useful because it provides a mechanism to analyze civic engagement and political incorporation (particularly for those who are not U.S. citizens) and a theoretical framework to analyze the role civic organizations play in responding to the social and economic concerns of migrant workers. Worker centers are particularly critical in the discussion of migrant civil society because they are directly connected to migrants and can engage in strategies and practices to incorporate and integrate migrants into the labor market and the greater community.

RESEARCH QUESTIONS

This chapter aims to understand the correlation between choosing a hiring site type and civic participation among day laborers, and also understand a set of variables related to this association. The following questions guide this component of the chapter: (1) Does the day laborers’ level of civic participation affect the type of hiring site they select? (2) To what extent do day laborer individual characteristics explain site preference? (3) What factors affect the probability of going to worker centers vis-à-vis the probability of going to informal sites?

I hypothesize that workers who are aware and connected to non-governmental institutions, such as soccer leagues, churches, or community-based organizations, may be more familiar with the benefits that a worker center can offer compared to what other hiring sites can

offer. They may also feel more comfortable with seeking assistance from an organization or institution. The main assumption of this argument is that organizations that offer services will also connect workers with other organizations and individuals, thereby expanding the worker's social networks. Taking these arguments into account, I hypothesize that workers who are more civically engaged will show a higher propensity to solicit work at worker centers than those showing a lower degree of civic engagement.

As described in Chapter 2, day laborers are one of the most marginalized groups in society. They belong to a politically, culturally, and economically stigmatized group, and as such, are socially isolated, have restricted mobility, and are vulnerable to exploitation and abuse (Esbenshade 2000; Sullivan and Rehm 2005; Valenzuela et al. 2006). Their undocumented status excludes them from participating in electoral politics and in accessing goods and services or institutions that could address their needs. The perception of them as the “other” creates barriers for inclusion in community life and the utilization of institutions designed to help the unemployed and the poor (Esbenshade 2000).

One possible argument against the research design outlined here is the direction of causality; that is, the proposed relationship between civic participation and choosing a hiring site may suffer from the problem of endogeneity. It could be argued that it is not the day laborers' civic participation that leads them toward choosing a hiring site, but rather, the inverse of that statement is true: hiring sites represent the institutional means that catalyzes the civic participation day laborers reported in the first place. However, the data suggest it is very possible that day laborers attained the level of civic engagement they indicated when they were surveyed by means external to their preferred hiring site. For example, as Table 4.1 shows, only two percent of day laborers learned about the hiring site they selected via organizational structures

(which are regarded as key institutional means to foster participation), suggesting that day laborers are institutionally isolated. Further, this same pattern is manifested by immigrant day laborers who recently arrived to the United States—that is, among a community without sufficient exposure to the institutional arrangements that should have increased their participation. Indeed, as Table 4.2 shows, only one percent of day laborers who have resided in the United States for three years or less learned about a day labor hiring site through an organization, compared to three percent of day laborers who resided in the United States for four years or more.

This pattern is consistent with the findings in Table 4.1. Day laborers who are recent arrivals to the United States are also slightly more likely than their counterparts with a longer period of residency to choose a site because it is close to their home (36 percent compared to 31 percent), it is the only site they know (15 percent compared to 10 percent), or their friends have referred the site to them (9 percent compared to 8 percent). The data also suggest that immigrant laborers' civic engagement may stem from the same sources that informed them about the hiring site they went to in the first place, namely family members and friends (i.e., social networks), and not necessarily from democratic institutions, norms, or governmental efforts of incorporation and mobilization.

Table 4.2. Introduction to the Day Labor Market and Site Preference by Years in the United States

	Weighted Percentage	
	Resided in the U.S. 3 years or less	Resided in the U.S. 4 years or more
What is the main reason you come to this site to look for work?		
Proximity to home	36	31
Friends	9	8
Better pay and job opportunities	33	39
Environment at Site	7	11
Only site they know	15	10
How did you learn about this site?		
Through an organization	1	3
On their own	9	23
Through social networks	90	74

Source: Author's analysis of the NDLS – DLWS, 2004.

RESULTS

Descriptive Statistics

Table 4.3 presents descriptive statistics of day laborers in the DLWS by type of hiring site. Several differences exist between workers who frequent worker centers versus those that search for work at informal sites. There were significant differences between the average age of day laborers at worker centers and informal sites. Day laborers who look for work at worker centers were two years older than those looking for work at informal sites ($t = -2.83$, $p = .008$). Even though these differences are not substantial, day laborers looking for work at informal sites were younger than those at worker centers.

English proficiency and marital status also varied significantly by site type. Nine percent more day laborers at worker centers had a better command of the English language than those at informal sites ($t = -2.66$, $p = .012$). Day laborers at worker centers were less likely to be married or living with a partner than workers looking for work at informal sites ($t = 2.27$, $p = .030$).

There were also significant differences in terms of the hours worked by day laborers in the week prior to being interviewed. Day laborers at unconnected sites worked, on average, four hours more than workers at worker centers ($p = -2.06$, $p = .047$).

There were no differences found in the average years of education reported by day laborers by site type. On average, day laborers reported completing seven years of education either in their country of origin or in the United States. Skill and average hourly rate also varied little by site type. The percentage of workers performing skilled work the previous work week was highest among day laborers at informal sites. Workers at worker centers earned the highest hourly rate at worker centers (\$10.45) compared to workers at informal sites (\$10.38). However, all these differences are not statistically significant at conventional levels.

Table 4.3. Descriptive Statistics of Day Laborers by Type of Hiring Site

	All Sites N = 2,453 (SD)	Worker Centers N = 446 (SD)	Informal Sites N = 2,007 (SD)
Age			
Mean (14 to 89)	34 (12)	36 (11)	34 (11)
Marital Status			
Married or living with partner	43%	39%	45%
Divorced or widowed or never married	57%	61%	55%
Years of Education			
Mean years of education (0 to 20)	7 (4)	7 (3)	7 (4)
Legal Status			
Foreign-born authorized	25%	27%	23%
Foreign-born unauthorized	75%	73%	77%
Years in the U.S.			
Mean years in the U.S. (0 to 54)	8 (9)	9(8)	7 (9)
Job Tenure as a Day Laborer			
Mean number of months (.03 to 384)	33 (51)	29(35)	34 (55)
Skill			
Performed skilled work the previous week	65%	64%	66%
English Proficiency			
Speaks very little or not at all	80%	83%	73%
Speaks well or enough to get by	20%	17%	27%
Hourly Wage			
Average hourly wage in the previous week (\$3.33 to \$38.67)	\$10.37 (3.34)	\$10.45 (2.42)	\$10.38 (3.61)
Hours Worked			
Average hours worked in the previous week (1 to 77)	24 (14)	21 (11)	25 (14)
Civic Participation			
Respondent frequented or is a member of any of the following: CBO, church, hometown association, sports organization, or neighborhood association	62%	67%	60%

Note: All estimates are weighted.

Source: Author's analysis of the NDLS: DLWS, 2004.

There were, however, significant differences by site type in regard to job tenure. Workers at informal sites had, on average, longer job tenure than workers at worker centers ($t = 1.94$, $p = .055$).

Workers at worker centers had, on average, lived in the United States two years longer than workers at informal sites, but the difference was not statistically significant.

As expected, the level of civic engagement of day laborers was significantly different between site types. Day laborers at worker centers had higher rates of being a member of or frequenting civic organizations than day laborers who looked for work at informal sites ($t = -2.88$, $p = .007$).

A closer look at worker characteristics by civic engagement reveals that day laborers who are more civically engaged have a better command of the English language than those day laborers who are not civically engaged, a statistically significant difference ($t = -2.82$, $p = .008$) (see Table 4.4). Race/ethnicity, marital status, age, legal status, educational attainment, and years in the United States do not appear to have any relationship to civic engagement.

Table 4.4. Demographic Characteristics of Day Laborers and Civic Engagement

	All	Not Civically Engaged	Civically Engaged
Race/Ethnicity			
Latino	95	95	94
White	1	2	1
Black	3	2	4
Asian/Other	1	1	1
Marital Status			
Married or living with a partner	43	42	44
Divorced, widowed or separated	16	16	15
Never married	41	42	41
Age (mean)	34	34.5	34
Years of Education (mean)	7	7	7
Legal Status			
Foreign-born authorized	14	14	10
Foreign-born unauthorized	77	77	75
Years in the U.S. (mean)	8	9	10
English Proficiency			
Speaks well or enough to get by	21	15	24
Speaks a little or not at all	79	85	76

Note: All estimates are weighted.

Source: Author's analysis of the NDLS: DLWS, 2004.

Regression Results

As stated above, by using a multinomial logistic (MNL) regression, I am able to estimate the probability that day laborers of certain characteristics choose a given type of site. The advantage of this regression strategy is that it accounts for the fact that day laborers indeed have mutually exclusive sites to choose from. The estimated coefficients are representative of how a given independent variable affects the choice between pairs of outcomes; explicitly, that choice is between Worker Centers and Informal Sites. For this reason, in this case, the MNL regression output will provide one set of coefficients, one per site in relation to a base choice. The specifications of the multinomial logistic probability model are as follows:

$$\Pr(Y_i = I) = \frac{e^{\beta_1 X_i}}{1 + \sum_{k=1}^{K-1} e^{\beta_k X_i}} \quad (1A)$$

$$\Pr(Y_i = W) = \frac{1}{1 + \sum_{k=1}^{K-1} e^{\beta_k X_i}} \quad (1B)$$

where I stands for “Informal” (site 2) and W for “Worker Center” (site 1); K denotes the total number of site options ($= 2$); $e^{\beta_k X_i}$ denotes the exponentiated output model for site k , with a vector of covariates X_i (which is the same for all sites) and a site-specific set of coefficients β_k . Results from these probabilistic specifications will be interpreted via visual representation (see Figures 4.1 through 4.4 below).

The results from the multinomial logit indicate that a negative relationship exists between looking for work at an informal site and age, English proficiency, and civic engagement, as opposed to a worker center (see Table 4.5). For a description of the dependent variable see Table 4.6, and for a description of the variables in this model, see Table 4.7.

Table 4.5. Multinomial Logit Estimates for Site Preference

Number of Observations	1,606
Chi-Squared	12.29
Prob. > Chi-Sq.	0.0000
	Site Type
Variable	Informal
Age	-0.035** (0.006)
Years in the U.S.	0.009 (0.017)
English Proficiency	-0.605* (0.243)
Day Labor Tenure	0.006* (0.003)
Legal Status	0.195 (0.327)
Skill	-0.055 (0.165)
Years of Education	-0.013 (0.019)
Marital Status	0.378* (0.125)
Average Hourly Wage	0.006 (0.030)
Average Hours Worked Per Day	0.019* (0.009)
Civic Engagement	-0.454* (0.161)
Constant	1.965* (0.678)

*p<.05, **p<.000

Notes: All estimates are weighted.

Table 4.6. Description of Dependent Variable

Type of Site	Respondents (%)
Worker Centers	23
Informal Sites	77
Total	100

Unweighted sample size = 2,453.

Table 4.7. Variable Definitions for Multinomial Logit Model

Variable Name	Definitions
Hiring Site Type	The dependent variable is divided into two mutually exclusive, dichotomized categories. ³¹ For computing purposes and for the sake of clarity, the two outcomes of interest were coded as follows: Worker Centers = 1, Informal Sites = 2. The variable was coded based on where the day laborer was seeking work at the time of the interview. ³² The variable does not contain measurement error since it was not derived from questions in the survey instrument, but rather from site information obtained prior to implementing the survey and confirmed during the fieldwork.
Age	The age the respondent reported at the time of interview.
Years in the U.S.	This figure was derived from the date and year that respondents declared to first arrive to the United States. Because I am interested in immigrant day laborers, U.S.-born day laborers were excluded.
Marital Status	Respondents were asked if they were married, living with a partner, divorced, widowed, separated, or never married at the time of the interview. I created a dichotomous variable: 1 = married or living with a partner, 0 = otherwise.
English Proficiency	Immigrant respondents were asked a series of questions to assess their English proficiency. The questions asked how well they spoke, read, and wrote in English. The answers ranged from “none,” “a little,” “enough to get by,” and “well.” I chose to focus on the speaking ability of day laborers and created a dummy variable, and coded the variable as follows: 1 = spoke English well or a little, 0 = none or enough to get by.
Legal Status	Several questions were asked to determine a respondent’s legal status. First, respondents were asked if they were U.S. citizens. If respondents answered “no” they were asked if they had a permanent residency card or a temporary card that allowed them to reside and/or work in the United States. If the respondent answered “no” to the aforementioned questions, the respondent was considered to be unauthorized. The variable was coded as follows: 1 = Unauthorized, 0 = Authorized.
Years of Education	Respondents were asked the number of years of schooling they had completed and received credit for either in the United States or in their country of origin.
Job Tenure	Respondents were asked how long they had worked as a day laborer and the answer was recorded in days, weeks, months, or years. I converted the answers into months.
Skill	To assess skill level, I included a dummy variable indicating whether or not a respondent had performed skilled work the work week prior to being interviewed. Skilled work included performing a job as a carpenter, electrician, roofer, or plumber.

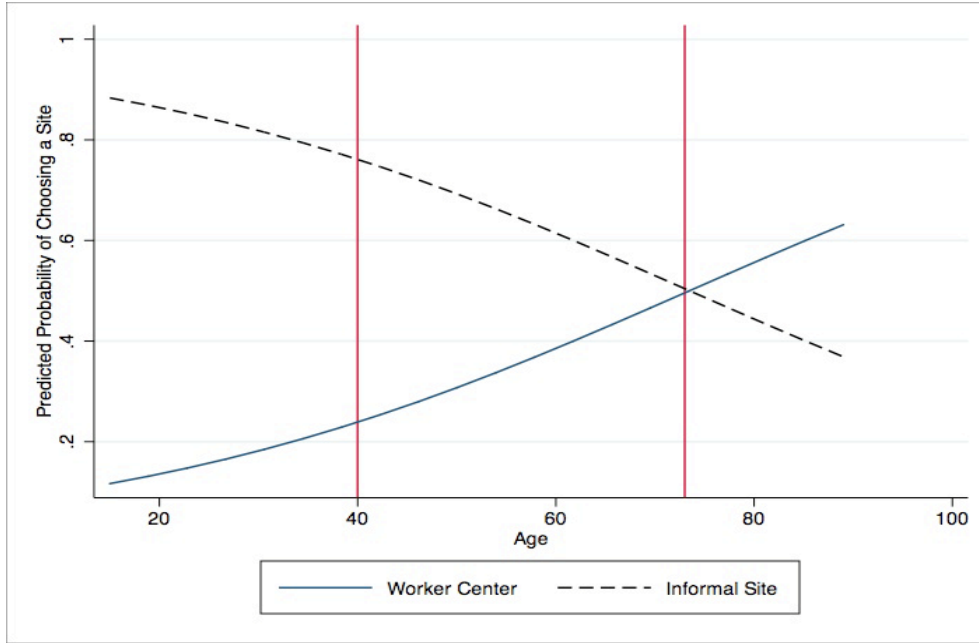
³¹ The model will run using one of the sites as reference such that the output of the regression is to be interpreted on the basis of the site of reference.

³² For example, if a day laborer was looking for work at a nursery when he was interviewed, he was coded as attending a connected site. Day laborers were not asked if they look for work at other sites or how often they frequent a particular site to look for work. Respondents were asked, however, if they belonged to or were members of a worker center. To increase the likelihood that the interview site reflects the hiring site where the worker generally looks for work, the sample size includes only workers who were interviewed at informal sites and who stated they were not members of a worker center, and respondents who were interviewed at a worker center and who confirmed they were members of a worker center. These workers had similar characteristics than those of the overall sample of day laborers, with the exception that they had longer job tenure working as a day laborer and they had been in the United States as migrants for a longer period of time.

Average Hourly Wage	Respondents were asked a series of questions about the type of work they performed the work week prior to being interviewed. If they worked the previous work week, they were asked the type of job they completed, how they were paid (i.e., by the hour, day, or job), how much they earned, and the number of hours they worked. I computed an hourly average by dividing the hourly wage by the number of hours a day laborer worked per day.
Hours Worked in the Previous Week	As part of the series of questions regarding the work day laborers performed in the previous week, respondents were asked the number of hours they worked. To compute the weekly hours, I added the hours a respondent worked each day.
Civic Participation	I created a dummy variable that indicated whether or not a respondent belonged to or frequented any of the following: community-based organization, church, hometown association, consulate office, sports organization, or neighborhood association. If the respondent belonged to or frequented any other organizations mentioned above, he was coded a 1; otherwise, he was coded a 0.

As predicted, age is an important factor in determining the probability of choosing a site. As Figure 4.1 illustrates, as age increases so does the probability that workers look for work at a worker center. Conversely, the probability that workers would look for work at informal sites decreases as age increases. The probability that a younger day laborer of 20 years of age will search for work at a worker center is 10 percent, but at the age of 40 years, it doubles to 20 percent. In a similar manner, the probabilities of searching for a job at an informal site for these age groups decreases from 87 percent to 80 percent, respectively.

Figure 4.1. Predicted Probability of Site Preference by Age



It is important to note that, all else equal, the average probabilities of choosing a site between informal sites and worker centers intersect at age 73, well over the normal retirement age. This indicates that the average day laborer would have to be 73 years of age to have the same probability (47 percent) of searching for work at either an informal site or a worker center. These findings mean that if we were to, for example, follow the trajectory of a day laborer at the age of 20, it would take that day laborer 53 years (all of his productive life) to increase from a probability of 10 percent to 47 percent to choose a worker center to look for work.

Conversely, at age 40 the average day laborer has a 20 percent probability of looking for work at a worker center, but a quadrupled probability (80 percent) of searching for work at an informal site. These findings mean that at age 40—in the midst of laborers’ productive years—the overwhelming majority of laborers are going to work at hiring sites that offer them the fewest services and integration opportunities.

Figure 4.2 shows the predicted probabilities of looking for work by site type based on age and whether or not a day laborer was civically engaged. Again, the x-axis represents civic participation in the form of frequenting a church, neighborhood organization, sports organization, or other community-based organization. In this manner, a value of 0 signifies that a respondent was not a member of or did not frequent any of the organizations mentioned above. A value of 1 means that a respondent frequented and was a member of any of the aforementioned organizations and represents the maximum level of participation. Taking these values into account, Figure 4.2 illustrates the average probability of hiring site selection at any given age for day laborers who are not civically engaged (= 0) and for those who are civically engaged (= 1).

Figure 4.2. Predicted Probability of Site Preference by Age and Civic Participation

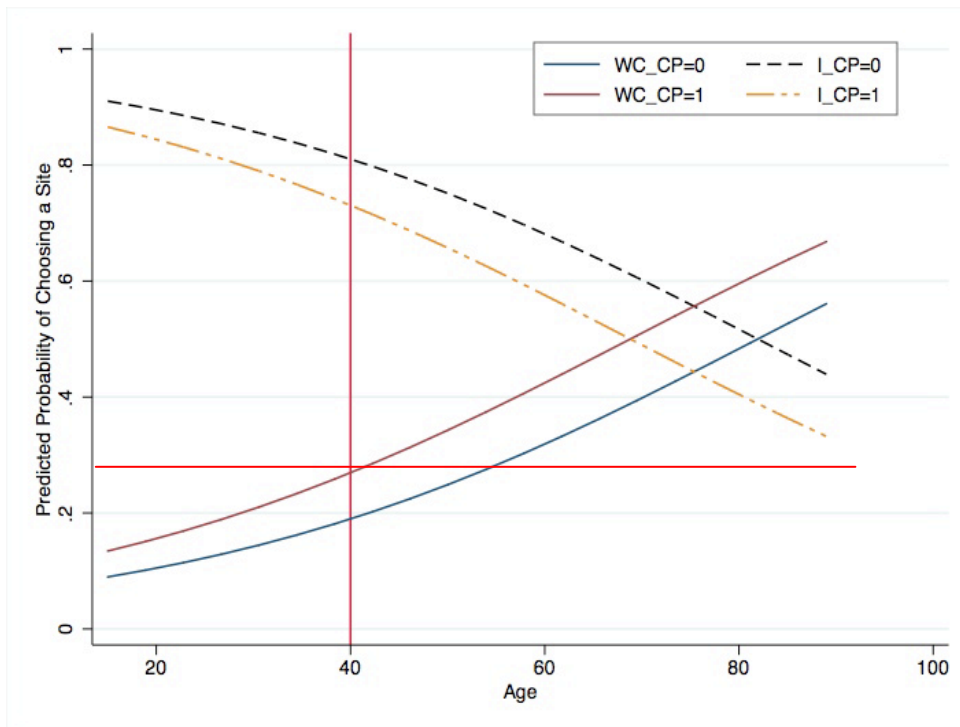


Figure 4.2 demonstrates that the predicted probability of day laborers choosing a worker center who are civically engaged is higher than for those day laborers who are not civically

engaged. In other words, this means that worker centers are more frequently selected by day laborers who are more civically engaged compared to those who are not. On the other hand, the probability of workers choosing an informal site is slightly lower for workers who are civically engaged as opposed to those who are not. These patterns are accompanied by the trends delineated in Figure 4.1, where the probability of choosing a worker center increases across age vis-à-vis choosing another hiring site. Put together, this is an important finding because, given that these trends are almost parallel for the two types of hiring sites across age, it becomes clear that, at any given age, day laborers will tend to move from choosing an informal site to choosing a worker center.

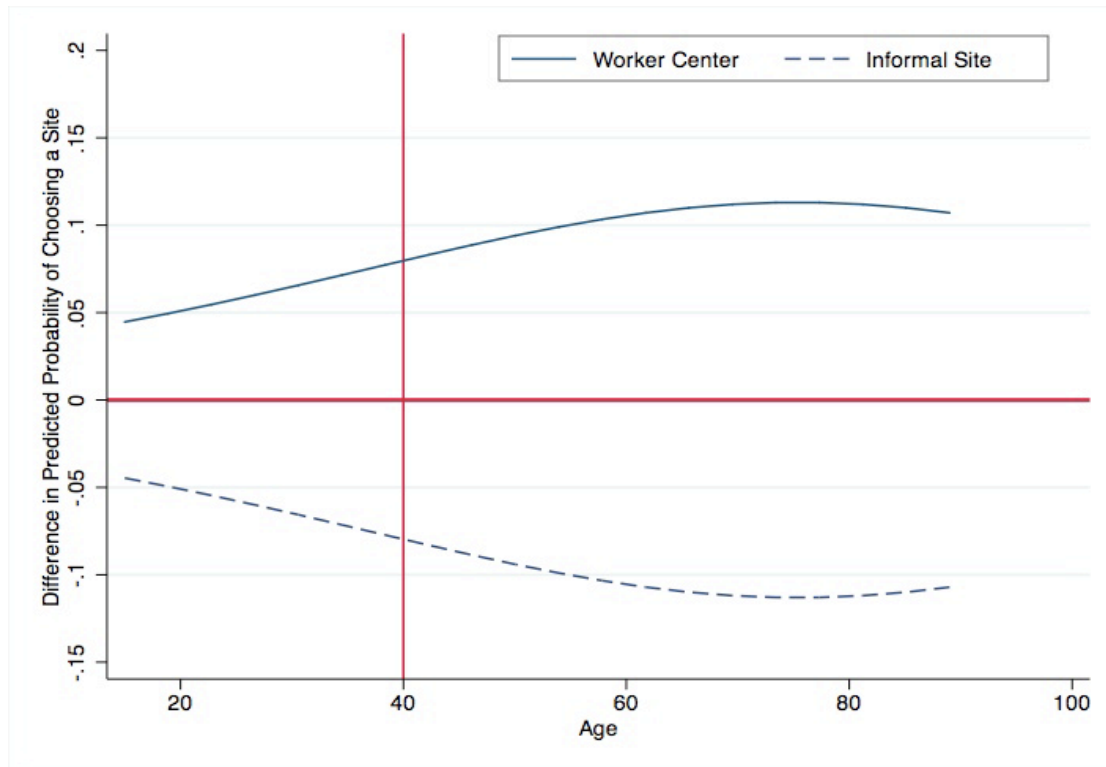
Let us take, for example, a day laborer who is 40 years of age. If he is not civically engaged ($WC_CP = 0$), he has a probability of looking for work at a worker center of 20 percent. In comparison, a day laborer of the same age who is civically engaged ($WC_CP = 1$) has a probability of soliciting work at a worker center of 30 percent. These probabilities suggest that being civically engaged increases the probability of looking for work at a worker center by approximately 10 percent for workers of the same age.

Note that these 40-year-old, non-civically engaged workers who choose to look for work at a worker center have the same probability of selecting a worker center (20 percent) at age 28—given they are civically engaged. This means that the effect of not participating has the equivalent effect of 12 years in the life of a day laborer; in other words, the average laborer would have chosen to look for work at a day labor worker center 12 years earlier if he had been civically engaged.

Figure 4.3, which shows the difference in predicted probabilities of choosing a day labor hiring site and being civically engaged by age, demonstrates that the difference in choosing a site

increases with age. Also, the probability of looking for work at an informal site based on whether or not a day laborer is civically engaged decreases with age.

Figure 4.3. Difference in Predicted Probabilities of Site Preference and Civic Participation by Age

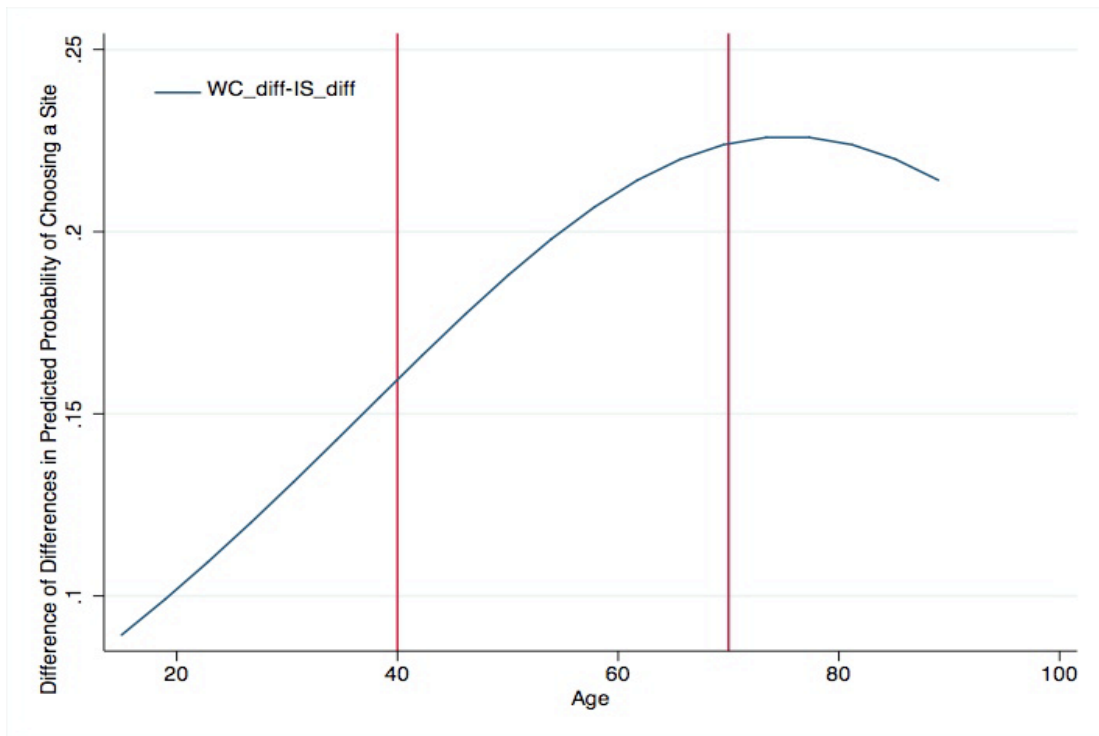


As an illustration, let us examine a day laborer at 40 years of age. At 40, the probability of changing sites (from an informal site to a worker center) is about 8 percent more.

The last figure is a measurement of efficiency if I were to implement a policy that would change the hiring site for day laborers from an informal site to a worker center and their civic engagement from not-active to active. Figure 4.4 illustrates how much impact is attributed to a policy implementation that increases the probability of looking for work at a worker center with

respect to the probability of looking for work at an informal site. For example, the average day laborer in the NDLS sample, who is 40 years old, has a 16 percent higher probability of going to a worker center than going to an informal site.

Figure 4.4. Difference of Differences in Predicted Probabilities of Site Preference and Civic Engagement by Age



In contrast, a day laborer who is 70 years old and who becomes civically engaged, the probability of changing where they look for work from an informal site to a worker center is - about 23 percent—that is, that average 70-year-old day laborer has a 23 percent higher probability of going to a worker center than going to an informal site. More simply stated, incorporating a day laborer civically will increase the probability of changing site selection from informal to a worker center for the average day labor that is over the age of 25.

CONCLUSION

My analysis highlights the effect civic participation has on hiring site selection of a highly visible disenfranchised group of workers. The significance of this analysis goes beyond the well-established understanding of the relationship between socioeconomic status—levels of education, income, and occupation—and civic participation (see Verba et al. 1995; Stoll 2000; Stoll and Wong 2003). The proliferation of day labor hiring sites and the exploitative nature of day labor work warrants a closer examination and evaluation of programs and institutions that would help increase material outcomes for this group of workers and help promote their incorporation and civic participation.

As discussed in Chapter 3, day laborers operate in highly deinstitutionalized settings. The majority of day labor hiring sites are informal and offer no services or opportunities for day laborers to engage civically. This points to the underutilization and scarcity of institutional infrastructures that aid in the incorporation of day laborers into civic life and in mitigating abuse and exploitation. An efficient strategy aimed at transferring day laborers from informal sites to worker centers would maximize the efficiency of structural settings already in place, and would diminish workplace violations such as wage theft, and abuse and harassment—issues that are all too common in this labor market.

As my research findings demonstrate, civic engagement increases the probability of choosing a worker center to look for work. Worker centers are in an ideal position to help aid in the civic incorporation of the day labor population and to increase their membership base by employing strategies that would promote the civic participation of day laborers who solicit work at informal sites. This would ensure that worker centers would not be underutilized.

Most worker centers encourage their members to participate in various community activities which help facilitate workers' adaptation to the local labor market and incorporation into the greater community. Activities such as neighborhood clean-ups, soccer tournaments, and other athletic events promote civic engagement and demonstrate that worker centers can be vital institutions for the integration of day laborers. By participating in such activities, day laborers are making considerable contributions to the communities in which they live and work and are improving their own quality of life.

The impact of worker centers goes beyond the direct benefits to workers and the regularization of the workplace. Well-functioning worker centers “develop a true democratic process, create new leaders, and create a system of organizing that is responsive to both workers’ and communities’ needs . . . through their own organizing and networks with unions, faith-based groups and lawyers, [they] have had an impact far greater than their size on policy development and forcing employers to follow the law” (Smith 2008: 213). Worker centers provide a safer environment for workers to seek employment and connect workers to other social and support services in the community.

There is however a mismatch between day laborers and civil society organizations. As my research shows, day laborers rely very little on organizations to provide them locations to look for work. Also, a 2002 study of day laborers in the New York metropolitan area found that only 10 percent of day laborers turned to community-based organizations to assist with concerns in the workplace or in taking action against an abusive employer (Valenzuela and Meléndez 2003; Theodore et al. 2008). What is even more alarming is that nearly two out of three day laborers reported that they did not know their rights as a worker or as an immigrant in the United States. Nationwide, approximately 70 percent of day laborers do not know where to report

workplace violations (Valenzuela et al. 2006). Although this statistic is alarmingly high, my research shows that day laborers at worker centers report higher rates of knowing where to go to report abuses (see Chapter 3).

Day laborers would benefit immensely from local efforts from municipalities and community-based organizations to integrate them as members. Day laborers are among the most marginalized group in society. They are low-income earners who live in poverty. Their desperation for work pushes them to accept jobs that are dangerous, resulting in high rates of on-the-job injuries. When injured, they often do not seek medical help because they cannot afford it. They are vulnerable to exploitation and abuse from law enforcement officials, merchants, residents, and employers. They are denied basic labor protections by employers. When abused or exploited, day laborers are less likely to seek recourse because many do not know where to report a violation, or they do not want their immigration status being exposed.

Municipalities can help improve the welfare of day laborers through initiatives and collaborations with community-based organizations that can help promote the civic engagement of day laborers. Moreover, facilitating the participation of day laborers is important for several reasons. First, any type of involvement, either at the individual or organizational level, enables day laborers to draw attention to their needs, concerns, and ideas. In a representative democracy, it is imperative that all constituents are connected to those that represent them. Second, civic participation at any level creates pathways for representation and engagement among various community stakeholders. Day laborers are visible when they are looking for work, but remain invisible once they leave the hiring site. Connecting jornaleros to the larger community allows the exchange of ideas and creates possibilities for collaboration and inclusion. Lastly, public policy that does not take into consideration the needs of all its constituents is inherently unjust

(Verba et al. 1995). As described in Chapter 2, there is a danger that unjust policies will continue to persist, if those that are affected by them the most continue to be excluded (Massey, Durand, and Malone 2002).

It is important to note that the violation of workers' rights (and other types of abuse, such as wage theft) is linked to the number of informal hiring sites—that is, the probability of attending one site over the others is directly proportional to the number of informal sites available in the day labor market. The fact that informal sites make up a large proportion of day labor hiring sites reflects the high level of deinstitutionalization in the informal labor market. Institutional infrastructure as well as governmental presence are either scarce or underutilized.

Although they face many challenges, worker centers are actively working to improve the employment conditions of day laborers and to mitigate the abuse and exploitation of workers in this labor market. They are also actively engaged in connecting workers with organizations that they may not be aware of or think they can access. Most worker centers are also able to lessen community conflicts and promote the civic engagement of day laborers. Given the effectiveness of worker centers, why do so few exist in this labor market? The next chapter answers this question by providing a worker and organizational perspective on the concerns, obstacles, and challenges that arise in the formalization of day labor hiring sites.

CHAPTER 5

FORMALIZING DAY LABOR INFORMAL SITES: A WORKER AND ORGANIZATIONAL PERSPECTIVE

This chapter identifies and discusses some of the obstacles and challenges of formalizing a day labor hiring site. To illustrate the attitudes and concerns day laborers have over the formalization of informal hiring sites, I use survey and focus group data from a feasibility study of formalizing a hiring site in Santa Monica, California. The study was commissioned by the City of Santa Monica to assess the viability of opening a worker center in the city. First, I describe the experience of day laborers who look for work on street corners in Santa Monica and their attitude and opinions about creating a worker center. In addition, I use ethnographic data to identify the reasons why workers choose informal sites over formal sites. I also draw from data I obtained through participant observation, observing the men waiting for work as part of their usual routine.

To complement the worker perspective on formalizing day labor sites, I present organizational data from the DLWCS to discuss the multiple challenges worker centers face while trying to meet the needs of day laborers. This analysis includes firsthand accounts from administrators of worker centers to describe the challenges worker centers face, and it serves to better understand the organizational capacity of worker centers in meeting the needs of day laborers.

My main intention in this chapter is to understand the attitudes and opinions of workers when municipalities attempt to formalize the day labor market. Focusing on a worker perspective is critical to assess the viability of a worker center. This chapter will inform key stakeholders on the possible challenges and obstacles of formalizing a site, from the perspective of the workers and the organizations that are created to mitigate conflicts surrounding day labor practices.

BACKGROUND

Day laborers are a visible representation of two important issues in popular debates: immigration and unemployment. The word *day laborer* has become synonymous with “illegal” and is used interchangeably in the media and by anti-immigrant groups. Despite the fact that not all day laborers are undocumented, in public debate they represent the “other”: those that are neither welcomed nor belong.

The movie *Farmingville* (2004) is a perfect illustration of the tensions and fears that surface when a city experiences a demographic shift. In the late 1990s, the suburban town of Farmingville, New York, experienced an unprecedented influx of Mexican workers due to a booming housing industry that increased the demand for landscaping and construction jobs (Tambini 2004). Residents blamed the newcomers for the rise in crime, overcrowding, and noise. To get rid of day laborers, the city adopted several policies that included evictions, arrests, and harassment (Eltman 2005). Tensions escalated in 2000, when two men posing as contractors hired two day laborers and beat them close to death (Tambini 2004). Day laborers had reported incidents of violence many times before, but the authorities never made any arrest. For years there were protests by both residents and day laborers, and efforts to create a hiring hall never materialized. When asked about her thoughts on the new arrivals, a woman said, “There’s a lack of assimilation. You don’t leave garbage out, you don’t whistle at neighbors. They need to understand that, but by keeping them marginalized, they don’t learn that” (Eltman 2005).

The rise in the day labor population coupled with the expansion of day labor hiring sites (Valenzuela et al. 2006) raise questions and concerns about the proper use of public space and the incorporation of immigrants. The visibility and appearance of day labor hiring sites across the United States creates was the source of what Mitchell (2003) calls “locational conflict”—that

is, the conflict that arises over the right to space. It is the friction and divisions created by day labor centers around what space, if any, day laborers can access and utilize. As discussed in Chapter 2, responses to address issues surrounding day laborers are complex and involve different stakeholders (e.g., day laborers, local residents, business owners, and police) with varying needs, expectations, and ideals. Hiring sites also exist in diverse neighborhoods with varying demographics and political climates. The physical and social environment of the area influence the way in which municipalities respond to the presence of day laborers in their communities.

Recognizing the realities of labor demand and the supply of workers, communities around the country have sought ways to formalize day labor hiring sites by designating spaces for day laborers to congregate. While some communities are frustrated and angry by the lack of a coherent and enforced federal immigration policy, a growing number have recognized the need to move to a more progressive agenda of managing a population of workers who are meeting the labor demands of their communities. To alleviate issues and conflicts surrounding day labor, some municipalities have formalized the congregation of day laborers by creating worker centers, which offer a variety of services, protection against the weather, and mitigation against employer abuses (Camou 2002; Fine 2006; Valenzuela et al. 2006; Theodore et al. 2008).

Most worker centers are often located close to the informal site they had intended to replace. It is common practice for workers to be notified of the existence of a site by organizers who aim to recruit them and inform them of the advantages of using a formal site.

Despite the growing interest in worker centers (Camou 2002; Gordon 2005; Valenzuela et al. 2006; Fine 2006; Theodore et al. 2008), much is still left to discover about the growth and organizational development of intermediary institutions like day labor worker centers. The

struggles day labor worker centers face, and their organizational capacity, can provide great insight into the potential for these organizations to meet the challenges of today's low-wage immigrant workforce. Equally as important to understand are the needs of day laborers and the complexities of formalizing spaces to meet those needs. With the exception of Johnson (2013), few scholars have analyzed the attitudes and opinions of formalizing day labor hiring sites from the perspective of the workers.

Employing a case study approach, Johnson (2013) provides a rich ethnographic analysis of the inner workings of a worker center in Los Angeles that she calls "The Center."³³ She argues that despite having good intentions, "The Center" has three principal limitations. First, Johnson attributes tension between workers and organizers over the organization's hierarchical structure, which does not consider workers' input. She also notes that the organizers and the workers have different priorities: organizers want to create a sense of community for workers and focus on workers' rights training, and workers are only interested in getting jobs.

Second, Johnson points out the inability of "The Center" to generate job opportunities for day laborers. According to the author, the focus of "The Center" is on matching employers with day laborers, and not on increasing the number of jobs or conducting employer outreach. For workers, she argues, employment is the one and only priority, and worker centers should focus more on addressing the needs of the workers and less on providing services and building community.

The final limitation that Johnson raises is the Center's limited resources in terms of staff and funding, which prevents it from reaching its full potential. Day labor centers are primarily

³³ The author chose not to refer to the worker center by name for the sake of confidentiality for both the workers and the organizers of the worker center.

funded by private foundations and government contracts, creating an unsustainable form of funding for any organization in the long run.

Johnson presents many of the challenges that community-based organizations face under shrinking budgets and limited staff. The limitations raised by Johnson have more to do with the realities of operating a nonprofit organization than of the challenges worker centers face in meeting the needs of the day laborers. The principal goal of worker centers is “to regulate the day-labor market by intervening in the market and establishing rules governing the search for work and the hiring of day laborers” (Valenzuela et al. 2006:7). Worker centers are more than a “safe” place for day laborers to find work. As described in Chapter 2, many undertake activities that directly improve the conditions of day laborers and partake in activities that encourage day laborers to participate civically and engage with the broader community. Despite their limitations, worker centers are proving to be an effective strategy for improving the working conditions of a labor market that is characterized by rampant violations of wage and hour laws and health and safety regulations (Valenzuela 1999; Valenzuela et al. 2006).

The creation of a worker center is not always absent of conflict. Community concerns over the growth of informal hiring sites and the day labor population can be heightened by the misinformation about and misconceptions of the workers. In addition to improving labor conditions in the day labor market, worker centers also perform the important task of mediating the concerns of residents, businesses owners, and other stakeholders. Although most worker centers have been established with little controversy, organizers often engage in lengthy discussions with various local stakeholders before opening a worker center. As described in Chapter 3, administrators at worker centers often participate in neighborhood meetings and

forums, and collaborate with other organizations to address community conflicts and to connect workers with organizations and services that will address the needs of day laborers.

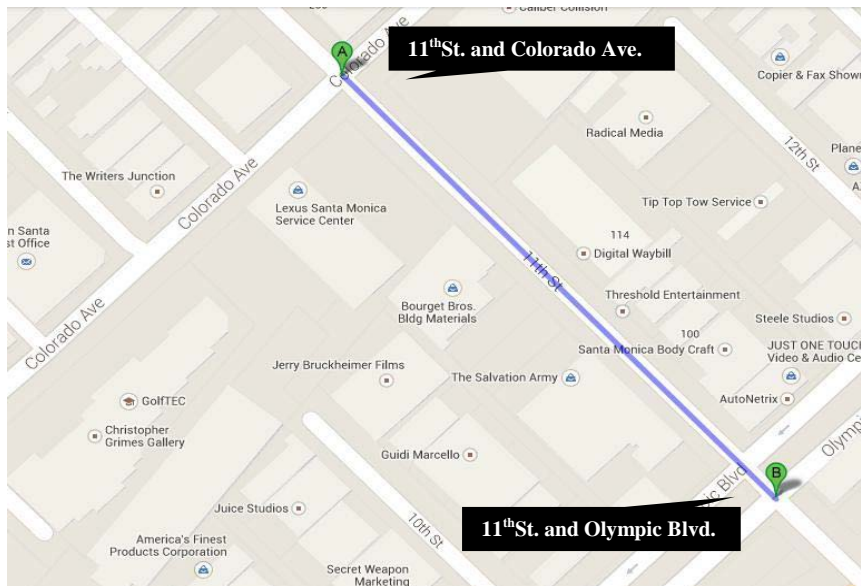
Field Sites

Day laborers in Santa Monica congregate along a 0.2-mile stretch of 11th Street, between 11th Street and Colorado Avenue and 11th Street and Olympic Boulevard (see Map 5.1).

Another group of day laborers congregate at a single location between the two corners, in front of the Bourget Brothers store, a building materials establishment that has operated since 1947.

There is a mix of commercial and retail establishments in the area, and next to Bourget Brothers are offices, a body shop, and a Salvation Army thrift store. There is a post office on the corner of 11th Street and Olympic Blvd. and two portable bathroom facilities in front of Bourget Brothers.

Map 5.1. Santa Monica Field Sites



Source: Google Maps, 2015.

When I asked a group of the men how long the site has existed, a few mentioned that it was 10–15 years old. Another day laborer, however, told me that the site has existed since the early 1980s but was previously located in front of a factory that made curtains on the corner of 11th Street and Colorado Avenue. He said that workers would wait outside the factory every day until the boss came out and handpicked those he wanted to work for him. This was a daily occurrence but stopped when the company moved to Tijuana, Mexico.

A few day laborers brought their own vehicle and parked their vehicles in front of the Salvation Army thrift store. An older day laborer had a cardboard sign on the front window of his car in English announcing that he makes deliveries. I also observed a couple of day laborers going inside the Salvation Army and asking patrons who were buying pieces of furniture if they needed help carrying the furniture to their car or if they wanted the furniture delivered to their home.

Most day laborers mentioned they preferred coming to this site because it was very calm and they were not harassed by police or business owners. When I asked if there were any rules at the site, most day laborers responded that the only rule was to allow the employer to choose the worker. I was able to confirm this claim when I witnessed the selection process firsthand. The employer seemed to know the worker and no one rushed the car or tried to get the employer's attention. The men waited patiently and only lifted their head to see if the worker got in the car. This pattern occurred with every employer who stopped to pick up a worker. The men would stand up if they saw an employer pass by, but very few would approach the car.

The men in front of Bourget Brothers rarely moved and were very quiet. It took me several days to gain their trust and once I did, I found out that most were from Oaxaca and spoke Zapotec, an indigenous language spoken in Oaxaca and in the southwestern states of Mexico.

The men on 11th and Olympic were younger and not very talkative. They were described by the other day laborers as “troublemakers.” I observed some of the men on 11th and Olympic drinking and smoking at times. They kept to themselves and seemed to be more concerned with talking to each other than looking for work. The men on 11th and Colorado were much more concerned with finding a job and said they previously had permanent jobs but were laid off. They were much more talkative than the rest of the day laborers in the area and they also complained about the men drinking on 11th and Olympic. They were concerned that the “bad” behavior would attract negative attention from the police, business owners, and residents.

I also observed very few employers picking up workers and when I asked day laborers why that was so, a couple of workers mentioned that some workers get hired permanently by an employer. It is when they are laid off that they come to the corner to look for work.

According to several workers, employers also frequent the site in the early evenings to pick up workers. Unlike most hiring sites that diminish in numbers by the mid-afternoon, at this site employers reportedly come to look for workers after 6 p.m. because, according to the workers, they do not want to be seen picking up day laborers. I tried to confirm this claim, and although I did see a few day laborers in the evening looking for work, I did not witness anyone get a job.

Overall, the workers in Santa Monica were very calm and did not appear to be in desperate need for a job. Very few would approach vehicles that passed and it appeared that some employers would come to the site looking for specific workers. Although I did witness some workers drinking, I did not witness any conflicts among the workers looking for work.

FINDINGS

First, I present findings from a worker survey and focus groups conducted on May 26, 2006, of day laborers in Santa Monica.³⁴ I focus solely on the section of the survey containing questions about day laborers' opinions and experiences with day labor worker centers. In addition, I present findings from three focus groups conducted with 12 day laborers. Two of the focus groups were conducted with day laborers who stated they were unaware of and had never frequented a worker center. The last focus group was conducted with day laborers who had previously looked for work at a worker center.

This data will allow me to: (1) better understand the reasons why day laborers prefer informal sites; (2) gauge workers' knowledge of and familiarity with worker centers; (3) assess the openness of day laborers to have a managed day labor site; (4) identify services important to day laborers; and (5) discuss concerns over the creation of a worker center.

In addition, I use survey data from the DLWCS to identify the challenges that worker centers face in addressing the needs of day laborers.

WORKER PERSPECTIVE

Reasons for Preferring an Informal Site

According to most participants, their current site meets their needs for several reasons. First, the site generates "good" jobs and is well known to employers in the area. Workers mentioned that the same employer often hires them repeatedly and they may get a job that lasts for a long period of time. When I asked the workers to specify the amount of time they were employed, the answers ranged from two weeks to several months.

³⁴ The city of Santa Monica is known for being fairly progressive. It is considered one of the most environmentally active municipalities in the United States and has maintained a high level of public services, living wages for workers, and equitable housing policies (see Shearer 1982; Welch 2014).

Second, the site allows workers the flexibility to come at different times of the day and the freedom to move around. As stated previously, some day laborers mentioned that they returned to the site in the evenings to look for work.

Third, the site is typically “calm” and workers have an understanding that they will not rush the cars of potential employers or wave their hands or scream. According to the majority of participants, when a potential employer approaches the site, they will wait for the employer to select the worker. There is an understanding among the workers that they will not underbid each other in an effort to get picked for a job.

Fourth, workers can set their own wages and negotiate freely with the employer. There was some disagreement among the participants about whether or not there a minimum hourly rate had been set at the site, although a good number of participants stated that there is a standard \$10 minimum rate agreed upon by most day laborers.

Lastly, day laborers maintain a good relationship with business owners and police and have a portable bathroom available to use. Participants mentioned that they have minimal contact with merchants and law enforcement officials. Some mentioned that law enforcement will sometimes patrol the area to make sure no one is drinking in public. A day laborer did mention, however, that on occasion the business owner of the building material store will yell at the workers to get off his property.

Issues with Informal Site

The most prominent issues that day laborers identified about their current site included the following: (1) new workers accepting jobs for lower than the \$10 minimum wage; (2) workers engaging in drinking; and (3) workers experiencing abuse and wage theft. Several workers agreed that conflicts arose when new workers came to their site looking for work and

accepted jobs for a low hourly rate. The participants claimed this was one of the main reasons why disagreements occurred between day laborers:

I don't like it when new people come to the site. They don't obey the rules. New day laborers often work for free and many don't ask for a fair wage (Focus Group 1).

There's a lot of people that . . . say, "I have to work," even if it's for eight [dollars an hour]. Well, I don't have money to pay the rent or buy food." There's a lot of workers that go for eight [dollars an hour], but what can you do? (Focus Group 3).

We lose the power to negotiate the wage, if there are workers who are willing to break the established wage. I have seen people die doing really hard work for low wages (Focus Group 1).

Some participants also mentioned that workers should ask more details about the employment arrangement they are accepting. For example, a worker described an instance when he was hired to do some landscaping work and it was not until he arrived at the employer's house that he was told by the employer that he would be charged for gas, food, and for the ride back to the corner (Focus Group 3). He said he felt helpless and did the work because he had "no other choice" (Focus Group 1).

Another reason why day laborers experience conflicts at their site revolves around the misconduct of some of the day laborers. As mentioned previously, a few day laborers engage in drinking at the corner. For the most part, these individuals stay to themselves and do not bother the rest of the workers. Most day laborers expressed their desire for these workers to stop soliciting work at the corner because according to the participants "they basically mess up the place" (Focus Group 1). Day laborers were very concerned about how they are perceived by potential employers, business owners, residents, and law enforcement officials. They liked the site and wanted it to remain free of "troublemakers" and any negative attention.

The last and most prevalent issue with the corner identified by participants was the high incidences of employer abuse and the underpayment or nonpayment of wages. Many workers expressed the frustration they felt when they were mistreated by an employer:

I am so tired of getting abused. They [employers] expect you to do the work very quickly and yell at you when you don't. . . . Employers can be very abusive, cheap, and mean (Focus Group 3).

I went to work with a person and when I was finishing, I could see that there was more work to be done. But when I saw he was stealing from me half an hour daily, I claimed this half an hour and he told me I didn't have any more work (Focus Group 2).

A common experience that many workers share is being underpaid or not paid at all for the work they are hired to perform. As discussed in Chapter 2, workers at informal sites have higher rates of wage theft when compared to workers soliciting work at worker centers. When discussing the experience of not getting paid, a worker said:

I come here to work. I need money. How would they [employers] like it if I stole from them? I deserve to get paid. I work hard. No one should be treated that way (Focus Group 1).

Other workers recounted the helplessness they feel when they experience wage theft and don't know where to go for help:

When it first happened to me I was in shock. I didn't know what to do or who to go to for help. I felt ashamed. I couldn't believe that I worked for eight hours and didn't get paid. That wouldn't happen back home (Focus Group 2).

Some of the workers cited going to a worker center precisely because they had experienced an incidence of wage theft and wanted help in recuperating their lost wages (Focus Group 1). When probed as to why they did not return to the worker center, the men stated the center was too far away and they preferred coming to their normal hiring site.

Familiarity with a Worker Center

When asked if they had ever used a worker center, more than a third of the day laborers surveyed reported visiting a center at least once. In fact, almost half (48 percent) of the workers heard or had visited the closest worker center in the area, approximately 3.3 miles away from the hiring sites. The reasons for not continuing to look for work at a formal site centered on two main factors: an unfair job-allocation system and low employment prospects (see Table 5.1). Of those that stopped frequenting a worker center, 22 percent reported they felt the job-allocation system was unfair. Another 22 percent reported that coordinators were favoring workers when dispatching jobs. The main reason for not returning to a worker center, however, centered on the low job opportunities available at the center, with almost half (45 percent) of the day laborers surveyed citing not being able to find a job.

Table 5.1. Opinions and Experience with Day Labor Worker Centers

	Percentage
Ever used a worker center?	(N = 60)
Yes	38
No	62
Why did you stop going?	(N = 22)
Job-allocation system is unfair	22
Favoritism when dispatching jobs	22
Didn't find work	45
Distance	11
Would you join a worker center?	(N = 60)
Yes	70
No	18
Don't know	12
Why not join a worker center?	(N = 11)
Don't know how worker centers function	9
Doesn't like rules at worker center	9
Better opportunities at the corner	27
Favoritism when dispatching jobs	27
Dislike job-allocation system	27
How likely would you be to use a worker center if they offered amenities such as bathrooms, benches, water, etc.?	(N = 17)
Likely	41
Won't make a difference	24
Not Likely	32
Would you utilize the worker center if it was located?	(N = 59)
1-3 blocks away	81
4-5 blocks away	61
1-3 miles away	29
Do you think employers would use a nearby worker center over picking you up in the street?	(N = 58)
Yes	74
No	21
Don't know	5

Source: Author's analysis of SMDLS, 2006.

This sentiment was echoed in the informal conversations I had with day laborers. Although not all had issues with the way the center was administered, a few complained about coordinators having “favorites” and not following the appropriate mechanisms to distribute employment opportunities equitably. When I probed further to ask how long they had frequented the center to look for work, most said they had only visited the worker center 3–4 times.

The majority of participants who had frequented a worker center reported finding out about the center through their friends. The number of times the workers reported frequenting a worker center ranged from one time to 10–14 times. When asked about the reasons for visiting the center, a few day laborers said they wanted to “test their luck” in finding a job somewhere else. The remainder of the workers mentioned that the main reason for their visit to a worker center was due to an experience involving wage theft and they sought help at the center to recuperate their lost wages.

When asked whether they had a positive or negative experience with a worker center, the responses were evenly split. About half of the participants stated they had a positive experience and the other half disliked their experience. Of those that had a positive experience, most agreed that they liked having a place to sit and had peace in knowing they would not be harassed by police, merchants, business owners, or residents. A worker said he felt “protected” and “safe” (Focus Group 3). Another worker mentioned he liked the services offered at the worker center, particularly the English classes. He said he felt “more productive” at the center (Focus Group 3).

The primary reason for not returning to worker centers centered on the difficulty of obtaining a job. First, workers claimed the job-allocation system at the worker center did not work. Second, they felt there was favoritism or corruption on the part of management. Third, the setting of a minimum wage diminished their ability to engage in negotiations with the employer.

A few day laborers mentioned they did not like the lottery system at the worker center because it was “unfair to the workers who wake up early” (Focus Group 3). With a lottery system, the day laborer’s name is picked at random, and some workers wanted to opportunity to market themselves to the employer and not leave it to chance. Some participants stated there were too many day laborers at the worker center and the corner had “less competition” (Focus Group 3).

Another issue preventing workers from returning to a worker center was a general mistrust of management when distributing jobs. A participant explained:

I saw that the same names came up always, everyday. Why? I go there early, at six in the morning I was there and I would sign up. They would do the lottery and the same person would come up (Focus Group 3).

Although the majority of participants agreed that a worker center should have a job-allocation system in place, most felt that it should be administered by a coordinator who is “honest” and “who doesn’t have friendships with workers” (Focus Group 3).

Most of the workers agreed that setting a minimum wage helps ensure that workers receive proper compensation for their work and eliminates opportunity for workers “to work for almost nothing” (Focus Group 2). There were some participants, however, who felt worker centers exercised too much control and rigidity over workers’ wages, and a few participants did not like having a minimum wage. One participant mentioned he liked the freedom of negotiating with the employer and he felt the minimum wage could prevent employers from utilizing the center because employers also like negotiating with the worker as well. Another participant stated that not all day laborers have the same skill set so wages should match the requirement of the job and workers should have the opportunity to negotiate their own wage (Focus Group 3). For example, a participant said, “If I go to a worker center I won’t have the power to negotiate the wage. If the job is hard, I should be allowed to charge more” (Focus Group 2).

When asked about ways to improve the closest worker center in the area, day laborers suggested increasing employment opportunities and marketing efforts to employers, eliminating the job-allocation system, improving the administration of the site, and expanding the site.

Openness to a Worker Center

There was general enthusiasm among the participants about the idea of opening a worker center in the area. Overall, participants felt that a worker center would benefit them in some form. Seventy percent of day laborers surveyed stated they would join a city-sponsored day laborer worker center. Most participants agreed that there were far more benefits of having a worker center than of not having one. The participants outlined several benefits of belonging to a worker center that included: (1) having a job-allocation mechanism in place that would match employers with workers; (2) partaking in services provided by the center; (3) being protected from abuse and exploitation; (4) setting a minimum wage so that workers would not accept jobs for low wage; (5) gaining respect because the site would be “official”; and (6) having a place to sit and be protected from the weather.

As described earlier, there were mixed feelings about having a job-allocation system at a worker center. While most participants agreed that there needed to be a mechanism in place to ensure jobs were distributed fairly, participants could not agree as to how jobs should be allocated. Some liked the idea of having a lottery system because “the lottery [system] would make it equal for everyone to have a chance to get chosen” (Focus Group 1).

As described in Chapter 3, worker centers implement a job-allocation system for two reasons: (1) to distribute jobs efficiently and fairly in a fashion that is transparent; and (2) to incentivize workers to not look for work at informal sites when job prospects appear to be low (Theodore et al. 2008). Worker center administrators have the difficult task of finding a way to

balance both of these objectives and are doing so by “creating systems that reward workers who continue to seek employment through the worker center during the course of the day, even when the likelihood of securing work that day is low” (Theodore et al. 2008: 16). Regardless of the job-allocation system in place, all worker centers allow employers to request workers with whom they have a previous working relationship. Participants also agreed that there needed to be transparency in the distribution of jobs, but most agreed that the ultimate decision on who gets chosen should be made by the employer.

One of the main reasons for wanting a worker center provided by participants was that it would help monitor worker quality. Participants complained that workers lie at times to get a job knowing they do not have the skills to perform the job they were hired to do. A participant suggested that a worker center should record the jobs the workers are hired to do and keep a running list of the workers so when employers come, they can see the type of work the day laborer has performed. This would be equivalent to a résumé. A participant explained, “In a center you already know what each person can do or cannot do, so [employers] choose you based on that information” (Focus Group 1).

Although worker protections are important, day laborers also mention the need to be respected while looking for work. When asked about his experience at a worker center, a day laborer recalls, “It’s more respectful for us, because here [on the streets] there is a lot of racism. . . . With a center, I believe we will be more supported, more protected, more respected” (Focus Group 1). Another participant said the center would be a more “official” place to look for work and would allow employers to talk to the managers of the center to successfully match the worker with the needs of the employer (Focus Group 1). Most participants agreed that looking for work at a worker center would give them more credibility and respect.

Amenities Important to Day Laborers

To identify the services that were important to day laborers, we asked workers a series of questions about the types of amenities they would like a worker center to offer. Among the most common responses from the day laborers surveyed were restrooms, water, and classes (e.g., English, health and hygiene, trade skills). Other services mentioned by the participants included a basketball court, legal services to help with wage theft and immigration, medical services, showers, and employer outreach.

The majority of participants from the focus group expressed a need for legal services (to help with wage or abuse claims), medical services, English classes, and job training programs. A participant explained, “I want to feel productive, if a center offers English classes or job training I can do that, and not feel like I wasted my entire day” (Focus Group 1). Having access to lawyers to help with cases of wage theft or employer abuse was also important to participants. Some participants expressed the need to “advance themselves” through services and programs that the worker center could offer, such as English classes, but deemed more important were certification programs that would allow them to specialize in a particular skill and potentially earn more.

Because wage theft is prevalent in the day labor market, participants mentioned the importance of a worker center to help with the recuperation of lost wages, but also to help deter unscrupulous employers from not paying workers. For many participants, worker centers represent protection from abusive and exploitative employers. According to a participant, worker centers can help fight wage theft because they “write down the name of the employer and their license so if there is a problem with an employer, they can help them file a lawsuit” (Focus Group 3). Another participant said,

Through the center there is more respect for us but also the employer can be protected. . . . Let's say they hire me, they are given a list and they pick me, then the employer would know who I am, who is the person they are hiring, because at the center they would have my information, address, everything . . . [the center would protect] us and the [employers] because the employer would also give out his information (Focus Group 1).

Participants also expressed the need to have a place to sit and be protected from the weather. Most workers liked the idea of a worker center because they would be able to look for work in “peace” without the threat of being deported, arrested, or harassed. A participant said, “I like the idea of having somewhere to sit, with bathrooms, and water, and maybe a basketball court to do exercise while I wait for work” (Focus Group 3). Another worker said, “I don't like standing in the sun all morning. It would be nice to have a place to sit and some shade” (Focus Group 3). Although most workers did not complain about harassment by merchants, police, or residents, some participants mentioned that they feared getting deported or arrested. They said that the worker center could “protect them” and that they would feel “safer” in an enclosed space. The idea of having rules and making sure everyone abided by those rules also seemed appealing for participants.

Day laborers were also asked how likely they would be to use a worker center if they offered amenities such as bathrooms, benches, or water; 41 percent stated they would likely join if the center offered those amenities, 32 percent reported not likely, and 24 percent stated that it would not make a difference.³⁵

Many workers believed that worker centers could be successful in attracting both workers and employers. Although there were mixed feelings about how jobs should be allocated and whether or not a minimum wage should be implemented, participants agreed that worker centers

³⁵ It is important to note that there are issues associated with stated preferences. Because individuals do not have to actually make a choice regarding hiring sites when they answer the survey, to some extent, they may behave differently if a situation were to arise in which they had to choose between going to a worker center and looking for work at an informal site.

were beneficial in many ways. According to the participants, a successful worker center should have an equitable job-allocation system; offer English classes, health and safety trainings, and job training workshops; allow employers to choose the workers; educate workers on their rights; help workers recuperate lost wages due to wage theft; and hire an honest center coordinator.

Concerns Over Formalizing a Hiring Site

Of those that responded negatively to joining a worker center, their reasons centered on having better job prospects at the corner (27 percent), a dislike for the job-allocation system at the worker center (27 percent), and favoritism when jobs were dispatched (27 percent). Other reasons included a lack of awareness of how worker centers functions (9 percent) and a dislike for the rules at the center (9 percent).

Only a handful of participants in the focus groups expressed their concerns over the formalization of the hiring site. The main concern among day laborers in the focus groups was a fear of not finding work at the worker center due to preferential treatment from management in dispatching jobs and an unfair job-allocation system. Workers also expressed concerns over the location of the worker center and the ability of the worker center to recruit employers to frequent the center.

Preferential Treatment

Participants were worried about the worker center staff practicing favoritism and corruption and thereby preventing them from finding a job. This sentiment was echoed in the informal conversations I had with day laborers as well. There was a general concern among participants about staff not following the protocols set forth by the worker center when dispatching jobs. Staff, they said, must remain “objective” and abide by the rules agreed upon by the workers to ensure there is an equitable distribution of jobs. When asked about his concerns

over a worker center, a participant said, “There are always little groups that are close to the people in charge [of the centers], and when the office gets some jobs to be done, these people in charge call their own people. If this is going to happen, I don’t like it” (Focus Group 2). Another participant said, “It is unfair if a worker would get a job, get a day’s pay, and then come back the next day and get work again” (Focus Group 1). Other participants suggested creating another list of workers who do not get a job for the day and then having the coordinator pull names from that list the following day to give those that did not work a higher probability of finding work the next day.

Job-Allocation System

Participants also expressed concern over not finding a job because of the job-allocation system at the worker center. The main purpose of a job-allocation system is to have a “mechanism for equitably distributing work opportunities” that also “contains provisions that respect employer preferences and account for the types of skills needed to complete an assignment (Theodore et al. 2008:13). Although job-allocation systems at worker centers are often decided upon by the workers, participants expressed a need to modify the system to ensure that those workers who arrive early and “show they want to work” do not have the same level of eligibility to get picked as other workers who arrive late. For example, a participant said,

I’ve already been to a lot of these kinds of places in Los Angeles and I don’t like the way they assign people to work. If you arrive early first, you get a number and then a lot more workers arrive and some arrive really late; and they also get a number, and then they do a raffle to see who’s going to go to work first. I think this is not fair because if I woke up at five o’clock in the morning to go, it isn’t fair that somebody that arrived ten in the morning would win the raffle and to work [before me] (Focus Group 1).

Other participants, however, did not want the worker center to allocate jobs by using a list because if a worker came late to the center, his chances of getting a job would be low. For

example, a participant explains, “Well, I live far, so sometimes I oversleep and come late, like ten, eleven in the morning. . . . I work hard but late hours, but if I would go to a center, they would punish me and tell me, ‘No, you come too late, you don’t like to work’” (Focus Group 2).

Although there were mixed feelings regarding the type of job-allocation system a worker center should adopt, the majority of participants felt it was necessary to have a mechanism in place to allocate jobs. Few, however, agreed on how it should be done. One of the participants suggested creating a pamphlet with the names and skills of the workers who frequent the center so the employer can choose from that list. This would make the process “fair” and would ensure “workers are matched correctly with the employer” (Focus Group 1). Another participant suggested creating a bulletin board that would “list the names of the workers classified by different skill sets so that employers could use it as a guide and get matched up with workers” (Focus Group 1). There was, however, concern that the workers would lie to get a job. A participant explained, “If an employer comes and gets a worker that doesn’t know how to do the job, and the worker went because he was desperate to get work, the employer will be unhappy, and it makes the whole group look bad” (Focus Group 1).

Location

Another important concern raised by participants was the ability of the center to recruit employers and for the center to be visible to the public and employers. The location of a worker center is important for several reasons. First, the worker center must be visible and accessible for both worker and employers. If a worker center is located far away from the original site where day laborers congregated, employers and workers may be reluctant to move to the new site. In addition, employers may be unaware of the new location of the site and therefore continue to look for workers at the original site. An equally important concern is that the site be able to

accommodate both workers and employers. If a site does not provide sufficient space for both workers and employers to coalesce, the employer may be discouraged to frequent the site.

Employer Outreach

Frequency of employment is an obvious concern for all day laborers. Some participants felt that worker centers should focus more on employer recruitment and outreach. A participant summed up the importance of employer recruitment this way: “If there was an opportunity to give more information to the employer because some of them don’t know that the place [center] exists. I mean, I feel that it’s easier to drive through the street and see us there than to be inside a center” (Focus Group 3). Other participants mentioned the need to reach out to the media and other channels to inform employers and the public of the services the center offers:

A center could be announced on the radio, TV, that there is a center for immigrants, and as they would talk about it, a lot more people would come and look for us (Focus Group 1).

Conducting employer outreach and engaging in marketing efforts to increase the frequency of employment opportunities at the center is an important function of worker centers. Worker centers actively engage in employer outreach and spread the word to employers by leafleting, advertising in the local newspapers, calling local businesses, sending letters to employers, and going door to door to notify residents and the public of the existence of the center (Theodore et al. 2008). Although workers acknowledge the efforts of the worker centers to increase employer participation, most agreed that more could be done to connect workers with employers.

ORGANIZATIONAL PERSPECTIVE

Challenges

Despite having good relationships with key stakeholders in the community, worker centers experience a multitude of challenges that are related to funding and administrative support, community and worker support, and employer recruitment. As local community institutions operating with limited budgets, worker centers often face unrealistic expectations from different stakeholders. From the residents' perspective, worker centers should eliminate day laborers looking for work in public places. Similarly, police, businesses, and municipalities expect worker centers to convince day laborers to join the worker center and for informal hiring sites to disappear. From the day laborers' perspective, worker centers should focus on recruiting employers.

While wrestling with diverse needs and expectations, worker centers are able to improve employment conditions for workers, eliminate the health and safety concern over day labor practices, and protect workers from unscrupulous employers. With few exceptions (Johnson 2013), limited research exists on the challenges these organizations face to meet the needs of workers and key stakeholders. Below I describe some of those challenges.

Infrastructure and Administration

When asked about the needs of the worker center, the most common response among worker centers was the need for consistent and additional funding (60 percent), followed by more staff (34 percent), bigger facilities (16 percent), a better location (13 percent) and office equipment (2 percent). The majority of worker centers operate on restricted budgets and about a third (32 percent) of worker centers do not have a full-time paid staff person. A director of a worker center mentioned the need for additional funding to provide amenities such as a water

fountain (interview, worker center #56). Another director mentioned the need for “soap, food, and teaching materials” (interview, worker center #26).

In terms of the challenges related to funding, worker center administrators are particularly beset by staffing constraints. An overwhelming majority of staff at worker centers mentioned that they are often uncompensated for all the hours they work. A director of a worker center mentioned that he needed more money “so that [his] staff can actually get paid for the hours that they put in; [staff] are only paid for eleven hours out of thirty-five” (interview, worker center #47). An executive director at a different worker center said, “We need additional personnel, because we don’t really have time to develop ideas. . . we are always busy taking care of our daily responsibilities” (interview, worker center #61). Another director at a worker center complained that he does not have time to do any employer recruitment because he spends a third of his time supervising the worker center, another third of his time organizing workers at the corner, and the remainder of the time on office work (interview, worker center #48).

Worker centers also rely heavily on volunteers to help with the day-to-day operations of the center and to provide services for day laborers such as ESL and computer classes. In fact, almost a quarter of centers (23 percent) have at least one volunteer. A major issue that arises when using volunteers is that there is a high turnover rate and they “burn out” or don’t have “a [deep] level of commitment” (interview, worker center #37). A director of a worker center also expressed the dissatisfaction in the quality of the volunteers: “We count on volunteers and sometimes it is hard for us to recruit the talent that we want” (interview, worker center #20). Another issue with having volunteers is not having the staff to coordinate them (interview, worker center #62).

Having the appropriate infrastructure to accommodate both workers and employers was also a major concern for worker centers. A supervisor at a worker center described the need for a better location but also pointed out that contractors want to come in and out, and by not having a driveway, employers were burdened by having to park their cars away from the center (interview, worker center #55). Another director of a worker center expressed his frustration in not having adequate space for the men to congregate and also discussed the need to provide shelter to protect the workers from the sun and the rain (interview, worker center #31). The desire for more space to provide services such as construction training workshops, English courses, and computer classes were also among the top reasons why staff at worker centers would like bigger facilities (interview, worker center #18).

Community Support and Worker Retention

In most cases the creation of worker centers involves months of planning and consulting with businesses, residents, police, politicians, and day laborers. The support from these key stakeholders is important for the success of the worker center. According to worker centers surveyed, 7 percent would like more support from residents, police, and other community stakeholders. Another 7 percent reported wanting more participation from the day labor community. A director of a worker center echoes the sentiment of most worker centers: “The function of the center is effective when positive collaboration exists between the community, center, police, and city government” (interview, worker center #54). A coordinator at a worker center summed up the need for more coordination between worker centers and other organizations: “We have been here for 14 years, and many organizations don’t know how this center functions, they don’t know what this center does. They know that people come here, but they don’t know how it operates and how they can benefit from coming here. . . . We definitely

need money, but we also need support from the organizations nearby” (interview worker center #12). Another coordinator mentioned the importance of educating the public about the center and how important it is for worker centers “to organize the community, not just the workers” (interview, worker center #48).

The majority of worker centers expressed their concerns over worker retention. The struggle to keep workers away from the street corners is a common challenge for most worker centers. A director of a worker center said, “Sometimes they come in and see they can’t get a job and they leave to go outside” (interview, worker center #62). Worker centers are constantly looking for ways to increase the number of employment opportunities available to the workers. With limited budgets and staff, worker centers often face serious dilemmas on how to increase employer participation.

Employer Recruitment

Day labor worker centers advertise to employers in several different ways. The most common is by distributing flyers. Approximately three-quarters of worker centers engage in leafleting as a way to attract employers and announce their services (Theodore et al. 2008). Other forms of advertising include taking out an ad in the local newspaper, making phone calls to local businesses, sending letters to employers, and going door to door to promote the center to residents (Theodore et al. 2008). A director at a worker center mentioned that although funding is limited, they try to “promote the center the most [they] can, so that everyone knows that [the day laborers] are here and that [they] are waiting for work” (interview, worker center #35).

Overwhelmingly, worker centers reported the most important need for the center was to increase the number of employers who utilize the center. The success of a worker center is often measured by the ability to provide jobs. Worker centers need “to be able to provide jobs to as

many workers as possible” (interview, worker center #48). The reality, however, is that the worker center will not find jobs for all the workers. The supply of workers at both informal and formal hiring sites always exceeds the demand for their work. As a director of a worker center said, worker centers “will never get jobs for all of [the workers]. Even on the street, [day laborers] won’t all get jobs” (interview, worker center #48).

Identifying the above challenges is critical to better understand the multiple obstacles worker centers face in delivering services to day laborers and in meeting the expectation of multiple stakeholders to eliminate the presence of day laborers from the streets. It is important for local stakeholders to understand the constraints placed on worker centers due to limited budgets and staff.

CONCLUSION

All workers agree that the primary goal of worker centers is to provide employment opportunities. This finding is consistent with Johnson’s (2013) case study of day laborers in Los Angeles. The need to secure employment opportunities is an obvious necessity for day laborers. My research, however, challenges Johnson’s assertion that day laborers are not concerned with the services provided at worker centers. In fact, my research shows that workers overwhelmingly agree that worker centers should offer services that help fight against wage theft and that build human capacity. Despite the reservations of some day laborers, the overwhelming majority of them agree that a center would help fight against wage theft, provide services that are important for their personal and professional development, and give them more credibility and respect.

Day labor worker centers perform various functions in the labor market to help regularize the hiring of causal workers and to maintain labor standards. They offer a myriad of services aimed at improving the lives of day laborers and lessening community conflict over day labor

hiring sites. As described in Chapter 3, worker centers have proven to be effective in improving the labor market outcomes of day laborers, mitigating wage theft, and in incorporating day laborers into community life. Some however face multiple challenges due to their limited budgets and staff. Not having the appropriate infrastructure to meet the needs of both workers and employers is also a concern for some worker centers. In addition, some worker centers find it difficult to maintain relationships with other local organizations and community stakeholders, an important function that worker centers partake in to mitigate conflict surrounding day labor practices.

It is important to note that every worker center's situation is unique and each has specific local conditions and dynamics that will influence how it addresses the needs of day laborers. The challenges facing worker centers are important indicators of their capacity to meet the needs of workers and to address community concerns over day labor practices. The multitude of services worker centers provide are often overlooked by the emphasis that is placed on the statistics of their performance and the elimination of the day labor population from seeking work at informal sites. One must not forget that the success of a worker center is dependent upon the participation of both workers *and* employers. Investigating the reasons why employers choose an informal site over a formal one is important in developing strategies and programs to increase the participation of employers and workers at the centers.

A possible way to increase worker and employer participation is by recruiting students from a business management program from a local university to create and implement outreach programs to help market the center to both workers and employers. Such a partnership would help increase the visibility of the center and identify ways to bolster worker and employer

participation. Worker centers would also provide students the opportunity to contribute in a meaningful way to improve the lives of day laborers.

CHAPTER 6

CONCLUSION: SUMMARY OF FINDINGS AND RECOMMENDATIONS

This dissertation examines several aspects of day labor work, including analysis from a worker's perspective and the organizations created to mitigate conflict surrounding day labor practices. My dissertation utilizes mixed methods and various data sources rich in narrative and sample size. I use survey data analysis to compare worker and labor market outcomes by type of hiring site (i.e., informal compared to worker centers), investigate factors associated with site preference, and identify obstacles to and challenges of formalizing a day labor hiring site. I also draw on qualitative data to investigate the efficacy of worker centers in three areas: labor market outcomes, the mitigation of abuse and hazards, and the incorporation of workers into the communities in which they work and live. In this conclusion, I briefly summarize my findings and provide context on the literature. I also outline some of the limitations of my methods and approach, and offer recommendations and directions for future research.

WORKER CHARACTERISTICS AND LABOR MARKET OUTCOMES VARY BY SITE TYPE

The existing literature on day laborers depicts a marginalized and vulnerable population, with monthly wages that places them among the working poor. A substantial segment of this workforce lacks legal documentation to reside or work in the United States, thereby limiting their employment choices and access to the mainstream economy. The urgent need to support themselves and their families exposes jornaleros to a labor market that is riddled with rampant violations of basic labor standards. In this labor market, workers are faced with incredible uncertainty in finding employment, and although some might be able to build their skills and find

more stable employment, they still find themselves near the bottom on the U.S. labor market in regard to low-paying jobs.

With few exceptions (Gonzalez 2007; Melendez et al. 2009), studies on day labor have overlooked any type of analysis on the characteristics that differentiate workers and labor market outcomes, abuses, and community outcomes by type of day labor hiring site. My dissertation findings add to the sparse literature on the human capital characteristics of day laborers and their labor market outcomes associated with where they look for work.

One of the principal findings of my research is that worker centers protect workers against wage theft and abuse by police and merchants. Among the day labor workforce, rates of abuse by police and merchants were lower for workers at worker centers than at informal sites. Wage theft rates were also significantly lower for workers at worker centers compared to day laborers at informal sites.

Worker centers also improve the well-being of day laborers through case management systems that focus on wage and hour claims and educational programs on workers' rights. My findings show that day laborers at worker centers reported significantly higher rates of knowing where to report workplace abuse than workers at informal sites.

My findings show that the demographic characteristics of the workforce vary significantly by site type. Day laborers at worker centers are more likely to be older, not be married, and have a better command of the English language. The number of hours and days worked the week prior to their interview with us also varied significantly between workers at informal sites and those at worker centers. Day laborers at informal sites worked an average of one day more per week, and an average of four hours more per week than workers at worker centers.

By examining the characteristics of the workers and labor market outcomes of day labor work by site type, a greater understanding can be achieved on how this segment of the labor market is organized and of the actors who are participating in the different site types. Planners, policy makers, government officials, and community groups need to be better informed about the population that frequents each type of site to formulate policies and interventions that will improve the lives of day laborers.

Future research might explore site selection as a mutually exclusive practice. I was unable to perform this type of analysis because data collected from the NDLS did not capture how often workers searched for work at a particular site or if they looked for work at other sites. The NDLS, however, did ask workers if they belonged to or were members of a worker center and collected data on the type of site at which day laborers were looking for work at the time of the interview. Of the 2,660 day laborers surveyed, only 8 percent of day laborers reported belonging to a worker center, but at the time of the interview, they were looking for work at an informal site. Is site switching a common practice among day laborers? If so, what factors determine what site day laborers frequent the most?

In addition, future research might explore employer preferences in their site selection to better inform policies and strategies that can help increase employer recruitment and attract employers to formal hiring sites.

SEARCHING FOR WORK AT WORKER CENTERS HAS KEY ADVANTAGES

The results I shared in Chapter 3 highlight the important functions that worker centers play in the day labor market, and they show that worker centers improve the lives of workers in several important and life-changing ways. First, they set minimum wages to ensure day laborers receive adequate pay for their work. Second, they offer trainings to help prevent on-the-job

injuries and help workers fight against wage theft through the wage-claim process, direct action, and worker education. Although the injury rates were highest among day laborers at worker centers, these organizations are reaching out to a population that is often neglected or overlooked by regulatory agencies that exist to enforce labor and employment laws and maintain health and safety standards. Third, they form partnerships with law enforcement and merchants to mitigate conflict and dispel misconceptions about the day labor population.

Lastly, the majority of worker centers afford workers the opportunity to engage civically and connect with the local community through volunteer opportunities, participation in neighborhood meetings and conferences, and center-sponsored activities such as soccer tournaments, celebrations (e.g., Father's Day), and dances. Some also improve the lives of day laborers by promoting leadership development and literacy and English as a Second Language (ESL) classes aimed at building their human capacity and improving their well-being, beyond the job sites. Worker centers provide the institutional infrastructure to insert immigrant workers into the labor market, ameliorate working conditions, and engage workers civically, while promoting leadership development and a more dignified way to look for work.

These findings further advance the assertions made by recent studies that worker centers provide workers with opportunities to engage civically, lessen community conflicts, while at the same time, ensuring the health and well-being of day laborers within local communities (Gordon 2005; Fine 2006; Theodore et. al 2008; Milkman 2010). After countless interviews and time spent at worker centers, and a close review of my findings, I have concluded that day laborers become engaged with civil life and other opportunities as a result of the camaraderie, discussions, collective workshops, and engagement with other day laborers, advocates, and community leaders who frequent and or volunteer at worker centers. Worker centers are

community institutions, and as a result they serve as important spaces not only for training but also engaging in civil society and projects to improve one's community.

In closing, more systematic research is needed to understand the role worker centers play in the political incorporation of day laborers and in transitioning workers into stable full-time employment. Longitudinal studies are needed to accurately capture the long-term effects of participating in a worker center as opposed to an informal site.

CIVIC ENGAGEMENT AND SITE PREFERENCE MATTERS

Most research on day labor has focused on several key characteristics of the day labor market that include the nature of day labor work, demographic characteristics of day laborers, wages and employment, and employer and community abuse. Few researchers have focused on the impact site preference has on the community and labor market outcomes of day laborers (Gonzalez 2007; Meléndez et al. 2009). This dissertation adds to the existing literature on day labor and labor market intermediaries by analyzing worker and labor market determinants in site preference. My research findings reveal that civic participation is an important factor that affects site selection. Day laborers who are more civically engaged have a higher probability of choosing a worker center over an informal site. Age also has an effect on site preference. On average, younger day laborers have a higher probability of choosing an informal site versus a worker center. Conversely, older day laborers have a higher probability of soliciting work at worker centers as opposed to informal sites. Studying how civic participation affects the probability of site selection in the day labor market is a vital exercise that may lead to the integration of one of the most marginalized groups in today's society.

These findings have important implications for day laborers and the organizations who aim to help them. By focusing their efforts on civic participation, worker centers can increase

their membership and not only address the needs of day laborers as workers but also as community members.

As Latino immigrants progressively become more powerful demographically, their level of civic engagement will be increasingly important in determining the role American civic institutions and community-based organizations in particular play in mobilizing and empowering workers to become civically engaged. By forming partnerships with community-based organizations, planners, policy makers, and governments should support successful models, such as worker centers, that capitalize on the existing networks and social capital found in immigrant communities.

Civic engagement is an important mechanism by which day laborers can be integrated into American society. Future research should focus on how public policies and practices intersect with migrant patterns of civic participation. In future research, I am interested in uncovering the specific worker center practices that lend themselves to civic participation outside of the worksite. Through the collection and analysis of more robust measures of civic engagement, we may gain a better understanding of the experiences of day laborers. Additionally, more qualitative data is needed that compares the experiences across immigrant generation, age, and legal status.

FORMALIZING DAY LABOR HIRING SITES IS COMPLEX

As I discussed in Chapter 5, the creation of a worker centers is a complex issue with key challenges and pitfalls. My findings show that workers have mixed feelings about the creation of a worker center. While some find it useful and beneficial to have an enclosed space to look for work to protect them from the weather and unscrupulous employers, others enjoy the freedom and autonomy in finding work on their own without the imposition of any structure governing

their actions or wage rates. Consistent with the survey data, focus group data reveal that although some day laborers felt a worker center wasn't the best option, most agreed that a worker center would help protect them from unscrupulous employers and provide a dignified way of looking for work.

I also find that day laborers overwhelmingly agree that the primary function of a worker center should be to provide jobs. My research finding is consistent with Johnson's (2013) study of day laborers in Los Angeles, California. The obvious need to be employed is the top priority for day laborers. My research findings, however, challenge Johnson's assertion that the services provided by worker centers are not vital to the lives of the workers. Workers expressed an overwhelming desire and need for services that would help them recuperate lost wages and increase their human capital, such as literacy and ESL programs.

While not all worker centers are equipped to meet the needs of day laborers, the majority of worker centers do offer services and programs aimed at improving the lives of day laborers as workers and members of society. More importantly, day laborers believe that a worker center can provide them with the dignity and respect they deserve.

Based on my research findings, I suggest the following recommendations for government officials, planners, policy makers, and community-based organizations to assist day laborers in improving their working conditions and labor market outcomes, and to achieve a better quality of life:

Worker Centers

Partner with local colleges or universities to create a marketing plan to increase worker and employer participation. A possible way to increase worker and employer participation is by recruiting students from a business management program from a local

university to help create and implement outreach programs to help market the center to both workers and employers. Such a partnership would help increase the visibility of the center and identify ways to bolster worker and employer participation. Worker centers would also provide students the opportunity to contribute in a meaningful way to improve the lives of day laborers.

Workforce Development and Training

Implement job skills development programs that can lead to certification. Day laborers expressed a need for job skills programs that would help them transition into the formal economy. Worker centers can partner with local community colleges to provide certification programs that can lead to better paying and more stable employment prospects for day laborers.

Provide workplace safety and health training. Day laborers experience extremely high rates of workplace injuries and few receive any on-the-job training by their employers. Community-based organizations and worker centers should work closely with their regional Occupational Safety and Health Administration (OSHA)³⁶ office to develop culturally and linguistically appropriate educational programs and literature, and federal and state agencies charged with enforcing health and safety laws should hire bilingual staff to improve their capacity to serve immigrant workers.

Enforcement of Employment and Labor Laws

Work with local law enforcement to target employers who consistently violate labor and employment laws. Community partnerships can provide vital information on unscrupulous employers. Worker centers can help funnel information on employers who

³⁶ <https://www.osha.gov/about.html>.

repeatedly violate the law and work with law enforcement to ensure that labor and employment laws are enforced. Such a partnership can also help mitigate conflict between law enforcement and day laborers.

Worker centers are part of a growing number of non-governmental organizations (NGOs) that have embarked on organizing and advocacy campaigns to raise workplace standards, defend the rights of immigrants and low-wage workers, and help workers earn dignity on the job. These organizations serve as important conduits for improving the lives of immigrant workers, who often fall victims of abuse and wage theft (Milkman, González, and Narro 2010).

Worker centers also provide workers with opportunities for leadership development and to engage workers in broader policy advocacy campaigns that affect their lives, such as legalization programs, driver's licenses for immigrants, and health care access, among others. Worker centers build a culture of democracy and participation and encourage the development of coalitions and networks to help fight for the rights of workers and increase protections for day laborers.

In conclusion, implementing policy recommendations requires a collective effort from multiple stakeholders. Given the exploitative and dangerous nature of day labor work and the conflict surrounding the day labor population, it is imperative that policy makers, planners, government officials, community-based organizations, and local, state, and federal agencies work together to improve the working conditions of day laborers and to ensure that their civil and labor rights are protected.

APPENDIX

The National Day Labor Study (NDLS) consisted of two main components both administered simultaneously: the Day Labor Worker Survey (DLWS) and a Day Labor Worker Center Survey (DLWCS). The purpose of the NDLS was to document and analyze the characteristics of day laborers nationwide, identify all known hiring sites (both formal and informal), and better understand the role of worker centers in this industry.

The first component, the DLWS, was designed to take a national count of day laborers in the United States and to analyze regional and local differences among the workers in this industry. The second component, the DLWCS, focused on understanding the critical issues surrounding day labor and the local policies and programs aimed at addressing those issues. The study was centered on the role that worker centers play and the capacity of these regulated spaces to integrate day laborers into local communities and regions. The DLWCS was administered to staff at all known worker centers in the United States.

Below I provide a detailed description of the sampling methodology and field implementation of the DLWS.

DLWS

Sampling Methodology

A stratified sampling method was implemented to allow for a probability sample of day laborers nationwide. A probability sample was used because it would produce unbiased estimates, with known probability, of the total count of day laborers in the county.³⁷

Metropolitan Statistical Areas (MSAs) served as primary sampling units, as defined by the 2000

³⁷ The day labor market is volatile and transient in nature, which poses difficulty in precisely estimating the day labor population at one specific point in time. To date, there does not exist a formal sampling frame from which to predetermine the distribution of day labor hiring sites nationwide. Given these shortcomings, this sampling methodology should yield an accurate account of the overall size and magnitude of the day labor population in the United States.

U.S. Census.³⁸ All MSAs were stratified according to two important factors: the size of the total population and the level of concentration of Latino and foreign-born populations. Previous studies on day labor in Los Angeles and New York documented that day labor work is dominated by immigrants, primarily of Latino origin (Valenzuela 1999; Meléndez and Valenzuela 2002). Therefore, given these two prominent characteristics of day laborers, MSAs were stratified according to the expected regional density of day labor hiring sites.

As a result, the stratification scheme generated a number of strata, defined by where day laborers were likely to congregate (those with high population and a high Latino population). Of the 50 MSAs that were randomly selected nationwide, two MSAs were selected twice (New York and Los Angeles), which brought the total count to 48 MSAs. Of these 48 MSAs, 13 were found to not have a day labor population and were therefore not surveyed.³⁹ This left a total of 35 MSAs that were confirmed to have a day labor population. To ensure that worker centers were represented in the sample, an additional 11 MSAs (that were not part of the selected random sample) were added, for a total of 46 MSAs.⁴⁰

Identifying Day Labor Hiring Sites

Several strategies were implemented to identify and verify day labor hiring sites existed within each MSA. First, a research team at UCLA contacted several local organizations (i.e., community-based organizations, advocacy groups, churches, home improvement stores, police departments, and city planning departments) within each MSA to verify if indeed a day labor population existed. The UCLA research team worked very closely with the local organizations to

³⁸ Alaska, Hawaii and Puerto Rico were excluded from the sample due to time and financial restraints.

³⁹ A team of investigators were sent to the 13 MSAs to verify that a day labor population did not exist in the area. The investigators interviewed residents, store owners and employees, police, and community-based organizations and were not able to identify any hiring sites in those pre-selected areas.

⁴⁰ For further information on the research design of the National Day Labor Survey, see Valenzuela et al. 2006.

inquire about a day labor population and forged relationships with many community-based organizations that worked with immigrant and minority communities.

A set of questions were developed to screen for the existence of a day labor population. The questions focused on gathering detailed information about day labor hiring sites (e.g., number of sites, size of sites), and demographic information about day laborers in the area. If there was evidence that day laborers were congregating in the area, additional questions were asked to identify the characteristics of the day labor population in that particular area. For example, a researcher would call a home improvement store in a pre-selected area and ask if there were men looking for work in the parking lot. If staff at the home improvement store confirmed that there were day laborers in the area, the researcher would then call a local community-based organization that worked with minorities or immigrants to ask more detailed questions about the demographic characteristics of the day laborer population in the area. This strategy was key to estimating the number of sites and the regional characteristics of day laborers.

This first phase of identifying sites proved to be the most fruitful in gathering accurate information about the day labor population in the pre-selected regions. To conserve valuable time and resources, the research team worked diligently to make sure that the information for each pre-selected region was as accurate as possible. By contacting local community and advocacy organizations (via phone, e-mail, or mail), the research team was able to confirm if a day labor population existed in most of the targeted sampling areas.

There were, however, areas that had questionable information about a day labor population. Despite multiple calls with organizations in the local community, researchers gathered information about day laborers in certain MSAs that was contradictory. For example,

researchers contacted several local community-based organizations in Altoona, Pennsylvania, and were told that day laborers congregated in front of a Jack in the Box. Upon further investigation, researchers could not confirm there was a day labor population congregating anywhere in the city, and were told by local community members that a day labor population did not exist there. To address this issue a team of researchers were sent to the pre-selected sampling areas that had contradictory information to ensure that all hiring sites were accounted for.

The second strategy proved to be more costly but equally successful. To verify the information obtained by the UCLA research staff, a team of community organizers or “scouters” were sent to canvass the questionable areas and determine first if any hiring sites existed within that MSA, and if they did, to obtain a count. These scouters were sent to all locations that had been identified as day labor hiring sites and prior to their departure, the scouters made contact with local community groups to arrange a meeting during their visit.

It was very important for the UCLA research team to identify all possible sites within each MSA and to familiarize themselves with the day labor population in the area. To plan travel routes, exact locations needed to be identified and teams needed to be prepared for any potential issues such as language barriers that would prevent surveying day laborers. To arrive at an accurate total estimate of the number of day laborers nationwide, a count of all known hiring sites was needed prior to implementing the survey. The majority of sites were identified using this method.

The second strategy consisted of internet searches to help identify as many day labor hiring sites as possible within each MSA. The UCLA research team reviewed journals, newspapers, and any websites that might contain information on day labor hiring sites.

Newspaper articles were the most instrumental in identifying sites, although not many identified more than one site.

The remainder of the day labor hiring sites were identified by a “referral” system similar to a snowball sample, in which day laborers were approached at a site and asked what other locations they frequented to look for work, and the workers at those new sites were asked the same question. Despite multiple visits to sites identified by the research team, 10 MSAs were found to not have a day labor population, bringing the total to 36 MSAs.

The number of sites within each MSA varied considerably and although rare, there were instances that hiring sites were identified on the spot when the interview team visited the site. In those cases, interview teams were instructed to add that site to the list and to interview workers there.

Field Implementation

The fieldwork consisted of two stages: the reconnaissance process and the interview that followed. Each morning the survey teams would travel to their assigned hiring site and begin to count the number of workers at that site that morning. After counting the workers, the team leader would categorize the site as small (less than 25 workers), medium (26–50), large (51–100), and mega (100+), and based on the size of the site, the team leader would then randomly choose day laborers based on a “selection” count. The team leader had a pre-standardized sheet that contained an assignment of random numbers corresponding to the size of the site (small, medium, large, or mega). For example, if a site was small, respondents who were randomly assigned numbers 3, 6, 8, 12, or 17 were chosen to participate in the study. To ensure that the team leader remembered the workers who fell in the selection count, a description of each of those workers was recorded on a sheet. Due to the anonymity of the survey, the team leader

would write down a physical description of the potential survey respondents and the clothing they were wearing along with any other identifying markers. After potential respondents were identified, they were approached and asked to participate in the study. The refusal rate was very low, at 21 percent.

Team leaders were also responsible to take an hourly count at the site. Every morning, a survey team would arrive at 6:30 am and count all the day laborers at the hiring site. The count was repeated until 10:30 a.m. and included day laborers who were not part of the initial count. In the rare occasion that the site had more than 100 day laborers, the team leader divided the site into quadrants and randomly selected day laborers in each particular quadrant. The team leader would then designate an interviewer per quadrant to survey those day laborers who fell in the selection count.

A survey team composed of 20 interviewers was hired to conduct interviews. The survey team consisted of students (undergraduate and graduate), community organizers, and day laborers. The survey teams included a team leader who was in charge of ensuring adherence to the survey methodology and troubleshooting if any issues arose. Team leaders did not conduct any interviews. They were also responsible for handing out incentives and reviewing the surveys to ensure quality control. The interviewers were divided into five teams and each team was assigned a specific route (West, South, Southeast, Midwest, and East) with information on each of the sites they were scheduled to visit each day. The interviewers attended a rigorous four-day training at UCLA, which included classroom learning as well as hands-on training in the field. The daylong trainings consisted of workshops on the principles of scientific sampling procedures, general characteristics of day laborers, and all aspects of the study—from the sampling methodology to conducting the survey. Interviewers pretested the survey with day

laborers at pre-determined local hiring sites in the surrounding area. After the training, the survey teams were dispatched to their respective areas and began to survey day laborers in their assigned routes.

A total of 2,660 day laborers were surveyed in 139 municipalities in 20 states and the District of Columbia (see Table A). The survey team visited more than 264 day labor hiring, with the largest number of sites located in California and New York. Almost half of the sites were small, and only six sites had more than 100 day laborers at any given time during the time the survey team visited the site.

Table A. Number of Hiring Sites per Metropolitan Statistical Area

Metropolitan Statistical Area	Number of Sites	Number of Day Laborers Surveyed
Atlanta, GA	18	185
Austin–San Marcos, TX	4	44
Birmingham, AL	2	17
Boston, MA-NH	3	20
Bryan–College Station, TX	1	12
Chicago, IL	5	80
Denver, CO	3	33
Eugene–Springfield, OR	1	3
Galveston–Texas City, TX	2	12
Houston, TX	11	120
Huntsville, AL	3	15
Jersey City, NJ	5	33
Kansas City, MO-KS	1	8
Las Vegas, NV-AZ	6	54
Lexington, KY	1	10
Los Angeles–Long Beach, CA	23	180
McAllen-Edinburg-Mission, TX	2	11
Miami, FL	6	30
Monmouth-Ocean, NJ	2	26
Nassau-Suffolk, NY	15	141
New York, NY	33	266
Newark, NJ	3	42
Oakland, CA	11	114
Orange County, CA	23	143
Orlando, FL	3	18
Phoenix-Mesa, AZ	13	136
Portland-Vancouver, OR-WA	3	28
Raleigh-Durham-Chapel Hill, NC	2	28
San Antonio, TX	1	16
San Diego, CA	12	86
San Francisco, CA	9	86
San Jose, CA	14	144
Santa Fe, NM	1	12
Seattle-Bellevue-Everett, WA	4	24
Vineland-Millville-Bridgeton, NJ	2	7
Washington, DC-MD-VA-WV	16	476
Total	264	2,660

Source: National Day Labor Study, 2004.

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