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Labor Standards in the Informal Economy

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**DAY LABOR WORKER CENTERS:
New Approaches to Protecting Labor Standards in the Informal Economy**

Executive Summary

This report presents the findings of the first national study of day labor worker centers. The report is based on interviews with executive directors and senior staff of 60 day labor worker centers operating in 15 states. In the report, we examine the activities and characteristics of worker centers, focusing on the ways in which they impact wages and working conditions in the day labor market. We make extensive use of the interviews to present firsthand accounts of the mission and operations of day labor worker centers.

Day labor worker centers mediate the hiring of workers in three principal ways: (1) they establish a floor under wages through the setting of minimum wage rates; (2) they are involved in the efficient and equitable distribution of job opportunities; and (3) they maintain wage standards through their assistance to workers who have suffered nonpayment of wages by employers. By increasing the transparency of the hiring process and reinforcing the idea that both parties to the employment or contracting relationship – workers, contractors, and employers – are mutually responsible for a satisfactory outcome, worker centers endeavor to improve employment conditions in the day labor market.

The creation of day labor worker centers is now widely seen by many laborers, workers' rights advocates, and municipalities as the most direct and immediate way to improve the working conditions and safeguard the rights of day laborers. As independent organizations created to benefit both workers and employers, worker centers occupy a unique position in local labor markets. They offer mechanisms to monitor the practices of employers by increasing the transparency of the hiring process and providing a means by which to hold employers accountable for workplace abuses, while also organizing the hiring of day laborers and monitoring worker quality. Furthermore, in the wider community in which day laborers work and live, these centers participate as key stakeholders in the resolution of neighborhood conflicts over the presence of informal day labor markets. Because well-functioning worker centers are able to address a range of concerns, they are gaining widespread acceptance as effective labor market intermediaries and important community institutions.

This report is divided into five sections. Section I provides an overview of day labor worker centers and the impetus for their creation. Section II examines the ways in which day labor worker centers regulate the day labor market through establishing minimum wages, devising systems to allocate job opportunities, and redressing worker grievances. Section III considers strategies to attract employers and ease community tensions over the growth of day labor. Section IV examines the organizational structure and services of day labor worker centers. The final section considers the future of day labor worker centers in the context of rapidly growing day labor markets.

INTRODUCTION: DAY LABOR IN THE UNITED STATES

Every morning, in cities and towns throughout the United States, groups of workers assemble on street corners, in parking lots of building supply stores, and in other public spaces to search for work. These job seekers are day laborers who are employed by construction contractors, landscaping companies, small businesses, and private households for short-term, manual labor projects. On a typical day, more than 100,000 day laborers are either employed or looking for work as construction helpers, gardeners, painters, plumbers, roofers, movers, drywall installers, and a variety of other construction occupations. The day labor market is growing rapidly – employer demand for day laborers is on the rise, in part because of the active U.S. housing market and because labor shortages are found in parts of the country. However, the employment of individual day laborers tends to be highly insecure, with many workers earning poverty-level wages.

Day laborers face a labor market that is characterized by rampant violations of wage and hour laws as well as health and safety regulations. The National Day Labor Survey (NDLS), a nationally representative survey of 2,660 day laborers across 264 hiring sites in 20 states and the District of Columbia, documented a pervasive pattern of employment law violations. Typical violations include unpaid wages and exposure to hazardous working conditions (Valenzuela, Theodore, Meléndez, and Gonzalez, 2006).

Findings from the NDLS reveal that workers in the informal day labor market routinely endure violations of their labor rights. The high incidence of violations is directly related to the economic marginalization of this workforce, most of whom are migrant laborers. Too often, unscrupulous employers stand ready to capitalize on this situation, as is reflected in the prevalence of the nonpayment of wages, exposure to unsafe working conditions, and a range of other worker abuses documented in the NDLS. Because many day laborers are undocumented immigrants, some employers are emboldened to withhold wage payments, abandon workers at the job site, refuse to cover injured workers through their workers' compensation insurance, and subject workers to other abuses. Employers often back such violations of basic labor standards with threats of turning workers over to federal immigration authorities, or other forms of retaliation, if

workers speak out against abuses. Furthermore, many day laborers believe that because they do not possess legal immigration documents, they are prevented from seeking recourse for violations of labor laws through government channels, such as filing wage claims against employers, or reporting workplace safety violations.

As a result, violations of basic labor standards have become an almost taken-for-granted feature of informal day labor markets, with many workers unable to effectively challenge employer abuses. But this is changing. A growing cadre of day labor worker centers has emerged across the United States. There are more than 60 day labor worker centers operating in at least 15 states (Map 1). Worker centers are sites where day laborers are encouraged to congregate and employers are encouraged to find workers. According to one worker center manager, the hiring site is “a safe haven for workers to negotiate their job and not be on the street (interview, site coordinator, worker center #12). In some cases these sites are no more than enclosed, open-air venues with seats or benches. In their more developed form they are full-service community organizations that operate a hiring hall, coordinate workers’ rights activities, provide services, and sponsor community events.

[Map 1 here – day labor worker centers]

This report examines the activities and characteristics of day labor worker centers, focusing on the ways they impact wages and working conditions in the day labor market. In developing this profile of worker centers we interviewed the directors and staff of 60 of the 61 day labor worker centers that were operating at the time of the survey. Some of the interviews were completed face-to-face while others were administered by telephone. Each worker center was mailed an advance copy of the survey protocol and an explanation of the study. No incentive was offered to encourage participation. Each survey lasted approximately one hour.

With the data collected from each day labor worker center, we examine their varied efforts to improve wages and working conditions in the day labor market. Although commonalities in intervention models and labor market strategies exist, each center has adapted its activities to local conditions, devising programmatic innovations to address the particular challenges they face. In this report, we make extensive use of the worker center interviews to present firsthand accounts of how day labor worker centers operate. We conclude that day labor worker centers are important new labor market institutions that are capable of making a significant impact on employment conditions in the day labor market. At the same time, they are able to work in collaboration with local stakeholders to alleviate many of the community concerns that have accompanied the growth of day labor in the United States. The creation of day labor worker centers is a relatively new strategy and many worker centers are still refining their approaches to labor market intervention. Nevertheless, the emergence of these centers in local labor markets marks a significant step forward in protecting workers' rights in the informal economy.

This report is divided into five sections. Section I provides an overview of day labor worker centers and the impetus for their creation. Section II examines the ways in which day labor worker centers regulate the day labor market through establishing minimum wages, devising systems to allocate job opportunities, and redressing worker grievances. Section III considers strategies to attract employers and ease community tensions over the growth of day labor. Section IV examines the organizational structure, resources, and services of day labor worker centers. The final section considers the future of day labor worker centers in the context of rapidly growing day labor markets.

I. DAY LABOR WORKER CENTERS AS LABOR MARKET INTERMEDIARIES

The creation of day labor worker centers is now widely seen by many laborers, workers' rights advocates, and municipalities as the most direct and immediate way to improve the working conditions and safeguard the rights of day laborers. As independent organizations created to benefit both workers and employers, worker centers occupy a unique position in local labor markets. On the demand side of the labor market they offer

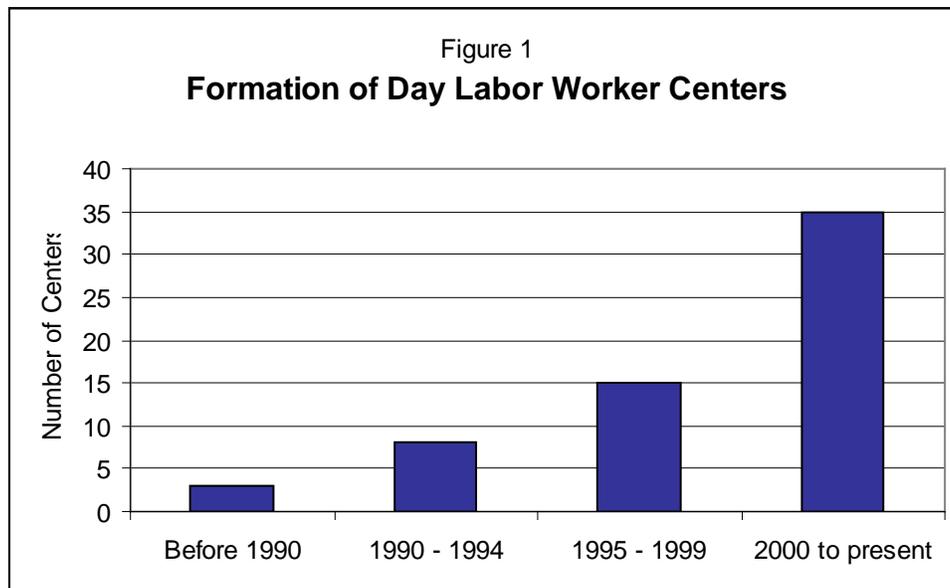
mechanisms to monitor the practices of employers by increasing the transparency of the hiring process and providing a means by which to hold employers accountable for workplace abuses. On the supply side, they organize and normalize the hiring of day laborers, monitor worker quality, and provide opportunities for worker incorporation into the mainstream economy through employment assistance and, in some cases, job-skills training. Finally, in the wider community in which day laborers work and live, these centers participate as key stakeholders in the resolution of neighborhood conflicts over the presence of informal day labor markets. Because well-functioning worker centers are able to address a range of concerns, they are gaining widespread acceptance as effective labor market intermediaries and important community institutions. The executive director of one of the day labor worker centers interviewed for this study described the creation of the center this way:

... the city wanted to reduce the presence of men on the street ... and also [ensure] that there would be more humane conditions for them as well as some kind of worker protection. We are interested in providing a safe and orderly place for day laborers to find work, but also to more effectively integrate them into the local economy. We actually have shifted our emphasis from being a day laborer hiring hall to being a community economic development center that includes serving people who rely on casual labor (interview, worker center #41).

The executive director went on to explain that the center has developed three initiatives: (1) “job development ... that connects the informal economy with the formal economy;” (2) financial education and asset-building programs that assist workers in resolving credit problems and building wealth; and (3) business development in order to facilitate the creation of small enterprises by low-wage workers. Through this three-pronged approach to economic development, the center aims to expand employment and business opportunities for community residents and to provide pathways for workers to make the transition from casual to stable employment. This type of holistic, inter-connected strategy typifies the more established worker centers.

The creation of day labor worker centers is a relatively recent phenomenon, with most having been established since 2000 (Figure 1). Centers typically are located in

close proximity to informal day labor hiring sites, offering both workers and contractors an alternative to the unregulated sites found on street corners and in store parking lots. Indeed, location can be a crucial determinant of a center's success, and most of these hiring sites have been established in areas where both workers and employers have ready access. Fifty-four percent of centers are located along busy thoroughfares, 52 percent are located in predominantly residential areas, and 18 percent are located near building supply stores where day laborers often congregate. Nearly three-quarters of worker centers were established next to or near informal hiring sites.



Source: Day Labor Worker Center Survey.

Many day labor worker centers were created through partnerships between local stakeholders, including community organizations (54 percent of centers), local governments (54 percent), church groups (31 percent), and law enforcement agencies (28 percent). Other partners include local businesses (10 percent of centers) and labor unions (5 percent). Typically, community organizations, municipal governments, or faith-based organizations assume the responsibilities of lead partner, and all of the worker centers surveyed are operated by one of these entities. Community organizations operate 41 day

labor worker centers (67 percent), while city government agencies and church groups each operate 10 centers (16 percent, respectively).

Interviews with worker center directors and staff reveal that the impetus for establishing a worker center can come from various segments of the local community, including community organizations, police departments, the local business sector, day laborers and other community residents, religious organizations, or municipal governments. For example, one of the centers surveyed was established by a community organization in partnership with city officials, day laborers, and representatives of church groups. The center is located “about two blocks from the corners where day laborers [had been assembling]. There were complaints, the usual problems, [people in the neighborhood] would complain to the police and immigration [authorities] would show up and do raids. We began talking about possible solutions and it was then that we reached an understanding with the city that to go after [the workers] was not the best solution. Instead [we should] provide a place, a sanctuary for the workers” (interview, executive director, worker center #16). The worker center was established to better meet the needs of laborers and employers, and to alleviate neighborhood concerns regarding the presence of large numbers of job seekers on city streets.

In another case, organizers discovered “a lot of tensions in the community” associated with an informal hiring site where dozens of women gather to search for work as housecleaners and babysitters. “There were cases where [residents] would splash hot water on the workers ... [and] the police would strongly accuse the workers” of violating the law. “There were cases of sexual harassment and unpaid wages, and the working conditions were inhumane” (interview, site coordinator, worker center #6). Here, various community organizations allied with a lead organization to open a formal hiring site in the neighborhood. In a third case, a partnership was created “that includes the city; the police; and city agencies like the building department, the community development agency, the mayor’s office, [and] the school [district]” (interview, executive director, worker center #5).

In just about all cases, when interviewees described the conditions that prompted the creation of a worker center, they pointed to the need to shore up labor standards in the day labor market while also addressing community concerns regarding the presence of day laborers in public spaces. One of the executive directors interviewed for this study summed up the mission of many centers: “The goals are to have a place for the laborer to have dignity and security, where he is looked upon as someone who helps the community. Also, to create an atmosphere where there is a good relationship between residents, businesses, and the laborers themselves so that they are seen as part of the community (interview, worker center #23). Similarly, the program coordinator of another a worker center articulated the center’s goals in this way: “The goal is to offer job seekers opportunities to earn a decent wage, to reduce swarming in the street, ... to identify the level of skill of the laborers, to create an opportunity for the day laborers and contractors to come together, and to provide [workers] with access to education and support services” (interview, worker center #17).

Most day labor worker centers provide fairly basic accommodations to job seekers and employers. All operate as hiring sites where day laborers and employers can arrange work for the day. Available amenities and services typically include restrooms, drinking water, places to sit, telephones, classrooms, outreach to employers, and parking facilities. Most of these centers are housed in commercial buildings, trailers, or residential buildings where they offer programs such as English-language classes, emergency services, workers’ rights training, legal assistance, civic engagement activities (e.g., neighborhood clean-ups), social events, and sporting activities (e.g., soccer tournaments and running clubs). Two-thirds of worker centers have computers available for day laborers, and others are involved in programs to upgrade workers’ job skills. Many of the more developed worker centers indicated that their future plans include offering formal job training programs so that workers can gain new skills that will allow them to make the transition from day labor jobs to higher wage employment in the formal economy.

Twenty-one worker centers are more modest, open-air hiring sites located in parking lots or other open spaces. They provide an area for workers to assemble, and some provide modest shelters to protect workers from the weather, benches for workers to sit, and parking for employers. But even such rudimentary facilities allow worker centers to perform important functions in regulating the day labor market. Even the most basic worker center is able to transform the day labor hiring site from a potentially chaotic spot market where job seekers approach employers in an attempt to get a job, to an orderly labor market where employers and workers can arrange the terms of employment in a more business-like manner. In the process, many of the most egregious employer abuses are eliminated because the worker center acts as a mediator of the hiring process. One center director explained it this way:

Generally we are not intermediaries, but translators of the deals [workers negotiate with employers]. At the same time we are witnesses to what is happening. We take down the name of the worker [and] we take down the name of the employer and ... their phone number or license plate number (interview, worker center #24).

Thus, the incidence of employer abuse can be dramatically reduced through such simple measures as registration procedures which are designed to increase the accountability of both parties to the hiring agreement. Worker centers, as third-party intermediaries, are able to perform important functions to ensure that day labor markets operate fairly for all parties.

In a number of cases, municipalities began considering establishing worker centers after attempts to ban informal day labor markets failed. In one case, the city first

... decided to take a policing approach – using police power, calling immigration [authorities], sending the police. There was a period in which the city tried to regulate the situation by establishing certain local laws, which were contested [in the courts] and were determined to violate Constitutional rights. So they began to mold local codes and passed a law based on transportation codes [stating] that it is illegal for two or more people to stand on corners to look for work, and that it is illegal for employers to go there in their vehicles and pick them up (interview, executive director, worker center #5).

However, after local laws were struck down by federal courts and others failed to deter workers and employers from participating in informal day labor markets, the municipality moved to create a worker center. This was seen as a pragmatic response to the growth of this labor market.

II. REGULATING THE DAY LABOR MARKET

The principal activity of any day labor worker center is to establish an adequately functioning labor market where workers and employers can negotiate employment arrangements. Approaches differ – from the interventionist to the laissez faire – but in one way or another all day labor worker centers are involved in the regulation of the day labor market. There are three primary aspects to the regulation of day labor: (1) wage setting; (2) job allocation; and (3) wage claims, grievance resolution, and worker education.

Wage Setting

The overwhelming majority (89 percent) of day labor worker centers is involved in maintaining minimum wages – either through strictly enforced wage floors or through guidelines that workers and employers are expected to follow. This reflects a clear understanding that without external intervention in the hiring process, many day laborers will be offered wages that are well below market norms. But minimum wages perform other functions as well. Like other forms of minimum wage setting, worker center wage rates effectively take wages out of competition, meaning that negotiations between workers and employers do not revolve around the desperation of workers for a daily income, but instead around the requirements of the job and the qualifications of the worker. It therefore becomes more difficult for employers to play one worker off against another, driving down wage rates in the process. In other words, in most cases, center-established minimum wages explicitly prevent the lowest bidder from winning the assignment – unless, of course, the minimum threshold has been met. The rationale being that many day laborers are marginalized workers who might be induced or coerced into accepting unduly low wages. Instead, worker center staff reiterates the wage levels

that have been established by workers, thereby placing a floor under wage negotiations. In addition, by preventing wages from falling to unacceptably low levels, minimum wages reinforce the axiom of “a fair day’s pay for a fair day’s work.” In this sense, expectations cut both ways. Workers are reminded that they must perform on the job, while employers are expected to compensate workers fairly.

In many cases, the minimum wage at a worker center is a rule that is strictly adhered to. As the executive director at one of the more established worker centers explained,

There is a minimum of \$10.00 an hour. We don’t want [day laborers] to come and say, “I’ll go with you for \$7.00.” It’s \$10.00 an hour. They go out to work two, three, four days a week at \$10.00. ... [T]hey are not getting rich and the majority [of employers] knows that (interview, worker center #41).

The site coordinator at another worker center with a similarly strict wage policy reported that “the workers came to an agreement and set a wage: nothing under \$9 an hour. When an employer wants to hire someone I ask how much they are willing to pay, and if it is less than \$9 then I have to let them know that the pay is not acceptable” (interview, worker center #37). Another well-established worker center has differing minimum wage rates depending on the occupation (e.g., carpenter, painter, general laborer) and whether workers will be employed as a skills tradesperson or as a helper (interview, organizer, worker center #60). In such cases, minimum wages are enforced both by the center and by the workers so that a floor under wages is maintained. As one outreach coordinator explained, “What we try to do is for workers to respect ... the salaries that we have set ... and if [workers] see that someone is going for less, they speak to them so that salaries don’t drop (interview, worker center #34).

In other cases the wage floor at a center operates more as a guideline for workers and employers. According to the site coordinator of one worker center where the staff is involved in negotiating wage rates,

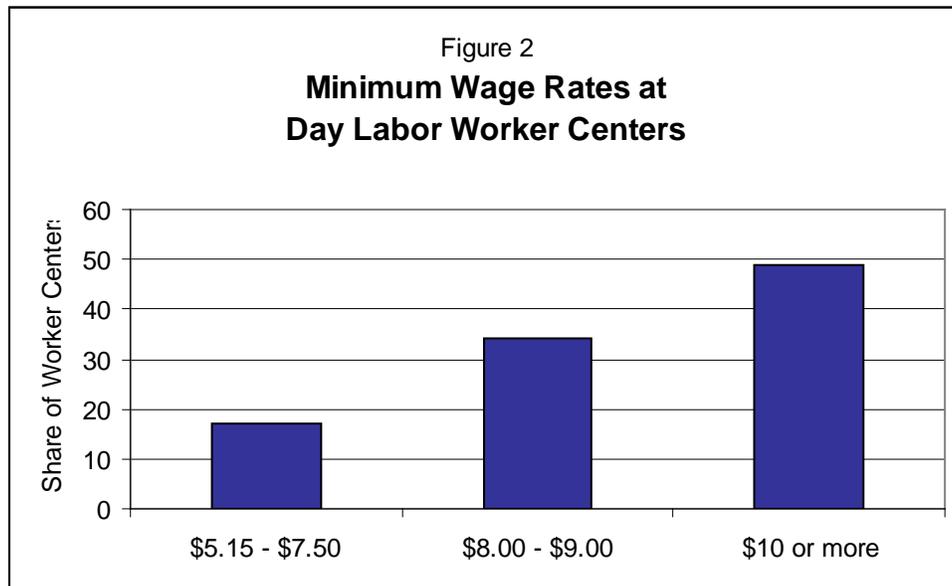
the workers came to an agreement and set a wage [stating] nothing under \$9.00 an hour. When an employer wants to hire someone, I ask how much they are going to pay.... When someone offers \$7.00 or \$8.00 an hour, I will still notify the workers because I do not know what needs some of the people have here, so I offer the job to them [to see if anyone is interested] (interview, site coordinator, worker center #40).

Typically, when workers are hired for more skilled jobs such as carpentry and plumbing, wage rates rise above the minimum. One center encourages workers and employers to negotiate wages based on a site inspection of the job so that the worker better understands the specific skills and time needed to complete the assignment. This worker center asks employers to take the prospective worker to the job site so that the laborer can provide a cost estimate for the work (interview, program manager, worker center #42). However, this is not typical. Most centers simply set wage rates depending on the skills required by employers: “The workers set a minimum base wage at \$8 an hour for general work. If the task is more complex, then the [minimum] wage could rise, anywhere from \$10 to \$15” (interview, site coordinator, worker center #32).

Worker center-established minimum wages vary, but most cluster around the “going rate” for day laborers nationally – between \$8.00 and \$10.00 per hour (Valenzuela et al., 2006) (Figure 2). The modal (most common) hourly wage rate at day labor worker centers is \$10.00 (47 percent) followed by \$8.00 (28 percent). In addition, some worker centers include other conditions of employment as part of employment negotiations. For example, it is not uncommon for day labor worker centers to establish a minimum number of work hours for a job (usually three or four hours). At one of the centers that imposes requirements for minimum hours and wages, these rules “were established by the day laborers and the minimum wage is \$12.00 an hour and the time to hire someone has to be three hours, minimum.... If the work is done in two hours, then the employer is asked to pay for three” (interview, center staff member, worker center #8). At another center where the site coordinator is directly involved in establishing the terms of employment, employers are immediately apprised of the requirements associated with hiring day laborers. According to the site coordinator, “We have a minimum of four hours and \$10.00 an hour. It is part of the rules of the center. As soon as [employers]

come in I tell them that it's four hours at \$10.00 and if the job goes beyond four hours there is lunch, there are breaks, and there is water" that must be provided to workers (interview, site coordinator, worker center #25).

In most cases, wages are set so as to ensure that day laborers are able to earn a decent income for their work. At one center, if employers are going to hire a worker "for more than three hours, then it is \$10 an hour; less than three hours is automatically \$25" (interview, site coordinator, worker center #53). In justifying the imposition of minimum wage rates that are well above federal and some state standards, the program manager of a worker center remarked, "they're doing hard work, hard labor and they are paid for it. They are paid more than the minimum wage, but it's harder work. And it's not guaranteed, it's one day at a time" (interview, worker center #38).



Source: Day Labor Worker Center Survey.

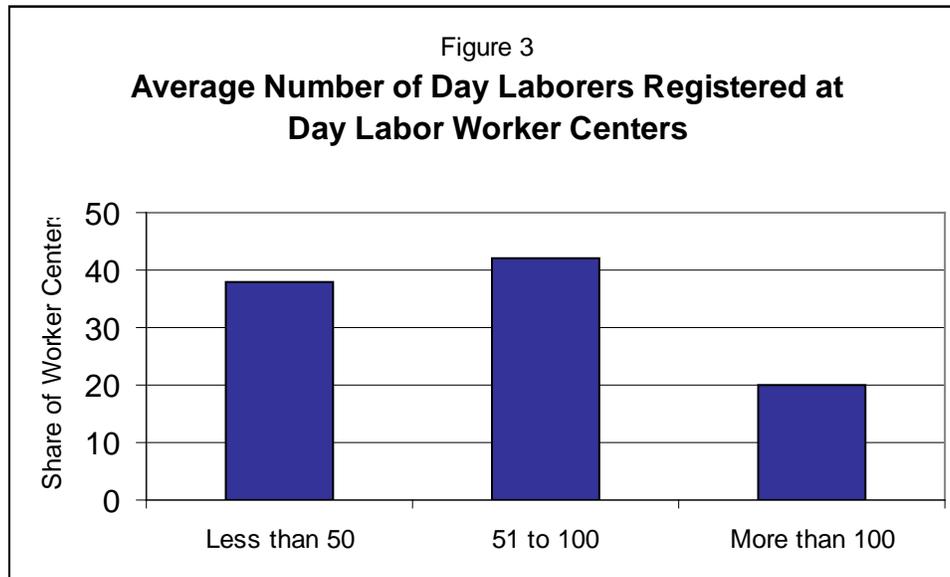
Not all worker centers engage in the setting of minimum wages. For some, this decision reflects a view that the appropriate role of a regulated hiring site is to provide an orderly labor market so that workers and employers can independently agree on the terms of employment. For other centers, the decision to forgo a minimum wage policy is based on an organizational philosophy of worker empowerment. Some centers strive to

empower workers to be better negotiators with employers, and in some cases, this implicitly sets a minimum wage. According to one worker center executive director, “we train the workers to negotiate and not take anything less than \$7; so we have a minimum [wage], but it is not written in ink” (interview, worker center #23). These centers provide training to workers on employment rights, wage negotiation, and other employment matters. But they maintain their distance during negotiations between workers and employers. Other worker centers do not regard wage setting as being within their purview. Rather, they see themselves as facilitators of day laborer hiring, and while they might advise prospective employers on wage rates, they leave it to workers to set the terms of employment. One center director was particularly emphatic: “[day laborers] do their own contracts. We don’t intervene in any way in the wage contracts of the workers” (interview, executive director, worker center #24).

Job Allocation

Implementing an orderly job-allocation system is one of the principal activities of most day labor worker centers. In an effort to replace the struggle over jobs that often occurs at informal hiring sites with an organized system for allocating jobs, most centers have developed mechanisms for equitably distributing work opportunities. Day labor worker centers typically have put a distribution system in place that allocates jobs randomly, but also contains provisions that respect employer preferences and account for the types of skills needed to complete an assignment. Job-allocation systems are important, since typically there is an imbalance between the number of day laborers seeking employment and the number of employers looking for workers. The average number of job seekers who register daily at worker centers varies. Many smaller centers provide assistance to 50 workers or less, while large centers must manage a workforce of more than 100 job seekers (Figure 3). The day labor employment relationship is characterized by highly variable employer demand. Employment of the day labor workforce fluctuates from week to week and month to month, so workers rarely are able to enjoy employment stability. At 28 percent of worker centers, less than one-third of day laborers secure work on a typical day. But the employment prospects are better at most other centers. At 43 percent of centers between one-third and one-half of day

laborers secure work assignments on a typical day, while at 29 percent of worker centers the ratio of day laborers receiving work climbs to more than one-half.



Source: Day Labor Worker Center Survey.

To cope with the problem of distributing employment opportunities in a fair and orderly manner, most centers have developed variations on two types of job-allocation systems: lotteries and lists. With a lottery, workers are selected randomly from a drawing of available jobseekers. When a list is used, workers are selected in the order in which their names appear on a registry. In most cases, however, centers have implemented hybrid systems that incorporate elements of both allocation mechanisms. The following examples illustrate the types of job-distribution systems that are in use.

The first day we have a raffle, and the ones who don't work that day, the next day we put them on a list in numerical order according to the number they received on the previous day (interview, executive director, worker center #23).

We generate a list every day, with the exception that those who stayed at the center for a whole day without obtaining work will have the right to be first the next day (interview, director, worker center #24).

What we do at the center is that, according to the order of arrival, groups are created – groups of five. [A large home improvement store] and the owner of the property have authorized us to have five people on the corner, authorized by the center, and five people in front of [the store], authorized by the center as well. If an employer comes out of [the store] with materials and he needs someone for a determined task ... they can leave with them without any problems. We rotate groups throughout the day so that they all can have the same opportunity (interview, site coordinator, worker center #31).

In all cases and regardless of the system used, provisions are in place to allow employers to request the services of workers with whom they have a previous employment relationship. The director of a worker center explained a system which is administered through “an attendance sheet and a rotating list, so the person who went out to work today will be at the bottom of tomorrow’s list, but if the employer comes again tomorrow and asks for the same person, that person will go out to work even if he is last on the list” (interview, worker center #46). Such a process provides a strong incentive for workers to use the regulated site frequently so that relationships with employers can be solidified.

A somewhat different process is used if employers demand a specific skill set. According to an organizer at a day labor worker center, “There is a list. As people come in they get put on the list. The list is read twice every morning.... The only exception to that is if, say, somebody comes and needs an electrician. We look down the list and see who is an electrician and they go out of the order of the list because of the special skill that is needed” (interview, worker center #3). A similar system is used at another worker center where jobs are allocated on a “first come, first served [basis]. There’s a sign-in sheet where they indicate what they’re capable of doing: painting, sheetrocking, roofing, demolition, construction, and then people are picked by the day labor organizer according to whether they have the skills for the job” (interview, member of the board of directors, worker center #11). Such provisions are designed to accurately match workers with employers based on the skills required to complete the assignment while also retaining the integrity of the hiring process.

We have a list that's good for two days. You put your name, your phone number, and you tell us if you have a car, if you have tools, if you know how to speak English, and all of your skills. When there's a phone call from a contractor or a contractor comes, we look for the person with those characteristics who is next on the list. There is a contract that is signed by the contractor and the worker that specifies the type of work and the amount the worker is going to be paid (interview, coordinator, worker center #57).

Job allocation systems at day labor worker centers are designed to perform a dual purpose: (1) distributing employment opportunities in an efficient, equitable, and transparent fashion; and (2) providing workers with an incentive to forgo seeking work at informal hiring sites when job prospects for the day appear poor. For worker center administrators, striking a balance between these objectives can be difficult, particularly when job opportunities are in short supply. Many centers have created 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. Those who are unsuccessful in securing employment receive enhanced opportunities the following day. For example, one center "keeps track of every worker who goes to work; if he's been here two days in a row and he hasn't gone to work, we put him in a separate lottery system so that he has a better chance of going to work the third day so he can make money that week" (interview, executive director, worker center #7). A version of this system is in place at other worker centers:

There are two raffles, one at 6:30 and another at 11:00. When all of the people in the [6:30 a.m.] raffle have been raffled out, we then move on to the people on the list [who arrived later that morning]. The 11:00 raffle is the result of an amendment to provide an incentive for the ones who stayed at the trailer until 11:00 and didn't go out to the street and create competition for those who stayed in the trailer. Before, those who had the higher numbers figured they would do better on the street.... So they mentioned the problem and what they did is create a raffle at 11:00 where only three numbers are raffled, and those three numbers override the first numbers the next day. All of the workers who are there at the time of closing participate in a raffle where the first three jobs for the next day are raffled off (interview, program manager, worker center #9).

With us, by 8:30, if they saw that they had a high number, they would just leave and start roaming the streets and one of our main concerns is to keep them within the building so we won't have complaints from the residents who live on top of

the hill. So what we did, we have a rollover, so if you, for example, have number 50 on Monday, but you stay and you don't go out to work ... we'll do a rollover and then you'll go up on the list. So eventually that week, if you stay there every day until 11:00, eventually you're going to be on top of the list and you're going to go out to work (interview, supervisor, worker center #14).

Workers who have waited two days are more likely to get a job referral than a worker who has waited one day. A person who has waited three days for a job is more likely to get it than a person who has waited two days. That's what we call "seniority." We have a database ... which has been custom made for our program. When workers sign up in the morning a list [is created] with names, their skills, their job history, and how long they've waited for a job – seniority. Those people who have waited the longest are at the top of the list (interview, manager, worker center #21).

Day labor worker centers manage large flows of job seekers and employment opportunities through such job-allocation systems. The site coordinator of one worker center reported that in the month of March alone, "we sent 549 people to work. Among them are seniors and veterans" (interview, worker center #45). Some centers also are able to secure permanent placements for workers: "last week we had seven permanent jobs. So we focus on permanent jobs and we try to stay in contact with employers who have given us permanent work," reported the director of another worker center (interview, worker center #55). Over the course of a year, day labor worker centers can serve thousands of employers and workers. The program manager of a third worker center reported that,

During the past two years, the number of employers that came to look for workers was 8,471. We had 1,513 registered clients. We had 15,230 placements. And the average wage was \$8.70 an hour. We had, in addition to that, 148 permanent placements. And if you take that one more level and say, "what does that equate to in dollars earned by these groups of people?" – \$1,600,000 went through this parking lot in two years (interview, worker center #38).

It is not unusual for worker centers to provide services to large numbers of both contractors and workers. For example, each year over a three-year period, one day labor worker center had, on average, 30,640 workers signed in seeking employment (Note: these counts are of persons signing in each day; many workers report to the worker center

on multiple days during the year). During the course of the most recent year for which data are available, this center filled 10,426 jobs. Also over a three-year period, another worker center reported that an annual average of 18,382 attendees reported for work. This center filled 7,127 jobs in a recent year (see Table 1 for a monthly breakdown of attendance and jobs dispatched at these two worker centers). These figures are illustrative of the large flows of workers and employment opportunities that are managed by day labor worker centers through their job-allocation systems. They also are a reflection of tremendous demand by employers for daily workers, as well as an indication of the large number of job seekers who pursue employment opportunities through these formalized day labor markets.

Table 1: Sample Monthly Counts of Day Laborers Enrolled and Jobs Dispatched from Two Worker Centers

	Worker Center A			Worker Center B		
	Attendance	Jobs dispatched	Placement rate	Attendance	Jobs dispatched	Placement rate
January	2,594	817	31%	1,505	442	29%
February	2,164	648	30%	1,450	333	23%
March	2,757	887	32%	1,822	722	40%
April	2,603	1,028	39%	1,825	814	45%
May	2,641	977	37%	1,826	808	44%
June	2,639	1,001	38%	1,779	764	43%
July	2,888	995	34%	1,932	813	42%
August	2,571	984	38%	1,564	610	39%
September	2,383	932	39%	1,510	564	37%
October	2,155	753	35%	1,550	551	36%
November	1,832	701	38%	1,266	269	21%
December	2,438	703	28%	1,366	438	32%
Total	29,665	10,426	35%	19,395	7,127	37%

Source: National Day Labor Worker Center Survey.

Wage Claims, Grievance Resolution, and Worker Education

One of the key findings of the National Day Labor Survey is that day laborers commonly endure violations of basic labor standards, particularly the underpayment and nonpayment of wages. When asked whether, in the previous two months, they had worked and been paid less than agreed to by an employer, 48 percent of day laborers reported at least one instance of the underpayment of wages. When asked whether, in the previous two months, they had worked and the employer refused to pay them any of their wages, 49 percent of day laborers reported at least one incident. Such a high incidence of the nonpayment of wages compounds the problems of low earnings among day laborers. When combined with employment instability, the nonpayment of wages places additional downward pressure on the earnings of workers.

Given these troubling statistics, it is not surprising that the vast majority of day labor worker centers assist workers in making wage claims, with many incorporating wage-claim assistance into their overall grievance resolution and worker education activities. Ninety-five percent of worker centers are involved in the wage-claim process, usually by carrying out a range of activities in collaboration with the worker making the claim. Of those involved in wage-claim activities, 83 percent participate in contacting employers, 64 percent file claims with state wage-enforcement authorities, and 40 percent provide legal advice or referral to workers (legal advice is typically provided by attorneys who work in partnership with the worker center).

Two-thirds of all day labor worker centers also provide assistance with wage claims to workers who continue to gather at informal day labor markets. Most of these worker centers (57 percent) engage in outreach to workers at informal hiring sites, so they remain active in assisting day laborers who are not involved with the center. The director of a center stressed the importance of working with day laborers who continue to seek employment at informal hiring sites: “Day labor issues are really complex, and if we don’t think about ways to organize workers on the corner, if we don’t include them as

part of our work, I don't think these worker centers will work" (interview, worker center #54).

The rationale for assisting all workers, even those who do not participate in a formal worker center, is that the nonpayment of wages places a drag on pay and conditions across the day labor market as a whole, thereby setting in motion forces that undermine the ability of worker centers to raise standards in the labor market. If workers are routinely unpaid or underpaid for their work, unscrupulous employers will be further emboldened to drive down wages and employment conditions. As daily pay rates fall at informal sites, a growing share of employers might be tempted to return to the numerous informal hiring sites that exist in public spaces, along busy streets, and near store parking lots. The intense competition for work that would ensue at informal hiring sites undermines the minimum wage rates that have been set at worker centers. The downward wage pressures produced by the changing contours of labor supply and demand in turn compromise the bargaining position of all day laborers, further shifting the balance of power relations in this labor market in the direction of employers who retain the upper hand in employment negotiations. As job opportunities increase at informal sites, there is an incentive for workers to leave the centers and return to the streets, pulled by their pressing need for work. Fundamentally, then, wage-claim activities are an important means by which day labor worker centers place a floor under wages and working conditions in the day labor market as a whole and safeguard the gains that have been achieved by formalized day labor hiring sites.¹

Typically, the wage-claim process usually begins with making a "complaint directly to the employer. First, we make a phone call, and if they don't agree, then we go to small claims court, and if not we go to trial" (interview, executive director, worker center #39). Often, wage claims are resolved through a negotiation process with the employer that begins with notifying them that wage payments are due. However, when

¹ An additional reason worker centers assist day laborers who seek employment at informal hiring sites in making wage claims is that worker centers use this opportunity to encourage workers assembling at informal sites to instead seek employment at the center.

this is not effective or if the employer contests the claim, the issue is directed to wage enforcement authorities or the courts:

I try to mediate before starting the process. I let [the employer] know that there is a demand by the worker. There are employers that say they did not understand or did not know [that the worker was owed wages], so they get paid. In these cases, the labor commission is not necessary. There are other employers that are much more aggressive saying that the worker did not know how to work, that he ruined this or that. In such a case, I let them know that the labor commission will investigate (interview, site coordinator, worker center #51).

Some worker centers address the problem of nonpayment of wages through worker education programs, in part as a way to gather needed information in case the issue needs to be directed to enforcement authorities, and in part so that day laborers themselves can more effectively deter employers who might resort to this practice. One worker center executive director explained that the center is “trying to educate the guys to keep track of their records, of their hours, and getting license plate numbers, names and phone numbers ... (interview, worker center #2). This is both a form of prevention and a way to expedite the wage-claim process when there is a wage dispute.

For other day labor worker centers, the resolution of wage claims is pursued through collective action of day laborers in conjunction with center staff. This type of approach usually involves a combination of direct action, negotiation, and legal remedies. A program manager at one worker center described the process in this way:

The worker calls the center ... [and] we refer them to a workshop of workers’ rights that is given every Tuesday. After the workshop ... he is told that he has to form a committee of unpaid wages. Our role is to send a letter or two to the employer, make phone calls with the purpose of getting him to negotiate and sign an agreement, a contract. We ask them to sign a contract saying that they will pay the worker. If, after that process is complete and they haven’t paid then we use the legal system. But the worker has to complete the whole organizational process first and support other workers (interview, worker center #9).

At many day labor worker centers, efforts to reclaim unpaid wages and resolve grievances between workers and employers are tied to a broader mission of worker

education. Several worker centers emerged out of local struggles to defend the labor rights of low-wage workers employed in both the formal and informal economy. Active participation in the filing of wage claims is a logical extension of these activities. The site coordinator at a worker center described the centrality of workers' rights and worker education to the center's mission in this way:

The primary mission was to train and educate workers and low-income members of the community on their labor rights and their rights in general. There was, of course, a need for work [but also a] lack of places where they can be helped ... at no cost to them. Due to their economic situation ... it is at no cost (interview, worker center #35).

Day labor worker centers mediate the hiring of workers in three principal ways: (1) they establish a floor under wages through the setting of minimum wage rates; (2) they are involved in the efficient and equitable distribution of job opportunities; and (3) they maintain wage standards through their assistance to workers who have suffered nonpayment of wages by employers. In most cases, worker centers have been able to immediately improve employment conditions in the day labor market, simply by increasing the transparency of the hiring process and reinforcing the idea that both parties to the employment or contracting relationship – workers, contractors, and employers – are mutually responsible for a satisfactory outcome. Still, instances of the underpayment and nonpayment of wages are all too frequent in the day labor market. Fortunately, day labor worker centers have been able to assist workers in filing wage claims, recovering considerable sums of back wages in the process. The executive director of a worker center explained the immediate impact that the center made on the payment of wages more than a decade ago: “During the first year that we established the center, in 1994, we recovered more than \$20,000 in unpaid wages. That was reduced to \$5,000 in the second year” (interview, worker center #5). Although these sums are not as large as those frequently recovered by legal clinics that assist low-wage workers, the efforts of day labor worker centers to recover unpaid wages are still significant. It is unlikely that these unpaid wages would have been recovered but for the efforts of the worker center.

Moreover, they also indicate that by mediating employment relationships in the informal economy, day labor worker centers are able to immediately impact the operation of day labor markets. The decline in wage claims reported by the worker center is an indication that many instances of the nonpayment of wages were eliminated by the activities carried out by the center. Such activities, which help establish the terms of competition in the day labor market, restore an element of fairness in the employment relationship, eliminate egregious violations of wage and hour laws, and, ultimately, help to provide a floor under wages and working conditions in the day labor market, stand as one of the major achievements of day labor worker centers.

III. EMPLOYER OUTREACH AND COMMUNITY RELATIONS

Rising employer demand for casually employed laborers is, far and away, the leading cause of the rapid growth of day labor in the United States. The construction sector is typified by contingent employment relations; whether organized by union hiring halls or social networks that supply workers employed casually, hiring in this sector has for decades relied on a just-in-time workforce that is deployed on an as-needed basis. With the decline in the share of workers covered by union contracts, the portion of contingently employed construction workers has increased. Many construction contractors have turned to day labor hiring sites as their principal source of flexible labor, as well as a reliable recruitment channel for more permanent employees. In addition, many landscaping companies are also turning to a flexible workforce to fill seasonal jobs. Finally, many homeowners and renters are taking on home improvement projects that require the assistance of skilled workers and helpers.

Just as the growth of day labor can largely be attributed to rising employer demand, the success of day labor worker centers depends on the active participation of employers. Worker centers are charged with the responsibility of developing a viable labor market that brings together workers and employers. But the number of workers *always* exceeds the number of available jobs, creating a powerful incentive for workers to leave the center for the streets. Though informal hiring sites may present inferior job prospects, both in terms of pay and number of opportunities, they remain a pervasive

draw for workers desperate for employment. To counteract the centripetal forces that pull job seekers toward informal hiring sites, day labor worker centers must increase the number of job opportunities available. Employer outreach is the primary means by which worker centers redirect employer demand from informal to formal hiring sites.

We advertise in the newspapers – they sometimes do small articles on the guys. We do flyers, word of mouth. When an employer comes in we ask them what they thought of the service. When they say its good, then we ask them to please recommend us to others. I give talks at churches and other places ... about what it means to be a day laborer – the problems and advantages, the dreams and wishes. The people who don't know what a day laborer is let go of their negative perception and begin to use the center (interview, director, worker center #55).

Day labor worker centers use several avenues for spreading the word to employers that workers are available for hire. Three-quarters of worker centers distribute flyers to prospective employers as a way to attract construction contractors, landscaping companies, and other businesses, and to advertise their services to neighborhood residents. Distributing flyers is a low-cost means of outreach through which large numbers of potential employers can be reached. In some cases, worker centers require those laborers who search for work at the center to participate in outreach campaigns. Other important outreach activities include advertising in local newspapers (36 percent); calling local businesses (25 percent); sending letters to employers (18 percent); and going door to door to notify residents that the worker center is in operation (13 percent). City and county departments also participate in employer recruitment by sending flyers to prospective employers notifying them that a worker center is operating in the area.

Though most day labor worker centers have been established with little or no controversy, in some parts of the country, the increase in day labor, and particularly the spread and growth of informal hiring sites, has been a source of community concern. In addition to performing an important role in raising standards in the day labor market, worker centers have been involved in mediating conflicts that might arise due to community concerns over the presence of large-scale, casual labor markets. Local concerns are varied and include fears that day labor sites will lead to falling property

values, rising crime rates, traffic problems, and disorder in public places, as well as serve as a deterrent to customers at building supply and home improvement stores where day laborers frequently assemble. In some cases, residents contend that day laborers make catcalls at passersby, obstruct public right-of-ways, and consume alcohol in public. In some parts of the United States, these concerns have contributed to a climate of rising hostility towards day laborers.

In an effort to better understand and address community concerns regarding the growth of day labor, some community organizations have engaged in lengthy deliberations before opening a worker center. The executive director of one center described the process in this way:

We had worked for a year and a half on this project and there was so much antagonism in our community that we stopped moving forward on a day labor center and we entered into a consensus process with 27 stakeholders in our community on what a day laborer center would be.... We looked at issues [regarding] the size and scope of it.... So what we did is make peace with the community and made an agreement that the whole community can live with. And now we're getting ready to start a site right on the street itself (interview, worker center #27).

Centers participate in community meetings, attend neighborhood forums, and otherwise network with local stakeholders. Through these activities, they try to proactively respond to concerns as they arise in the community and broker workable solutions that both respect the rights of day laborers and satisfy community demands.

Day labor worker centers are part of a wider field of nonprofit organizations that is dedicated to improving neighborhood quality of life and addressing community concerns. Typically, the formation of a worker center is the result of community efforts to address both the plight of day laborers and neighborhood concerns regarding their impact on conditions in the neighborhood. In many cases, community stakeholders arrived at the “worker center solution” after efforts to ban the activity repeatedly failed. The executive director of one worker center explained the problem in her area:

Oh, everyone was complaining about them, but nobody had a solution. The neighborhood would call the police, the police would call immigration, immigration would raid every once in a while, and the guys would be back in two weeks (interview, worker center #2).

In addition to being ineffective and counterproductive, attempts at the outright banning of day labor solicitation and hiring have been found to be unconstitutional. An organizer at another worker center described early efforts by city officials to eliminate informal hiring sites through aggressive policing:

[Local officials] realized that they could not use a loitering law because that's unconstitutional. That didn't stop [the city] from giving out tickets – a lot of tickets – to Latinos in [the city], including tickets where the only thing on it was “Officer's Discretion,” which of course is ridiculous. A federal judge couldn't believe that they would even try that. They had to tear that up and not use that anymore (interview, worker center #3).

While in some areas the policing tactics used by local law enforcement officials are staunchly contested by workers' rights advocates, in many other municipalities a strong working relationship has been forged between day labor worker centers, workers' rights groups, and law enforcement officials. “It's a very positive relationship,” reported one executive director. “The police respect the day laborers since all they are really trying to do is work” (interview, executive director, worker center #19). The following comment by an assistant executive director of one worker center is indicative of the strong working relationships of many centers and local police departments:

We have a great working relationship with [the police]. We work very closely with them. If there was a problem right now, within a few seconds I could reach the commanding officer at the precinct. And probably within one hour whatever the problem was would already be taken care of. We have a great relationship with the police. We have an open dialogue; we all know one another, we see each other regularly, and we meet once a month (interview, worker center #4).

In several cases, the local police department was an active supporter of the creation of the worker center.

[At the time the center was established] there were a lot of day laborers who congregated in front of businesses. The businesses didn't like it, the police don't like it, the border patrol doesn't like it. And sometimes when they congregate like this, if it's not a planned program, you know, things happen. [The center was created] under the guidance and encouragement of the police department, because [day laborers] are here to work, and if we don't help them, then they'll be in the streets (interview, program manager, worker center #38).

We've had police come in and talk to the day laborers about what to do when a cop stops you to ask you some questions, how to handle it in a non-confrontational manner.... I don't think the guys felt they were being policed, so to speak. I think they felt they were being educated, empowered (interview, executive director, worker center #7).

Most day labor worker centers also remarked that relations between day laborers and the center and the wider community were good. This has been the case even in communities that have not, until recently, experienced large-scale in-migration for many decades. The director of one worker center spoke in glowing terms of the reception the center has received by the community:

We have been accepted and in fact all the people around here ... support us. There is a lot of support in the community. Recently they did a Thanksgiving banquet for us and the workers and about 1,000 people came! ... The ones that supported and did the banquet were American. It was to thank us. It is a blessing for us to be in the ... area. I have never felt attacked. All I've seen is blessings (interview, director, worker center #55).

Such sentiments were echoed by staff at many worker centers. For example, according to the director of one center, the relationship with neighborhood residents "is a good relationship. They support us and they have favorable things to say about the workers" (interview, worker center #47). Another executive director reported that "I hear a lot of positive feedback from residents. It's unbelievable the amount of people who want to be involved and want to volunteer. We have over 80 volunteers and those are all residents..." (interview, worker center #7).

Many day labor worker centers have made great strides in better integrating the center and its workers into community life. Through activities such as participating in

neighborhood clean-up events, sponsoring soccer tournaments and other athletic events, and reaching out to segments of the local community, day labor worker centers are demonstrating that they can be important local institutions. Day laborers at 61 percent of worker centers participate in neighborhood clean-up events. In addition, day laborers at 28 percent of centers participate in community fairs, and 26 percent attend neighborhood meetings. Day laborers in one city “participate in an event called Christmas in April [where] they help people with lower incomes with painting their homes or gardening” (interview, director, worker center #47). Workers in another city participate in a “work-a-thon” where they assist local churches in repairing the houses of elderly residents (interview, site coordinator, worker center #41). Through such activities, day laborers make contributions to the neighborhoods in which they live and work, while in the process breaking down some of the stereotypes and misconceptions that have mischaracterized these workers.

Because most day labor worker centers function as community organizations that are active in neighborhood issues, the role of these centers has been broadly defined by their management teams to include coordinating community activities and participating in neighborhood events. According to the assistant executive director of a community organization that operates a day labor worker center, “there’s an argument that day laborer sites are great in the sense that they make communities stronger” (interview, worker center #4). But the program manager of another center cautioned that “the most important lesson” she had learned doing this work is the importance of “educating the public” about who day laborers are and what worker centers do (interview, worker center #38). In many communities, day laborers remain a misunderstood segment of the workforce. In these communities, there continues to be confusion regarding the role day laborers play in the local economy, as well as in why large groups of workers congregate in public spaces to search for work. The executive director of one worker center suggested that to bridge this gap between day laborers and other segments of the community,

You have to connect [the day labor worker center] with the whole economy and with the community itself otherwise what you are doing is reinforcing all the bias. It's just counterproductive to keep day laborers segregated. Because they're not segregated really, they are an essential part of a community... (interview, executive director, worker center #41).

In some cases, however, sources of community tension remain, even after the opening of a day labor worker center. Frequently, workers continue to congregate at informal hiring sites and employers continue to frequent those sites. At times, residents, city officials, and local businesses express frustrations that the center did not “solve the day labor problem.” Why, they ask, isn't the center able to entirely eliminate the presence of day laborers in public spaces and near store parking lots? Why do some workers appear to prefer assembling at informal hiring sites? The answers to these questions are varied and complex, and reflect an intersection of legal, locational, and economic issues.

In terms of workers' legal right to assemble in public spaces and along city streets to search for work, many cities and towns throughout the country have promulgated local laws to prohibit job-seekers from soliciting work in public areas. These so-called “anti-solicitation” ordinances have been repeatedly struck down by courts as unconstitutional. In 2000, a Los Angeles County ordinance that made it illegal to seek employment on sidewalks was held in violation of the First and Fourteenth Amendments to the U.S. Constitution. Subsequent federal court decisions have affirmed day laborers' constitutional rights by striking down similar ordinances that attempt to criminalize act of seeking employment in public. Moreover, efforts to use police enforcement of other municipal traffic and criminal laws to eliminate the day laborer economy have run afoul of the constitution as well. In Mamaroneck, New York, a group of day laborers prevailed in a federal lawsuit that showed a pattern of targeted police harassment against job seekers and employers violated the Equal Protection clause of the Fourteenth Amendment.

Day labor worker centers also confront issues regarding site selection and access. For example, the executive director of one center explained in detail the difficulties

encountered in finding a suitable location, and the ways in which an inaccessible location undermines the ability of the center to offer a viable alternative to informal hiring sites.

Unfortunately, we had a lot of trouble finding a place that would accept this program. We moved from the former site because the landlord was charging astronomical rent and it also was a pit, it was really awful. It was this awful ramshackle warehouse that would be 90 degrees on a hot day, with no air conditioning, and filthy – it was terrible. No windows, no light. And it was incredibly expensive because the landlord knew that they could get away with charging a lot [since we wanted to be near the informal hiring site]. So we moved, but the only place that we could locate was our current location and, unfortunately, it is a little out of the way. [Furthermore,] because of signage restrictions, it sort of handicaps us in being able to [recruit employers]. I don't think we have any trouble actually getting day laborers to come, that's not the problem, it's getting employers to come here because day laborers will go where the employers are. And so, we have a waiting list of people who would really like to join the program, but we just don't have enough employers to be able to add additional people at the moment (interview, worker center #41).

In situations like the one described above, workers will continue to be drawn to informal hiring sites, despite the presence of a day labor worker center in the area. Spurred by the need to earn an income whenever possible, particularly given the sporadic nature of employment in the day labor market, the lure of informal sites can be great. One worker center director described the dynamic that causes workers to return to informal hiring sites:

If [day laborers] don't find work by a certain hour they will go to the corner. It doesn't matter how much we educate them about why this center exists or [remind them that] if the number of people who are on the corner is more than the number at the center we may have to close down because of the pressure we get from residents. It has to do with ... survival (interview, director, worker center #54).

To counteract the growth of informal day labor markets, the majority of worker centers conduct outreach to workers who search for work at unregulated sites. But to be effective, outreach must be done regularly, which can be a drain on staff resources. Building trust with workers at informal hiring sites is a time-consuming process that requires dedicated and qualified community organizers.

The outreach on the corners is done, more or less, every 15 days. We are getting to know the corners, how many people are at the corners, taking to them about the center (interview, program manager, worker center #33).

But even with a record of accomplishments and a strong commitment to organizing, some workers will continue to bypass day labor worker centers for the streets. Only in rare cases will day labor worker centers completely replace informal hiring sites. The director of one center explained, “the center is not for everyone. Some people are used to their ways and not open to following procedures, so they complain The center is not for everyone, but everyone is welcome (interview, worker center #47).

IV. GOVERNANCE, RESOURCES, AND SERVICE DELIVERY

Day labor worker centers face numerous challenges in their efforts to regulate the day labor market. As discussed above, most worker centers are small organizations that are attempting to improve employment conditions in a rapidly growing segment of the economy. This section of the report examines the organizational structure of day labor worker centers and the social services they provide.

Governance

Most day labor worker centers have adopted a system of open governance that affords day laborers a direct role in establishing the center’s rules and protocols. Centers that are organized on a democratic model of governance utilize a variety of structures and mechanisms for facilitating the input of day laborers in decision-making processes. These include having workers hold positions on the center’s board of directors, forming committees of day laborers that recommend changes to worker center rules, and holding assemblies and regular meetings where workers can voice concerns and vote on matters affecting the way in which the center is operated. The staff of several day labor worker centers explained the various decision-making structures that are in place:

There is a board of directors, the majority of which are day laborers. There are three clergy and eight of us from the community [plus] 13 day laborers. The board meetings are held on the fourth Wednesday of every month and everybody

can attend the board meetings, they're not closed. Everybody from the center comes to the meeting and participates in the meeting (interview, board member, worker center #11).

The rules were established by the assembly. The coordinator carries out the assembly's decision. The assemblies are on Mondays and Saturdays. We plan out the week and on Saturday we evaluate the week. Every time something happens we have a meeting (interview, site coordinator, worker center #6).

The majority of rules were made by a group of volunteers who were day laborers themselves (interview, site coordinator, worker center #43).

We have a meeting once a week on Mondays and the workers can come and discuss any issue they might have. When we are going to change the rules we sit down with them and make sure they agree with the new rules. If a problem occurs and one of the workers is unhappy they will bring the issue before our assembly and resolve the issue. We have a voting system and everyone votes on whatever issue needs to be resolved (interview, site coordinator, worker center #37).

[The center] has a large steering committee that is made up of a large group of day laborers Votes are taken at the meeting; we vote on everything. Everything that comes up, every expenditure, every initiative, every program, every demonstration, every involvement, every idea. Everybody on that committee votes on it. It's very participatory (interview, organizer, worker center #3).

For some worker centers, the decision to establish systems of democratic participation stems from their mission to empower day laborers and to foster leadership development among the day labor workforce. For other centers, the decision to place workers at the core of decision-making processes is a pragmatic one. Having a participatory decision-making process as well as a transparent system of allocating job opportunities is a means by which day labor worker centers can secure worker buy-in to the center and a way to position the center as a viable alternative to informal hiring sites. According to the executive director of one center, "If it's not a fair system, where you have worker input, you're just doomed. So it has to be well organized, it has to be fair and the workers have to see that it's fair" (interview, worker center #41). For this reason,

directors and coordinators of many day labor worker centers view the active participation of day laborers as crucial to the success of the center:

Their role is the most important. Any change or any rule we want to add to our mission or to the way we organize, is [either] rejected or approved by the day laborers themselves (interview, site coordinator, worker center #20).

They are the ones who make the decisions; we are just the staff, but the day laborers are the ones who create the rules and [determine] the way things work here (interview, executive director, worker center #39).

Although most day labor worker centers maintain a system that facilitates the participation of day laborers in the governance of the center and incorporates their views and suggestions, others have a staff-driven model of decision-making in place whereby executive directors, site coordinators, and directorates establish the rules governing the operation of the worker center. In some cases where a municipality has taken the lead in founding and funding a worker center, government officials are the ones who establish the rules. Even in these cases, however, workers are usually afforded opportunities for input into rule setting and in making other decisions that affect the operation of the worker center.

Service Delivery

Attempts to better integrate day laborers into community life, and to increase the self-sufficiency of workers often revolve around the provision of emergency and social services to meet the immediate needs of day laborers and to facilitate their incorporation into the formal economy. Many day labor worker centers are involved in delivering social services or in coordinating the delivery of services with other community organizations. Common services include health screening and education, legal services, housing assistance and tenants' rights, food and nutrition services, financial education (including classes on financial planning, budgeting, and asset-building, as well as credit counseling and repair) and financial services (including banking and money transfer services); and English-language classes (mainly through ESL courses, some of which have been designed around a vocational education curriculum). In these cases, worker

centers function as a nexus of social service delivery – with close ties to low-wage workers, these centers are able to operate as a point of contact between social-service professionals and workers. The director of one worker center described the range of services that are offered at the center:

We offer ESL programs, ... we have educational programs where they come and talk about health issues, how to open a bank account, we have medics that come on Wednesdays for free examinations, free references to different healthcare [clinics]... (interview, director, worker center #22).

Another worker center that is heavily involved in improving the health of day laborers reported that a “mobile unit comes twice a month to our parking lot for our clients.... So twice a month probably 40, 80, 100 people are seen by the clinic” (interview, program manager, worker center #38). Because day labor worker centers can effectively reach a segment of the population that rarely participates in social service programs, the coordinating of service delivery through these organizations is a way to broaden the coverage of available services, thereby improving the lives of a larger number of community residents.

At one center, day laborers came together to launch a pilot project that could generate resources for a rotating fund through which workers can receive small loans to cover emergency expenses and other purposes. Workers elected to contribute a dollar a day per job into the fund. The proposal was put forward by one of the workers at the center, and was approved by the majority of workers who participated in the regular assembly meeting. The workers collectively defined three legitimate purposes for the loans up to \$100: rent, illness, or other emergencies (interview, organizer, worker center #9). At another worker center, food and drinks are sold to the workers at a modest price. After accounting for the costs of the goods and paying the cooks/sellers, anywhere from \$50 to \$80 is generated daily for the upkeep and miscellaneous expenses associated with operating the worker center.

V. CONCLUSION: WORKER CENTERS AND COMMUNITY DEVELOPMENT

During the past decade, there has been a marked increase in the number of job seekers searching for work at informal day labor hiring sites and more formalized worker centers. Day labor work is a highly precarious employment arrangement, and many workers must contend with the nonpayment of wages and exposure to hazardous working conditions. In the face of widespread violations of labor and employment laws, day labor worker centers have emerged as an important labor market institution capable of shoring up labor standards in the informal economy. Worker centers are involved in establishing minimum wage rates, monitoring the allocation of jobs, and resolving wage claims and other grievances. Furthermore, as community development organizations, they collaborate with other local stakeholders to address community concerns and provide services to area residents.

For these reasons, the creation of day labor worker centers is a strategy that increasingly is favored by municipal governments and community organizations alike. The majority of worker centers have been established in the past 10 years, and the model continues to evolve as centers expand the range of services they offer. Though continuing to undertake activities to directly improve conditions in the day labor market, many centers have broadened their scope of activities to include civic participation and community services activities. These centers occupy a unique place among nonprofit organizations by virtue of their strong ties with workers and their networks within the neighborhoods in which day laborers and their families reside. From this position they are able to be a key point of contact and a platform for an increasing range of community-improvement projects.

References

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