

HOW INNOVATIVE WORKER CENTERS HELP AMERICA'S MOST VULNERABLE WAGE EARNERS

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America's low-wage workers increasingly find themselves without unions through which they can speak and act. Today, only about one private sector worker in every thirteen is enrolled in a union, even outside the South. The chances of being part of a union are even worse for workers on the bottom rungs of the income ladder. Union decline has been accompanied by a new influx of immigrant workers who are very vulnerable to workplace abuses, especially if they are undocumented. In the absence of immigration reform and new legislation to strengthen unions, community-based worker centers have emerged to help many low-wage employees.

Worker centers combine activities characteristic of legal aid clinics, ethnic and fraternal organizations, settlement houses, community organizing groups and social movements – and these centers are proliferating. In 1992, just five worker centers were in operation, but today there are more than 200 up and running. Tellingly, individual centers have joined together to form national federated networks, such as the National Day Laborer Organizing Network, the National Domestic Workers Alliance, National Taxi Workers Alliance and National Guestworker Alliance. Federations enable worker centers to launch national campaigns and spread strategies and tactics developed at the local level to additional cities and states.

What Worker Centers Do

Worker centers use several tactics to help low-wage workers:

- Centers **provide legal services** to correct an abuse called “wage theft” by helping workers recover unpaid wages and compensation for workplace injuries. According to a 2009 survey done in the three largest U.S. cities, more than three-quarters of low-wage workers were not given overtime pay they were due by law, and 26% were paid under the legal minimum wage. Taking action against such abuses, centers have annually recovered between \$100,000 and \$200,000 in back wages – and some have gotten more. Each year, millions in wages properly due are recovered for janitors, residential construction laborers, warehouse and restaurant workers, and other vulnerable workers.
- Centers regularly **offer classes** in English as a second language – often combining language instruction with information about workers' rights on the job and best practices to keep safe and healthy at work. A recent survey found that nearly 90% of centers offer services related to education and skills training for workforce development.
- Worker centers **do public advocacy on behalf of low wage workers**. They discover and publicize abuses and orchestrate campaigns for state and local ordinances combatting wage

theft. They also press the U.S. Department of Labor to enforce labor standards in low-wage industries employing immigrants.

Innovative Victories

By experimenting with new tactics, worker centers have won important regulatory victories for domestic and agricultural workers excluded from current U.S. labor law protections and long assumed to be outside the circle of union efforts.

- Operating in Texas, the state with the highest rate of construction fatalities in the nation, a worker center called the Workers Defense Project/*Proyecta Defensa Laboral* signed an agreement with the Department of Labor that allows the center to submit complaints directly to the Occupational Health and Safety Administration on behalf of workers and ensures that these complaints are investigated within 48 hours.
- A big issue for low-wage workers is whether major corporations will take responsibility for workplace abuses by their suppliers. After a four year national boycott of Taco Bell, the Coalition of Immokalee Workers in Florida won a precedent-setting victory on this front when Yum Brands, the largest restaurant company in the world and owner of Taco Bell, agreed to pay a penny-per-pound to its suppliers of tomatoes – and undertake joint efforts with the Coalition – to improve working conditions in Florida tomato fields. The Coalition went on to win similar agreements from McDonald’s and Burger King.
- After a multi-year campaign that included workers telling their stories and public demonstrations and hearings, Domestic Workers United won passage in 2010 of the New York Domestic Workers Bill of Rights. The first of its kind in the nation, this bill requires a minimum of one day of rest per week, overtime pay, and at least three paid days off per year. It also includes protections against discrimination and sets up a study commission to explore the possibility of enacting collective bargaining rights for domestic workers.

Having an Impact and Coming under Attack

Along with such victories come counter-attacks. An organization devoted to weakening unions called the “Center for Union Facts” took out a full-page ad in a July 2013 edition of the *Wall Street Journal*, decrying worker centers as front groups for unions. That same month, Republican committee chairs in Congress sent a letter to the Secretary of Labor calling for an investigation to determine whether worker centers should be legally classified as labor organizations and subject to new regulatory scrutiny. As my research shows, an honest investigation would reveal that the vast majority of centers were launched not by unions but by ethnic non-governmental organizations, churches, legal aid clinics, and community organizations and religious congregations. Once up and running, centers often do cooperate with unions, but that does not make them the legal equivalent of unions, because centers do not exclusively represent workers at particular workplaces or engage in long-term collective bargaining with employers.

The attacks tell us that worker centers are having an impact as they counter wage theft and strengthen the voice of vulnerable workers in the political process. A harbinger of things to come, as worker centers develop we can expect many more victories – and escalating attacks.

Read more in Janice Fine, *Worker Centers: Organizing Communities at the Edge of the Dream* (ILR Press, 2006).