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Day Laborers Speak On Organization

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DAY LABORERS SPEAK ON ORGANIZATION

**A thesis submitted to
Regis College
The Honors Program
in partial fulfillment of the requirements
for Graduation with Honors**

by

Jason Boccaccio

May 2007

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PREFACE

My first contact with the world of low-wage immigrant workers in the United States took place during my early years of high school when I began working at a local Mexican restaurant. The kitchen and maintenance staffs were made up entirely of immigrants from Latin America; mostly undocumented males and mostly from México. During my time there, I witnessed a constant cycle of new workers coming in and old ones picking up and moving on to new places. As a student of the Spanish language, I had sufficient language skills to communicate with these workers and I spent most of my days bussing tables and having conversations with these immigrant workers, learning about who they were, where they came from, why they left their homelands and families to be in this country and most importantly, developing friendships with my co-workers.

Two of those friendships stand out in my memory and have pushed me to continue learning about the struggle of low-wage, immigrant workers in the United States. One day, not too long after I had been employed at the restaurant, I was introduced to Arturo. Arturo was the man of “mil usos” (a thousand uses) at the restaurant. He was a maintenance man, substitute dish washer or line cook, busser, and a friend. Whether the toilets flooded or a busser called in sick, Arturo was there, ready to work, and he did it all for not much more than minimum wage. He never complained. He was there to work and the small wage that he took home was more than he could earn in México. Arturo believed that he needed to be here, working to provide better

opportunities for his son Erik who also worked at the restaurant for a brief time. He eventually left that restaurant and accepted a job at McDonalds for a slightly higher wage.

The second friendship was with a man named Fernando from Peru. He was trained as a computer technician in his home country, but since he was unable to secure employment there, he had decided to travel to the U.S. and take whatever work he could find to sustain his family. At the point I met him, the best work he had found was as a busser and that is what he did while waiting on news of employment from his family in Peru. One day, I came to work and he was gone. Nobody could tell me why he left or where he went. I never saw him again. Eventually, I too, left the restaurant business, but my contact with immigrant workers was not finished.

Later, I began studying at Regis University and, through my courses in Sociology and Spanish, I was involved in many community-based learning activities. One such activity during the fall of my junior year led me to a day labor center in Denver called El Centro Humanitario para los Trabajadores (Humanitarian Center for Workers). There I was introduced to an even more unstable, vulnerable realm of low-wage immigrant work: day labor. *Jornaleros* – day laborers – gathered at El Centro or on nearby street corners waiting for employers in construction, landscaping, and various other occupations to come and pick them up for the day and work them for relatively low wages.

Workers, many of them undocumented immigrants from Latin America, go to El Centro because it provides education in English and workers' rights, a warm place to stay while waiting for work, a soothing cup of coffee, community, and some form of

protection against poor working conditions and employers that take advantage of the vulnerable workers and do not pay because the workers (who are often undocumented) will not speak out for fear of deportation.

Some workers stand on the corners and wait, foregoing El Centro because it asks for a minimum wage of \$10 per hour of work. These workers feel that their chances of employment are greater on the corner where there is no \$10 minimum wage to scare off prospective employers and there is less competition from other workers seeking employment for the day. Oftentimes, to get the job on the corner, you just have to be the first one in the back of the employer's truck. You don't have to get lucky and have your number drawn in the work-lottery like you do to receive a job at El Centro. The downside is that these day laborers are even more vulnerable to not receiving pay or having to deal with sub-human working conditions.

Whether they decide to use the workers' centers or if they prefer to solicit the work themselves on the corner, all day laborers share a similar struggle. Their work is inconsistent, their wages are low, and they sometimes have to deal with employers who do not pay or work them long hours while denying them access to food or water; they lack any type of benefits such as health insurance. Workers' centers or hiring halls like El Centro Humanitario para los Trabajadores can try to prevent some of the mistreatment that day laborers experience, but their resources and political power are limited. Could there be a more effective way of organizing day laborers to contribute to their own empowerment, help protect themselves from workplace abuses and non-payment, and to help them secure some benefits?

This is a question that I had not considered until someone mentioned to me that the U.S.'s premier labor organization, AFL-CIO, had signed an agreement to work with the NDLO (National Day Labor Organizing Network) in order to form a political alliance to strengthen the struggles of both the organized labor movement and the day laborer and other low-wage immigrant workers. News of this agreement provoked a number of questions for me. Could day laborers be unionized effectively? Do day laborers want to be unionized? Would they fear that unionization would make them more vulnerable to deportation? Could they commit time and money necessary to joining to a union? The idea of organizing day laborers beyond the workers' center model intrigued me, but I wondered: how would this agreement be implemented? It was this curiosity, combined with a strong belief that the voice of day laborers should be heard, that drove the research presented in this thesis.

I. INTRODUCTION

Day labor is an important and rapidly growing part of the United States economy although it is highly informal and unregulated. The nation's leading scholar of day labor, Abel Valenzuela Jr. (2003: 307) in a review of literature surrounding day labor claims:

No formal definition of day labor exists, although the term is mostly used to convey a type of temporary employment that is distinguished by hazards in or undesirability of the work, the absence of fringe and other typical workplace benefits (i.e. breaks, safety equipment), and the daily search for employment.

Day labor work employs large numbers of immigrants and other people from society's margins. *Jornaleros*, as day laborers are known in Spanish, can be found gathered in urban settings at for-profit temp agencies, non-profit workers' centers, or simply on street corners soliciting work for the day. As visible as these workers may be on your local street corner or in front of the nearest home improvement retail location, they are often over-looked by the average U.S. citizen.

Due to a number of factors, day laborers are often taken advantage of by those who employ them. Valenzuela (2003) comments on the factors that make them one of the most exploited classes of workers in our society: "Most day laborers are male, foreign born, recently arrived and unauthorized, and have low levels of education and a poor command of English. As a result, the participants in this industry are highly vulnerable and exploited" (p. 307).

It is clear that low-wage immigrant workers such as day laborers are indeed vulnerable, and need more protections. Moreover, organizing immigrant workers would be valuable not just for day laborers, but for the advancement of the organized labor movement as a whole in this country.

The National Immigration Law Center (2004) maintains that in the year 2000, “immigrants constituted 11 percent of the population, nearly 15 percent of the nation’s labor force and headed 20 percent of low-income households in the U.S.” Of these, “approximately 34 percent of immigrant workers are lawful permanent residents; 34 percent are naturalized citizens; 29 percent are undocumented immigrants and 3 percent are temporary residents.” It should be expected that undocumented immigrants have a higher representation than this (29%) among day laborers because of the nature of the hiring process. Jayaraman and Ness (2005) comment that:

Informal immigrant networks spread the word within a given ethnic group about a particular employment opportunity that provides a conducive environment for undocumented workers afraid of being deported or easily replaced. Thus, immigrant workers from a particular small town in southern Mexico find their way to remote parts of Long Island to wait on the street corners to be picked up for day jobs (p. 4).

No documentation is necessary to jump on the back of a truck, work for the day and be paid in cash. Thus, one would expect that undocumented immigrants make up the majority of the day labor population.

The organization of a group of workers this vulnerable and this large would be beneficial to the entire labor movement in this country. The National Immigration Law Center (2004) states that; “Because immigrants toil alongside U.S. citizen workers, even fundamental knowledge of immigrant workers’ rights will also serve to strengthen the labor and employment rights of the U.S. labor force as a whole.” Undocumented workers are protected by the Fair Labor Standards Act (FLSA), the Occupational Safety and Health Act (OSHA), the Mine Safety and Health Act, and state wage and hour laws. Furthermore, the National Immigration Law Center proclaims that; “It is important for immigrant and workers’ rights advocates to continue organizing to curtail any further erosion of low-wage immigrant workers’ rights, and to help workers assert the rights they clearly have.”

Prompted by news of a signed agreement between AFL-CIO and NDLO (National Day Labor Organizing Network), I felt that more research about day laborers, especially with respect to organizing and the possibility of unionization, was necessary. In Chapter 2 of this thesis, I review research that examines who day laborers and low-wage immigrant workers are and the struggles they face in this country’s labor market. Additionally, I examine literature that deals with organized labor’s changing position regarding immigrant workers and day laborers, paying attention to attempts at organizing immigrants and the prospect of organizing day laborers.

Furthermore, in an attempt to better understand day laborers and their thoughts on organizing, I have conducted my own research which consists of in-depth interviews with seven day laborers and two organizers with a concern for the rights of day laborers and

other low-wage immigrant workers.¹ In light of the agreement signed between the AFL-CIO and NDLON to work for their shared goals of a stronger organized labor movement and rights for immigrant workers (day laborers specifically), there is a need to turn our attention to the workers themselves.

Day laborers and low-wage immigrant workers need to have a voice in issues that affect them. If there is any hope of effectively organizing day laborers for their own advancement in the workplace and empowerment in their lives, organized labor, community organizations, immigrants' rights advocates and any one else interested in struggling with them must realize that it needs to be a struggle with and not a struggle for: a truly collaborative process in which the workers themselves must be heard and taken seriously.

As outlined in Chapter 4 of this thesis, the results of my preliminary research indicate, as does the literature, that some of the greatest challenges faced by low-wage, Latino immigrant workers (day laborers specifically) are lack of legal documents, low wages or flat out denial of payment, poor working conditions, psychological abuse, and discrimination. The discussions I had with day laborers also confirm the belief held by many leading scholars of immigrant organizing that day laborers, in spite of the undocumented status of many of them, do not fear the risks involved in unionizing. Undocumented is not synonymous with un-organizable (Delgado 1993, Milkman 2000 & 2006, Ness 2005). This chapter also discusses the obstacles to unionizing day laborers. Finally there is a discussion on the ways in which day laborers and the workers' centers

¹ Ch. 3 outlines the details of the research methods used in conducting these interviews and analyzing the data which emerged from them.

they affiliate with can collaborate with the organized labor movement and the need for coalition and relationship building between these two groups to ensure a successful alliance.

Chapter 5 presents my concluding thoughts about the need to further organize day laborers and other low-wage immigrant workers and also discusses the need for the U.S. public to examine the way we treat immigrants and adjust immigration policy accordingly.

II. DAY LABOR, IMMIGRANT WORKERS, AND UNIONS: A REVIEW OF THE LITERATURE

While research on day labor and day laborers themselves is still in an early, exploratory stage, the topic is being increasingly investigated. In 1999, Abel Valenzuela Jr., Director of UCLA's Center for the Study of Urban Poverty and Associate Professor of Chicano Studies and Urban Planning conducted a survey of day laborers in Southern California. Valenzuela is the nation's leading scholar of day labor. His work is at the forefront of this new research arena. Valenzuela and his research team are driven by a desire to understand day laborers and the day labor market. Because of the inconsistency and secrecy of the informal economy which day labor is a part of, Valenzuela recognizes the need for creative and aggressive research methods in such a study.

With this study, his UCLA research team employed creative methods to conduct random surveys of 481 day laborers at 87 different sites in Southern California. The survey of day laborers is one part of a greater "Day Labor Project" which includes in-depth interviews with day laborers, in-depth interviews with employers, and case studies of hiring halls or worker centers. The findings of these additional pieces of the Day Labor Project were not included in the report on the survey because the interviews and case studies were still underway.

Although the survey results are preliminary, this work is an important starting point to begin studying day laborers. It should be noted that the nature of day labor varies widely depending on regions of the country and even from city to city, so this

particular study does not necessarily reflect the characteristics of all day labor across the nation, however it does give us an excellent look into the day labor population of Los Angeles and Orange County.

After preliminary analysis of the survey data, Valenzuela and his team concluded that day laborers in Southern California are overwhelmingly young, Latino men, most of whom are from Mexico (77%) and are lacking legal documents. The mean age of day laborers in the study was 34. In regards to legal documentation, it was found that less than 6% of the workers surveyed entered the United States legally. His findings regarding the educational attainment of day laborers range from nothing to workers who are college graduates, with average educational attainment being fairly low.

These were the statements he was able to make about who day laborers are, but he also commented on the work they perform. One of the most important things he notes is the difficulty of day labor work. It is hard work for little pay and most day laborers work full time. Day laborers are routinely mistreated, mis-payd and threatened by their employers (Valenzuela, 1999; Valenzuela, 2000).

The study shows that day labor work is not a gateway into the formal economy. In one interesting section, Valenzuela studied why day laborers are not active in the formal economy. According to his report, “About two in five day laborers cited lack of documents as their primary reason. Other factors include lack of English proficiency, poor labor market conditions, discrimination and lack of transportation” (Valenzuela, 1999).

Pérez and Muñoz (2001) list discrimination as a key reason why immigrant workers are trapped in jobs with low pay and tough conditions. They acknowledge that this discrimination is rooted in not only immigration policy, but that it also is due to racial discrimination. They cite research which suggests that minority immigrant workers are funneled into jobs with low pay which require little skill due to racial stereotyping.

The pool of low-wage, Latino immigrant workers, which many day laborers belong to, faces many structural and institutional problems in addition to discrimination which unionization could help to alleviate. While the U.S. economic expansion of the 1990s allowed for many jobs for Latino immigrants in the labor market, there was no marked improvement in wages during this time period. Conversely, wages declined during the so-called economic expansion of the 1990s, especially for low-wage workers (Mishel, Bernstein, & Schmitt 1999; Pérez & Muñoz, 2001). Unfortunately for day laborers, the problem of low wages is not even the most daunting wage issue to be dealt with. Day laborers, especially those who solicit work on the street corners, must deal with the daily reality that their employer for that day may decide to forego paying them at all.

In addition to wage issues, declining job quality and lack of real benefits are issues which low-wage Latino immigrants must negotiate. According to Pérez and Muñoz (2001) “jobs have become less secure and less likely to offer health and pension benefits.” Unfortunately, Latino immigrants tend to hold jobs that are even less apt to provide health insurance, pension plans, and additional benefits. These types of deficiencies are always exacerbated in the world of day labor because of its inconsistent

nature. Even an employer who treats his day workers relatively well is not going to help provide them with health insurance or a pension plan when he knows that he will probably never see the workers again after their short-lived jobs are completed.

Another important issue facing Latino immigrant workers and day laborers is skills training. Low-wage, Latino immigrant workers could make great strides in the employment arena if they were in a position to participate in workforce development programs. Many workers of this ilk lack sufficient education, job skills training and a facility with the English language that is often necessary for workplace advancement and well-being (Pérez & Muñoz, 2001).

The low wage, inconsistent jobs that day laborers occupy generally do not offer them these types of opportunities. Workers' centers and other community organizations have done their best to provide training opportunities and workers' rights education with limited resources at their disposal. Research indicates that these opportunities are essential and have been successful in helping Latino workers in general gain improvements in wages and job opportunities, but they need access to more programs and programs with greater resources (NCLR, 1997; Pérez & Muñoz 2001).

Unions and Immigrants: A Changing Relationship

Throughout the long history of confrontations and contact between immigration and unionism in the United States, immigrants have been seen by many organizers and union leadership as not conducive to organization and an enemy to the organized labor movement. Especially before the 1990s, those involved with organized labor often dismissed immigrants as lazy and lacking the will to fight for fair wages and just working

conditions (Briggs, 2001). Ruth Milkman (2006), a scholar of immigrant organizing in California contends that in the 1970s and 80s, union leadership saw the new flood of new immigrant workers (mostly from Central America and Mexico) that was permeating Los Angeles' workplaces as "excessively docile, compliant and uncritical of low wages and degraded conditions – a threat to the standards that organized labor had won at great expense in earlier years" (p. 114). Many scholars of organized labor and the immigrant workforce see immigrant workers as extremely willing and motivated to organize and denounce poor wages and marginal working conditions. In fact, some claim today's immigrant worker is more disposed to organizing and protesting than today's U.S. born worker (Milkman, 2000; Milkman, 2006; Ness, 2005). However, as willing as they may be to organize, the task is difficult.

Many scholars cite the fact that the immigrant worker in the United States is viewed through the lens of a nasty dichotomy which poses a challenge to organizing opportunities. Low-wage immigrant workers are seen as advantageous to employers because they will work in a wide variety of occupations which are often rejected by native born workers because of long hours at very low wage rates which makes them a key to profit maximization for employers, but at the same time immigrants are demonized as "illegal aliens" which seek to steal American jobs and threaten our national security (Castles, 2002; Ness, 2005; Sassen, 1991; Waldinger, 1996). Moreover, many unions themselves have seen immigrants as threatening to their efforts for improved wages and working conditions.

Traditionally, organized labor has taken a hostile stance against the immigration phenomenon. In fact, according to Ness (2005) in 1986, “the AFL-CIO supported the employer sanction provision of the Immigration Reform and Control Act (IRCA)” of the Reagan Administration (p. 41). The goal of this provision is to discourage employers from hiring undocumented immigrants by mandating that employers keep records of workers’ immigration status and penalizing those employers that knowingly hire undocumented immigrants.

The employer must verify the identity of each employee it seeks to hire to ensure that person is authorized to work in the United States. This process involves using the I-9 immigration form, and any employer who does not completely document the worker’s identity, immigration and work authorization status and maintain complete files on the worker throughout his entire time working for that company is subject to fines. If employers consistently fail to adhere to the provisions of the Immigration Reform and Control act, they can be subject to criminal penalty. It is known that undocumented workers sometimes obtain false or borrowed documentation to successfully gain employment under the IRCA procedures (Pérez & Muñoz 2001).

Even if unions had wanted to organize immigrant workers, stereotypes of them usually stopped them from even considering it. Organizers and union leaders saw immigrant workers as too accepting of low-wages and poor work conditions because they were evaluating their new jobs in this country in comparison with the desperate conditions that caused them to leave their countries of origin. Moreover, the fact that many immigrant workers are without legal documentation or work permission has

traditionally been seen as an obstacle too great to overcome. Organizing and unionizing is not for the anonymous and timid; there are risks and rewards.

Unions believed that immigrant workers would never organize because their undocumented status and fear of deportation would hold them back (Jayaraman & Ness 2005; Milkman 2006; Ness, 2005). Delgado (1993) contends that lack of legal documentation and work permission is an obstacle that organizers can overcome. It is interesting to note that some scholars believe that some immigrants, particularly those from Central America, may be open to joining unions in the United States because the organizing situation here offers much less dire consequences; citing the fact that the penalty for unionizing at home could be one's life, while here you may lose a low paying, dead end job (Milkman 2000; Waldinger, et al., 1998).

As time passed and the labor movement continued its downward spiral, union leaders began to take notice of immigrants and the possibility of a prosperous alliance. Successful organizing of immigrants in the San Francisco hotel industry and the LA garment workers industry made national union organizations like AFL-CIO take notice (Milkman, 2000; Milkman, 2006). These organizing drives were successful because the unions recognized the need to connect with the immigrant culturally and adapted their methods to the workers. They hired field organizers who speak the languages of the immigrants and who represent their demographics. Also, many unions set up sub-committees of workers based on a division of ethnicity. If all members in a given committee can communicate in their native language, greater progress is likely to be made. Next, many union organizations celebrate holidays like Cinco de Mayo or the

Chinese New Year to rally workers around their cultural backgrounds. Lastly, unions who have been effective in organizing immigrant workers have come to the realization that they cannot work alone. A successful organizing drive includes coalition building and interaction with other community organizations. Non-profits, churches, immigrants' rights organizations and legal advocates can all provide insight into what a given community of workers needs and which issues in and outside the workplace are important in their lives (Wells, 2000).

Another successful organizing drive which increased organized labor's motivations to work with immigrants rather than against them was the Service Employees International Union's (SEIU) Justice for Janitors campaign, which kicked off in the mid-1980s. This campaign is a wonderful example of the new, innovative organizational campaigns that take union actions a step further, outside of the workplace and become not only union actions, but actions for social justice. The success of the Justice for Janitors campaign was dependent on its ties with community organizations, its careful planning and its collective, direct actions.

Its success was unlikely according to many in organized labor because it was able to have a dramatic impact on the maintenance industry "during a period when a labor surplus in this low-wage labor market made it a poor target by conventional standards of union strategic planning" (Johnston, 2002, p.252). Furthermore, and perhaps most importantly in the overall context of immigrant organizing, the Justice for Janitors campaign did wonders for the SEIU's President John J. Sweeney and helped him take the head leadership position in AFL-CIO in 1995.

Milkman (2000) describes Sweeney's victory in the 1995 election for the AFL-CIO presidency as an important landmark in organized labor's changing attitude towards immigrant workers because it brought "a savvy young group of young, progressive unionists into key positions in the AFL-CIO bureaucracy" (p. 10). Sweeney has been committed to new, innovative organization which he hopes will bring new life to the declining labor movement and diversify not only union leadership, but the rank and file membership also. He and other AFL leadership have recognized the need to collaborate with populations of immigrant workers for the future well being of labor in the United States. Progressive leadership recognizing the importance of including immigrants in organizing efforts was ushered into the AFL-CIO, but changes were not immediate.

At the 1999 national convention of the AFL-CIO, the organization's delegates voted to amend its previous stance on the I-9 regulations of the 1986 IRCA. This was a clear message that the nation's premier labor organization was beginning to change its immigration policies. Shortly thereafter, in 2000, the AFL-CIO proclaimed its wishes for complete amnesty of all undocumented immigrant workers living in the United States. If they could get rid of the "undocumented" tag, organizing efforts would be much easier to deal with (Jayaraman & Ness, 2005; Milkman, 2006; Ness, 2005).

Finally, and most recently, the AFL-CIO and the NDLO (National Day Laborer Organizing Network) inked an agreement in 2006 which allies the two politically in hopes of strengthening the organized labor movement and advocating the rights of day laborers and low-wage immigrant workers in all sectors of the economy. Through this alliance, the two groups hope to combat anti-immigrant legislation and propose

comprehensive immigration reform that includes a path to citizenship for immigrant workers. The agreement also offers workers' centers such as El Centro Humanitario the chance to affiliate with the local federation of the AFL-CIO and have representation in labor council discussions.

Organizing Day Laborers: Workers' Centers and Fledgling Unions

In the literature available on organizing day laborers specifically, oftentimes, the topic of worker centers or hiring halls comes up. Jayaraman and Ness (2005) contend that worker centers may be “some of the most cutting-edge models for immigrant worker organizing” (p. 6). These centers have been around and developing since the 1980s. Jayaraman and Ness constantly refer to the need for creative organizing models in which unions must reach out to community organizations if they have any hopes of organizing immigrants. Turnbull (2004) also sees the worker centers as a valuable and creative tool for organizing this unique population of workers and calls them “an attempt to actively regulate within the informal economy.”

The appearance of these workers' centers is related to the necessity of the day laborer. Day laborers need protections from exploitative employers and they also need a safe place to gather to seek work in the age of anti-day laborer laws. Toma and Ebenshade (2000) claim that thirty cities in the Los Angeles vicinity created various municipal ordinances against soliciting work in public spaces in response to the increasing number of day labor corners and other sites where workers congregate (as cited in Ochoa & Ochoa, 2005).

In her book on day labor centers, Janice Fine (2006) describes worker centers as “community-based mediating institutions that provide support to low-wage workers” (p. 2). This is a fairly loose definition of what a worker center is, because each center has its own identity based factors such as location, funding, community support, workers’ goals, etc. In general, Fine outlines three main methods employed by worker centers in attempting to service and support low-wage workers and day laborers.

These three methods are; 1) service delivery, 2) advocacy and 3) organizing. Service delivery includes assistance in demanding unpaid wages from employers by providing some sort of legal assistance to day workers, language classes (mostly English language), worker skills training, worker’s rights education, access to health clinics and even loans. Advocacy can be carried out in many ways, including publishing and distributing newsletters or informational brochures and mailings which describe work conditions and problems faced by low-wage workers and day laborers, lobbying for changes in public policy issues which affect this population, working in conjunction with the government to ensure work conditions and grievance processes are closely examined and finally in taking legal action against employers. Lastly, organizing includes a variety of attempts at constructing community coalitions, and collaborating with the workers themselves in order to encourage an active role in their own political and economic struggles. Jayaraman and Ness (2005) believe that the organizational efforts of workers centers are more likely to be successful because they are not working under the same rigid guidelines as traditional unions, they are based in the communities that workers call home, and they generally have a staff that can collaborate with workers in their own

language and that is sensitive to the cultural needs of that particular community's worker population.

These organizing efforts of worker's centers and the day laborers themselves have gone as far as attempting to create day labor unions. Megan Lardner (2002) writes of a group of San Francisco day laborers based in a makeshift hiring hall, consisting of two trailers, who decided in the year 2000 that further organization was necessary. This group of day workers had already made the progression from street corner to hiring hall and they were ready to take on the difficult task of unionizing. Their simple but powerful motto was "Any job you have is ours to do." They held a march to announce their goal of unionizing, but their announcement was met with much doubt from the local organized labor community.

Lardner recounts that the head of the San Francisco Labor council said that although he was in favor of their efforts, "day laborers are impossible to organize because they have no set employer or work place," and this is an obstacle because these conditions make them unattractive to official labor unions, whose support and guidance would be extremely useful.

Maybe the most asked question in regards to unionizing day laborers is: even if they can be organized, how can a union negotiate a contract with an employer when a single day laborer might work for three or four employers in the same week? There may not be just one answer to this question. Maybe a day labor union would not concern itself with having to negotiate a contract and focus its efforts on providing political and legal protections to day laborers while fighting for acceptable work conditions and some form

of benefits. The idea of unionizing day laborers is very new and nobody can be sure how it will grow and evolve in the future. Either way, unions have traditionally backed away from day laborers and one large reason is the inconsistency of their work.

In her report on similar attempts at organizing day laborers in Santa Cruz, CA, Turnbull (2004) mentions that “Most organized labor unions were adamantly against the idea of public funds being used to support organizing in the informal economy” in California. The San Francisco day labor project did not see this as a problem. They believed that the day laborers did not need to be a part of an already established union; all they needed to do was build and operate their own, independent union. They believed this example would be witnessed by day laborers statewide and an organizational wave would sweep across California.

The battles this group faced in unionizing were lack of funding, lack of recognition as a union, and competition from workers who did not use the hiring hall and opted to wait for work on the street corners. The day labor project tried reaching out to these workers on the corner, but many seemed “uninterested in – and even distrustful of – becoming part of a union” because of a lack of time to attend meetings and a lack of interest in unions in general. Many of these workers preferred the freedom they had on the corners to the structure of the centers and the so-called union. In reaching out to these independent laborers, the San Francisco Day Labor Project stressed to them that their lives could be improved with the help of a union. The most important initial goals when starting the union were some sort of legal defense to help recoup wages or battle poor

work conditions, a \$10 per hour minimum wage, and a new location for their center.

Organizing was challenging and little progress was being made.

The problem of time plays out in the organization attempts in a couple of significant ways. In this case, many workers did not have time to come to the Friday union meetings because they preferred to spend their time working if possible and also, because many immigrant workers do not intend to settle down in one community for long enough to make unionizing worthwhile. Oftentimes, workers move to other places in the U.S. or they simply stay in the country for a short time period, save some money, and then return to their homeland. It is known that the day labor community is a mobile community; they move to where the work is, a characteristic that makes the challenge of organizing them even greater. The challenges do not end there.

One labor leader of the Central Labor Council in Santa Clara County, CA, said that the challenge of organizing immigrant workers is not one that unions are currently ready to deal with. One of the greatest problems is that old organizing strategies cannot be applied effectively to such a unique population of workers. Outside of the fact that many immigrant workers are undocumented, the issue of cultural and language differences between union organizers and low-wage immigrant workers is a constant challenge.

In fact, many critics of the organized labor movement have been persistent in claiming that one of the greatest problems is that union leadership and organizers have been out of touch with those they want to organize and claim to represent. This is a phenomenon that happens with many possible union members, not just immigrant

workers and day laborers. These issues loom largely as great barriers to successful communication, coalition building and organization among immigrant workers and day laborers specifically (Turnbull, 2004). Brofenbrenner (2001) highlights a widespread suspicion held by many who have studied the prospect of organizing immigrants: the idea that established unions accept immigrant workers only as another source of money and more numbers on membership lists while overlooking the empowerment and voice that all workers should be allowed to contribute to a union in addition to their monthly dues.

Even unions and labor leaders that support rights for day laborers have often failed to see the entire scope of needs that should be considered in organizing day laborers. In the Santa Cruz fight for a day labor center, SEIU political director Nora Hochman, a supporter of the center, recognized the need for coalition building to strengthen the overall position of the organized labor movement. She believed day laborers needed protection in wages and working conditions, but failed to see the importance in promoting the empowerment and active participation of the workers themselves in the process. She was quoted as saying:

If you leave out the whole empowerment piece, which is the lasting piece of people controlling their destinies collectively through programs and projects and just look at them in the most restricted way as people who are on the street that need to work and eat . . . People need to have a break, a bathroom and be free of unsafe working conditions. Just look at that . . . We should do what America does best, throw money at a problem and hide it. We should put them inside where

they don't show . . . It is a simple problem that can be solved by throwing money and humanity at it (Turnbull, 2004).

What Hochman is failing to take into account is that any long-lasting success and improvements in the conditions of day labor needs to come from an effort to involve and empower the workers in the issues which affect their lives. Turnbull (2004) believes in the importance of including the workers themselves in their own organizing process in an attempt to discuss with them what type of work needs to be done in order to get goals accomplished. This is where the community organizations can come in.

They are the groups that seem to be more in touch with the workers and their needs. They can help to bridge that gap between union leaders and the workers. Pablo Alvarado of the Coalition for Humane Immigrants Rights of Los Angeles (CHIRLA) is a leader of one such community organization with a commitment to an understanding of day laborers in his community and he recognizes the value of including workers in the organizational process. Alvarado says, "Workers must be involved at all levels. It can not be a present from organized labor and 'bleeding hearts' but must be a truly collaborative effort" (Turnbull, 2004). This is a key issue when it comes to aligning groups such as day laborers, community organizations such as workers' centers, and the organized labor movement. Without strong relationships and trust, any alliance is sure to stumble and eventually dissolve.

III. RESEARCH METHODS

In an attempt to better understand day laborers and their thoughts on the prospect of organizing and unionizing, I conducted in-depth interviews with day laborers at Denver's El Centro Humanitario Para Los Trabajadores (Humanitarian Center for Workers). El Centro's website, <http://www.centrohumanitario.org>, gives this interesting history of how it came to be Denver's only organized immigrant day labor center:

El Centro Humanitario Para Los Trabajadores (El Centro) is Denver's first immigrant day laborer organization that defends the human rights of day laborers. An injured Latino was found abandoned on the street, seriously brain damaged in 1998. This worker had fallen off a roof and his employer who picked up the worker on the street corner, abandoned him in the dark of a night to avoid responsibility. Concerned with such worker exploitation and the dangerous working environment that Denver's immigrant day laborers faced as they sought day-to-day work off of street corners, numerous community supporters came together to create a safe indoor place for immigrants. As a result, a run-down warehouse space was rehabilitated by workers themselves and El Centro opened its doors on June 1, 2002.

Interviews were conducted at El Centro because I had already spent some time there working with its women's project, "The Queens of Clean," which is a group of women day laborers who have been trying to develop their own cooperative for domestic work with the help of El Centro. During my time there, I came to know Harold Lasso, the

Program Development Director for El Centro. I felt my connections there would allow me to expedite the process of confidence building with the respondents which would allow a less intimidating atmosphere for the discussions. I used Mr. Lasso as a resource to help me identify a convenience sample of workers that could collaborate with me as respondents. Because Mr. Lasso is at El Centro and has a great deal of contact with the workers, he was able to identify workers which he thought would be willing to discuss this issue.

Initially, after consultation with my advisors, we decided to conduct the interviews/discussions in a small focus group format with two workers at a time in order to create a more comfortable atmosphere and spark lively conversation. First, I conducted two of these focus group style discussions; each included two day laborers. However, due to problems I encountered while trying to find some of the workers which Harold had identified as willing respondents, the next three interviews were conducted with only one worker each. All seven respondents were undocumented, male immigrants originally from Mexico.

Each respondent was ensured of anonymity and each received a \$10 gift card to a local supermarket for their participation. Each interview lasted between 45 minutes and one hour and a half and all interviews were tape-recorded with the consent of each respondent. Since the interviews were conducted in offices at El Centro, the workers' chances of gaining employment for the day were not affected because El Centro employees were aware of the interviews and would have been able to interrupt us if the respondent's number was chosen for a job. All interviews were conducted in Spanish

and then translated to English during the transcribing process. After transcription, all interviews and focus group discussions were coded according to the content of the responses.

The following questions were used to guide the interviews.

1. Have you heard of the agreement signed between the NDLON and the AFL-CIO? Do you know much about either of these organizations?
2. Is unionization something you desire?
3. What fears or concerns would day you have for yourself and your family with respect to unionizing/organizing?
4. What are the greatest gains that could be made for the rights and status of day laborers by joining unions?
5. Would you be willing and able to commit additional time to meetings and union functions? What type of a role would you play in your own organizing process?
6. Would you want to take an active role in the organizing process? Why or why not?
7. Do you believe unionization is a realistic goal for day laborers given their undocumented status and the inconsistent, scattered nature of their work?
8. How helpful are places like El Centro Humanitario and do you believe that unions would do more for you than a workers' center can?

9. What are your thoughts on the current debate over immigration in this country?
10. Do you feel that your prospects for employment as a day laborer have been improving or worsening as the immigration debate has heated up?
11. What is the biggest problem you face as a day laborer and do you believe this problem could be remedied with unionization or organization of some sort?
12. Currently, how do you feel about speaking out if you are being mistreated at work? Would you feel more comfortable in taking action if you had the support of a union?

Because of the qualitative nature of this study, questions were not limited to those previously mentioned. When respondents brought other issues to my attention, I explored their experiences further by using probing questions.

In order to better understand the organizing side of the issue, I conducted in-depth interviews/discussions with Harold Lasso of El Centro and Leslie Moody of the Denver Area Labor Federation (DALF), which is affiliated with the Colorado AFL-CIO. The following questions were used to guide the interviews with organizers.

1. What is your main goal in working with day laborers specifically?
2. Do you believe unionization is a realistic goal for day laborers? How do you plan to go about it?
3. How can day laborers take an active role in the organizing process?

4. What can you provide day laborers that will go above and beyond the help they get from individual day labor centers and the NDLOM?
5. What are the most pressing worker's rights violations faced by day laborers and how do you propose to combat these violations?
6. Do you plan on reaching out to those day laborers not associated with a center like El Centro (i.e. those who solicit work on street corners)?
7. Do you propose new unions for day laborers or would they be funneled into pre-existing ones?
8. How is organizing immigrants different than organizing native-born workers?
9. What would be your response to those unions (or individual members) who are against aligning with day laborers (more specifically immigrants)?
10. What kind of political action will be taken now that the agreement has been made between the NDLOM and AFL-CIO?
11. What type of benefits would you like to seek for day laborers?
12. What importance does the plight of the day laborer or immigrant worker have in the overall context of labor in the U.S.?
13. How can unions and worker centers work together? How will trust be built in this alliance?

Again, because of the qualitative nature of the study, questions were not limited to those that appear here.

Due to the limited amount of time in which the research had to be done, it should be noted that this research is preliminary. I conducted interviews at El Centro during November and December of 2006. I was only able to talk to a relatively small number of day laborers (7) at one workers' center in one city. The context of day labor varies from hiring site to hiring site, even within the same city. Each center or gathering site takes on its own characteristics, especially as far as the type of worker one will encounter at said site. For instance, Harold Lasso stresses that El Centro is unique because of the large percentage of workers that frequent the center who are homeless. This is mostly due to its location in an area of town which also has many homeless shelters and soup kitchens. Workers that make up the population at El Centro may not be representative of day laborers in the United States, or even in Denver for that matter.

While certain street corners in El Centro's neighborhood are often crowded with day laborers soliciting work, I chose not to interview these workers for two reasons; 1) Because I was limited by time and was only able to talk to a small number of workers, I wanted to remain consistent with the demographics of our respondents (male, undocumented immigrants from Mexico who frequented El Centro), and 2) I felt that interviewing workers from the street corner would hurt their chances of gaining employment; the street corner day laborer has to be alert and ready to jump at a second's notice when the potential employer rolls up asking for workers.

The limitations of this preliminary research do not, however, render its results insignificant. Day laborers need to have a voice and role in their own organization. If organized labor truly wants to collaborate with immigrant day laborers, they had better

understand who day laborers are and what they want. What are the problems they encounter in the workplace? Do they want to organize and what do they hope to achieve by organizing? Do they have any fears or concerns about organizing or unionizing because of their undocumented status? These are all important questions which labor leaders should consider, and the interviews presented in this study present what a few immigrant day laborers think about these questions.

IV. DISCUSSION

After conducting the interviews with seven day laborers at El Centro Humanitario², the workers' responses were carefully read and coded. The following is a discussion of the themes that emerged from the data. These themes revolved around issues such as problems faced by day laborers and low-wage immigrant workers, the role of workers' centers in helping day laborers negotiate these problems, types of assistance day laborers would like from the organized labor movement, willingness to unionize/organize on behalf of day laborers, etc.

So why does the low-wage, immigrant worker deserve the support and protection of some sort of organization, possibly a union, and the respect and recognition of the nation he breaks his back for? In analyzing the responses to this question, it was clear that immigrant workers are proud of their contributions to the United States. For instance, the following worker is looking for recognition. He wants the general public to understand the contributions of the Latino immigrant worker to the United States. He also appears to be trying to tell people that Latinos are not in the streets or sitting around and waiting for work at workers' centers, but that they are in fact out there working for this country. Their labor is important and if they weren't needed, nobody would hire them.

² Interviews were conducted with seven day laborers at El Centro Humanitario para los Trabajadores in Denver, Colorado between November 1, 2006 and December 15, 2006. Harold Lasso, Program Development Director at El Centro helped me select a convenience sample of workers by identifying those who were willing to discuss issues of organization. In order to protect the anonymity of the respondents, no names are used to identify who is speaking.

Ok, look, we are millions of Latinos. Those that come here and ask for help at a center like this, we are very few. The majority of Latinos, construction sites are full of them, the dirtiest jobs, they are full of Latinos. They are working. It's proven that Latinos have lifted this country tremendously. We are millions, but we are not millions in the streets or places like this. That's why I want to say that those millions are working hard, hard, hard. You go to the fields, to the construction sites, they are full of Latinos, so the Latino is helping this country a lot.

This day laborer was adamant that I publish these words in this paper, or somehow spread this message to the people. In fact, later, he once again prodded me to relate his words to a larger audience by saying:

I repeat to you, it is very important that you publish that in some form, or that you use it in your project in some way. Whatever, it's very important that you mention that we are millions and millions of Latinos, not millions in the streets or workers' centers. So, what does that mean? That those millions of Latinos are lifting up this country in the fields, construction sites, kitchens, cleaning, and we are not simple laborers. There are people that know how to work, that know how to construct, all types, electricians, plumbers, bricklayers, and everything.

Unfortunately, those who need and hire immigrant workers, especially Latino day laborers, often subject them to low pay, no pay, and/or unacceptable working conditions. This finding is in agreement with the studies conducted by Abel Valenzuela Jr. (1999, 2000, 2003).

Workplace Abuses Faced by Day Laborers

In my discussions with day laborers at El Centro Humanitario, when asked about their situations as temporary workers and the greatest adversities they face, many examples of wage issues came up. One worker, in response to a question about what he would want a union to do for him mentioned the need to respect the day laborer and pay him for a day's work.

I have asked myself, like you asked me, what do I want, how would I want them [unions] to help us? First, I would like people to respect the day laborer as a human being. Because sometimes one works and they don't respect him and at times don't even pay him. Many things happen. I would like for them to respect the day laborer.

This worker is looking for respect from those who employ day laborers. Too often, day laborers, especially those who solicit work on the street corner, are not paid after a day's work. This is an issue that has been addressed in some circumstances by workers' centers.

The other worker that participated in this initial focus-group style discussion also talked about not being paid, but mentioned that El Centro Humanitario at least provides day laborers with some way of battling the problem of not receiving pay.

Well yes, it does happen that they don't pay sometimes. . . . Here at El Centro, they have called employers and talked to them or called them in cases where they didn't pay. Also, I wanted to say that sometimes employers take you to work and say they'll pay tomorrow, and then you never see them again.

El Centro Humanitario has a database that contains information about each employer that uses its services to hire workers. Thus, if a worker is not paid or some other issue arises, El Centro can try calling the employer or writing a letter demanding wages. One worker noted this:

They [employers] also know that you belong to El Centro Humanitario and when they come, they sign a paper, they put their name and the directors file the information, their names, cell phone number. So, they are already protecting you in that way because they have the information and if someone doesn't want to pay . . . They have the names, the info and then the employer thinks twice about cheating you because he knows you are supported, because he knows someone saw you when you went to work with him and they got your name and number.

Furthermore, El Centro does have a legal clinic that is open one day a week where workers can seek legal advice from either law students or practicing lawyers who donate their time and services.

Even so, many employers know that day laborers on the corner have no one backing them up, no support or defense. Oftentimes, even the workers who use El Centro are afraid of asking for unpaid wages or simply resign to not receiving their pay because too frequently, the employer will threaten to call INS or the police if workers stand up for themselves. This was an issue that emerged from these discussions. One worker talked of not being paid by an employer who picked him up from El Centro, and the problems which resulted when he asked for his pay.

We can't go asking for our pay because we don't have papers. One friend from here, he went to ask for their money from an African American that took them to work and they called the police on them. And that's why I don't want to go asking for them to pay, they'll call the police. It just creates problems.

This worker sees his status as an undocumented immigrant as a hindrance which keeps him from standing up for himself when he is mistreated at work. Even with the protection and support of El Centro Humanitario, he worries about creating problems for himself if he asks for his pay. This viewpoint was affirmed by another worker who participated in an earlier discussion.

There have been two or three occasions [when I did not receive pay]. "Hey, you son of a bitch" they [employers] say [to me], and I can't say anything because they'll call the police and send me to jail.

This same issue was part of a previous discussion. One worker recalled an experience when he accompanied some friends who were not paid by an employer who hired them and then called the police on them when they demanded their unpaid wages.

Then, the police arrived in twenty minutes. When I saw them, I said, something's wrong. Then, I told the three people [my friends], since they are undocumented, its better if we get in the car and go. Because here at El Centro, they can help us because when the bosses come to get workers, El Centro has their names here. . . . Anyway, two [of my friends] got in my car and one got out and talked to the police. The police told him to leave, but the young man told them, "We came to get paid because they owe us money." This policeman . . . began to ask for a

Social Security number and he began to ask for our documents and last names. So the young man takes out a fake ID and Social Security number. So he's getting himself into more problems. So when I see this I am thinking they are going to take him back to Mexico . . . But [the policeman] says [my friend] is being very difficult. No, I said, he just wants his money, that's why he's like that. . . . So the policeman says, well go then, you can't be here, I don't want to see you here . . . I said . . . you shouldn't have talked to them.

Here, this worker offers advice to his fellow day laborers about the proper recourse when dealing with deadbeat employers and seeking unpaid wages:

What you need to do is go to El Centro if they contracted the work, don't go making accusations, better to go and get help, talk to the director, because they have the information on the employer. Don't get involved with the police and make accusations, or don't accuse the employer, nothing. . . . Many times because of our ignorance we get ourselves into a mess. We think we are defending ourselves, but we are pushing ourselves further down.

In this instance, the worker recognizes the importance of standing up for oneself when it comes to mistreatment or with-held pay, but he also feels that it is better to do it in such a way that you are not going to create additional problems for yourself with law enforcement or immigration. He offered to give his fellow workers a ride to help them get their pay, but when the police got involved, he felt that it would have been better to leave the situation and seek the help of El Centro. He knows that El Centro can provide valuable support to the day laborer and he recognizes that support as a more effective

means of dealing with problems than trying to do things on your own, without any defense. He understands that the day laborer needs to employ a blend of self-empowerment and aid from community organizations such as El Centro when it comes to demanding one's rights.

In addition to not receiving wages for their work, day laborers often have to deal with poor working conditions and psychological abuse from employers. Workers mentioned employers not providing water and food, but perhaps one of the greatest workplace abuses that the day laborer faces is the mental abuse that their employers subject them to. An interesting exchange regarding how employers treat day laborers emerged from one of these discussions. Both of the day laborers that participated in this discussion related their feelings that day laborers are not respected by those who employ them and having the support of a union could possibly help to change that. One worker reported:

Sometimes, yes, they don't pay us, but they also sometimes abuse us psychologically. Because they begin to talk to us in an indirect form, in a rude way, but they make sure that we hear and understand. Above all, "Do you have papers?" things that make you feel bad, uncomfortable. Like, "How did you come here?", "How much did you pay to get here?"

Another participant described the abuse and exploitation:

They make fun of you at times, and I have even gone with some employers that don't even have water for you, or food. At times we have good employers that

take us to eat, sure one doesn't ask for much, but as human beings we need food and water.

Sometimes, this exploitation and abuse comes from other Latinos who rely on the work of day laborers.

So, last week, I went with a man. What a shame, we are from the same race, but he was born here. . . . Unions are needed. If a union can help our stories be heard, if they can listen to us, listen to what is happening to the workers. I have gone to work and they don't give us water. I was there [with this Latino employer] working in a building with a lot of dust, yeah they gave me a mask, but all day with no water. That is a terrible thing. So, the only thing we can do is identify these people and not go with them the next time they need workers, it's the only thing we can do, but if we had a union, they can grab the bull by the horns. They can see what is happening to the day laborer and do something.

A similar willingness to become involved with unions and try to further organize themselves was encountered among every worker that participated in these discussions. Some had more questions and doubts about the prospect than others, but each of the seven day laborers that participated felt that the day laborer could benefit from the support of the organized labor movement. It is important to note that it is possible that these workers are more apt to organize than day laborers who solicit work on the street corner. The fact that these participants are already affiliated with a place like El Centro Humanitario illustrates their willingness to organize. The reasons for wanting the additional support of a union were; 1) assistance in gaining legal status/documentation in

the U.S., 2) protection against employers who do not pay and legal assistance in trying to recoup wages, 3) protection against the discrimination that they face on a regular basis, 4) networking: more contacts with employers and job connections.

The Problem of Documentation

Day laborers want the organized labor movement to help them gain legal status and documentation in the United States. A path to citizenship is something that the AFL-CIO has advocated for since the year 2000 (Jayaraman & Ness, 2005; Milkman, 2000; Milkman, 2006; Ness, 2005). One worker was discussing how he obtains work by using false documentation. He talked about how he would rather be able to have some documents and work under his own name, and he believed that unions could help secure temporary work permits.

I want to work with my real name. If I could join a union, okay, get permission to work for like one year. Then continue after the year is up, get your Social Security. I want the union to fight for me. That's what I want. If the two organizations [AFL-CIO and NDLON] could do something, it would be favorable to me. For my future, maybe in Mexico, I will have a little bit of money in Social Security, paying taxes, see more benefits. For example, [I could] buy a car, open a bank account, a savings.

This participant sees unions as a support which could help legitimize him in the eyes of the public. The organized labor movement could be a political force that could help day laborers and other immigrant workers receive some type of work permission which would help him secure work without using false documents and also open up

opportunities such as buying a car and opening a savings account. Based on a discussion with Leslie Moody of the Denver Area Labor Federation/AFL-CIO, it appears that the goals of the organized labor movement merge with those of immigrant workers in this sense. The AFL-CIO has been an advocate of helping undocumented immigrants gain status in this country and in the case of day laborers, possessing legal documents may allow them to secure more permanent work and move out of the informal economy, at which point, they could be organized into unions.

Another example of a worker commenting on his desire for documentation to legitimize himself in the eyes of the public and possibly move from day labor into permanent work in the formal economy emerged during these discussions. This worker stated:

In what manner do we want them [unions] to help us? Okay, that they help us to get work authorization or a permanent residence so that, for example: those of us that are here in a place like El Centro, we are here because we are undocumented. We are fighting, we can't go to a company and turn in applications and get work because they'll find out that our Social Security numbers are false. So, if they help us, they could continue helping out those that arrive to this country. In this way they can help us.

This worker is commenting on the fact that so many day laborers are driven to the informal sector of the economy due to a lack of papers. Without legal status or work permission, many undocumented immigrants forego the process of applying for jobs in the formal economy and turn to day labor as a means of finding work for themselves in

temporary jobs where employers rarely ask for documents. The problem lies in the informal, unregulated nature of day labor which leads to the violations of workers' rights that so many day laborers deal with daily in this country. The workers that participated in these discussions want organized labor to align with immigrants to help secure legal status which will help them to move into more permanent work in the formal economy which would allow them greater protection as workers and human beings.

In discussing the most serious problems a day laborer or immigrant worker deals with on a regular basis, another worker commented about the lack of documents which limits work opportunities and mobility in this country.

For me, the biggest problem is that I don't have documents, ID. There is a lot of work, they [employers] want the hands of the worker, but they ask for documents, ID, Social Security. So because we don't have that stuff, we can't work. So it makes it hard for us. We battle because we lack those things, we can't drive a car. You don't have those things, a drivers' license, you have to ride the bus. Many times we get some work for two or three days and sometimes we get there [to work] late.

This worker further states that centers like El Centro are helpful with this matter.

So that's why we have to come here [to El Centro]. Although it's only one or two, three days of work, they [employers] can't ask for documents because it's not stable work with them. That's why we come here. For example, Saturday and Sunday, the white people or those that have stable work all week; they come and take us to work. The days they are off, they take us to work to clean their

houses, to plant trees, to put down gravel. So they take advantage of our services to work on their house. But it's only one, two, three days, they can't ask for documents, because it's not with a company. That's why we come [to El Centro].

Again, he is highlighting the draw to day labor and workers' centers for undocumented immigrants due to the informal, unregulated nature of the hiring process, as described by Jayaraman and Ness (2005). If these workers could secure some form of legal status, their employment opportunities would increase greatly. Unions can use their political pull to help these workers obtain status.

Moreover, this particular worker sees the lack of documents as a barrier to him moving around and following the work. When asked about what needs a union and the organized labor movement could help secure for day laborers, this worker mentioned the need for more freedom to work in the United States. He believes that securing legal status would allow more freedom to work and greater mobility to be able to follow the work depending on the season.

The truth is. What I need is more freedom to work here. . . . I want to move to Florida because I know there is work there. I want to move with more freedom. I know there is work there, but I travel with fear. I don't want that fear . . . For example, one is here, but you don't have work in the winter.

He comments on his desire to be able to visit his family in Mexico without having to risk his life re-entering the country by way of the perilous desert.

I would like to be able to go back home and hug my family and come back without having to risk my life in the desert. We [immigrants] are here. One

comes because he knows there is work here and we know that they will hire us, because if they wouldn't hire us, nobody would come here. But at the same time, they put up these obstacles, and they need us at the same time. Many people die on the way [to the U.S.]. They don't make it. So, what I want to say is, we need an opportunity.

Again, he comments on the need for documents to be able to follow the work without worrying about being detained and deported.

The truth is, I would be happy with a passport or some documents, whatever is necessary to be able to continue working. To be able to move about freely, without problems, obstacles, because sometimes it gets difficult because they make it difficult . . . I want the freedom to move from here to there. I would go [to Florida] in a minute, because I know there is work there.

Those who work with day laborers and understand the characteristics of the work know that day laborers are a mobile group. They follow the work, or they lose out on opportunities because there are certain months of the year in certain regions of the country where work opportunities for day laborers are sparse. Although travel can be a risky matter for undocumented workers, many workers take the chance of traveling in order to find work during day labor's slow periods. Harold Lasso of El Centro Humanitario comments on the mobility of the day laborer:

Most of the day laborers in the winter time, they became migrant workers, that's why I see that connection really strongly that we need to make an effort to fight for the rights of day laborers but also the migrant community because it's the

same population, the same class and they are the two most oppressed classes of workers.

Later on in the discussion, Mr. Lasso cites the example of immigrant workers flocking to Louisiana in the aftermath of Hurricane Katrina as evidence of the mobility of day laborers and immigrant workers.

Day laborers are usually very mobile so they are people who are desperate for work and they will take any kind of jobs to be able to make that money that they need and whenever they offer work to them, they go where the work is. We see for example, a lot of people going to Louisiana after Katrina to the point where we hear from the financial offices that Louisiana now is a state that sends more money overseas and that went over states like New York, Colorado, and California that had a large number of immigrants sending money back home to different countries, with Louisiana now being the number one state, that shows that the worker really moves where the work is. They are willing to travel, they are willing to go anywhere. They are willing to do any kind of work and just pretty much striving to make a living.

Day laborers do move with the work, but because a great number of them are without legal status in the United States, they are afraid to move and follow the work for fear of being apprehended and deported en route to their destination. Day laborers believe that the lack of documents is an obstacle to moving and finding work, and they believe that the support of the organized labor movement could allow them to secure documents which would provide them with recognition from a country that mostly ignores them.

Fears or Concerns Regarding Organization?

When the question of organizing day laborers and immigrant workers was first brought to my attention, one of the first things I wondered was whether or not workers without documents would have any reservations about organizing. Through the course of these discussions with day laborers, it was clear that day laborers do not fear that organizing would make them more vulnerable to problems such as deportation. This affirms the contentions of other studies such as Delgado (1993). Workers often expressed surprise when asked about what fears or concerns they might have about joining a union.

Fears about being a member of a union? Me, I wouldn't have any fears. We are all in different situations. Us as Mexicans, if we were part of a union, since we are undocumented, they will say, "he can't be there [in a union]," but we will be there fighting . . . But let's say Immigration [INS] says, "look there, he is as a part of that group," it could be that they deport us.

This participant talked about his ease of coming into the U.S. if he were to be deported for organizing.

Personally, well, I am from Mexico and also I live at the border. I say, well they take me there one day, I cross the next and in two days I am in Denver again. Immigration knows that. I say this because I have heard it, because I have a [tourist] visa. The only cost I have is to come from El Paso to here. . . . Well it's never been hard for me to come. I never had to go through the desert. I don't know about paying *coyotes* and all of that, but people have told me. I have friends that have been deported one day and the next day they came back through

Arizona and in two days they are in Denver. If by luck they get a ride in a truck, they get past the only checkpoint there and then get to a Greyhound station and boom they are on their way, calm and everything, all the way to Denver. I say, I don't worry if they deport me.

This particular day laborer recognizes the fact that affiliating with organized labor might make him more vulnerable to deportation. However, deportation is not much of a threat to him because of the perceived ease of re-entering the country. Because he holds a tourist visa, he has never struggled through the desert to enter the United States. An immigrant who labored through the Arizona desert for days on end may feel differently about having to re-enter the country, but this worker has been able to actually enter the country legally and remain here for more time than is allowed by the stipulations of his tourist visa. Additionally, he knows people who have been deported and were able to make it back in a very short time. For these reasons, he has no fears of this possible consequence of organizing. There were various other reasons for not fearing union affiliation.

The other worker who participated in the first discussion was also optimistic about joining a union. His reasoning for not fearing deportation came from the comfort he has gained by living in this country for many years and having a sense of his rights. He commented:

I think we would be happy with a union, but it would depend on what they were doing for us. I think they are good, but it takes a while, because first you have to

make the people aware of what a union is and what it can do for you. Yes, it's good.

In contrast, this worker did not see the union affecting his chances of being deported. He states:

No, no now the fear is less. I have been here many years. I now know the system here. I would've maybe been afraid earlier because I didn't know much about what a deportation is, but there are many legal things you can do. I am talking about myself, because there are many people, they may be deported and they don't know what rights they have. Because we are not "illegals." We are undocumented. They are two very different things: illegal is illegal and undocumented is undocumented. You might think they are the same, but undocumented is the correct word, so we have rights.

This same worker further comments on the challenges now encountered by undocumented workers. He also talks about the rights he feels he has which quell his fears of deportation.

At least I have my rights, I am not afraid. I know the system, that's how I have been able to stay here 25 years, and it's a federal thing, but now we are attacked by the state also. There are many people with families who have problems with the state, or problems with the law and that is why doors are closing . . . sure the laws are racist, but sometimes one goes getting himself into these problems also by committing crimes and things. Simply if one is undocumented and buys a house with false documents, you are causing the problems for yourself. Now,

some employers are getting tougher about fake documents . . . The state is now creating anti-immigrant laws, but it's mostly a federal issue, and I don't fear either of them because it really comes down to the federal level. If one is going to be deported it is going to be by the feds (it's a political thing), not the state. There are many that don't want to be deported because they have family and they would have to pay a lot to come back, we all have to pay thousands. It's sad, but I don't fear deportation, because I have weapons to fight with. I'm not saying real weapons....

When this participant was asked for clarification regarding the phrase "weapons to fight with," he stated:

. . . legal rights to fight with. Because they think someone is going to say I am illegal, and then I'll say, "okay let's go back to Mexico." If you willingly say you are illegal, you are turning yourself in, but if you have been here a lot of time, if you have family here, that is a right you have. They aren't going to tell you, "hey you have rights." You have to fight for yourself. That's why I am not afraid of deportation.

This is someone who is clearly very politically aware and has a sense of knowledge and empowerment about his rights. He understands that most immigration law is federal law and enforcement of these policies is handled by federal agencies like INS/Department of Homeland Security, but he is also aware that as the immigration debate has heated up around the nation, state legislators have begun to write laws that could affect him. But it is his sense of awareness of the political climate in which he lives and his familiarity with

the country that make him comfortable with the prospect of organizing. Undoubtedly, this comfort comes from having lived in the U.S. for 25 years.

Other undocumented workers may not share his confidence in his rights and in his ability to stand strong in the face of the threat of being deported. However, there are other reasons why day laborers are not concerned with the augmented vulnerability that could come with a union. One response to this question involved faith in God as a reason for not fearing deportation. One worker states:

Ultimately I have faith in God and I say, well I don't have documents and even though I don't, they [employers] accept me and take me to work, but you can't get stable work like you would want. They accept you because they need you, so because I don't have documents, I leave it up to God. So I say, soon I will go [to find work] and if I am caught by Immigration, I have no control over that, maybe God doesn't want me to be here, he wants me to be over there [in Mexico]. I have never had documents, and I have battled with that, so one just gets used to it.

This worker is commenting on the struggles that are a part of living daily without documentation in the United States. However, in his mind, if the worst happens and he is in fact deported, it was God's will and he would accept that. It also appears that living without documents for many years has conditioned him to not worry so much about deportation. It seems like a natural response to living under such stressful conditions for an extended period of time to eventually let the fear, in this case the fear of deportation, subside.

All of these workers seemed not to be concerned about the possibility of becoming more vulnerable if they participated in organizing efforts. The reasons vary. Some cite ease of re-entry, some mention the piece of mind of having lived in this country for many years and having a sense of their rights and protections, and others offer faith in the will of God. Either way, day laborers without documents would not let the fear of deportation stop them from organizing. This is not to say that other obstacles do not exist in organizing a population of low-wage immigrant workers.

Barriers to Organizing: Time and Money

One large barrier to organizing low-wage immigrant workers into the organized labor movement is the issue of membership dues. Day laborers do not have a lot of disposable income to contribute for dues. Some workers felt that it would be just to pay dues if they were to join a union, but others were hesitant, saying that they would not be able to pay membership dues. Nonetheless, the workers want to have an understanding of what services would be provided to them before they could commit to paying dues.

One participant stated:

Right now we are doing that, here [at El Centro] we pay a fee. It's not a lot, \$20 a year but we have to pay them. Now if we wanted to join them [a union] and a fee was required, we would have to think about whether we would accept the membership or not . . . I would have to see, because if it's a reasonable amount, yes we could pay it. . . . First I would see how much it was and if it was worth it, I would do it. But also the union has to have a nice office, equipment, copiers, phones all of that. So we would have to pay, but it has to be a reasonable amount.

Another participant talked of his willingness to pay dues and stated:

I would pay, because in this life nothing is free. A union, if it's going to defend us, it's not that much to ask if they would have good lawyers for us. It's a system and money is needed to have a good lawyer to help the union, a good one. So if they are going to ask for money to defend us, if we want to eat, if we want to receive that help, we need to give something. So yes, I would pay.

When this worker was asked for clarification regarding what a reasonable amount for union dues would be, he stated:

I can't really say now, but when you figure out their plan, the services they give, what kind of office they have, then one can say whether or not they can pay it.

Because the workers that participated in this study were all affiliated with El Centro Humanitario, they understood that organizations ask for money for the services they provide. El Centro itself asks for \$20 a year from each worker that uses it to gain employment. Harold Lasso mentioned the \$20 per year fee and saw membership dues as a large obstacle in organizing day laborers and low-wage immigrant workers. Lasso states:

We run into some problems and one of the problems is that unions require membership dues on a monthly basis and day laborers are not able to provide that because the work is kind of scarce and there are months, three or four months in a year that they actually don't find work. So for them to pay any dues is hard, so they have to have a kind of membership status that has to be different from regular union members and the unions would have to be flexible in that sense.

Mr. Lasso is commenting on the inconsistent nature of day labor and the difficulty in collecting dues from a population of workers that earns very little money. He is also highlighting the fact that any relationship between unions and day laborers would have to be unique. Unions and day laborers cannot relate to one another in the same way that unions relate to native born workers that hold union jobs.

In this same realm, another issue of difficulty surrounding the possibility of organizing day laborers is time. These workers do not have much free time to commit to attending meetings or other organizing functions. One worker commented on the situation of time in regards to organizing:

It can be time consuming. You have to be here certain days, there others, you know, and there are people that have children, a wife, babies and they have to work and buy food, pay rent and suddenly they have a meeting and if this person has to go there and leave work. Who's going to pay the rent, buy food? These [day laborers] are people with strong economic obligations because someone with an apartment, kids, these are strong obligations and you have to fulfill them, so if this person has to go to all these meetings and functions and collaborating and doesn't receive pay, how can he do that, how can he be there? It's not easy.

Another worker believed that the union, or whoever was collaborating with workers in organizing should be obligated to have a dialogue with the workers in order to find a compromise and make it feasible for them to attend meetings and other functions. He stated:

I say that a union, when they ask people to come to meetings, they themselves have to look at how to do it without affecting the people who need to come to the union meeting, so they can come. So they need to ask the people, “How can we do this and not affect you?” Although I say that the majority, it would affect us a lot, we can’t be there, but if they ask and we can arrive at an agreement on when we can be there, okay. But yeah, if we have to choose between going to a meeting and eating, well . . .

It is clear that these workers see the issue of time as a problem in the organizing process. Both of these workers expressed a strong desire to affiliate with the organized labor movement, but they are upfront about the fact that if they have to choose between attending a meeting and working, their economic obligations come first.

One participant agreed that it is difficult to take time out of one’s work schedule to attend organizing events, but he also believed that there are some events, such as protests for immigrants’ rights, that are extremely important to be present at and that it is a responsibility to attend such events. He commented:

But we might arrive at another important moment, like another Minuteman protest or something and then it’s the responsibility of the immigrant and others of us to be there to support our side.

Another participant talked about the possibility of being fired if one does not have the permission of his employer to attend such functions. He cites an example from his own experiences in which he lost a job for attending an immigrants’ rights march in Denver in early 2006. He commented:

You might get fired, for one day they can fire you . . . If the mentality of the boss is negative about you doing these things, even if he is not against what you are organizing for, he can fire you . . . For example . . . this year there were two marches. I had my work at a mechanic shop with an Anglo-Saxon owner, I was very happy. Then on the 25th of March I went to the march, everything was cool. Then comes the 1st of May, the other march, and we were organizing . . . So I told the American, the Anglo-Saxon that I was going to be there at the march, that I supported it and what did he do? He fired me before the march because I told him, maybe on the first of May I will go to the march and he said, “No, you have to go [to work].” I was just telling him and he fired me.

These participants were very much in favor of organizing and taking an active role in the process of working for change, however the economic necessity that they battle with means that any employment opportunity takes precedence over attendance of organizing functions. Organizers would have to be understanding of this and be open to collaborating with the workers to figure out what kind of a role they could commit to without hurting employment prospects.

The role of the union would be different and the services it could provide would be new. The existing literature tells us that organizing immigrant workers and day laborers calls for an even more innovative model of organizing than organizing other immigrant workers such as the janitors in California (Johnston, 2002; Milkman, 2000; Milkman, 2006; Wells; 2000). Mr. Lasso recognizes this and believes that the practice of

collecting dues from union members would also have to be tweaked to allow day laborers to participate in the organized labor movement.

. . . and with the limitations again, I feel really bad asking day laborers for any kind of money because I know that what they make is not enough . . . for us to be asking for any monthly union fees or anything like that, I don't think its really feasible, its not even fair. The other thing is that, union members, they pay the fees because the unions are negotiating contracts with employers. With day laborers having multiple employers, it's so hard to make any kind of agreement with them. All we can do is try to raise awareness with those employers who hire them in asking them to treat them the best they can; providing lunch or providing breaks, a dignified way to work. I know that some of the employers that come here [to El Centro] are really good and they pay a minimum \$10 an hour which is not a living wage, but it's better than working at an establishment for the minimum wage.

Struggling Together: Day Laborers and Organized Labor

Mr. Lasso is touching on a very important point here. Nobody has all the answers about how day laborers and unions can work together for the advancement of both parties. However, in these early stages after the agreement between AFL-CIO and NDLO, it appears that there are two major ways in which these two groups can collaborate, and both of these modes of collaboration will have to take place simultaneously.

Initially, while day laborers are still involved in temporary work, organized labor can join with them and provide support politically. They can pressure contractors that work with both trade unions and day laborers to treat day laborers fairly. In this way, they will be helping secure fair wages and safe working conditions for day laborers and ensuring that day laborers and immigrant workers are not under-cutting the wages of union members and pushing them out of jobs.

At the same time, organized labor, with its relatively large political muscle can be helping to push for immigration reform which would allow undocumented workers some legal status. If these workers could gain residency or citizenship, they could hopefully obtain more permanent jobs, making them more attractive to organized labor, who could then organize them into pre-existing trade unions. Leslie Moody commented on the possible ability of the alliance between AFL-CIO and NDLON to help day laborers who intend to remain in one place for an extended period of time to secure more stable work and gain entry into unions at that point. In her discussion of this manner of integrating day laborers into unions, she stated:

It could be an entry point into a more traditional union where they can get accepted into the apprenticeship program for the laborers, for the carpenters, or janitors unions. We have a number of unions. Any worker who goes to work in one of their shops becomes a member of the union and then they have access to health care. In construction trades they have retirement programs. If it could be a way to move people from day labor work into permanent, family supporting jobs . . . something that gives them more stability.

She is commenting on the obstacle that the mobility of day laborers poses to organization. In her assessment of the situation, the workers who could possibly be organized into unions are those who will remain in one place long enough to participate in the organization process in a meaningful way and secure stable employment. She elaborates further on the difficulty of organizing transient day laborers.

I see it more as a pre-apprenticeship, like folks who are here and proving that they want to work hard and are willing to work hard everyday are a great asset for unionized contractors who are looking for steady employees and people who aren't literally going to be on the next train for somewhere else because they are looking for something better or because their family keeps moving. There are so many reasons why people keep moving. It gives them an opportunity to stay here and be part of it. This happens already between, so like the laborers are really the entry level union of construction and they have a huge number of monolingual Spanish speaking members, some of whom are documented and many of whom aren't. We don't know because we don't ask. It's the employer's job to verify status not the unions', but one of the things that happens is, as the workers become more skilled and more stable and they learn English and they want better pay, they move into other unions.

Harold Lasso also has a similar vision for the possible relationship between day laborers and unions. He believes that day laborers can become part of unions that already exist once their situations stabilize. Lasso comments:

Perhaps what I see the most is day laborers, once they get the language and they become documented, they become skilled, joining the union forces. That's what we have been pushing: moving the day laborers into unions already established.

However, he also noted some of the tension which exists between some sectors of organized labor and immigrant workers such as day laborers. He discusses this sometimes volatile relationship:

. . . but because of the resistance from some unions and the relationships that some unions have with the Minutemen and white supremacist groups, then we know that we cannot expose our people to getting into these unions because we feel that they will be victimized and of course, so perhaps what is going to happen is either these unions will have to really change their ways of making that relationship with white supremacist groups and racist organizations or we just need to create new unions. We don't know.

Mr. Lasso has had a long history of working in community organizing and because of this, he has had a great deal of contact with the labor movement. He has a great respect for unions and the organized labor movement and he is open to the possibility of collaborating with them in a mutually beneficial relationship. However he has had contact with some unions and union members who affiliate with racist organizations and groups that reject the possibility of including immigrant workers in the labor movement.

When asked about the source of that rejection, he notes:

They believe that the immigrants are the reason why the American workers have lost the benefits and lost power and are in such detrimental conditions. Those are people who haven't really studied the effects or what I said before, through globalization, and the downsizing of the technology that have caused the major shifts in the labor markets.

Leslie Moody mentioned this type of situation and proposes building a relationship of solidarity, trust and sharing which could help to combat such divisions. She comments:

Building some solidarity if we even had enough relationships between the folks in the labor movement and the workers' center to be able to say, "Oh, you are getting called out to that site, it's supposed to be under prevailing wage, you are only getting \$7.50 an hour and you are supposed to be getting paid right." Being able to share that information and keep them [day laborers] from being used, because that's where all this tension starts is folks see undocumented workers getting used to under cut what should be better jobs and stronger jobs. This is like a first step towards keeping that from happening, keeping people from being divided.

In order for any positive change to come out of the agreement between AFL-CIO and NDLON, there must be an earnest attempt at relationship building between organized labor and community organizations. Without true coalition building and trust between the two parties of the agreement, no progress can be made for either group. There are already some examples of such interactions taking place. Mr. Lasso offers an example of a particular union reaching out to day laborers.

The brick laying union has been very friendly to us . . . we are in the process of getting the training brought to El Centro and they have offered some positions already to some of the day laborers and they are starting active recruitment and this is the type of situation that we can see, how we can help one another.

He goes on to discuss the reciprocity of the relationship. He cites an example of ways in which El Centro has reached out to unions and union members.

We have also done some assistance to the unions. Some of the recent members had problems with prior employers before they joined the brick laying union and through our legal clinic we are helping them recover some wages and this is the kind of relationship that we can establish between unions and not for profit organizations that we can take care of the community from many different angles.

Furthermore, Moody offers some additional examples of how the groups have collaborated.

We wrote to the city asking them to provide financial support for El Centro and we have written to funders that they have talking about the relationship [between El Centro and AFL-CIO] even though its not a formal [relationship], they are affiliated with us, its an allied relationship and we have turned people out like when we knew the Minutemen were going to be there [at El Centro] protesting. I'd say we turned out thirty folks from the labor council and our board as well as some of the unions that we work with for big anti-Minutemen protests, so that stuff is already happening.

These are a few examples of how organized labor and workers' centers that fight for the rights of low-wage immigrant workers have been able to work together to improve conditions for all types of workers in Denver.

There are more things to be done in the future that can help strengthen this coalition and work towards a more just society for immigrant workers and other low-wage workers in our economy. Mr. Lasso talks of another important battle in which organized labor could prove to be important in helping the immigrant worker.

The second aspect is that the unions have to work hard with us, community organizations, to change legislation so workers have better access to documentation and in that way, day laborers will be able to go back into the regular or the traditional ways of finding employment so they could have access to jobs, more jobs.

As was demonstrated earlier in the analysis of the interviews with workers, day laborers want the organized labor movement to assist them in obtaining documentation so they are able to work with more freedom in this country. Mr. Lasso is suggesting that the unions can be an important political ally that can help community organizations push for greater access to documentation for undocumented workers. As was mentioned earlier, the AFL-CIO, at a national level, has publicly stated that they are in favor of some sort of amnesty or path to citizenship for undocumented workers. Ms. Moody confirmed that the national AFL-CIO is in favor of a path to citizenship but also mentioned the difficulties of coordinating such political action at the national level with other groups who desire a change in immigration policy.

I get pretty much daily updates from the legislative staff at the AFL, I mean they are part of the national networks that are pushing for immigration reform and again, its partly getting to an agreement at a national level between Center for Community Change and all the [groups], there's like a dozen national groups, National Council of La Raza, the AFL, the Change to Win Unions, because the labor movement had its own split a couple of years ago where the more heavily immigrant unions actually severed from the AFL-CIO and so locally they are still in SEIU and UNITE HERE but at a national level they are not coordinating their legislative work so, big tables pulling all these folks together figuring out what the right things to ask for are.

She discusses one of the issues of contention further: guest worker programs.

One of the biggest splits has been around guest worker programs and how to structure them in a way that workers have more voice about who they go to work for and where they go to work and they are not just brought in as indentured servants for a specific employer.

With so many groups involved in proposing new policy, there are sure to be disagreements. Ideas for immigration reform such as guest worker programs are extremely controversial. Some are extremely opposed to them and cite the abuses of workers who were part of the Bracero Program (1942-1964) as a good reason why guest worker programs are not favorable to the workers. Others feel that new guest worker programs could be modeled differently than the Bracero program and, thus, be more favorable to all involved parties. Moody comments:

They are really getting creative in how they are thinking about it and guest worker programs with protection and with the right to organize and to uphold the worker protections that exist in this country could be an avenue to address this.

If workers could gain legal status and documentation in this country, not only would their employment opportunities be improved, but they could be more easily incorporated into the labor movement and therefore, there would be less chance that employers could exploit them and use them to undercut union jobs.

If employers do exploit day laborers, especially in cases of non-payment of wages, organized labor could be a major force in exposing those employers and calling them out on their immoral, illegal practices. Ms. Moody discusses how unions could be involved in such campaigns in the future:

I know some of the ways El Centro has dealt with it is by doing escalating campaigns against employers who don't pay and having the labor movement, the institutional labor movement be part of that and supportive of that would be great. You know, getting another twenty trades guys in front of somebody's home when they have repeatedly not paid workers, it would be great. It would buy the construction trades in to the fact that these workers don't just want to be exploited, they are not just weak people who don't know how to stand up for themselves, they are being robbed and its criminal behavior, not acceptable.

Moody makes a very important point here. By including unionized construction workers in such campaigns, they are being educated with respect to the struggle of the immigrant worker. This type of exposure to the abuses that immigrant workers endure will help

strengthen the coalition and bridge the divides that exist between unions and immigrant workers. If they were involved in these types of actions they could see that immigrant workers are not out to allow themselves to be exploited to take jobs from U.S. citizens.

Another way of raising awareness among local unions and their members about the importance of immigrant workers to the labor movement is by holding training/informational sessions about the history of immigrant workers in this country. Moody talks about some of her experiences with such activities:

We did this immigration timeline where we posted up all around the room various surges of immigrant workers who came into the country, what the conditions were back at home that pushed them here and what they faced when they got here and to see the Irish classified as a lesser race and given ape-like features in cartoons, it woke people up. They were like, whoa, I never realized that my grandfather, when he came over was facing some of the same things that Mexican workers are facing today. So that kind of education and just giving people a safe space to talk about it and to feel like they can ask questions and they are not dumb.

Education and dialogue regarding such controversial issues can be very important.

Perhaps even more important, and a more effective way of really opening people's eyes to these types of issues is hearing stories from friends and people with whom a certain level of trust has already been established. Moody went on to say:

We had one guy, he is the treasurer of the labor council, he talked in front of the whole group. He's really shy, he's never been an outspoken leader and he spoke

in front of the whole group about how his grandfather came over undocumented from Ireland, he died not a citizen of the U.S. He raised a whole family here and he was never documented. So just for people to actually start talking about their own family history in a way that made them realize they didn't have to hide it from each other, but it takes a lot of work.

Moody made it clear that these types of interactions are much more effective than outsiders, such as immigrants' rights advocates, coming in and belittling union members or even going as far as trying to convince them that they are racist.

The responsibility to be educated regarding the struggles and characteristics of today's immigrant worker does not fall solely on the rank and file union members; it must also be a priority of leadership and organizers who would align themselves with immigrant workers in their fight for improved work conditions. Mr. Lasso discusses this idea from his point of view:

Other things that unions have to keep in mind is the language. So unions have to hire supervisors and trainers, people who are leaders in the union who are bilingual. . . . So we have to be aware of the multiple languages and skills that people bring from other countries and other cultures. So the close training and cultural issues among the union members is another factor that we need to deal with.

As mentioned in the literature, organizing immigrants presents challenges of language and culture, and unions must be prepared to deal with those challenges by using innovative organizing strategies and by hiring organizers who speak the language of the

workers and are aware of their cultural needs and expectations of a union (Milkman, 2000; Milkman, 2006; Wells, 2000). Moody gave the example of a union for hotel workers that handled this sort of situation particularly well.

So that union is a very diverse union nationally. They have member leaders in other cities that speak every language under the sun and they do a great leadership development and organizer training program with their existing members so they can fly to other cities and help organize.

Furthermore, she talks of how in the initial stages of organizing, union representatives that can speak the necessary languages have to be brought in from out of state, but eventually, members of the local union can take an active role in their own organization.

She states:

In the best of all worlds, once that union really can establish itself here they will be able to pull those skills out of their local membership but kind of in the getting off the ground phase it's bringing in people from out of state. They only had one permanent full time staff person here and she was just being supported by the national union. As she grows the union, she makes sure she hires diverse staff, is building in what they are going to need in terms of representation. . . . Most locals that are effectively organizing are making sure that the organizers look like and are the same as the work force.

As the unions grow and organize further, it is vital that they select organizers and leadership that accurately represent the work force and can manage the language and cultural issues which affect the organizing process. Again, trust is a key issue in forming

successful alliances. If union leaders and organizers are like the work force they are organizing, it could help strengthen the relationships between all parties involved.

As far as day laborers are concerned, it appears as though the immediate implication of the agreement between AFL-CIO and NDLON is that day labor centers can affiliate with the AFL-CIO, thus giving them a right to have a voice in discussions about issues which affect workers and the labor movement. Moody states:

That was part of what they are trying to achieve through this agreement with NDLON. It is to allow worker centers to affiliate at a nominal cost. The way our affiliates actually are a part of the federation is that they pay a per capita, like a membership fee, so for every member they have they pay a certain amount a month and that pays for my time and for one other staff person to do political organizing, leadership development and membership education.

This means the problem of workers having to pay dues is not as pressing at this early stage because the workers' center will pay a per capita cost which it may or may not pass on to the workers. However it also means that for right now, unionizing day laborers remains an idea which nobody is totally sure how to approach. El Centro has not even had the chance to affiliate yet because the agreement is in its early stages and moreover, the immigration debate is at a boiling point here in Colorado. Moody comments:

It is really more a symbolic affiliation but an ability to participate in the discussions of the decisions of the federation. . . . It's just to be part of the base and to be allowed a voice and vote on the floor. I think we have to figure out and

Colorado has its own special dynamics around immigration which is part of why we haven't actually gone down the road to having El Centro affiliate.

The AFL-CIO is concerned about educating the local unions and their members about the significance of this possible coalition before it allows El Centro to affiliate. Moody mentions:

So we are really, we are working to educate our members, both the leaders of local unions and the members of local unions about the importance of this connection before we actually invite El Centro to be part of the labor council. It is a delicate [issue], it's a dance. It's a very, very hot issue.

Further problems arise when trying to figure out how to truly move beyond a symbolic relationship to develop a real working relationship for the benefit of both parties. Lack of time and staff is an obstacle to this according to Moody who says:

I think it's partly a capacity issue for both them and us. They don't have enough staff to help us figure out how to work with them and we don't have enough staff to help some of the locals figure out how to work with them. Ultimately its going to take volunteers from their base and from the union base to make it happen but I think there is a lot of potential.

Although there are a number of difficulties in developing a good working relationship, Moody remains optimistic. She sees the potential for coalition building.

Mr. Lasso has had some discouraging encounters with AFL-CIO affiliated unions in his work with community organizing. However, he does recognize the fact that both

sides need one another. He talks of his experiences and the importance of a mutually beneficial relationship:

Of course we still want to work with them [AFL-CIO] but why? There all of these things that have happened and that I have experienced going through unions that are members of AFL-CIO and having the doors thrown in my face literally and having been told the things that I heard, in terms of racist statements against day laborers and what the unions thought about the day laborer movement, its really detrimental. They were not looking at day laborers as working class, they were looking at day laborers as their enemies and now that we were able to bring hundreds of thousands of people marching in the streets, they see that we have the power to and now we are talking about this in the sense that yes we do have power. Yes we acknowledge that AFL-CIO is a very powerful organization and they are closer to the legislators and they listen to them more than to us and we will acknowledge that, but we are getting to that point where we can actually put our cards on the table and start negotiating, so there's a lot that we have to work on in terms of building trust. If we are not going to trust one another I think very little can be done.

The unions have the political power and the community organizations and workers' centers are in touch with the pulse of the workers and the communities in which they live. The community organizations can mobilize hundreds of thousands of people in a way that the organized labor movement has struggled to do for many years. If a sincere trust could be built, the alliance would be a strong force.

Moody also believes that the two groups need each other to be successful. Hatred and divisions will impede the advancement of all workers. She talks of examining the past to better understand where the future of the organized labor movement should be headed:

The labor movement, our history is immigrant workers. Our first and strongest unions in the country were mine workers and a lot of construction workers who were immigrants from other countries in the late 1800s and folks in print shops and textile mills. So in a way we have sort of turned a blind eye to where we came from and we need to look back at it because it is the future of the labor movement.

Moody recognizes that while the national federation and leadership of AFL-CIO recognizes the importance of including immigrant workers in the struggles of labor, there is still a great obstacle in doing so. Many local unions reject this stance and do not see the importance of building this coalition with workers who they feel are taking their jobs and affecting their wages and work conditions.

I think the AFL has realized that the workforce has changed in a permanent way in this country and by either ignoring or isolating immigrant day laborers from the rest of the labor movement isn't getting us where we need to be. I mean . . . I have been in office nine years I have been a federation leader for nine years and we have consistently said that the best thing we can do for immigrant workers as a labor movement is organize them into unions. And because these day worker centers have sprang up all over the country to do that, but outside of union

context, to fight for the standards and wages and agreements with the employers who are coming in and using day labor. They basically effectively organized outside the labor movement and in our minds any work organization should be part of the labor movement. And that is a very progressive stance and I say a lot of local unions don't agree with it.

With such internal divisions regarding immigrant workers, coalition building with NDLO and its workers' centers will be difficult. A great deal of relationship building and education must be done on both sides in order to build trust and make this alliance a prosperous one for all involved parties. Ms. Moody sums this sentiment up best when she says:

So I think its going to take both organizations or both networks to really figure out how this [the agreements with AFL-CIO and NDLO] gets implemented. A one-sided deal just isn't going to get us anywhere. You need buy in and you need a strategy to make it work so we're all going to have to take responsibility for that.

This is an extremely important point. Everyone involved must take responsibility for making this alliance work, from the head leadership of the AFL-CIO down to the workers that frequent the day labor centers.

It should be noted that during my discussion with day laborers, it seemed as though many of the workers were unaware of how unions would be formed. They seemed to feel that someone else would form the union and they could join when it became established, when in reality, the workers would have to form a union that is their

own. In order for this to be possible, there must be education, outreach and dialogue between organizers from both community organizations and organized labor and the actual workers. They must take an active role in the organizing process, but they need the guidance, support, accompaniment and knowledge of organizers to give them the best possible chance of success.

V. CONCLUDING THOUGHTS – TOWARDS A MORE JUST SOCIETY THAT
PROMOTES THE RESPECT AND DIGNITY OF IMMIGRANTS

Day laborers are one of the most oppressed groups of workers in this country. The majority of day laborers are undocumented males from Latin America – mostly Mexico. They are drawn to day labor work and the informal economy because of the unregulated hiring process. Few employers require documents to hire workers for such unstable, short-term work. While the unregulated nature of day labor helps undocumented workers gain employment, it also allows employers to mistreat the day laborer. As we have seen, oftentimes day laborers are not paid for the services they perform and they are working in tough conditions, sometimes without such basic necessities as water. To help combat such abuses, over 140 day labor centers have been created across the nation in cities with large populations of workers. Not all of these workers affiliate with such centers; however these centers have been an effective tool to organize large numbers of day laborers outside of the labor movement.

In August 2006, the AFL-CIO and the NDLON signed an agreement to work for the advancement of day laborers' rights and the rights of all workers. Through this alliance, the groups hope to join politically to combat anti-immigrant legislation and collaborate to write and propose comprehensive immigration reform that includes some form of a path to citizenship for undocumented workers. The agreement also allows for individual workers' centers to affiliate with the local state federation of the AFL-CIO and have a representation and a voice in issues that the labor council deals with.

Hearing about this agreement caused me to question whether or not day laborers could eventually move a step beyond this agreement and be unionized. For this reason, I chose to conduct this study and give day laborers a voice in this issue to find out whether or not they wanted to unionize and what they believed they could gain from the support of a union. Through discussions with workers, it is clear that they do want to unionize and do not see their undocumented status as a concern which would prevent them from organizing, but rather a reason they feel they need the help of organized labor.

But again, I pose the question, why does the low-wage immigrant worker, in this case the day laborer, need and deserve the support and protection of some sort of organization, possibly a union? The current political climate in the United States surrounding immigration is heating up daily and undocumented immigrants are being bullied and intimidated in a number of ways.

As I have been working on this project, the news has been full of raids carried out by ICE (Immigration and Customs Enforcement) on companies that employ so-called “illegal aliens.” Workers are being detained simply if they appear to be Latino. Workers who are actually undocumented or who have obtained false documents to work are being deported and families are being torn apart. In addition to such actions, threats are being made against all undocumented people. Here in Denver, in the neighborhood where El Centro Humanitario is located, an unknown party recently posted signs all over the streets which warned, “ALIEN YOU ARE BEING MONITORED. YOUR PRESENCE IS BEING RESEARCHED/ AND YOU WILL BE DEPORTED IF YOU ARE FOUND TO BE IN THE UNITED STATES ILLEGALLY.” In an atmosphere like this, should we

really be expected to believe that undocumented immigrant workers such as day laborers are being treated with the respect and dignity they deserve in the workplace when they can't even walk down the streets in their own neighborhood without being threatened?

As has been demonstrated in the argument of this thesis, these workers need as much protection and support as possible and they are willing to organize and put themselves at risk of deportation to be affiliated with groups such as unions which could help them secure the basic rights that all workers are entitled to. It is right there, in the words of the day laborers themselves. One worker confided:

So, we go to work to support oneself, to support a family. So, there are those that trample us, the employers, yes it happens. But then, with a union, one works and bad things happen and he can go home happy and know that someone will defend him, the union. But now, they trample us and we go home and say, "hopefully tomorrow the employer will wake up and have a better demeanor," and one goes to work again and it is even worse. Some people resign themselves to this, others we go back to work. Sometimes we can't even go to work because we don't want to even look towards the boss, because maybe we will hit them out of rage, and rage makes any human being blind, and that's when problems start. But if we had a union, they would defend us.

Currently, day laborers do not have many lines of defense at their disposal to help them secure the rights they deserve from those who employ them. There are workers' centers such as El Centro Humanitario but, as we have seen, even the knowledge that a worker is affiliated with a center is not always enough to prevent abuses such as non-payment of

wages. One worker says it best when he talks of how self-reliant a day laborer must be just to get by:

As a worker, I am not afraid. Well, only that they won't pay me if I work. But the same people need to know that if we are going to work, they need to pay us. We don't have unions. But, if we had a union, it would be different, I would be happy. I wouldn't worry. Why? Because the union would defend us . . . since we don't have one, we have to know how to survive as day laborers. If you work, be sure you get your money. But that is our own responsibility . . . [I]f we had unions, it would be different.

If already self-reliant workers could gain the political support of the labor movement, their situations in this country would be greatly improved.

It is clear that undocumented workers need these jobs to support their families in countries where employment opportunities are scarce and become fewer by the day as free trade agreements like CAFTA are being implemented and more expansive ones like Free Trade of the Americas are being presented to South American countries and packaged as wonderful opportunities for developing countries even though its now clear that NAFTA has hurt Mexico. While these free trade agreements allow for the free movement of goods and products across national borders, they do not permit the free movement of humans who need jobs to support their families that live in the shadow of the economic "giant" which is the United States.

However, many do understand the need for the migration of such humans who will work to keep the "giant fat and happy." One worker comments on the reciprocity of

the relationship between immigrant workers and the economy which they are employed in, and the possible consequences for those who benefit from the work of immigrant laborers if it becomes harder for immigrant workers to be employed in the United States:

I don't know what will happen, but something has to happen because if there is nobody to work, it's not just going to hurt us, its going to hurt them [employers and consumers], but they need the hands of the worker, we need the work and they need the hands of the worker. And in the grand scheme of things it is affecting them. Maybe, it affects me a little bit, but it affects the country more because in one way or another, we contribute to this country, we help keep it going.

Already, in states such as Colorado where anti-immigrant legislation has been passed, farmers have seen a shortage of workers to fill agricultural jobs. This worker goes on to cite the example of the tomato harvest in discussing the importance of the immigrant worker to this country:

For example, we [immigrants] go to work with tomatoes. We help them grow, we pick them. They are distributed to all parts of the country. Those tomatoes arrive to the tables of each person that lives here, including the governor, the president. Each person uses this product, but in order for that product to arrive there, how did it get there? With the force or work that someone did so that this product would grow.

Almost every person in the United States benefits from the work of undocumented immigrants in some way. The food that ends up in our refrigerators and on our tables

was most likely handled by an immigrant worker at some point from the time the seed was planted until the product was unloaded and placed on the supermarket shelves. Are we, as a country willing to recognize this fact and create policy that will allow an environment that will allow immigrant workers to feel respected and dignified rather than hated and threatened?

Perhaps the work of the organized labor movement can help create change in immigration policy, thus creating a more just society for immigrant workers that contribute to our country. The discussions with both workers and organizers have shown that unionizing day laborers would be a difficult process. This population of workers is highly mobile and the jobs they are employed in are unstable and do not last for more than a few days. This does not mean that nothing can be done.

First, while day laborers are still engaged in the informal economy, they can affiliate with the workers' centers like El Centro Humanitario. With this agreement, these centers can be affiliated with the local state federation of the AFL-CIO and all parties can be working for change in immigration policy. Much work lies ahead of these groups with respect to relationship and trust building. If the coalition of workers' centers, community organizations and the labor movement can help undocumented workers gain legal status or citizenship in the U.S., undocumented day laborers would have greater chances of securing stable work which might allow them to be unionized more easily. A path to citizenship is the key to the advancement of undocumented workers, a first step towards a society that welcomes the immigrant and treats him with respect and dignity. It

appears as though President Bush also believes immigration reform is necessary. In a visit to Mexico, he was quoted as saying this to President Calderon:

America is a country of law, we'll respect law, but America is also a hospitable country, a country that recognizes the value of each human being. And as the President of your grand country, I know you're deeply concerned about how your citizens are treated within our country. And my pledge to you and the people of Mexico is they'll be treated with respect and dignity. The best way to do that is to pass a migration law that upholds the values of America, and at the same time, allows us to respect the rule of law.

It is unclear what such a law would look like. Last year, Bush backed an immigration reform bill which included tougher border controls, a guest-worker program and a path to citizenship. However, this bill failed in congress. Looking towards the future, President Calderon is unsure whether our country could pass such a law.

As we continue looking to the future, we must always understand that this issue of immigration and immigrant workers' rights is a human issue. Undocumented immigrants are not "illegal aliens," and should not be labeled as such in the media and in public discourse because such a term only serves to demonize and belittle a group of human beings that contributes to our society.

On an individual level, all U.S. citizens benefit from the labor of immigrant workers as illustrated by the previous example of the tomato given to us by a day laborer, but on a larger level, the undocumented immigrant worker fills a need of the capitalist system. Our capitalist economy needs cheap labor. For this reason, our society will

always have undocumented workers who toil so that the consumer can buy grapes, lettuce, and other products at a low cost and corporations can pocket profits. Because we benefit from the contributions of the undocumented worker, it is our responsibility to treat them with respect and dignity. Are the citizens of this country willing to recognize this and figure out policy that can allow for a more just society that promotes the human rights of immigrants?

Throughout the process of researching and working on this paper, I have realized that there is a great deal of research which still needs to be done with respect to day laborers, other immigrant workers and the task of organizing these populations of workers. Such research can fuel activism and help both organizers and the U.S. public better understand who immigrant workers and day laborers are. It can also help organizers identify what immigrant workers need and how they can collaborate with them to work towards a better situation for both immigrant workers and the organized labor movement. It is undeniable that their struggles and successes are and will continue to be intertwined.

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