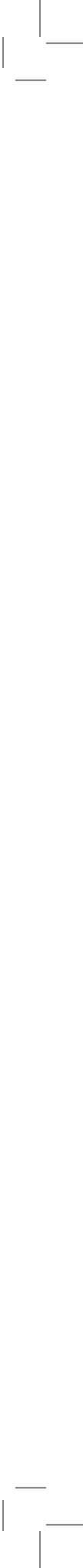
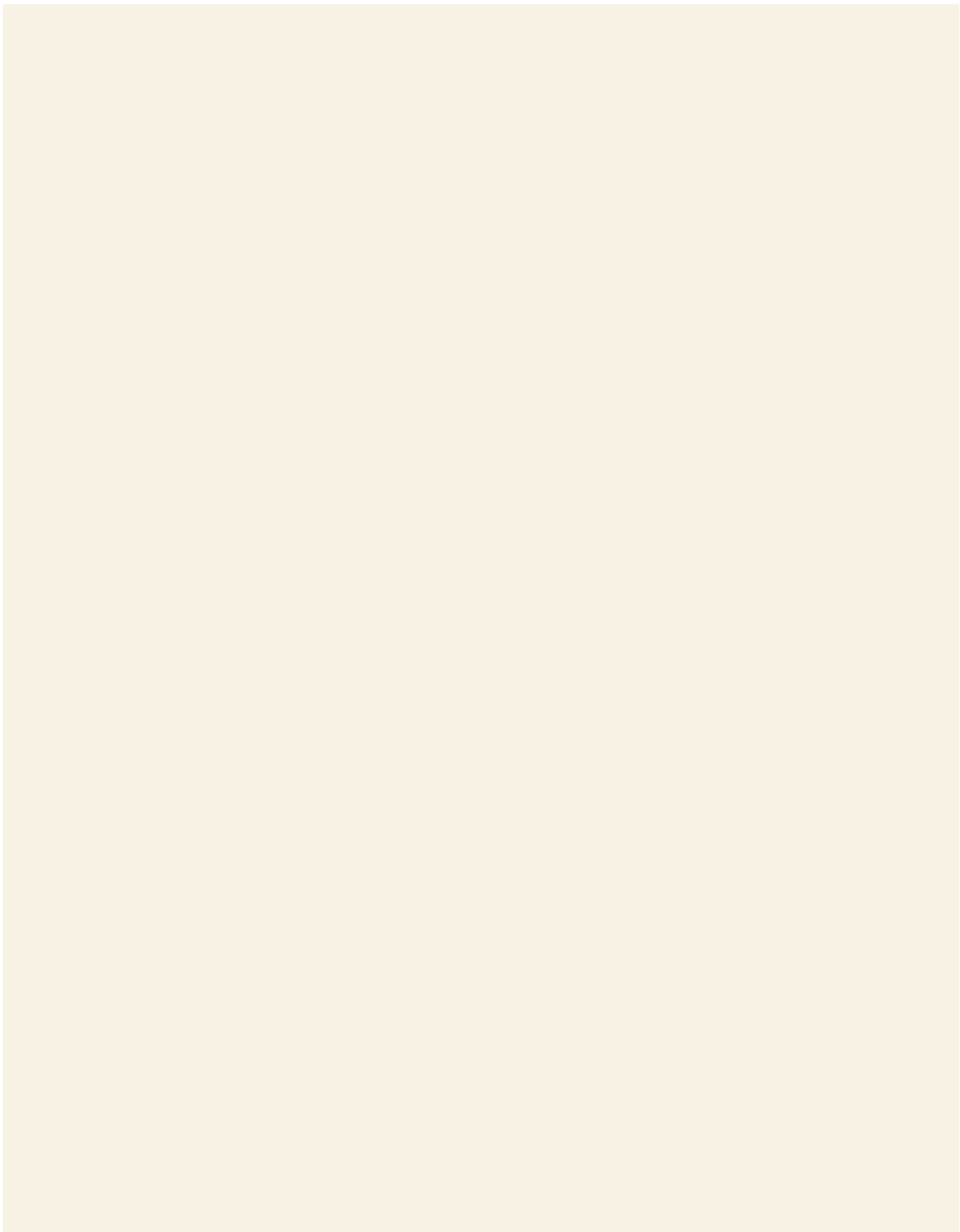


2011

LATINO WORKERS
in the UNITED STATES





The Labor Council for Latin American Advancement. (LCLAA) is a national Latino advocacy organization. LCLAA's 39 year history as a Latino labor organization has sought to protect and empower the Latino workforce by educating workers about their rights and building support for labor unions in our communities. Our 50 chapters in 22 states bring together Latino trade unionists in the United States and the Commonwealth of Puerto Rico to strengthen the labor movement and promote the social, economic and political progress of Latino working families. LCLAA's policy platform and educational programs are based on a commitment to high standards in both the quality of the research that forms the foundation of our advocacy work and the anticipated impact that changes in government policy will have on the welfare of the Latino community. LCLAA's work is based on a three-tiered approach promoting integration through bilingual community outreach, leadership development, political empowerment and civic participation.

Copyright © 2011

Labor Council for Latin American Advancement (LCLAA)

815 16th Street NW, Suite 400

Washington, DC 20006

Phone: 202-508-6919

Fax: 202-508-6922

www.lclaa.org

All rights reserved

Printed in the United States of America



Latino Workers *in the* United States 2011

HECTOR E. SANCHEZ

ANDREA L. DELGADO
ROSA G. SAAVEDRA

APRIL 2011

LCLAA'S NATIONAL OFFICERS

NATIONAL PRESIDENT

Milton Rosado, UAW

EXECUTIVE VICE-PRESIDENT

Aida Garcia, SEIU

SECRETARY-TREASURER

Maria Portalatin, AFT

VICE PRESIDENTS

Ricardo F. Icaza, UFCW

Robert Martinez, IAM&AW

Mike Quevedo, LIUNA

Sonia Ivany, NYS AFL-CIO

Gary Allen, IAM&AW

Gloria Moya, UAW

LCLAA'S EXECUTIVE BOARD MEMBERS

Salvador Aguilar, USW

Francisco Altamirano, IUPAT

Jose Caez, IBEW

Michael Calderon, UFCW

Art Cantu, IBT

Dora Cervantes, IAM&AW

Edgar De Jesus, AFSCME

Rick De La Fuente, IAM&AW

John Delgado, LIUNA

Angel Del Rivero, IUOE

Jorge Luis Fernandez, UAW

Rogelio Flores, AFGE

Miguel Foster, UAW

Andrew Gasca, IUBAC

Omar Gonzalez, APWU

Jose G. Guerrero, ATU

Mike Gutierrez, IUPAT

Yvette Herrera, CWA

Esther Lopez, UFCW

Rick Loza, SEIU

Frank Lozano, IUBAC

Josie Marujo, AFGE

Jose Melara, UAW

Yanira Merino, LIUNA

Cesar Moreno Perez, AFT

Julian Posadas, AFSCME

Emil Ramirez, USW

Rose Rangel, SEIU

Chuck Rocha, CWA

Arturo Rodriguez, UFW

Johnny Rodriguez, UFCW

Jorge Rodriguez, NUHW

Edison Severino, LIUNA

Christine Trujillo, AFT

Jose Vargas, AFT

Baldemar Velasquez, FLOC

PAST PRESIDENTS

Henry C. Gonzalez, UAW

Ralph Jimenez, UAW

Jack Otero, TCU

Henry "Hank" L. Lacayo, UAW, Emeritus

Ray Mendoza, LIUNA

I. ACKNOWLEDGEMENTS	4
II. FOREWORD	5
III. VOICES FOR JUSTICE AND EQUALITY FOR LATINO WORKERS	6
IV. INTRODUCTION	8
V. EXECUTIVE SUMMARY	9
A. CHAPTER 1	14
Overview of the Latino Community	
B. CHAPTER 2	26
Labor Issues Affecting Latino Workers	
C. CHAPTER 3	35
Unions And Latinos: A Strategic Partnership For America’s Progress	
D. CHAPTER 4	45
Latino Immigrant Workers	
E. CHAPTER 5	58
Climate Change’s Impact On Latino Communities And New Opportunities In A New Green Economy	
F. CHAPTER 6	63
Recommendations and Conclusion	

ACKNOWLEDGMENTS

We would like to thank LCLAA's National Executive Board for supporting and approving the initial concept for this annual report and awards event presented by LCLAA's Executive Director. We are grateful for their guidance and recommendations.

This report came to fruition thanks to the collaborative research and writing conducted by LCLAA's Executive Director Hector E. Sanchez, Senior Policy Analyst Andrea L. Delgado and Policy Analyst Rosa G. Saavedra.

Thanks to Lawrence Mishel, President of the Economic Policy Institute and Algernon Austin Director of EPI's Race, Ethnicity, and the Economy program for reviewing this report and providing valuable input.

We want to thank Polimnia Rossin (im-concepts) for the design of the report and Mariya Strauss for editing it.

Opinions expressed in LCLAA publications are those of the authors and LCLAA and do not necessarily reflect the views of LCLAA's officers, Executive Board members or the funders who support LCLAA and our research.

FOREWORD

Almost 40 years ago, a group of Latino men and women envisioned an organization that would provide a national voice for Latino workers in the United States. Based on their own experience that an organized group of workers better leveraged against employers whose concerns for profits and productivity outweighed the needs of the workers, these Latino union members founded the Labor Council for Latin American Advancement (LCLAA). Workers who organized into unions could make serious demands for jobs with living wages, benefits and improved working conditions. LCLAA's founders forecasted a symbiotic relationship between unions and Latinos: Latinos could benefit from having unions to secure and defend their rights in the workplace; while the labor movement could prosper by integrating Latinos into its organizing strategies, expanding Latino representation among union members, and nurturing Latino union leaders.

In order to bring together Latino union members, provide them a voice in the national political arena and elevate the critical issues that affect their advancement in the US, LCLAA was established in 1972. Since then, Latinos in the US have multiplied fivefold reaching almost 50 million in population. Undoubtedly, the future of the nation depends on Latinos' ability to thrive; by 2050, Latinos will comprise nearly 30% of the total US population and one third of all working-age Americans.

In honor of our founders' vision and our roots in the labor movement, LCLAA presents *Latino Workers in the United States 2011*. This report sheds light on how Latinos are faring in the economy and

in society, which industries rely on their labor, and the barriers they face in our workplaces and communities. We recommend public policy changes that would ensure that Latinos can prosper and fully participate in American society. This report renews LCLAA's commitment to the advancement of Latino working families from the perspective that what is necessary for the well-being of Latinos is vital to the progress of our nation.

There is much work left to be done to make the American dream accessible to all. We hope this report will spark a sensible and urgent discourse on what is needed to secure a healthy, safe and prosperous America with equal opportunities for all working people.

In Solidarity,

Milton Rosado
National President

VOICES FOR JUSTICE AND EQUALITY FOR LATINO WORKERS

“The future of America’s labor movement will be written in Spanish. Over the next twenty years, Latinos and Latinas will lead new fights for new rights all across this country. They will organize and mobilize a new generation of labor activists who will prevail over prejudice, corporate power and political foes. And they will change their communities and our country forever.”

Tom Buffenbarger, International President of the International Association of Machinists and Aerospace Workers (IAMAW).

“There are those who would use immigration as a convenient excuse to abuse workers and weaken the rule of law. We are seeing that in state after state—and that’s why comprehensive immigration reform is a fight for the soul of our nation. The issue before us is: do we move forward according to our democratic principles? Or do we scapegoat workers, pry on our most vulnerable, put neighbor against neighbor, and replace civility and inclusion with fear, racial profiling, and intimidation?”

Joseph T. Hansen, International President of the United Food and Commercial Workers (UFCW).

“Latino workers, unionists and activists have added significantly to the progress made by working people in the fight for justice and equality in the workplace. The Latino community is strong and growing and as the demographic makeup of the labor market continues its evolution and diversification, our country and the American labor movement will only continue to be strengthened by the many contributions made by Latinos. All workers, including Latinos, want a voice at the table when the decisions are made that so drastically affect their lives. We will continue the work of building power in the workplace to have that voice and winning justice in our communities to improve the lives of millions of Latinos and other workers in the U.S. and the Commonwealth of Puerto Rico.”

Bob King, President of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).

“A strong, vibrant workforce is central to our nation’s economic recovery. As the fastest-growing segment of our labor force, Latino workers already make a tremendous contribution to our economy. Building good, strong communities requires that all working people – native-born and immigrant – have a voice on the job to ensure fair wages and uphold basic workplace standards. Thanks to LCLAA for leading the way to ensure Latino workers’ voice is heard.”

Eliseo Medina, International Secretary-Treasurer of the Service Employees International Union (SEIU).

“More than a century ago, immigrants helped build our nation and found our union. Then, as now, millions of immigrant workers were a source of cheap and exploitable labor for unscrupulous employers. And today, just as it was then, working men and women and our nation are stronger by joining together in a union for a common cause.”

Terence O’Sullivan, General President of the Laborers’ International Union of North America (LIUNA).

“There is a major shift taking place in the makeup of our workforce. If we don’t acknowledge the growing role of Latinos and take action right now, from policy to community support, we’ll miss it and spend the next generation trying to make up ground.”

Jorge Ramirez, President of the Chicago Federation of Labor.

“Latino workers are one of the hardest working work forces throughout America. Latinos come to the United States in hopes of realizing the American dream. They are the ones responsible for doing the most difficult jobs and make the biggest sacrifices to ensure that our nation’s economy moves forward.

Latino workers need the opportunity to have representation by a labor union so they too can enjoy the middle class lifestyle and to be able to provide their children with the opportunities they did not have”

Arturo Rodriguez, President of the United Farm Workers of America (UFW).

“En Puerto Rico se implantó, antes que en Indiana y en Wisconsin, la ofensiva contra los derechos de los trabajadores, especialmente los empleados públicos. A éstos, una ley les arrebató las conquistas económicas negociadas en convenios colectivos. Mediante otra ley, al sector del comercio se le permitió explotar más a sus part-timers. Ahora el Gobierno pretende hacer una «reforma laboral» para derogar o mutilar las leyes protectoras de los trabajadores. La protesta por éstas y otras acciones es reprimida por la Policía, en franca violación de derechos humanos y civiles. Pero los trabajadores, los estudiantes y, en general, el pueblo puertorriqueño no se rinde. Defenderemos nuestros derechos laborales con firmeza y vocación de victoria.”

José Rodríguez Báez, Presidente de Puerto Rico AFL-CIO.

“Trade unionists need to remember the old organizing axiom of organizing the unorganized and what that really means. Regardless of a person’s state of existence or immigration status, our job is to organize them and if their status is an impediment to exercise their labor rights, then it is our duty to eliminate the shackles of oppression.”

Baldemar Velasquez, President of the Farm Labor Organizing Committee (FLOC).

“Our country will be a far better place when we spend the time, energy and effort ensuring that all our Latino students have the opportunity to dream their dreams and achieve them. This means taking a holistic approach to addressing their needs both inside and outside of school, from cradle to career. That will require all of us who care about our children and our country’s future to work together not one day or at one meeting but day in and day out.”

Randi Weingarten, President of the American Federation of Teachers (AFT).

INTRODUCTION

Latinos represent an ever-increasing share of our population, workforce and electorate. This diverse and growing community is emerging in the numbers of this country; but without policies that secure equal rights and opportunities for all workers in every sector of our society prosperity will remain only a dream. Latinos, similar to other immigrants, arrived representing the melting pot of the world and as a whole have become an undeniable foundation to the success of the US.

Latino Workers in the US 2011 brings to the light how Latinos are faring in the workplaces and communities. Totalling close to 50 million, Latinos are an economic and political force to be reckoned with: Latino purchasing power is valued at approximately \$1 trillion and growing. Increasingly, the Latino vote has proven decisive in elections at all levels. This report also considers the impact of the Great Recession and other factors on the Latino community.

As millions of working families struggle to emerge from the Great Recession, Latinos especially confront tremendous challenges that threaten their prospects for a better future. Latino workers—whether US-born or immigrants—are coming up against roadblocks to their advancement in US society. They are losing their jobs, homes, and are faced with declining living conditions and economic security. Latinos are a young and growing population, but their low levels of educational attainment limit their prospects for higher paying jobs. For many Latinos in the labor force, making ends meet means they must endure unsafe or abusive working conditions that place their health and lives

at risk. For immigrant workers, the lack of legal status makes them a particularly vulnerable group in the workforce to employer abuses.

This report connects the statistical realities Latinos are living each day with the need for legislation that will improve access to quality health care; reform our federal labor laws; fix our broken immigration laws; and address climate change and energy policy. We call on the elected and government officials to incorporate addressing these critical issues to their policy agendas.

EXECUTIVE SUMMARY

CHAPTER 1. OVERVIEW OF THE LATINO COMMUNITY

Latinos in the US—Latinos today are the fastest growing group in the nation. From 1970 to 2008 the Latino population grew by 417% compared to 49.6% for the general population. With a median age of 27.4 years Latinos are also the youngest in our population. 15 states account for 86.5% of the total Latino population. In 2010, over one-third of the total Latino population was under the age of 18. There are 22.4 million Latinos in the labor force (including employed and unemployed workers). By 2050, Latinos will constitute nearly 30% of the total US population and one third of all working-age Americans. As people age, Latinos are providing an important source of renewal for communities in decline.

Latino Civic Participation—In the last 3 presidential election cycles the Latino voter turnout had the fastest rate of growth in voter turnout among all racial groups. From 2000 to 2008, Latino voter registration increased by 54% and turnout grew by 64%. 91% of Latino voters are concentrated in 16 major electoral vote states. As the Latino vote grows in magnitude and power at all electorate levels, candidates from all political parties must consider the Latino community to stay in the running.

Economic and Social Conditions of Latinos

Poverty—In 2009, more than one in four (25.4%) Latino families lived below the poverty line. 40% of Latino workers earn poverty level wages, about twice the share of white workers who earned low wages (at 21.4%).

Unemployment—Over the past decade, unemployment among Latino workers has exceeded by far the unemployment rate among White workers and also the national average. The Latino unemployment rate reached 13.2% in January of 2011, an increase of 7.4 percentage points from December 2007.

Earnings—Over the past decade, Latinos have continuously been disproportionately represented in lower paying jobs. Thus, Latino median weekly earnings at \$532 in the most recent quarter available in 2010 represented 68.8% of what whites (\$774) earned.

Homeownership and Foreclosures—Foreclosures due to job loss and risky mortgage loans disproportionately affected Latinos and African Americans. In 2006, 40% of Latinos and 52% of African Americans financed their homes with risky loans in comparison to 17% of Whites.

Retirement Security– Despite being a vital and integrated part of the economy, Latinos who have been part of the workforce for many years are penalized in retirement for their lower earnings. These lower earnings limit the amount of disposable income available and therefore, a majority of Latinos (67%) lack retirement accounts. Without savings for retirement, Latinos' reliance on Social Security, a benefit to which they contributed during their working years, as a primary source of income during their retirement years would be higher.

Educational Attainment– Latinos have the highest high school dropout rate. In 2010, 41% of Latinos 20 and older did not have a high school diploma or equivalent compared with 23% of black adults and 14% of white adults. In higher education, approximately 30% of Latinos have some college background and only 13% of Latinos 25 and older hold a bachelor's degree or higher.

Health Care Access & Coverage– Latinos have the highest percentage of people without health insurance: nearly one in three Latinos (32.4%) lack health insurance coverage. Although the passage of the Affordable Care Act will benefit an estimated 9 million Latinos disparities in coverage will persist for legal and undocumented immigrants.

Latinos, Struggling but Optimistic– In spite of the many hardships that they confront in their everyday lives, Latinos are more optimistic than other Americans about their economic future and that of the nation.

CHAPTER 2. LABOR ISSUES AFFECTING LATINO WORKERS

Latino Workers Across Industry Sectors– Latinos represent over 20% of the workers in: 1) farming, fishing, and forestry; 2) building and grounds cleaning and maintenance; 3) construction and extraction; 4) food preparation and serving-related; 5) production; and 6) transportation and material moving.

Wage Violations–Wage Theft– Latino workers suffer more minimum-wage and overtime pay violations than any other ethnic group. 77.6% of Latinos surveyed in various minimum wage industries did not receive overtime pay with higher incidences among immigrants.

Occupational Safety and Health– Job Related Illnesses, Injuries and Fatalities– Latino workers suffer alarmingly high rates of job-related fatalities, disabling injuries, and chronic illnesses because they are concentrated in high-risk occupations.

Latino Child Labor in Agriculture– Hundreds of thousands of children labor in agriculture, one of the nation's most dangerous industries and an industry that is overrepresented by Latinos. Younger workers experienced high rates of fatal injury in agriculture (21.3 per 100,000 FTE). In the general labor force, younger Latino workers had a fatality rate of 5.6 per 100,000 full time employees (FTE) that was considerably higher than other groups.

Misclassification of Workers– The misclassification of workers as independent contractors limits worker access to basic employee benefits. Up to 30% of

companies misclassify their workers. Occupations with the most misclassified workers include construction workers. Latinos represent a significant share of workers in this occupation posing detrimental implications for the health and safety of Latinos.

CHAPTER 3. UNIONS AND LATINOS: A STRATEGIC PARTNERSHIP FOR AMERICA'S PROGRESS

Attacks on labor have slashed the total number of workers unionized in the nation for all groups. Widespread unionization of Latino workers can reinvigorate the labor movement and at the same time improve the protections and economic conditions of Latinos and Latinas through better jobs, higher wages and benefits.

The Legacy of Organized Labor and Its Relevancy

Today— Organized labor's legacy exerts a deep humanizing influence in our places of work and on federal workplace policies. Through collective bargaining, unions helped expand the middle class in America by raising wages and improving job security and quality for workers. Establishing a mandatory minimum wage, paid sick leave, Social Security, Medicare and child labor laws are among the protections and benefits that workers in unions have helped secure for millions of Americans. The 40-hour workweek, which allows time for rest and leisure, did not materialize from one day to the next; it was the subject of a hard-fought battle spearheaded by unions.

Overall View of Union Membership and Latinos in Unions— As the workforce diversifies, so does the labor movement: the share of Asian Pacific Americans, Latinos and women overall has surged.

In 2008 Latinos were 12.2% of the unionized workforce, up from 5.8% in 1983. Of all the groups that share in the unionized workforce increased most in the last 25 years are: white women (up 4.6 percentage points), Latino men (up 3.6 percentage points) and Latino women (up 2.8 percentage points).

Decline for All in Labor— From the year 1983 to 2008 the unionization rate for all race groups and gender declined. The labor movement has been under serious attack in the last several decades. These attacks have helped to reduce the total number of workers unionized in the nation and for all groups. Corporate lobbying interests have managed to change the way labor laws are applied and administered. Employer militancy against workers, trade pressures and the erosion of bargaining power have all contributed to weaken unions and their unique structural ability to raise wages and improve working conditions.

State Public Sector Battles and National

Implications— Growing attacks on labor include mounting bills in Wisconsin, Ohio, Indiana, Michigan, Tennessee, Iowa and Florida that seek to destroy workers' right to bargain collectively in the workplace. Measures to weaken the role of unions in improving job quality undermine the balance between workers and their employers and threaten the growth of the middle class.

Right to Work for Less— Twenty-two states in the US currently enforce Right to Work (RTW) laws. RTW laws weaken unions, lower wages, and compromise worker safety and health when workers lack the support of worker organizations to address job quality issues without fear of retaliation or unjust termination.

The Unions Difference for Latinos– The moment a Latino worker gets a union contract, s/he starts making better money, enjoys benefits and works in safer and healthier environments. Latino workers benefit the most of any other ethnic group with respect to median weekly earnings. Latino union workers earn almost 51% more than their nonunion counterparts and are 26 percentage points more likely to have employer-provided health insurance. Latino men benefit by 53% while the union advantage for Latino women is at about 50%.

The Special Case of Puerto Rico: Public Law 7– The Commonwealth of Puerto Rico provides an excellent example of the intense hostility against public sector workers and unions resulting in mass layoffs and exacerbating already elevated unemployment rates in the island.

CHAPTER 4. LATINO IMMIGRANT WORKERS

Latino Immigrants in the US Labor Force– Latino immigrants fuel the workforce through their labor in various sectors of the economy and possess one of the highest participation rates in the labor force (70.8%). The Latino foreign-born population has seen a drastic increase in the last 40 years, from 1.8 million in 1970 to 17.8 million in 2008, which represents an increase of 893%. Also, the Latino share of the foreign born population in the nation increased drastically from 9% in 1960 to 47% in 2008. A large majority of 62% of the Latino labor force are US citizens either through birth or naturalization. This increase in the number of US citizens has contributed to a stronger Latino voting bloc over recent years.

Undocumented Latino Workers– Undocumented workers tend to be overrepresented in the lowest-skilled jobs and also the most dangerous jobs. Undocumented workers have the highest levels of wage theft and death and injuries at work. And there is a systemic way to keep them poor and vulnerable: 21% are considered poor in comparison with 10% of US-born adults. Almost 60% of undocumented immigrants have no access to health insurance, in comparison with only 14% of US-born. 49% lack a high school diploma or equivalent.

Immigration reform is a priority. But in order to address the issue of immigration, we must look at the roots of the problem too: regional economic policies that displace workers (NAFTA and CAFTA) and the nation's addiction to cheap labor. The absence of a path to legalization exposes an undocumented workforce to labor, human and civil rights' violations in the US as employers turn a blind eye to labor laws and xenophobic sentiments fuel hate-crimes and anti-immigrant legislation at the state and federal level. All this increases the vulnerability and exploitability of these workers. The labor movement can be one important source of protection for undocumented workers.

"Undocumented and Unafraid"–Immigrant

Youth Fight for Justice– Over 2.1 million young adults have come to the United States as children with their families. These growing children and youth, who remain in legal limbo without immigration reform, are an untapped potential for our country. These young adults remain DREAMers that despite their commitment to fundamental American values are unable to pursue them through higher education, jobs and fully contributing to American society. If the DREAM Act were to pass the Congressional Budget Office estimates it would reduce the US deficit by \$1.4 billion over a period of ten years.

CHAPTER 5. CLIMATE CHANGE'S IMPACT ON LATINO COMMUNITIES AND NEW OPPORTUNITIES IN A NEW GREEN ECONOMY

It is necessary to reduce and regulate the emissions of harmful and climate-changing gases economy-wide to protect low-income and minority communities from air pollution. In addition to environmental benefits, investment in a clean-energy economy generates jobs for Latinos. 20% of the green jobs created by the American Recovery and Reinvestment Act (ARRA) are filled by Latinos. To curb unemployment and revitalize the Latino community, the Administration and Congress must invest in the development of quality 'green jobs' for America's workers, targeting communities of color for job training and employment opportunities in the clean-energy economy.

CHAPTER 6. POLICY RECOMMENDATIONS

-Economic empowerment and workers' protections

- Protect American Workers Act (PAWA)
- Employee Free Choice Act (EFCA)
- Create opportunities for Latinos in clean-energy and energy efficiency sectors

-Immigration reform

-Protect and strengthen our nation's safety nets

- Social Security
- Health care
- Children's Act for Responsible Employment (CARE ACT)

CHAPTER 1

OVERVIEW OF THE LATINO COMMUNITY

LATINOS IN THE UNITED STATES

In this paper, we shine a flashlight into forgotten corners of the US economy to examine the condition of the nation's Latino workers. We address this community's rapid growth, economic development, and political potential, as well as the impact that the recession has had on it. Latinos in the US face challenges that can seem overwhelming at times. However, once we understand why Latinos experience these troubles, we will be better equipped to confront them.

Latinos are the most vulnerable workers in the nation. The good news is that Latinos have also begun traveling on a trajectory of economic, political and social empowerment. As long as we find ways to protect their labor, human and civil rights, they will continue on the path towards full representation.

Let us first direct our flashlight beam to illuminate Latinos' demographics. Latinos are woven into multiple segments of American society. Too often, however, politics and controversy have led mainstream media to shy away from accurately portraying this growing community.

Latinos stand strong at 50 million and rising. **Latinos today are the fastest growing group in the nation. From 1970 to 2008, the Latino population grew by 417% compared to 49.6% for the general population.** The Latino share of the US population in 1970 was 5% compared with 15.8% in 2009.¹ Latinos also accounted for 44.3% of the nation's population growth from 1990-2008.² This emerging

community brings essential productivity and cultural assets to the social and economic fabric of the United States.

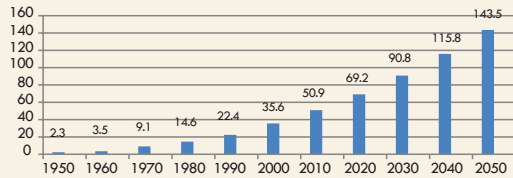
The Latino population today is present and growing in all 50 states, but 15 states account for 86.5% of the total Latino population, with California and Texas having by far the largest concentrations of Latinos.^{3,4}

In terms of Latinos' countries of origin, by far the largest group are Mexicans, which comprise 65.6% of all Latinos. They are followed by Puerto Ricans with 9.0%, Cubans 3.4%, Dominicans 2.8%, Central Americans 8.3% and South Americans 5.8%.

As people age, Latinos can provide an important source of renewal for communities in decline. Since 2000, a majority of the nation's growth is attributed to the Latino share of the US population. Census data indicates that one in four counties in the nation is shrinking, with 760 of 3,142 counties reporting more deaths than births. This phenomenon known as "natural decrease" is attributed in part to an aging population, outmigration by younger adults and dismal economic prospects due to rising unemployment rates and the mortgage crisis.⁵ Natural decrease in the population is not a trend easily reversed. However, according to demographers, new economic development as well as a surge in Latino migrants can reverse this phenomenon. Latino immigrants are younger

and tend to have more children than non-Latinos. If areas with declining populations become more attractive destinations for migrants, Latinos can play a significant role in revitalizing these communities.⁶

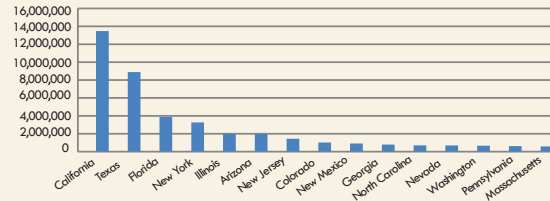
Latino Population Growth (1950-2000) and Projected Growth (2010-2050)



Note: Numbers are in Millions.
Source: U.S. Census Bureau, Projected Population of the United States, by Race and Hispanic Origin 1950-2050. Released December 2009.

Latinos benefit the economy in a couple of critical ways. As market experts can attest, the purchasing power of the Latino community is growing faster than that of any other group. **The purchasing power of the Latino population is valued at approximately \$1 trillion.** What's more, Latinos work, and work hard. Their 16% of the total US population makes them the largest minority in the nation. This share of the population nearly equals their representation of 14% in the US labor force.⁷ **There are 22.4 million Latinos in the labor force (including employed and unemployed workers).** The labor force participation rate for Latinos is about 68.0%, 66.0% for Asians, 65.8% for Whites and 62.4% for African Americans.⁸ Additionally, the Latino participation rate ranks higher than that of the overall civilian labor force (at approximately 65%). Nationwide, there are 19.4 million Latinos at work—81.3% full-time and 18.7% part-time.⁹ **Latinos are not only the fastest growing segment of the US population, they are also the youngest, with a median age of 27.7 years—almost ten years younger than the median age of the US population overall (36.8 years).**¹⁰

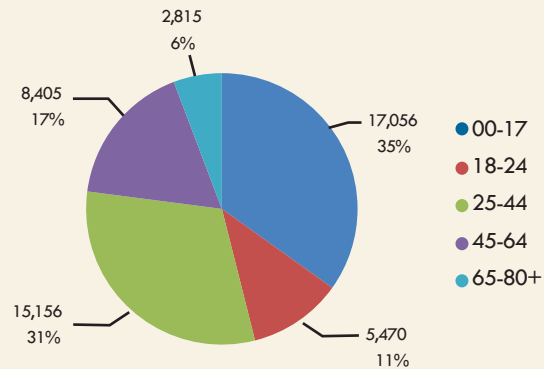
Fifteen States with Largest Latino Population, 2008



Source: U.S. Census Bureau, Census 2000. Summary Tape File 1 (STF1), American Community Survey 2008.

In 2010, over one-third of the total Latino population was under the age of 18. As this group enters the labor force, the Latino share of the labor force will increase even more. Currently, Latinos between the ages of 25 and 44 comprise a majority (54%) of the Latino labor force. In contrast, the non-Latino labor force has 42% of its workers between 45 and 64 years old and another 41% in the younger age bracket of 25-44.¹¹

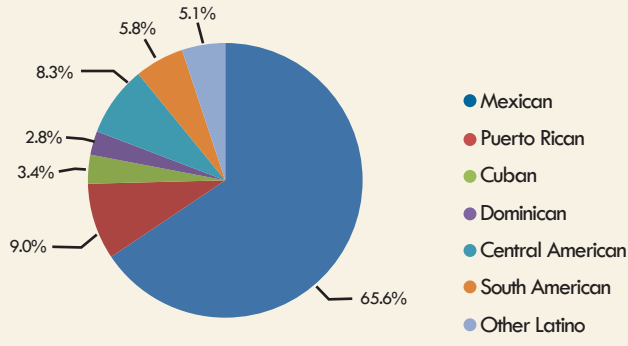
Total Latino Population by Age Group, 2010



Note: Numbers are in thousands.
Source: LCLAA calculation using U.S. Bureau of the Census, "Current Population Survey (CPS) Table Creator." Housing and Household Economics Statistics Division. Washington, DC, 2010, http://www.census.gov/hhes/www/cpstc/cps_table_creator.htm

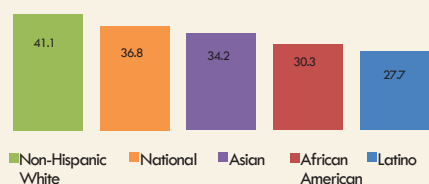
Latinos are reshaping our communities and workforce. Their representation in the labor force over the past ten years (2000-2010) has grown by 51.1%. **By 2050, Latinos will constitute nearly 30% of the total US population and one-third of all working-age Americans.**¹² In order to take advantage of this demographic shift, the union movement will need to do more to support Latino workers.

Latino Population by Origin/Ancstry (2008)



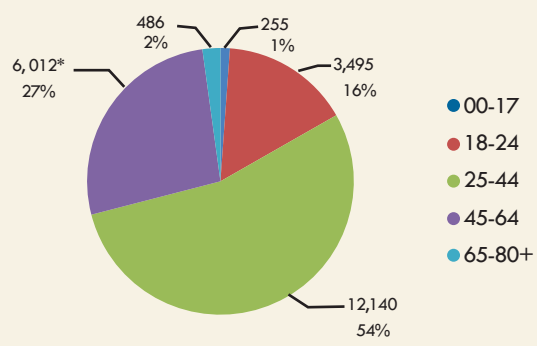
Source: U.S. Census Bureau, American Community Survey 2008.

Latinos are Almost 10 Years Younger Median Age of Total U.S. Population by Race/Ethnicity, 2008



Source: U.S. Census Bureau, 2008. "Census Bureau Estimates Nearly Half of Children Under Age 5 are Minorities." <http://www.census.gov/newsroom/releases/archives/population/cb09-75.html>. Released May 2009.

Latino Labor Force by Age Group, 2010



Note: Numbers are in thousands.
 Source: LCLAA calculation using U.S. Bureau of the Census, "Current Population Survey (CPS) Table Creator." Housing and Household Economics Statistics Division. Washington, DC, 2010, http://www.census.gov/hhes/www/cpsc/cps_table_creator.html (accessed January 2011).

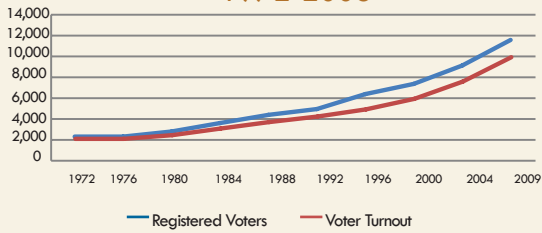
LATINO CIVIC PARTICIPATION

In recent years, the Latino community has become one of the most significant voting blocs in US elections. Candidates from all political parties must consider the Latino community's power if they want to win elections. Since 1972, Latino voter turnout increased drastically, from 2.1 million that year to 9.9 million in 2008, an increase of 371%. **In the last 3 presidential election cycles the Latino voter turnout grew faster than that of all other racial groups.** In the last decade, both Latino voter registration and voter turnout have grown. From 2000 to 2008, Latino voter registration increased by 54% and turnout grew by 64%.¹³

Some of this increase in Latino voter turnout may be associated with the excitement surrounding Barack Obama's candidacy. In the 2008 presidential election, approximately 131 million Americans reported voting, an increase of 5 million from the previous presidential election year. Latinos comprised 2 million of the 5 million voter increase while the number of non-Hispanic White voters remained about the same. That year, over 9% of eligible voters nationwide were Latino (up from 8.2% in 2004) and a majority (60.5%) of the Latino citizen voting-age population registered to vote. About 10 million Latinos of the 11.8 million Latinos that were registered to vote voted, or approximately 84%. A large majority—67%—of Latino voters cast ballots for President Barack Obama.¹⁴

It doesn't take a political strategist to see why Latino voters are powerful. **91% of Latino voters are concentrated in 16 major electoral vote states.** These states comprise 300 of the 538 total electoral votes. To illustrate the importance of these states and Latino voters in the context of a presidential election, in 2008 Barack Obama won in 14 of these 16 states, with exception of Arizona and Texas, netting him 256 electoral votes. After that, he only needed another 14 electoral votes to win the presidency.¹⁵

Latino Voter Registration and Turnout, 1972-2008



Note: Numbers are in thousands.
 Source: US Census Bureau, Reported Voting and Registration for the elections of November 1972-2008.

Historically, Latinos have favored Democrats over Republicans; the general trend over the last fifty years is 60% and over for Democrats and 40% and below for Republicans. To win an election though, Democratic presidential candidates have to win over 70% of the Latino vote. On the other hand, for a Republican presidential candidate to win, he/she has to deny Democrats a strong majority of Latino votes.¹⁶

In the 2010 midterm elections, over 19 million Latinos were eligible to vote, more than in any preceding election.¹⁷ In a nationwide survey conducted by the Pew Hispanic Center, two out of three (65%) registered Latino voters said they planned to support a Democratic candidate in their congressional districts, while a mere 22% reported supporting the Republican candidate.

ECONOMIC AND SOCIAL CONDITIONS OF LATINOS

Although Latinos are growing as a share of the national population and workforce, they face several challenges that hinder their social, economic and political progress. As the US emerges from this recession—one of the most tumultuous economic times since the Great Depression—millions of workers throughout the US continue to lose their jobs. Since the onset of the recession in December 2007, unemployment rates for Latino workers have been steadily increasing, exceeding the national rate. Higher poverty rates followed the increasing jobless

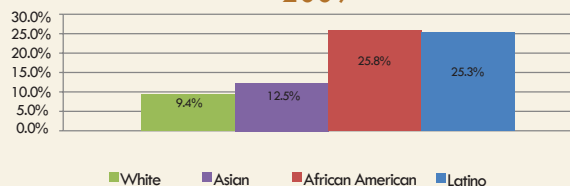
rate for minorities. In 2009, 25.3% of Latino families lived below the poverty line up from 21.5% in 2007.¹⁸ Communities of color were hit particularly hard as they experienced greater job loss than their White counterparts. Workers are a fundamental component of our economy and essential to generate economic demand needed to revitalize our nation. But for Latinos, the problems of unemployment are compounded by other social and economic realities that contribute to a decline in their quality of life.

To gauge the human impact of such harsh conditions exacerbated by the economic downturn, we can look at the financial decisions Latinos have had to make to stay afloat. In this economy, Latinos are putting their health on the line, with more choosing to postpone medical or dental care (43%) than Whites (37%) and African Americans (35%). Latinos are also more likely to admit to increasing their credit card debt and borrowing from friends over the past three years—a reality with worrisome implications for the long-term financial standing of this community.¹⁹

POVERTY

During this recession, the number of Americans living below the poverty line increased for all racial/ethnic groups, but disproportionately for Latinos. **In 2009, more than one in four (25.3%) Latino families lived below the poverty line.** This group has more than twice the White share of families in poverty at 9.4% or one in ten.²⁰ With respect to poverty-level wages, approximately 40% of Latino workers were in this low-wage situation in 2009, about twice the share of White workers who earned low wages (at 21.4%). These pronounced poverty rates for Latinos and other communities of color are not new. In 2000, the Latino poverty rate was 21.2%, compared to the rate among Whites at 7.5%. These figures highlight the persistence of poverty in the Latino community. Its causes are rooted in low levels of educational attainment and overrepresentation in low-wage jobs. Why have these twin problems continued to plague Latinos? We will tackle this question shortly.

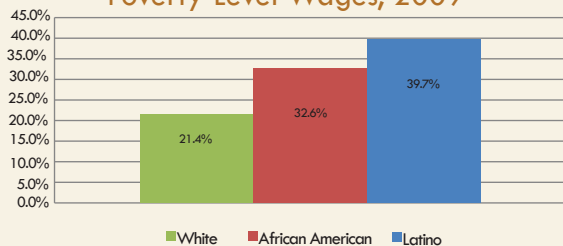
Poverty Rates by Race/Ethnic Group, 2009



Source: Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2009 (Department of Commerce, 2009).

The Economic Policy Institute defines good jobs as jobs that pay at least 60% of the median household income and also provide health insurance and retirement benefits. Only 14.4% of Latinos have good jobs, while that percentage is higher for White workers at 31.5%, at 21.8% for African American workers, and 28.1% for Asian workers.²¹

Latino Workers More Likely to Earn Poverty-Level Wages, 2009



Source: Lawrence Mishel, Jared Bernstein, and Heidi Shierholz, *The State of Working America*.

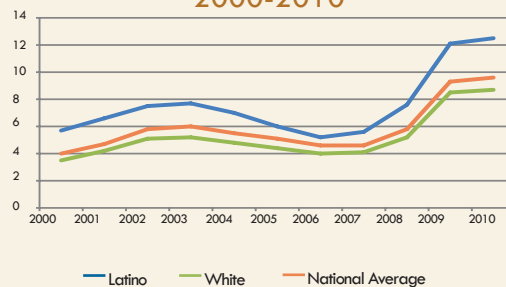
<http://www.stateofworkingamerica.org/charts/view/235>

UNEMPLOYMENT

Over the past decade, unemployment among Latino workers has exceeded by far the unemployment rate among White workers and also the national average. Since the onset of the recession, Latino workers have lost significant ground in the workforce. While unemployment rose for all workers between 2007 and 2010, Latinos were disproportionately affected. The data shows that the unemployment gap widened substantially in the Latino community in comparison to their White counterparts.

In January of 2011, the Latino unemployment rate reached 13.2%, an increase of 7.4 percentage points from December 2007. The average of unemployment rate in 2010 for Latinos was 12.5 compared to 8.7% for Whites, and 9.6% for the national average.^{22,23}

Unemployment Rate by Race/Ethnic Group, 2000-2010



Source: Bureau of Labor Statistics. Labor Force Statistics from the Current Population Survey. "Historical data for the "A-3" tables of the Employment Situation News Release"
http://www.bls.gov/cps/prev_yrs.htm

EARNINGS

Household income and weekly earnings both help to determine a family's well-being and survival. Over the past decade, Latinos have continuously been disproportionately represented in lower paying jobs. Thus, Latino median weekly earnings at \$532 in the most recent quarter available in 2010 represented 68.8% of what Whites earned (\$774).²⁴

Household income—which is the most representative measure of the resources available to a household because it considers wages, unemployment insurance, child support payments, social security, and rental income—is also a key determinant of a family's ability to address basic needs. Disparities in earnings and household income between Latinos and Whites have been consistent throughout the years; it is critical that we see some progress in increasing Latinos' wages.²⁵

Latinos' median household income in 2009 was \$38,039, which is 30% less than Whites' household income (\$54,461), and over 40% less than Asians' median household income (\$65,469). Similarly, percent decreases of median income for Latinos

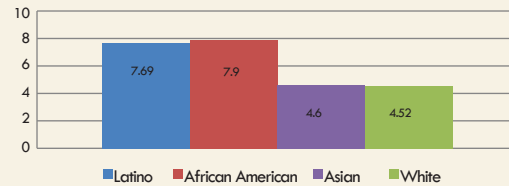
during the recession were disproportionately higher compared to Whites, 0.9% versus 0.5%, respectively.²⁶ These economic indicators clearly demonstrate that, though they are growing rapidly in numbers, Latinos face greater challenges than other groups.

HOMEOWNERSHIP AND FORECLOSURES

Homeownership plays a crucial role in wealth-building, yet this tool is far out of reach for many Latinos and other people of color. Throughout the US over the past few years, millions of families saw their dream of homeownership disappear before their eyes. Aspirations failed to materialize as homeowners became victims of job loss and risky mortgage loans and were unable to avoid foreclosures, repossessions and evictions. In the foreclosure fiasco, Latinos and African Americans were affected the most because a greater share of people in these communities were sold higher-priced and risky subprime loans.

In 2006, 40% of Latinos and 52% of African Americans financed their homes with risky loans in comparison to 17% of Whites.²⁷ The toll of predatory lending in a stormy economic climate is reflected in the foreclosure rates among various communities, 7.69% for Latinos, 7.90% for African Americans compared to 4.60% for Asians and 4.52% for Whites.²⁸ Moreover, Latinos are 71% more likely to have lost their home to foreclosure than non-Hispanic White borrowers.²⁹ According to the Associated Press' analysis of December 2010, economic stress throughout the nation increased due to high foreclosure rates offsetting lower unemployment rates.³⁰

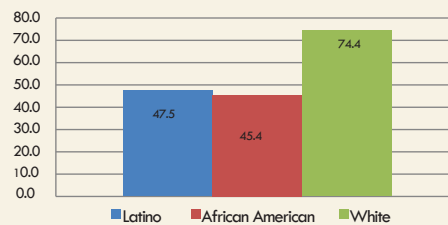
Foreclosure Rates on Loans issued 2005-2008



Source: Bocian, Debbie Gruenstein, Wei Li, and Keith S. Ernst, "Foreclosures by Race and Ethnicity: The Demographics of a Crisis" (Washington: Center for Responsible Lending, 2010) <http://www.responsiblelending.org/mortgage-lending/research-analysis/foreclosures-by-race-and-ethnicity.pdf>

For Latinos, the dream of homeownership is destroyed as approximately 1.3 million Latino families are expected to lose their homes to foreclosures between 2009 and 2012.³¹ The prospects for homeownership among Latinos are also in tatters. The rate of Latino homeownership dropped from 48.5% to 47.0% between December 2007 and the third quarter of 2010. Latinos lag far behind in homeownership rates unlike the 74.7% of Whites who own their homes.³² And when it comes to wealth-building, Latino homeowners tend to have less equity in their homes, which analysts attribute to the fact that many families buy in locations where home value increases more slowly.³³

Homeownership Rates in 2010



Note: White refers to white non-Latino. Data represent white non-Latino alone which includes people who reported white alone or in combination. African American refers to African American only. People of Latino origin may be of any race. Source: "Housing Vacancies and Homeownership," U.S. Census Bureau, Housing and Household Economic Statistics Division. <http://www.census.gov/hhes/www/housing/hvs/annual10/ann10ind.html>.

Given the challenging economic conditions and rising unemployment, the US Department of Housing and Urban Development has found that Latino renters have fallen into the worst-case category for housing. “Worst case housing needs” refers to very low-income renters who do not receive housing assistance from the government and who either spend more than half of their monthly income in rent, live in severely inadequate conditions, or both. Among all renters facing these conditions, 48% are White, 23% are Latino and 23% are African American. The increase in the prevalence of worst case housing needs was highest among very low-income Latino renters- 45% faced this hardship in 2009 in contrast to 37% in 2007. Shrinking incomes, the lack of rental assistance and competition for scarce adequate and affordable rental units are associated to this increase in worst case housing needs.³⁴

RETIREMENT SECURITY

Latinos will comprise 17.5% of the US elderly population by 2050. How secure will their retirements be? As working families nationwide struggle with widespread economic insecurity and baby boomers approach retirement, a majority of Latinos lack the financial resources necessary to facilitate their transition into retirement and allow them to live out the sunset years of their life in dignity.

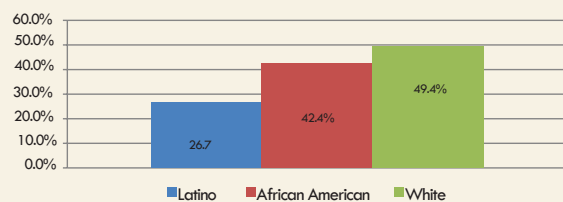
Latino retirees rely on Social Security as a principal source of income, and those still in the workforce lack alternative sources of income to prepare them for retirement. **An overwhelming majority of Latinos report having no I.R.A, 401K or any other type of retirement account—67% of Latinos compared to 53% of African Americans and 34% of Whites in the same situation.**³⁵

The percentage of wage and salaried workers aged 21–64 participating in a retirement plan in 2009 decreased for Latino workers. In 2009 the percentage reached 26.7%, well below the 42.4% level for African American workers and 49.4%

level for White workers.³⁶ **What this will mean for Latinos is a higher reliance on Social Security as their primary source of income during their retirement years.**

On average, Latinos earn less than the average US worker with a median household income of \$38,039 compared to \$49,777.³⁷ Lower earnings among this community limit the amount of benefits available to them during retirement and the savings they can accrue for their retirement. Social Security is central to the economic security of Latinos of all ages. For over 75 years, Social Security has played a key role in mitigating economic hardship for vulnerable communities, serving as a successful government program whose benefits can be linked to a decline in elderly poverty.³⁸

Workers (ages 21-64) participating in an Employer-Sponsored Retirement Plan, 2009



Source: “Employment-Based Retirement Plan Participation: Geographic Differences and Trends, 2009.” Employee Benefit Research Institute estimates based on the U.S. Census Bureau’s March 2010 Current Population Survey (CPS), with 2009 data. http://www.ebri.org/pdf/briefspdf/EBRI_IB_10-2010_No348_Participation.pdf.

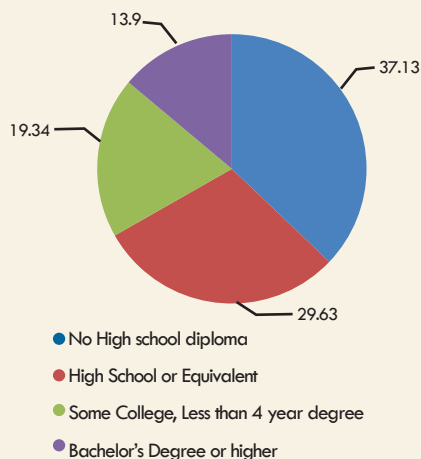
For Latinos, Social Security benefits account for a tremendous share of their income. As of 2008, retirement-age Latinos relied on Social Security for 90% of their income. Latinos will also need Social Security for a longer amount of time because they have a higher life expectancy than their White counterparts. Latino men over 65 have a life expectancy of 85 while it is 82 for the general population. Latino women over 65 can expect to live to 89, as opposed to 85 for other women.³⁹ **The reliance of Latinos on Social Security combined with their longevity means we must do all we can to protect this federal program and ensure its solvency so that elderly Latinos can sustain themselves and stave off poverty after retirement.**

Moreover, the long-term economic security of Latinos who possess retirement or savings accounts is in danger since many have liquidated these financial resources to cushion the impact of the current economic climate and help make ends meet.⁴⁰

EDUCATIONAL ATTAINMENT

Latinos don't just need higher wages and a secure retirement; they need education to make progress. Education is the equalizer that can pave the way to economic self-sufficiency for all people, regardless of their social or economic background. We have a long way to go to ensure Latinos can realize their potential through education and use it for upward mobility.

Educational Attainment of Latinos 25 years and older %



Source: U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement, 2010.

As a person's educational level increases, so do the opportunities that are available to them. Higher educational attainment translates into higher earnings, greater purchasing power and lower unemployment rates.⁴¹ The benefit for communities is higher tax revenue. Sadly, the education picture for Latinos is grim. **Latinos have the highest high school dropout rate.** In 2010, 41% of Latinos 20 and older did not have a high school diploma or its equivalent, compared with 23% of African

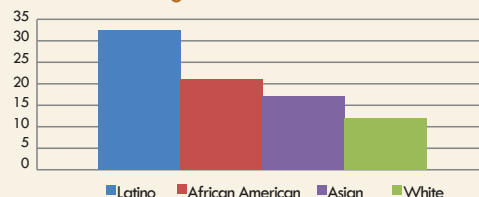
American adults and 14% of White adults. And higher education is even farther from reach as approximately 30% of Latinos have some college background, and only 13% of Latinos 25 and older hold a bachelor's degree or higher.⁴²

HEALTHCARE

Throughout the US, millions of people of all backgrounds cannot access health care because they lack insurance or have inadequate coverage. Among them, Latinos are much more likely than any other racial and ethnic group to be uninsured. Latinos are more likely to lack health care coverage than African Americans who have lower median incomes than Latinos (median household incomes is \$38,039 for Latinos and \$32,584 for African Americans).⁴³

The Latino community holds the highest percentage of people without health insurance: **Nearly one in three (32.4%) lack health insurance coverage** compared to 21.0% of African Americans, 17.2% of Asians, and 12% of White Americans. The number of uninsured Latinos is rising, jumping from 30.7% in 2008 to 32.4% in 2009.⁴⁴

Percentage of Uninsured in 2009



Source: Bureau of the Census, Income, Poverty, and Health Insurance Coverage in the United States: 2009 (Department of Commerce, 2009).

This disparity in health care coverage may be due to greater financial, language and legal barriers to obtaining health care coverage among the Latino immigrant population. Advocates calling for health care reform demanded expanded access and affordability as key components of any plans to modernize our health care system. **Under the Affordable Care Act, an estimated 9 million Latinos will benefit**

from increased preventative care and better access to health coverage this will take place as they become eligible to be insured through the public health system or receive subsidies that will make health care affordable for those without employer-provided health care. Medicaid is a federal program that provides health care coverage to low-income children and some adults (with variability by state). Among insured Latinos, one-third under 65 depend on Medicaid. Under the Affordable Care Act, Medicaid will be made available to low-income adults without children.

Nonetheless, **disparities in coverage will persist for the Latino population since the new health care law bans legal immigrants from access to state or federal health care programs for the first five years of their legal residency in the US.** Within the uninsured Latino population, **undocumented people were entirely left behind as the urgency to expand access to health care for all was poisoned by anti-immigrant discourse.** Opponents to insuring immigrants in a national health care plan went so far as to eliminate the opportunity for immigrants to purchase their own coverage through the exchange system.

LATINOS, STRUGGLING BUT OPTIMISTIC

In spite of the many hardships that they confront in their everyday lives, Latinos are more optimistic than other Americans about their economic future and that of the nation. More Latinos report feeling that they are falling behind financially than do African Americans and Whites. They are also less likely to feel like they have just enough to maintain their standard of living. But they are more hopeful about their personal financial situations. **Latinos believe their children will have a better standard of living than their own and express more satisfaction with the country's economic situation.** The opposite is true for Whites who are more displeased with the future economic standing of the nation even though they showed higher levels of satisfaction

regarding their own financial situations.⁴⁵ This survey, conducted by The Washington Post, the Kaiser Family Foundation and Harvard University, highlights the resiliency of the Latino community and their positive attitude regarding the future of the nation.

REFERENCES

1. US Census Bureau, "2009 American Community Survey 1-Year Estimates: B03002. Hispanic or Latino Origin by Race - Universe: Total Population," http://factfinder.census.gov/servlet/DTTable?_bm=y&-context=dt&-ds_name=ACS_2009_1YR_G00_&-CONTEXT=dt&-mt_name=ACS_2009_1YR_G2000_B03002&-tree_id=306&-redoLog=false&-all_geo_types=N&-geo_id=01000US&-format=&-_lang=en (accessed February 2011).
2. US Census Bureau, "Measuring America: The Decennial Censuses From 1790 to 2000," <http://www.census.gov/prod/www/abs/ma.html> (accessed February 2011).
3. US Census Bureau, "The Hispanic Population: Census 2000 Brief," May 2001, <http://www.census.gov/prod/2001pubs/c2kbr01-3.pdf> (accessed January 2011).
4. US Census Bureau, "American Community Survey 2008," http://factfinder.census.gov/servlet/DTTable?_bm=y&-ds_name=ACS_2008_1YR_G00_&-mt_name=ACS_2008_1YR_G2000_B03002&-CONTEXT=dt&-redoLog=true&-geo_id=01000US&-format=&-_lang=en&-SubjectID=15233308 (accessed January 2011).
5. "2010 Census: 1 In 4 US Counties Are Dying." WAMC Northeast Public Radio, February 22, 2011, <http://www.publicbroadcasting.net/wamc/news.newsmain/article/0/0/1766278/WAMC.NewYork.News/2010.Census.1.In.4.US.Counties.Are.Dying> (accessed February 2011).
6. Hope Yen and John Raby, "Census: Near-record level of US counties dying," Associated Press, February 22, 2011, http://hosted.ap.org/dynamic/stories/U/US_CENSUS_DYING_COUNTIES?SITE=AP&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2011-02-22-13-31-28 (accessed February 2011).
7. US Census Bureau, "Current Population Survey (CPS), Annual Social and Economic Supplement, 2010," September 16, 2010, <http://www.census.gov/hhes/www/poverty/data/incpovhlth/2009/index.html> (accessed February 2011).
8. US Census Bureau, "Statistical Abstract of the United States: 2011" <http://www.census.gov/compendia/statab/2011/tables/11s0585.pdf> (accessed February 2011).
9. US Census Bureau, "Current Population Survey (CPS) Table Creator." Housing and Household Economics Statistics Division. Washington, DC, 2010, http://www.census.gov/hhes/www/cpstc/cps_table_creator.html (accessed February 2011).
10. US Census Bureau, "Hispanic Heritage Month 2010: Sept. 15 — Oct. 15" July 15, 2010, http://www.census.gov/newsroom/releases/archives/facts_for_features_special_editions/cb10-ff17.html (accessed February 2011).
11. US Census Bureau, "Current Population Survey (CPS) Table Creator," http://www.census.gov/hhes/www/cpstc/cps_table_creator.html (accessed February 2011).
12. Jeffrey J. Passel and D'Vera Cohn, "US Population Projections: 2005-2050," Pew Research Center, 2008, <http://pewhispanic.org/files/reports/85.pdf> (accessed February 2011).
13. US Census Bureau, "Reported Voting and Registration of the Total Voting-Age Population, by Sex, Race, and Hispanic Origin, for States: November 2000," <http://www.census.gov/population/www/socdemo/voting/p20-542.html> and "Reported Voting and Registration of the Voting Age Population, by Sex, Race and Hispanic Origin, for States: November 2008," <http://www.census.gov/population/www/socdemo/voting/cps2008.html> (accessed January 2011).
14. Julia Preston, "In Big Shift, Latino Vote Was Heavily for Obama," New York Times, November 6, 2008, <http://www.nytimes.com/2008/11/07/us/politics/07latino.html> (accessed January 2011).
15. US Census Bureau, "Voting and Registration in the Election of November 2008."

16. Juan Andrade, *The Almanac of Latino Politics*. 6 ed. P.23. 2010. (Chicago: The United States Hispanic Leadership Institute (USHLI), 2010)
17. Mark Hugo Lopez, "Latinos and the 2010 Elections: Strong Support for Democrats; Weak Voter Motivation," Pew Hispanic Center, October 5, 2010, <http://pewhispanic.org/reports/report.php?ReportID=127>
18. US Census Bureau. "Income, Poverty and Health Insurance Coverage in the United States: 2009," http://www.census.gov/newsroom/releases/archives/income_wealth/cb10-144.html#tableb (Accessed January 2011).
19. "Race and Recession Survey," The Washington Post/Kaiser Family Foundation/Harvard University, February 2011 <http://www.kff.org/kaiserpolls/upload/8159-T.pdf> (accessed February 2011).
20. US Census Bureau. "Income, Poverty and Health Insurance Coverage in the United States: 2009," http://www.census.gov/newsroom/releases/archives/income_wealth/cb10-144.html#tableb (Accessed January 2011)
21. Algernon Austin, "Getting Good Jobs to America's People of Color," November 12, 2009, Economic Policy Institute. http://epi.3cdn.net/ab4fbeca3021741679_9om6bnbp8.pdf (accessed November 2011).
22. US Department of Labor, Bureau of Labor Statistics, "Employment Situation Summary, December 2010." News release, January 7, 2011, http://www.bls.gov/news.release/archives/empisit_01072011.htm (accessed February 2011).
23. US Department of Labor, Bureau of Labor Statistics, "Economic News Release, Employment Situation Summary, January 2011," News release, March 4, 2011, <http://www.bls.gov/news.release/empisit.nr0.htm> (accessed March 2011).
24. Defined as half of all households with incomes that are above the median and the other half with incomes below the median.
25. US Census Bureau, "Historical Income Tables," <http://www.census.gov/hhes/www/income/data/historical/index.html> (accessed February 2011).
26. US Census Bureau, "Historical Income Tables," <http://www.census.gov/hhes/www/income/data/historical/index.html> (accessed February 2011).
27. Christian E. Weller, Jaryn Fields and Agbede Folayemi, "The State of Communities of Color in the US Economy," January, 2011, http://www.americanprogress.org/issues/2011/01/coc_snapshot.html (accessed January 2011).
28. Ibid.
29. Debbie Gruenstein Bocian, Wei Li, and Keith S. Ernst, "Foreclosures by Race and Ethnicity: The Demographics of a Crisis CRL Research Report," June 18, 2010, <http://www.responsiblelending.org/mortgage-lending/research-analysis/foreclosures-by-race-and-ethnicity.pdf> (accessed November 2011).
30. Martin Crutsinger and Mike Schneider, "AP analysis: Foreclosures raise US economic stress," Associated Press, Feb 8, 2011, <http://abcnews.go.com/Business/wireStory?id=12864371> (accessed February 2011).
31. Marilyn Kalfus, "Study: Latino 'foreclosure generation' devastated," The Orange County Register, February 16 2010, <http://mortgage.ocregister.com/2010/02/16/study-latino-foreclosure-generation-needs-help/26383/> (accessed December 2010).
32. Michael Fletcher, "Blacks, Hispanics hold few investments, poll shows," Washington Post, February 21, 2011, <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/21/AR2011022104350.html> (accessed February 2011).
33. "Race and Recession Survey," The Washington Post/Kaiser Family Foundation/Harvard University, February 2011 <http://www.kff.org/kaiserpolls/upload/8159-T.pdf> (accessed February 2011).
34. Barry L. Steffen, Keith Fudge, Marge Martin, Maria Teresa Souza, David Vandenbroucke and Yung Gann David Yao, "Worst Case Housing Needs 2009: A Report to Congress," US Department of Housing and Urban Development, February 2011, http://www.huduser.org/Publications/pdf/worstcase_HsgNeeds09.pdf (accessed November 2011).
35. "Race and Recession Survey," The Washington Post/Kaiser Family Foundation/Harvard University, February 2011 <http://www.kff.org/kaiserpolls/upload/8159-T.pdf> (accessed February 2011).
36. Craig Copeland, "Employment-Based Retirement Plan Participation: Geographic Difference and Trends, 2009," no. 348, October 2010, Employee Benefit Research Institute, http://www.ebri.org/pdf/briefspdf/EBRI_IB_10-2010_No348_Participation.pdf (accessed January 2011).
37. US Census Bureau. "Income, Poverty and Health Insurance Coverage in the United States: 2009" http://www.census.gov/newsroom/releases/archives/income_wealth/cb10-144.html#tableb
38. The National Bureau of Economic Research. "Social Security and Elderly Poverty," <http://www.nber.org/aginghealth/summer04/w10466.html> (accessed February 2011).

39. Social Security Administration, "Fact Sheet: Social Security Is Important to Hispanics," June 2010, <http://www.ssa.gov/pressoffice/factsheets/hispanics-alt.pdf> (accessed November 2010).
40. "Race and Recession Survey," The Washington Post/Kaiser Family Foundation/Harvard University, February 2011 <http://www.kff.org/kaiserpolls/upload/8159-T.pdf> (accessed February 2011).
41. US Department of Labor, Bureau of Labor Statistics, Current Population Survey, "Education Pays," May 27, 2010 http://www.bls.gov/emp/ep_chart_001.htm (accessed January 2011).
42. Pew Hispanic Center, "Hispanics, High School Dropouts and the GED," <http://beinglatino.wordpress.com/2010/05/14/report-hispanics-highest-drop-out-rate/> (accessed February 2011).
43. US Census Bureau, "Income, Poverty, and Health Insurance Coverage in the United States: 2009," September 2010. <http://www.census.gov/prod/2010pubs/p60-238.pdf> (accessed January 2011).
44. US Census Bureau, "Income, Poverty, and Health Insurance Coverage in the United States: 2009," September 2010. <http://www.census.gov/prod/2010pubs/p60-238.pdf> (accessed January 2011).
45. "Race and Recession Survey," The Washington Post/Kaiser Family Foundation/Harvard University, February 2011 <http://www.kff.org/kaiserpolls/upload/8159-T.pdf> (accessed February 2011).

CHAPTER 2

LABOR ISSUES AFFECTING LATINO WORKERS

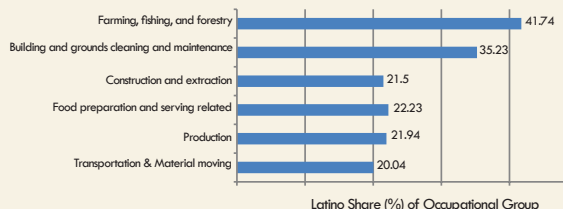
If the US economy is a many-colored fabric, then Latino workers are the foundational cross-threads on which the bright pattern is woven. Without their dependable presence in nearly every job, the US economy would literally disintegrate. Yet these workers remain stubbornly invisible to mainstream media and to those with the power to enforce and change labor laws that could help protect them. We hope that with this report, Latino workers will find allies who share our interest in making them and the challenges they face more visible throughout society. The economy needs Latino workers and these workers desperately need our attention and solidarity to overcome a variety of workplace problems.

LATINO WORKERS ACROSS INDUSTRY SECTORS

Latino workers supply the nation's fresh produce, construct and maintain our built environment, and provide a wide array of services including cleaning and food preparation. The Latino representation of over 20% in the following occupations demonstrates their fundamental role in many of America's industries: 1) farming, fishing, and forestry, 2) building and grounds cleaning and maintenance, 3) construction and extraction, 4) food preparation and serving-related, 5) production and 6) transportation and material moving. Since Latinos comprise 14.3% of the US workforce and the Latino share of the

aforesaid occupation groups exceeds 20% Latinos are overrepresented in these occupation groups. These concentrations of Latino workers highlight the substantial reliance of the agriculture, construction, and service sectors on Latino labor. And these contributions will increase as the Latino share of the workforce grows; Latinos will contribute even greater wealth to the nation's economic growth.

Occupational Groups with Latino Overrepresentation, 2010



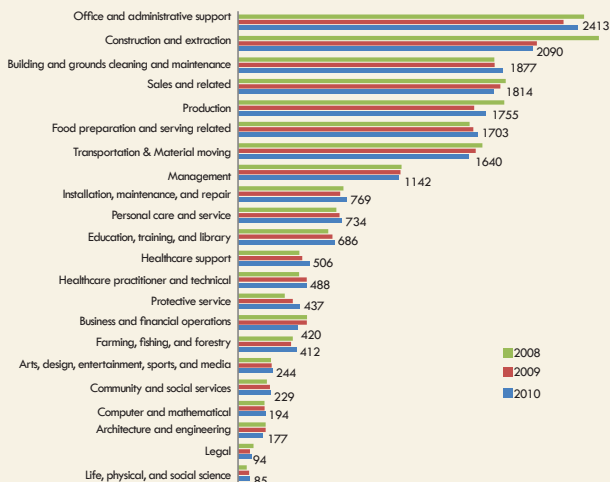
Source: LCLAA Calculation using U.S. Department of Labor, Bureau of Labor Statistics, "Table 9. Employed persons by occupation, sex, and age." <ftp://ftp.bls.gov/pub/special.requests/lf/aat9.txt> and "Table 13. Employed Hispanic or Latino workers by sex, occupation, class of worker, full- or part-time status, and detailed ethnic group" <ftp://ftp.bls.gov/pub/special.requests/lf/aat13.txt>" (Accessed January 2011)

Although a few occupation groups have high concentrations of Latino workers, Latinos are actually woven strongly into the fabric of the whole workforce, and work at a wide range of jobs. The office and administrative support occupational group has the highest percent distribution of Latinos. These next nine occupations follow: 1) construction and extraction, 2) building and grounds cleaning and maintenance, 3) sales and

related occupations sales and office, 4) production, 5) food preparation and serving, 6) transportation and material moving, 7) management, 8) installation, maintenance and repair and 9) personal care and service.

The recession has hurt the ability of Latinos to make a living in nearly all these jobs. Since 2008, the number of employed Latinos has decreased in all occupations with the exception of the service industry. The housing crisis played a major role in the decrease of employment and job hours worked in the construction sector, a traditional mainstay for the Latino community. The service industry has the highest number of Latino workers.

Latino Workers by Occupation Group, 2008-2010



Note: Numbers are in thousands.
 Source: U.S. Bureau of Labor Statistics, "Employed and experienced unemployed persons by detailed occupation, sex, race, and Hispanic or Latino Ethnicity," Current Population Survey 08-10. Conducted by the Bureau of the Census for the Bureau of Labor Statistics. Washington, DC, 2008.

WAGE VIOLATIONS- WAGE THEFT

Every year, millions of workers across the US have their wages stolen, while many also suffer injuries and even lose their lives due to job-related injuries. In particular, Latinos in the US face working conditions that make them increasingly vulnerable to both wage violations and on-the-job injuries and death. This

presents a grave problem that raises questions about inequalities in the enforcement of the safety and rights of America's workers.

Latino workers face rampant wage theft—the illegal underpayment or nonpayment of workers' wages. This violates the Fair Labor Standards Act (FLSA) which establishes the federal minimum wage and requires employers to pay time and a half for all hours worked over 40 hours per week.

A 2009 comprehensive survey of workers in three major US cities with significant concentrations of Latino workers—New York, Los Angeles, and Chicago—uncovered rampant wage and hour violations affecting low-wage workers. The investigation revealed that Latino workers suffer more minimum-wage and overtime pay violations than any other ethnic group.

The study surveyed 4,387 workers in various minimum wage industries and discovered that workers in general were actually earning 15% less than the legal minimum. Race, gender, and migratory status were significant factors in determining the groups that tend to be at risk for wage and hour violations. Latino immigrant workers suffer the most minimum wage violations, at 35.1% compared with 7.8% faced by their White colleagues. Latina women fared much worse—40% were receiving less than the minimum wage, compared with 32.8% for all Latinos. Most of the minimum wage violations occurred among undocumented workers (37%) compared with 21.3% of documented workers.

Violation of standards for overtime pay presents a serious problem affecting Latino workers. 77.6% of Latinos, both US born and foreign-born, did not receive the overtime pay they were owed. The incidence was much higher among immigrants—80% among both documented and undocumented workers.¹

These types of violations are widespread. Let us examine the restaurant and food-service industry, where Latinos make up about 22% of the food preparation and serving-related occupation group. A recent study by Restaurant Opportunities Centers

United (a group that is drawing national attention for spotlighting racial injustices in the food-service industry) shows that overtime and minimum wage violations are commonplace.² Based on more than 4,300 worker surveys, restaurant workers of color in eight regions—New York, Chicago, Metro Detroit, Los Angeles, Maine, Miami, New Orleans, and Washington, DC—earned \$3.71 less than their White counterparts. While the median hourly wage of all White workers surveyed was \$13.25, the median wage for workers of color was \$9.54.

Some of the most significant wage violations this study found were in the nation's capital and Los Angeles. In Washington, DC, 39.9% of Latino workers that worked over 40 hours were not paid 1.5 times their normal wage for their overtime hours. This violation of local and federal laws was even higher in Los Angeles with 41.1% of Latino workers not being paid for working overtime.

Shining our light on the restaurant industry reveals the high prevalence of wage violations in an industry with a high Latino representation. The incidence of these violations in one of the fastest growing industries in the United States calls attention to a national trend among workers contributing to the nation's economic recovery.

These workers are being robbed of their already-low earned wages.

As this industry continues to provide job opportunities to American and immigrant workers, it is critical that they receive just compensation for their hours of labor in order to further promote the nation's economic growth.

Although Latinos and immigrants are more vulnerable, all workers are in danger of workplace violations. Wage theft and other workplace violations will increase throughout the nation if workers remain unprotected. **Union representation can change this by integrating a watchdog in the workplace that can protect workers and help enforce rules.**

Since joining a union improves job quality and levels the playing field between workers and employers, and since immigrant workers are most

vulnerable to employer abuse, we urgently need to enact the Employee Free Choice Act (EFCA) and provide a path to citizenship for undocumented workers.

OCCUPATIONAL SAFETY AND HEALTH- JOB-RELATED ILLNESSES, INJURIES AND FATALITIES

We must also address Latinos' health and safety on the job. Latino workers suffer alarmingly high rates of job-related fatalities, disabling injuries, and chronic illnesses because they are concentrated in high-risk occupations. The Bureau of Labor Statistics began the fatality census in 1992. Between 1992 and 2006, fatal work injuries among Latino workers increased by 86%, with the number of fatalities escalating from 533 fatalities in 1992 and peaking at 990 in 2006. Between 2006 and 2009, fatalities among Latino workers have decreased by 33%. The economic downturn played a significant role in the decrease in deaths on the job in 2009 since total work hours were down 7% for Latino workers. However, Latinos still have the highest fatality rate at 3.7 per 100,000 workers, compared to 3.4 for Whites and 3.0 for African Americans.³



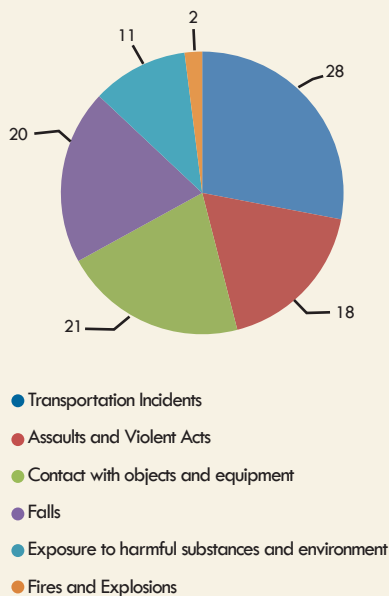
Source: U.S. Department of Labor, Bureau of Labor Statistics, "Fatal occupational injuries, employment, and rates of occupational injuries by selected worker characteristics, occupations, and industries, 2009," Census of Fatal Occupational Injuries, 2007. Washington, DC, 2009, http://www.bls.gov/iif/oshwc/cfoi/cfoi_rates_2009.pdf. Data obtained for the chart from the same table for previous years.

For Latinos born outside the US, the statistics are even more grim. **In 2008, out of 804 fatal injuries among Latino workers, 503 (63%) occurred the foreign-born workers.**⁴ In 2009, out

of a total of 4,340 recorded fatal work injuries in the US, 15% of the fatalities involved Latino workers (668 deaths). Although there was a 17% decrease in the number of Latino fatalities between 2008 and 2009, the foreign-born share of the Latino workplace fatalities remained elevated, constituting 58.8% of the 2009 death toll of 668. This suggests that foreign-born workers do the most dangerous work.⁵

When we segment the total number of Latino fatalities by type of job-related incident, we see that the top three incidents accounting for the majority of fatalities were: transportation incidents (28%), contact with objects and equipment (21%), and falls (20%). Other incidents resulting in death for Latinos included assaults and violent acts (18%), and exposure to harmful substances and environments (11%).

Fatal occupational injuries among Latino workers by event or exposure



Source: LCLAA Calculation using U.S. Department of Labor, Bureau of Labor Statistics, "Fatal occupational injuries by selected worker characteristics and selected event or exposure, 2009," news release, August 19, 2010, <http://www.bls.gov/iif/oshwc/cfoi/ctfb0247.pdf> (accessed November 2010).

Department of Labor (DOL) statistics demonstrate that in 2009 there were a total of 1,238,490 cases of non-fatal injuries and illnesses requiring

days away from work in the private sector, state government, and local government. Whites represented 41% of all illnesses and injuries involving days away from work while, Latino workers had the highest number of reported cases of any non-White racial or ethnic group—11% (140,690 cases) followed by African American at 8% (101,800 cases). There is no race or ethnicity data reported for 37% of all the cases (459,150).

If there is any silver lining to the cloud of high unemployment in the construction industry, it may be the accompanying slowdown in workplace injuries. Historically, the construction industry has accounted for a larger share of injuries and fatalities; a decline in reported cases in this sector can be attributed in part to a decrease in employment and hours worked in this occupation.

LATINO CHILD LABOR IN AGRICULTURE

Every time that we sit to enjoy a meal—whether we do it alone before a computer screen as we multi-task or in the company of friends and loved ones—we should take a moment to think about the provenance of each ingredient. Unless you grow your own food, a farmworker has played a role in ensuring that produce, in whatever form, has reached your table. Among the hands that cultivate and harvest our nation's produce under sweltering and deplorable conditions, there are those of children who labor in farm fields across the country.

These brutally difficult jobs endanger children. Hundreds of thousands of children labor in agriculture, one of the nation's most dangerous industries where over 90,000 workers suffer job-related disabling injuries annually. The agriculture, forestry, fishing and hunting industry reported the highest fatal work injury rate of 26.0 per 100,000 full-time workers in 2009. Combined, these sectors accounted for 551 deaths out of a total of 4,340 fatal injuries.⁶ The Latino share of the workforce in farming, fishing and forestry is 41.74% — a

higher representation of Latinos than in any other occupation.

Alarming, despite the high risk for occupational injuries and fatalities, more than 500,000 children work in agriculture. Federal legislation and regulations to protect non-farmworkers fail to provide adequate protection for hired farmworkers. **Under federal law, there is no minimum age limit for children who labor on small farms with parental consent.** The Fair Labor Standards Act of 1938 (FLSA) prohibits “oppressive child labor” or the employment of children in occupations in which they do not meet the minimum age requirements of the Act. The minimum age has been usually set at 16 years for all occupations; however, agriculture is an exception.⁷ When children reach 12 years of age, they can be hired to work on any sized farm and work days that include long hours of arduous work under perilous conditions only to receive low compensation. **It is morally reprehensible that federal law allows for children to work for unlimited hours in agriculture.** Interviews of children farmworkers as young as 8 years old conducted by Human Rights Watch indicated that the majority reported making less than the federal minimum wage.

Farmworkers are excluded from overtime pay protections under the FLSA and the right to organize and bargain collectively under the National Labor Relations Act. The only exceptions are those in states where state law has filled this void to protect workers’ right to organize.

The injury and death rate on farms is gruesomely high. Approximately 1,818,000 full-time workers were employed in production agriculture in the US in 2008. Between 1992 and 2007, 8,088 farmers and farmworkers died from work-related injuries in the US. The leading cause of death for these workers was tractor overturns, accounting for an average of 96 deaths annually. Annually, approximately 113 youth under the age of 20 die from farm-related injuries (1995-2002). The highest incidences of death occur amongst youth 16-19 years of age (34%).⁸

Younger Latino workers had a fatality rate of 5.6 per 100,000 full time employees (FTE) which was considerably higher than the rate for non-Latino White workers (3.3 per 100,000 FTE) and for non-Latino African American workers (2.3 per 100,000 FTE). Younger workers experienced the highest rates of fatal injury in mining (36.5 per 100,000 FTE), agriculture (21.3 per 100,000 FTE), and construction (10.9 per 100,000 FTE).⁹

Children in the agriculture workforce

- 1.12 million children and adolescents under 20 years of age lived on farms in 2006.
- 590,000 of these youth performed work on the farms.
- An additional 307,000 children and adolescents were hired to work on US farms in 2006.

Leading sources of fatal injuries to youth on US farms (2006 data):

- Machinery (including tractors): 23%.
- Motor vehicles (including ATVs): 19%.
- Drowning: 16%.

Non-fatal injuries occurring on farms

- 23,100 children and adolescents were injured on farms.
- 5,800 of these injuries were due to farm work (2006 data).

Desperate economic conditions are responsible for children’s participation in agricultural work. **On average, a farmworker makes \$7,500 a year or less.** More family members in the field means more money for the family’s survival. Unemployment and poverty rates among farmworkers are twice those of all wage and salaried workers.

An incongruence in US law allows for children to perform jobs in agriculture that would be too dangerous and limited to adults in other industry sectors. Working in the fields entails using sharp objects, often without protective gear. Additionally, farmworkers face the risk of heat stroke and exposure to harmful chemicals via direct contact with the residues or by inhaling them in the air, drinking the water or ingesting residues in the produce. Exposure to

pesticides in this working environment can lead to health problems including: mild headaches, fatigue, nausea, skin rashes, systemic poisoning, eye irritation, burns, and paralysis—conditions that can even result in death. Chronic conditions can include neuropsychological disorders and cancer.¹⁰

A lack of proper sanitary facilities combined with limited access to health care due to financial and language barriers exacerbates the health concerns among this socially and economically disadvantaged workforce.¹¹

Child farmworkers miss out on basic education when financial need and farm work conflict with school attendance. To find work, an estimated 40% of farmworkers migrate to the US or move within the country. Children leave school for the fields, missing weeks if not months of instruction. Latinos in the US are facing an education crisis: only 41% of adults age 20 and older do not have a high school diploma, compared with 23% of African American adults and 14% of White adults. There is a positive relationship between higher levels of education and higher income. Those who don't further their education face limited employment opportunities. In 2008, Latino adults with a GED had an unemployment rate two points higher than that of Latino adults with a high school diploma—9% for the former and 7% for the latter.¹² For child farmworkers, meeting basic needs and the nature of their job limit their educational advancement. One third will drop out of high school. Those lacking a high school diploma are left with few economic prospects and may be condemned to a life of poverty.¹³

America's society as a whole cannot continue to turn a blind eye to the vulnerability of children in the agricultural industry. Whether they work on their family's farm or migrate to contribute to the household income and/or to keep the family together, child farmworkers face dream-crushing exploitation and conditions that undermine their safety, health and educational advancement.

MISCLASSIFICATION OF WORKERS

As states struggle to reduce budget deficits, protecting workers can help pour more money into state coffers, but only if the misclassification of workers is addressed aggressively. By law, employers are required to pay payroll and unemployment taxes as well as provide workers' compensation for their employees and deduct Social Security withholdings. **Some employers misclassify their employees as independent contractors in order to avert these responsibilities and cut costs. These employers are labor and tax violators.** Misclassified workers lack access to employee benefits such as health insurance, pensions, vacations or sick days. As independent contractors they do not have the option to rely on social programs like unemployment insurance and workers' compensation if they experience job loss or suffer job-related injuries.

A study commissioned by the Department of Labor shows that up to 30% of companies misclassify their workers; the Bureau of Labor Statistics estimates that there were 10.3 million workers classified as independent contractors in 2005. **How many of these workers were misclassified remains uncertain, but many may not be aware that they have been misclassified and/or that they lack worker protections and benefits for this reason.**¹⁴

The occupations with the most misclassified workers include construction workers, truck drivers, home health aides and high-tech engineers.¹⁵ Misclassification can have dire consequences for the workers: these occupations accounted for a significant share of the total fatal occupational injuries in 2009 (4,340 total reported deaths), with 550 deaths among truck drivers and 607 among construction trades workers.¹⁶

In 2009, the number of reported nonfatal occupational injury and illness cases that required days away from work for private sector construction laborers was 23,860. This occupation group had an incidence of 356 per 10,000 full-time workers for

same year. In the private industry, 18% (172,820 cases) of all occupational injuries occurred in the healthcare and social assistance occupation group. This represents the highest incidence rate in this industry.

Misclassifying workers to cut costs can have devastating consequences in occupations where workers run a high risk of incurring job-related injuries, illnesses and fatalities. Misclassified workers are often denied access to basic employee benefits, a situation with detrimental implications for the health, safety and overall well-being of all workers. This situation is particularly grave for Latinos who are heavily represented in these occupations and have limited access to health care coverage and employer-provided pensions. Immediate and aggressive action is needed at the state and federal level to ensure that employers are not circumventing their financial obligations to the government.

Addressing the issue of worker misclassification can help the government increase revenue while it protects workers. Increased enforcement will help mitigate wage violations and increase worker access to the benefits they are entitled to under the law.

REFERENCES

1. Annette Bernhardt, Ruth Milkman, Nik Theodore, et al, "Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in American Cities," Center for Urban Economic Development, National Employment Law Project, UCLA Institute for Research on Labor and Employment, Aug 3, 2009, http://nelp.3cdn.net/1797b93dd1ccd9e7d_sdm6bc50n.pdf (accessed January 2011).
2. "Behind the Kitchen Door: A Multi-Site Study of the Restaurant Industry," Restaurant Opportunities Centers United, February 14, 2011, http://www.rocunited.org/files/1101_BKD_EXEC_final.pdf (accessed January 2011).
3. US Department of Labor, Bureau of Labor Statistics, "Census of Fatal Occupational Injuries, 2010," August 19, 2010, http://www.bls.gov/iif/oshwc/foi/foi_rates_2009hb.pdf (accessed January 2011).
4. "Death on the Job The Toll of Neglect: A National and State By State Profile of Worker Safety and Health in the United States," 19th Edition, April 2010, AFL-CIO, http://www.aflcio.org/issues/safety/memorial/upload/dotj_2010.pdf (accessed January 2011).
5. US Department of Labor, US Bureau of Labor Statistics, "Table 4. Fatal occupational injuries by selected worker characteristics and selected event or exposure, 2009." News release, August 19, 2010 <http://www.bls.gov/news.release/foi.t04.htm> (accessed January 2011).
6. US Department of Labor, Bureau of Labor Statistics, "National Census Of Fatal Occupational Injuries In 2009," news release, August 19, 2010, <http://www.bls.gov/news.release/pdf/foi.pdf> (accessed November 2010).
7. Jack L. Runyan, "Federal Laws and Regulations Affecting Farm Safety," US Department of Agriculture, Food and Rural Economics Division, Economic Research Service, 2001, (accessed November 2010).
8. "Workplace Safety and Health Topics: Agricultural Safety," Center for Disease Control and Prevention, April 30, 2009, <http://www.cdc.gov/niosh/topics/aginjury/> (accessed November 2010).
9. Centers for Disease Control and Prevention, "Occupational Injuries and Deaths Among Younger Workers — United States, 1998–2007," Morbidity and Mortality Weekly Report 2010; Vol. 59 No. 15: 449-475, April 23, 2010, <http://www.cdc.gov/mmwr/PDF/wk/mm5915.pdf> (accessed November 2010).
10. US Government Accountability Office, "Pesticides: Improvements Needed to Ensure the Safety of Farmworkers and Their Children," March 14, 2000, <http://www.gao.gov/archive/2000/rc00040.pdf> (accessed September 2010).
11. William Kandel, "Profile of Hired Farmworkers, a 2008 Update," US Department of Agriculture, Economic Research Service, Report Number 60, July 2008, <http://www.ers.usda.gov/Publications/ERR60/ERR60.pdf> (accessed November 2010).
12. Richard Fry, "Hispanics, High School Dropouts and the GED," Pew Hispanic Center, May 13, 2010, <http://pewhispanic.org/reports/report.php?ReportID=122> (accessed November 2010).
13. "Fields of Peril: Child Labor in US Agriculture," Human Rights Watch, May 2010, <http://www.hrw.org/en/reports/2010/05/05/fields-peril> (accessed January 2011).
14. US Government Accountability Office, "Employee Misclassification: Improved Coordination, Outreach, and Targeting Could Better Ensure Detection and Prevention," Report to Congressional Requesters, August 2009, <http://www.gao.gov/new.items/d09717.pdf> (accessed January 2011).

15. Steve Greenhouse, "US Cracks Down on 'Contractors' as a Tax Dodge," *The New York Times*, February 17, 2010, <http://www.nytimes.com/2010/02/18/business/18workers.html> (accessed January 2011).

16. US Department of Labor, Bureau of Labor Statistics, "2009 Census of Fatal Occupational Injuries," <http://www.bls.gov/iif/oshwc/foi/cfb0245.pdf> (accessed January 2011).

CHAPTER 3

UNIONS AND LATINOS: A STRATEGIC PARTNERSHIP FOR AMERICA'S PROGRESS

Though both Latinos and the labor movement are under attack and may have fallen to their knees in recent years, by joining hands they will have the strength to lift each other back up. Unions are at historical low levels of membership and urgently need Latino workers in order to grow. Latinos are currently the most vulnerable workers in the nation and urgently need the protections and benefits that unions provide.

With union membership hovering at around 7% in the private sector, Latinos—by virtue of their enormous numbers in service-sector and construction jobs—will play a pivotal role in bringing unions' share of the workforce back up to healthier levels. Latinos' youth relative to other populations and their rapid growth as a group make them even more attractive as potential union members.¹ At the same time, Latino workers currently face the highest occupational fatality rate, high levels of wage theft and the lowest levels of pension coverage and health insurance. As a group, Latinos also earn the lowest wages.²

Because of this combination of factors, Latinos are perfectly poised to join unions in large numbers. Unionization will provide this widely exploited population a bigger voice and protection to improve their working conditions and economic standing.

Widespread unionization of Latino workers can reinvigorate the labor movement and at the same time improve Latinos' economic conditions through better jobs, higher wages and benefits.

Considering the rapid population growth of Latinos in recent years, there is ample room for growth in union membership among Latino workers. By strengthening the labor movement, Latinos in unions will also strengthen the middle class.

And it is clear that unions need Latinos in order to survive. For unions to continue to be a source of power and protection for all workers, they must face the reality that an aging workforce and membership are causing their numbers to diminish fast. In 2009, the largest age group of unionized workers was 55 to 64 years old, comprising 16.6% of all membership.³ By contrast, the lowest union membership rate was among workers in the 16 to 24 age bracket at 5.7%. These figures indicate that unions will have to attract younger workers. **To do so, they must organize more Latinos, who are, a decade younger than other ethnic groups.** The US workforce is getting older: in 2010 there were 40.2 million people who were 65 years and older, by 2030 that number will more than double and will reach 84.2 million.⁴ People 65 years and over will comprise about 12.9% of the current population and 19.3% of the population in 2030.⁵ By contrast, 18-24 year olds represent 11% of all Latinos, and this percentage is expected to increase. Due to this population growth and the young age of Latinos in our population and our labor force, Latino workers are uniquely situated to expand union membership for years to come.

THE LEGACY OF ORGANIZED LABOR AND ITS RELEVANCY TODAY

Organized labor's legacy exerts a deep humanizing influence in our places of work and on federal workplace policies. Establishing mandatory minimum wage, paid sick leave, Social Security, Medicare and child labor laws are among the protections and benefits that workers in unions have helped secure for millions of Americans. The 40-hour workweek, which allows time for rest and leisure, did not materialize from one day to the next; it was the subject of a hard-fought battle spearheaded by unions. Another arduous fight led by hundreds of thousands of union members who marched, fasted, lost their jobs and even, in some cases, their lives, won US workers the now-standard eight-hour day. At the heart of labor unions is collective bargaining to give workers leverage to negotiate with employers for higher wages, job security, and improved working conditions.

And the middle class needs unions now more than ever. Through collective bargaining, unions helped expand the middle class in America by raising wages and improving job security and quality for workers. A recent report by the Center for American Progress demonstrates an association between the financial share of the nation's income going to the middle class and the number of workers in unions. However, this share has declined significantly over the last forty years along with union membership.⁶ **US Census Bureau figures indicate that as our middle class erodes, the income disparity between the richest and poorest Americans has widened.** Households in the highest quintile with incomes of \$100,001 or more are receiving 50.3% of the total share of the nation's income compared to the lowest quintile—those making \$20,453 or less- which received 3.4%.⁷ And more Americans are now living in poverty. In 2009, the number of people in poverty was the highest it has been in more than half a century since poverty estimates were made available in 1959.

During the Great Depression, a large majority of American people held favorable opinions of labor unions and millions of workers formed them or joined them. Their work contributed to the nation's economic recovery.⁸ American workers can learn from that historic moment and join unions so that together they have a strong collective voice to demand better jobs with higher wages. Increases in wages lead to greater consumer spending which fuels our economy and in turn lead firms to produce, hire more workers and invest more. This productive cycle continues promoting economic growth. **Simply put, unions aid in economic recovery.**⁹

Labor unions strengthen our economy, our tax base and help build the middle class by helping workers secure higher incomes, critical benefits and workplace protections. Unions are part of our economic fabric and collective bargaining is a testament to America's democratic process.

Yet, despite the vital role unions play in protecting workers and revitalizing our communities and our nation, the share of workers represented by a union is in decline and will continue to shrink if state legislatures adopt so-called "right-to-work" (RTW) legislation. **Union membership has dropped since 1973 for two major reasons: federal legislation giving employers the upper hand in using tactics (both legal and illegal) to prevent workers from organizing; and the shift of the US economy away from producing goods and toward providing services.**

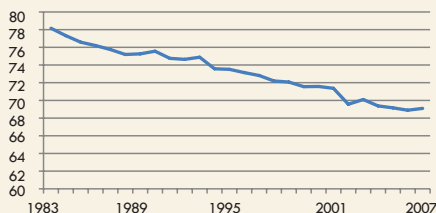
OVERALL VIEW OF UNION MEMBERSHIP AND LATINOS IN UNIONS

Over the past 30 years, unions have been trans-formed with the changing workforce and economy. They have become more diverse and the bulk of their membership has shifted from manufacturing to the service industry. In 1983, about 29.7% of union workers were employed in manufacturing; this percentage decreased to 11% in 2008.¹⁰

In 1983, the first year comparable statistics were made available and when the government first began collecting systemic annual data on workers' union status, over half of the unionized workforce or 51.7% consisted of White men.¹¹ This is no longer the case. Today, White men account for only about 38% of union workers. **As the workforce diversifies, so does the labor movement: the share of Asian Pacific Americans, Latinos and women overall has surged.**

But that is not to say that unions' diversity has kept pace with that of the general workforce. Unions have incorporated large shares of Latinos and recent immigrants but these numbers have not matched these groups' rate of growth in the economy. In 2008, Latinos were 12.2% of the unionized workforce, up from 5.8% in 1983. Of these 7.4% are Latino men and 4.8% are Latino women. In that same year, 12.6% of union workers were immigrants, up from 8.4% in 1994 (the earliest year for which we have consistent data). Such a large increase in the share of Latino workers in the union workforce is similar to the increase of Latinos in the overall workforce, but it trails behind.¹²

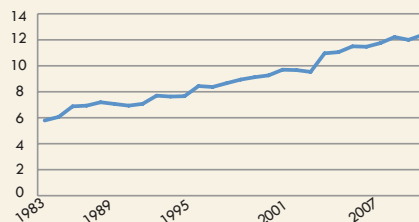
Share of Union Members who are White, 1983-2008 (%)



Source: John Schmitt and Kris Warner. "The Changing Face of Labor, 1983-2008." <http://cepr.net/documents/publications/publications/changing-face-of-labor-2009-11.pdf>

The groups whose share in the unionized workforce increased most in the last 25 years are: White women (up 4.6 percentage points), Latino men (up 3.6 percentage points) and Latino women (up 2.8 percentage points). The only group that experienced a large drop in their share was White men (down 13.6 percentage points).¹³

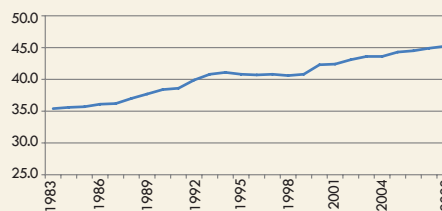
Share of Union Members who are Latino, 1983-2010 (%)



Source: John Schmitt and Kris Warner. "The Changing Face of Labor, 1983-2008." <http://cepr.net/documents/publications/changing-face-of-labor-2009-11.pdf> and LCLAA Calculation based on "Table 1. Union Affiliation of Employed Wage and Salary Workers by Selected Characteristics" 2009-2010. Bureau of Labor Statistics, <http://www.bls.gov/news.release/union2.t01.htm>

As the song goes, "The rising of the women means the rising of us all." Women represent a central segment of the union workforce. In 2008, 45.2% of unionized workers were women, up from 35.4% in 1983, an increase of 9.8 percentage points and more than three times the increase of their share in the total workforce.¹⁴ At the current rate they are expected to be the majority in the labor movement by 2020. **Latinas have a strong incentive to claim a powerful position within the labor movement, since they face unique challenges and levels of vulnerability in the workplace.** A surge in Latina union membership and leadership could help reverse some of these trends and stop the continuous violations of their rights.

Share of Union Members who are Women, 1983-2008 (%)

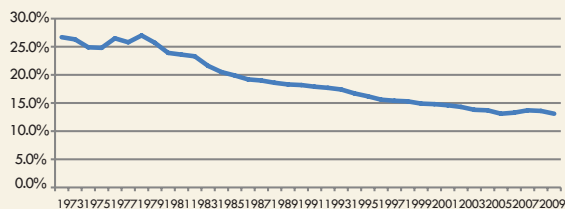


Source: John Schmitt and Kris Warner. "The Changing Face of Labor, 1983-2008" (November 2009), Center for Economic and Policy Research, <http://cepr.net/documents/publications/changing-face-of-labor-2009-11.pdf>

DECLINE FOR ALL IN LABOR

The labor movement has been under serious attack in the last several decades. **These attacks have helped to reduce the total number of unionized workers in the nation and for all groups.** Corporate lobbying interests have managed to change the way labor laws are applied and administered. Employer militancy against workers, trade pressures and the erosion of bargaining power have all contributed to weaken unions and their unique structural ability to raise wages and improve working conditions. The share of workers represented by unions was relatively stable in the 1970s but starting in the 1980s it started falling rapidly. This decline has had a serious effect on the wages and quality of work and work environment of all workers because now there is less pressure on non-union employers to raise wages and improve the working conditions of their workers.¹⁵

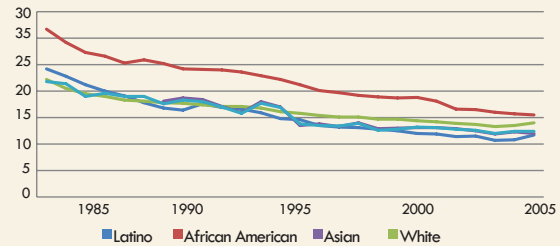
Union Coverage Rate in the U.S., 1973-2010



Source: Barry T. Hirsch and David A. Macpherson, "Union Membership and Coverage Database from the Current Population Survey:" (2011). <http://unionstats.com> and Bureau of Labor Statistics Data

From 1983 to 2008 the unionization rate for all race/ethnic groups and genders declined. The largest drop was for African American men, 19.1 percentage points. But the decline for Latino men was the next largest, from 27.0% to 12%, a 15 percentage point drop. The rate for Latino women also fell from 20.1% to 11.2% in 2008, representing a 8.9 percentage point drop.

Unionization Rate by Race/Ethnicity, 1983-2008



Source: John Schmitt and Kris Warner. "The Changing Face of Labor, 1983-2008" (November 2009), Center for Economic and Policy Research, <http://cepr.net/documents/publications/changing-face-of-labor-2009-11.pdf>

If unions are to survive and rebuild in the near future, there is no doubt that Latinos and all minorities will have to participate. But we have much work to do to achieve this. There must be campaigns and strategies targeted at Latinos, in English and Spanish. There must be a rapid change in union leadership that also reflects the inclusion of minorities. These are the first steps towards facilitating the rapid growth of these workers in the labor movement.

STATE PUBLIC SECTOR BATTLES AND NATIONAL IMPLICATIONS

As states face mounting budget crises, worker organizations have become the target of legislative proposals. Under the pretext of budget-balancing, governors and state legislatures across the nation are using the fragile state of our economy as a pretext to propose so-called "right-to-work" legislation and other anti-worker bills. These bills scapegoat unions for the crisis and aim to weaken their ability to negotiate on behalf of workers. **Wisconsin, Ohio, Indiana, Michigan, Tennessee, Iowa and Florida are among a growing number of states with legislatures proposing bills to destroy workers' right to bargain collectively in the workplace.** These intense efforts to undermine the balance between workers and their employers threaten

the middle class. Instead of creating more jobs, their proposals are not only leading to a reduction in the number of jobs, but also diminishing the role of unions in improving the quality of jobs for American workers.

State legislators in at least nine states plan on introducing legislation expressly designed to limit the power of unions. Some of these new laws include prohibiting public school teachers from going on strike, restricting collective bargaining to wages and banning unions from collecting union dues from members.¹⁶

Scapegoating public sector workers and stripping collective bargaining rights has become the modus operandi of politicians seeking to reduce budget deficits. **In Wisconsin, Governor Gov. Scott Walker has proposed reducing a \$3.6 billion budget deficit by eliminating the collective-bargaining rights of public employees.** Local police, firefighters-unions that supported the Republican governor- would be exempt from this measure raising questions about whether this is part of Governor Walker's political vendetta against unions who support Democratic candidates. Under the governor's proposal, unions would be able to represent workers but would have to seek a public referendum if they wanted to achieve pay increases for workers that exceed those pegged to the Consumer Price Index. Dealing a big blow to unions the proposal would also require for annual votes to be held for the workforce to remain unionized. And unions would not have the right to require workers to pay union dues. If the measure fails to pass in the state senate, the governor has threatened to lay off 6,000 state workers unless they agree to concessions which require public workers to pay more for health care and pensions.¹⁷

Luckily for American workers, Wisconsinites found Walker's actions intolerable and took to the streets to tell him so. **The events of February and early March in Madison are still unfolding as of this writing, but hundreds of thousands of union members, students and ordinary citizens across the state have demonstrated in and around the state**

capitol for weeks to pressure Walker to back down. A serious effort is also under way to recall Walker and the state legislators who backed his proposal. Wisconsin's brave people have inspired similar demonstrations in Ohio, New Jersey, Indiana, Iowa and Florida, raising the possibility of a long 2011 fight across many states to stop the attacks on public workers from being codified into law.

Wisconsin is just one of many states in line for union-busting activity in the guise of cost-reduction measures. Arizona, Florida, Indiana, Iowa, Michigan, New Hampshire, New Jersey, New Mexico, Ohio, and other states will follow. These proposals have grave implications for unions across the country. The labor movement draws its strength from its greater union density in the public sector. In 2010, the private sector unionization rate fell to 6.9% from 7.2% in 2009 while the public sector union membership rate fell from 37.4% in 2009 to 36.2% in 2010.¹⁸ **Crippling public sector unions would deal a sharp blow to organized labor and the workers it represents.**

Instead of blaming unions and proposing to reduce their numbers, American workers should look to unions for economic security through union-provided benefits. In lieu of "pension envy" towards the unionized workers, more should join unions and attain job security and higher wages. The widening gap between the rich and the poor in our nation threatens our democracy which relies on a strong middle class.¹⁹ Through unions, American workers can protect themselves and their families. Only through a union can workers have an equal voice when facing their employers.

RIGHT TO WORK FOR LESS

Limitations on the ability of labor to embolden workers and increase their quality of life are reminiscent of the 1947 Taft-Harley Act which restricted "closed" union shops. So-called "right to work"—better termed "right to work for less"—legislation ensued, beginning in the 1950s. These

laws result in lower wages, and compromise worker safety and health. Twenty-two states in the US currently enforce these laws which weaken unions by allowing workers to “opt out” of dues-paying membership while still forcing unions, where they exist, to include even the non-dues-paying members in their collective bargaining agreements. A wave of efforts to undermine workers’ rights to have a voice in the workplace and the power to bargain for better working conditions, wages and benefits are underway as several state legislatures introduce so-called “right to work” legislation. Passage of these measures would be detrimental to union density and future growth since it would prohibit union membership as a condition of employment. Such a law passed in New Hampshire, has been introduced in Indiana and is emerging in Maine, Pennsylvania, Ohio, Michigan, Missouri, New York, New Jersey, Florida and Iowa.

Workers in states with so-called “right to work” laws make about \$5,333 a year less than workers in other states. (\$35,500 compared with \$30,167).²⁰ Working families in free-bargaining states have higher wages and benefit from healthier tax bases that improve their quality of life. Right to work states endanger workers who without strong unions cannot push for more scrupulous safety standards in their workplace. These states have a higher rate of workplace deaths (51%), according to the Bureau of Labor Statistics.

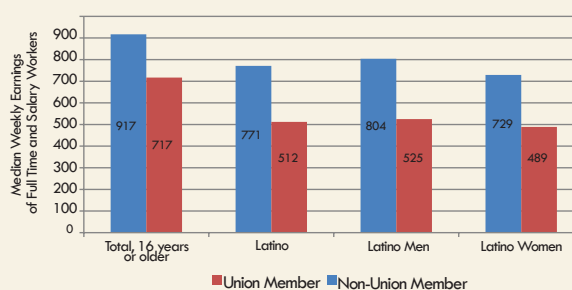
Do these laws attract huge new business to a state? No. The majority of states that adopted RTW legislation did so over 30 years ago. Despite claims by RTW proponents that overstate the impact of RTW laws on employment, states without this legislation experienced faster job growth than 17 of the 22 RTW states without it. At the same time, both the highest and lowest unemployment rates were also found in RTW states by the end of 2010. To, to assess the impact of RTW laws apart from other economic policies in the state that may affect job growth, recent studies have analyzed states with and without RTW legislation while also controlling for a variety of economic factors. The findings underscore that RTW

laws had no statistically significant impact on the rate of employment growth or the number of new businesses created in a state. States considering adopting RTW codes must understand that restricting workers’ rights will simply not boost economic activity.²¹

THE UNION DIFFERENCE FOR LATINOS

The moment Latino workers get a union contract, they start making better wages and working in safer and healthier environments. Union membership boosts median weekly earnings for Latino workers and their overall conditions. **Latino workers benefit the most of any other ethnic group with respect to median weekly earnings.**²² **Latino union workers earn almost 51% more than their nonunion counterparts.** For African Americans, the union advantage is 31%. The union advantage for Whites is 23%. For Asian workers the union advantage is close to 1%. Latino workers in unions stand to gain higher weekly earnings. Both men and women gain through union membership: Latino men benefit by 53% compared to Latino women whose union advantage is at about 50%.^{23,24,25}

The Union Difference in Median Weekly Earnings, 2010



Source: Bureau of Labor Statistics. Table 2. Median weekly earnings of full-time wage and salary workers by union affiliation and selected characteristics, 2010." Released January 21, 2011. <http://www.bls.gov/news.release/union2.t02.htm>

According to the Economic Policy Institute, Latinos have the highest level of union wage premium: the extra dollars per hour and the higher wage percentage earned by union workers covered

by a collective bargaining contract. For Latinos this yields a union premium of 21.9%, 18.3% for African American and 12.4% for Whites. Moreover, unionized immigrant workers obtain a premium that is comparable to other workers.²⁶

Unionized Latinos were also more likely to have access to health insurance. Latino union members were 26 percentage points more likely to have employer-provided health insurance and 27 percentage points more likely to have a pension plan than similar non-union workers. Since Latinos are overrepresented in low-wage occupations, it is also important to analyze the benefits of unionization in this area and we find that the benefits are also high. Latino workers in low-wage occupations earned 16.6 % more than non union workers. These Latino union workers were 41 percentage points more likely than comparable non-union workers to have employer-provided health insurance and 18 percentage points more likely to have a pension plan.²⁷ As Latinos are almost 10 years younger than the national average, let us measure the benefits that unionization has for young workers. Unionization raises young workers' wages by over 12%, or \$1.75 per hour, they are also 17 percentage points more likely to have health insurance and 24 percentage points more likely to be in a pension plan than their non-union counterparts. For these young workers in low wage occupations unionization also raises their wages by over 10%, are 26 percentage points more likely to have health insurance and 27 percentage points more likely to be in a pension plan.²⁸ **Given these huge benefits, young Latino workers should be among the easiest groups to attract into unions. It behooves unions to educate them about what they would gain if they joined.**

By looking at all the data, we can conclude that **protecting collective bargaining and the right of workers to organize will have an important impact on the benefits and wages of Latino workers.**

THE SPECIAL CASE OF PUERTO RICO: PUBLIC LAW 7

The Commonwealth of Puerto Rico provides an excellent example of the intense hostility targeted at public sector workers—resulting in mass layoffs and exacerbating already elevated unemployment rates in the island. Puerto Rico has 3.8 million people, 1.2 million at work in the island's labor force.^{29,30} In 2010 the unemployment rate was 16% an increase from 2009 at 15.0%.³¹

In 2009, proposing to reduce Puerto Rico's budget deficit, Governor Luis Fortuño adopted Public Law 7, thereby laying off thousands of public sector workers and suspending collective bargaining rights for public sector employees. Not only does this move mimic the neoliberal playbook of many Latin American countries (and increasingly US states) dealing with economic crises, but it also hurts the most vulnerable people of Puerto Rico and will not aid in the recovery of the economy. Public Law 7 follows the same austerity formula that other Latin American countries have followed, and some of the consequences are all too clear:

- **It will increase the already high unemployment rate on the island as a result of laying off thousands of public sector workers;**
- **It will weaken the role of unions** since it suspends collective bargaining for contracts in the public sector and affects labor rights;
- **It exacerbates the current economic crisis** since it reduces the productivity of the public sector at a time when there is an increased need for public services;
- **It pushes for more privatization** and deregulation;
- **It may be unconstitutional** since it violates the statute which prohibits the passage of laws that impair contracts.

This austere neoliberal formula does not work. Three decades of experimenting in Latin America and

following these development guidelines suggested by the International Monetary Fund and the World Bank have had very clear results: poverty has continued or increased, inequality has seen a drastic increase, public investment has decreased significantly, everything was privatized (creating private monopolies in many instances), and immigration has increased considerably.

The appropriate use of stimulus package (ARRA) funds to stimulate and stabilize the economy is critical. Public Law 7, on the other hand, counteracts the goal of stabilization and recovery of the economy since it does not provide a vision for growth and shared prosperity. The central purpose of the stimulus package is the protection and creation of jobs, but the clearest indicator that Public Law 7 would thwart such plans is the fact that it eliminates approximately 30,000 family-wage public sector jobs.

A truly democratic society requires the ability to restore balance when the disproportionate accumulation of power results in excessive inequality and abuse by corporate interests. **Unions have the capacity to restore this fair and healthy balance in the workplace and in society.** Public Law 7, however, removes the ability of workers to bargaining for collective contracts, which translates into a direct attack on working families. A recent report based on Census data from 2007 demonstrates a correlation between public sector workers and the strength of the middle class: 50% of married couple middle class families (with annual incomes between 30,000 and 80,000), and with at least one regularly employed adult have at least one family member in the public sector.³² A reduction in the number of public sector workers will disproportionately hurt the middle class.

An economy built on a foundation of inequality will never succeed. A solid middle class is what defines developed nations and societies. **Puerto Rico has two options** in order to overcome the economic crisis: one is to mimic or implement the broken neoliberal policies that many Latin American countries have followed. **The other is to follow common sense for-**

mulas used by developed countries, such as greater public investment and spending to encourage the creation of jobs and stimulate the economy. Unfortunately for the working people of Puerto Rico, Public Law 7 represents the opposite of this common sense formula.

REFERENCES

1. Jeffery S. Passell and D'Vera Cohn, "U.S. Population Projections: 2005-2050, Pew Research Center: Social and Demographic Trends," February 11, 2008, <http://pewhispanic.org/files/reports/85.pdf> (accessed February 2011).
2. See first chapter.
3. US Bureau of Labor Statistics, "Table 1. Union Affiliation of Employed Wage and Salary Workers by Selected Characteristics," January 2011, <http://www.bls.gov/news.release/union2.t01.htm> (accessed February 2011).
4. US Census Bureau, 2005-2009 American Community Survey, "ACS Demographic and Housing Estimates: 2005-2009," http://factfinder.census.gov/servlet/ADPTable?_bm=y&-geo_id=01000US&-qr_name=ACS_2009_5YR_G00_DP5YR5&-ds_name=&-_lang=en&-redoLog=false&-format=
5. US Census Bureau 2008, "Projections of the Population by Selected Age Groups and Sex for the United States, 2010 to 2050," <http://www.census.gov/population/www/projections/summarytables.html>, (accessed January 2011).
6. Karla Walter and David Madland, "Report: As Union Membership Rates Decrease, Middle Class Incomes Shrink," Center for American Progress Action Fund, January 20, 2011, <http://wonkroom.thinkprogress.org/2011/01/20/report-incomes/> (accessed January 2011).
7. US Census Bureau, "Income, Poverty, and Health Insurance Coverage in the United States: 2009," September 2010, <http://www.census.gov/prod/2010pubs/p60-238.pdf> (accessed February 2011).
8. James Surowiecki, "State of the Unions," New Yorker, January 17, 2011, http://www.newyorker.com/talk/financial/2011/01/17/110117ta_talk_surowiecki#ixzz1AjLZJc2 (accessed January 2011).
9. Dean Baker, "The Recession and the Freedom to Organize," AFL-CIO, http://www.aflcio.org/mediacenter/speakout/dean_baker.cfm (accessed February 2011).
10. John Schmitt and Kris Warner, "The Changing Face of Labor, 1983-2008," Center For Economic Policy and Research, November 2009, <http://www.cepr.net/index.php/publications/reports/changing-face-of-labor/> (accessed January 2011).
11. John Schmitt and Kris Warner, "The Changing Face of Labor, 1983-2008," Center For Economic Policy and Research, November 2009, <http://www.cepr.net/index.php/publications/reports/changing-face-of-labor/> (accessed January 2011).
12. Ibid.
13. Ibid.
14. Ibid.
15. Lawrence Mishel, Jared Bernstein, and Heidi Shierholz, *The State of Working America 2008-2009* (Ithaca, NY: Cornell University Press, 2009).
16. Luke Norris, "Protecting Workers Rights," Huffington Post, January 5, 2011 http://www.huffingtonpost.com/luke-norris/protecting-workers-rights_1_b_804789.html (accessed February 2011)
17. David Jackson, "Obama, Republicans face off over unions in Wisconsin," USA Today, February 18, 2011, <http://content.usatoday.com/communities/theoval/post/2011/02/obama-republicans-face-off-over-unions-in-wisconsin/1> (accessed February 2011)
18. Ben Zipperer, "Downturn Continues to Lower Union Membership," Center for Economic and Policy Research (CEPR), January 21, 2011, <http://www.cepr.net/index.php/data-bytes/union-membership-bytes/downturn-continues-to-lower-union-membership> (accessed February 2011).

19. Dave Johnson, "Pension Envy," Campaign for America's Future Blog, January 11, 2011, <http://www.OurFuture.org> (accessed January 2011).
20. "Right to Work for Less," AFL-CIO, <http://www.aflcio.org/issues/legislativealert/stateissues/work/index.cfm> (accessed January 2011).
21. Gordon Lafer and Sylvia Allegretto, "Does 'Right-to-Work' Create Jobs? Answers from Oklahoma," Economic Policy Institute (EPI), EPI Briefing Paper # 300, March 1, 2010, http://epi.3cdn.net/fd70a3db178e318a6c_8um6iihw9.pdf (accessed January 2011).
22. "Collective Bargaining Raises Wages—Especially for Women and People of Color," AFL-CIO, <http://www.aflcio.org/joinaunion/why/uniondifference/uniondiff4.cfm> (accessed February 2011).
23. US Department of Labor, Bureau of Labor Statistics, "Table 2. Median weekly earnings of full-time wage and salary workers by union affiliation and selected characteristics," economic news release, January 21, 2011, <http://www.bls.gov/news.release/union2.t02.htm> (accessed February 2011).
24. US Department of Labor, Bureau of Labor Statistics, "Table 2. Median weekly earnings of full-time wage and salary workers by union affiliation and selected characteristics," economic news release, January 21, 2011, <http://www.bls.gov/news.release/union2.t02.htm> (accessed February 2011).
25. Lawrence Mishel, Jared Bernstein, and Heidi Shierholz, *The State of Working America 2008-2009*, P.2. (Ithaca, NY: Cornell University Press, 2009).
26. John Schmitt, "Unions and Upward Mobility for Latino Workers," Center for Economic and Policy Research, September 2008, http://www.cepr.net/documents/publications/latino_union_2008_09.pdf (accessed December 2010).
27. Ibid.
28. John Schmitt, "Unions and Upward Mobility for Young Workers," Center for Economic and Policy Research, October 2008, <http://www.cepr.net/documents/publications/2008-10-unions-and-upward-mobility-for-young-workers.pdf> (accessed December 2010).
29. US Census Bureau, Population Division, "Preliminary Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico : April 1, 2000 to July 1, 2010 (NST-PEST2010-01)," February 2011, <http://www.census.gov/popest/eval-estimates/eval-cst2010.html> (accessed March 2011).
30. Note: One million are employed and around 200,000 are seeking employment. US Department of Labor, Bureau of Labor Statistics, "Economy at a Glance," March 2011, <http://www.bls.gov/eag/eag.pr.htm> (accessed March 2011).
31. US Department of Labor, Bureau of Labor Statistics, "Regional and State Unemployment, 2010 Annual Averages," news Release, February 25, 2011, <http://www.bls.gov/news.release/srgune.htm> (accessed February 2011).
32. "Public Sector Employment and the Middle Class in Puerto Rico," Center for the New Economy, 2009, <http://grupocne.org/cneblog/?p=154> (accessed January 2011).

CHAPTER 4

LATINO IMMIGRANT WORKERS ¹

Immigration, always a flashpoint for conflict in America, has again become a toxic issue in this nation of immigrants. Spittle-flecked invective from fringe hate groups and demagogues has combined with economic hard times to create a perfect storm of misguided citizen anger against immigrants. We must do something to help immigrants and their families escape the rising toxic waters of hatred and dehumanizing rhetoric that threaten to drown them. **The scapegoating of undocumented workers has caused real hardships for this community: hate crimes against immigrants and Latinos have reached historic highs, families are being separated, and they suffer high incidences of wage theft, death and injuries at work.**

Free trade policies in the Western hemisphere and chronic overreliance on cheap labor in various economic sectors in the United States correlate with the drastic increase of undocumented and documented migration to the United States in the last two decades. **In the US, businesses' voracious demand for cheap and exploitable labor has had a profound impact on immigration.**

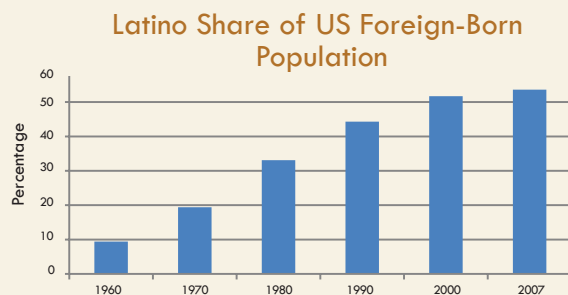
Immigration reform is a priority and must happen soon, but so far, only short term solutions have been proposed. For immigration reform to really work, all the factors influencing migration must be addressed simultaneously. There is little point in changing the immigration procedure without also changing the economic forces behind that migration.

In this chapter we take a hard look at the economic, social and working conditions of documented and

undocumented immigrant workers to better understand how to help this group of workers escape the poisoned political debates and continue making contributions to the economy and our society.

1) LATINO IMMIGRANTS IN THE US LABOR FORCE

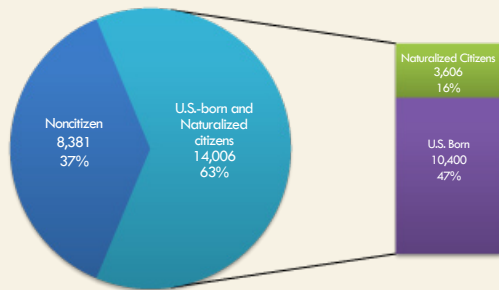
America draws great strength from Latino immigrants through their economic, social, and cultural contributions. This Latino foreign-born population has seen a drastic increase in the last 40 years, from 1.8 million in 1970 to 17.8 million in 2008, which represents an increase of 893%. Also, the Latino share of the foreign born population in the nation increased drastically from 9% in 1960 to 47% in 2008. It is important to emphasize that almost half of all the immigrant population is non-Latino and come from different parts of the world.²



Source: Grieco, Elizabeth M. 2009. Race and Hispanic Origin of the Foreign-Born Population in the United States: 2007, American Community Survey Reports, ACS-11, U.S. Census

These industrious workers have one of the highest participation rates in the labor force. In 2009, the Latino immigrant participation rate in the labor force was 70.8%, compared to the lower participation rates of immigrant Whites at 59.8% and 67.7% for immigrant Asians. Immigrants from Latin American countries come to the United States to work. They contribute to the economy and society, representing over half (50.1%) of the immigrant labor force, compared to the next highest share occupied by Asian immigrants at 22.3%.³

Latino Adult Labor Force by Nativity, 2010



Note Numbers are in thousands.
 Source: LCLAA calculation using U.S. Bureau of the Census, "Current Population Survey (CPS) Table Creator." Housing and Household Economics Statistics Division. Washington, DC, 2010, http://www.census.gov/hhes/www/cpstc/cps_table_creator.html (accessed February 2011).

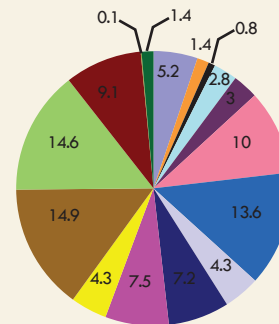
An examination of the Latino labor force in the United States shows that immigrants comprise a larger share than US-born workers. In 2010, 54% of Latino workers were foreign-born compared to 46% of US-born Latinos. Within this immigrant population about one-third have become citizens and the remainder two-thirds are non-citizens (including both documented and undocumented).

A large majority of 62% of the Latino labor force are US citizens either through birth or naturalization (naturalized citizens comprise 16% and US-born workers represent 47% of the Latino labor force). This increase in the number of US citizens has contributed to a stronger Latino voting bloc over recent years. Immigrants in the United States strongly contribute to the nation's economic growth. The millions of immigrants who live in the country's

largest metropolitan areas (about two-thirds of all immigrants in the US) are nearly evenly distributed across the job and income spectrum.⁴

Moreover, immigration growth in the 25 largest metro areas has been correlated with economic growth. In metro areas with faster economic growth, the immigrant share of the labor force increases faster, and likewise where there is slow economic growth, there is a modest growth in the immigrant share of the labor force. **Immigrants move to where the jobs are; once there, their work adds to the GDP of those local areas.**

Foreign-born Latino Distribution by Occupation Group (2009)



- Management, business, and financial operations
- Science and engineering
- Legal, community and social services
- Education, training, library and arts, design, entertainment, sports and media
- Health care
- Food preparation and serving
- Building and grounds cleaning and maintenance
- Other services
- Sales
- Office and administrative support
- Farming, fishing and forestry
- Construction and extraction
- Installation, maintenance and repair workers and production
- Transportation and material moving
- Military
- Unemployed, no work experience in past five years

Source: Daniel Dockterman. "Statistical Portrait of Hispanics in the United States, 2009." Pew Hispanic Center <http://pewhispanic.org/files/factsheets/hispanics2009/Table%2027.pdf>

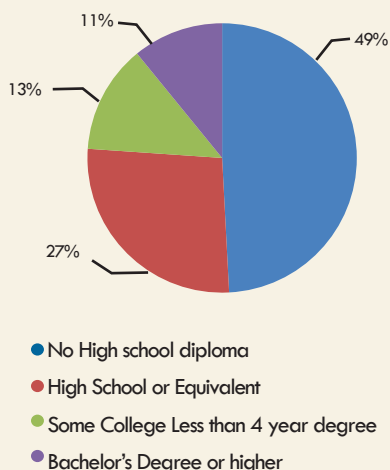
Latino immigrants fuel the workforce through their labor in various sectors of the economy. A breakdown by occupation group of Latino immigrant workers who worked in the past five years demonstrates that Latino immigrants work primarily in: 1) construction and extraction, 2) installation, maintenance and repair, 3) building and grounds cleaning and maintenance, and 4) food preparation and serving.

SOCIAL AND ECONOMIC CONDITIONS

In 2009, the median weekly earnings of immigrant full time wage and salary workers were 79.1% of those of their US born counterparts.⁵ Immigrant Latinos have less access to employer-sponsored retirement plans: US-born Latino workers age 21 years or older had participation levels very similar to those of African American and other workers, but still lower than White workers. In contrast, foreign-born Latino workers had substantially lower levels of participation across all age groups.⁶

In 2009, nearly half of the Latino immigrant labor force 25 years and older did not have a high school diploma or equivalent. Over a quarter had a high school degree or equivalent. 13% had some college and 11% had a bachelor's degree or higher.

Educational Attainment of Immigrant Latinos 25 years and older



Source: U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement, 2010.

CIVIC PARTICIPATION

Latinos have an important tool at hand to help themselves overcome a hate-filled political climate, namely the political system itself. **Solidarity with immigrants has re-ignited the civic engagement of the Latino community.** The entire anti-immigrant hysteria and the negative impact it has had on the whole Latino community has sparked the interest of more Latinos to participate in the electoral process and also to participate in mobilizations and marches. The registration and naturalization of immigrants has raised the total number of Latino voters. An estimated 2.4 million immigrants have become naturalized citizens since 2006. In the presidential election of 2008 immigration played a central role in the campaign and 9.5 million Latinos turned out to vote in comparison with 7.5 million in 2004.⁷

Once an immigrant becomes a US citizen, politicians need to sit up and pay attention to that person, because she/he will almost certainly vote. Naturalized Latino citizens since 1996 have participated in elections at higher rates than the US-born Latinos. From 1996 to 2008 the majority of US-born Latinos of voting age did not turn out to vote in all elections. In 2008 voter registration and voter turnout was higher for naturalized citizens than among native born-Latinos. High numbers of naturalized Latino citizens that were registered to vote actually turned out to vote, 91%, in comparison with 82% of native-born Latinos.⁸

The Latino vote will keep growing and is strategically important, particularly in battleground states like Arizona, Florida, New Mexico, Ohio and Pennsylvania. There are currently 10 million Latino non-citizens living in 22 central electoral vote states. The states that count with the largest numbers of Latinos that are non-citizens are: California, Texas, Florida, New York and Illinois. The states with the highest percent of Latino non-citizens are North Carolina (46%), Georgia (43%), Maryland (39%), and Virginia (36%). With solid programs and opportunities for integration, civic education, and naturalization,

these Latino non-citizens could increase their political voice and become a decisive force in local and presidential election, this force could make or break candidates in the very near future.⁹

2) UNDOCUMENTED LATINO WORKERS

Workers come to the US in search of opportunities unavailable to them in their countries of origin. Many of them are poor and vulnerable. And once they get jobs, the system here keeps most poor and even more vulnerable. Most undocumented immigrants are concentrated in low skilled jobs where the working conditions are brutally difficult. They have the lowest wages and the highest levels of deaths and injuries at work. If we combine this environment with the constant fear of undocumented workers—the possibility of being deported—then we have the perfect formula for a large pool of easily exploited people, afraid of raising their voice and unable to defend their human and labor rights. In turn, labor costs stay low and these workers make tremendous profits for their employers. However, jettisoning the values of basic human and labor rights to satisfy corporate greed is pushing this nation into a deeper crisis.

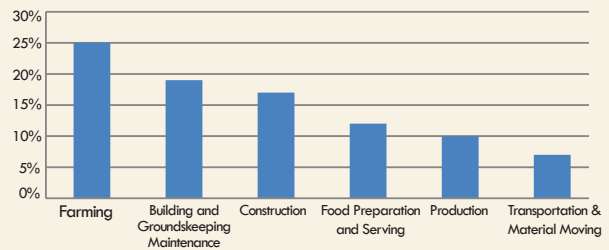
UNDOCUMENTED WORKERS IN THE LABOR FORCE

The nation has a labor force of approximately 154 million people, and it is estimated that 8.3 million, or 5.4%, are undocumented immigrants.¹⁰ Some sectors of the economy rely even more heavily on the labor of undocumented workers. For example, the following occupations have high shares of undocumented workers:

- farming: 25%;
- building grounds keeping and maintenance: 19%
- construction: 17%;
- food preparation and serving: 12%;
- production: 10%; and
- transportation and material moving: 7%.¹¹

In some of these sectors the proportion of undocumented immigrants is higher than the proportion of US-born workers.¹² Additionally, undocumented workers tend to be overrepresented in the low-skilled jobs. For example, undocumented workers are 40% of brickmasons, 37% of drywall installers, 31% of roofers, 28% of helpers in construction trades, 28% of dishwashers, 27% of construction laborers, 27% of maids and housekeepers, 23% of butchers and other meat processing workers, and 21% of parking lot attendants.¹³

Occupation Groups with High Shares of Undocumented Workers, 2008



Source: Jeffrey S. Passel and D'Vera Cohn. A Portrait of Unauthorized Immigrant in the United States. Washington, DC: Pew Hispanic Center, April 2009, <http://pewhispanic.org/reports/report.php?ReportID=107>

SOCIAL AND ECONOMIC CONDITIONS OF UNDOCUMENTED WORKERS

Poverty rates for undocumented immigrants is much higher than for US-born. **And the system keeps them poor.** For example, among documented immigrant adults, 21% are poor in comparison with 10% of US-born adults. Of children of undocumented immigrants, one in three is poor. And undocumented immigrants are overrepresented in extreme poverty in the nation. Undocumented immigrants and their US-born children represent 11% of all the people with incomes below the poverty level. This means that it is twice their representation since they are 5.5% of the total population.¹⁴

Undocumented immigrants also have limited access to health insurance. Almost 60% of undocumented immigrants have no access to health insurance, in comparison with 14% of US-born. Also, 45% of immigrant children with undocumented parents have no access to health care in comparison with 8% of

children with US-born parents. All this means that undocumented immigrants account for one in six Americans with no health insurance (17%), which is more than three times their representation in the population.¹⁵

CORE LABOR ISSUES AFFECTING UNDOCUMENTED WORKERS

WAGE THEFT, INJURIES AND DEATHS AT WORK

By law, workers must be paid at least minimum wage, overtime, have access to compensation when they suffer injuries, have the right to take a break for meals, and the right to fight for better working conditions. These rights do not exist for a good number of undocumented migrants. A comprehensive study, “Broken Laws, Unprotected Workers,” surveyed workers in New York, Los Angeles and Chicago, cities with high density of undocumented immigrants, to look at wage-law violations. The report’s findings highlight that Latino and particularly immigrant workers suffer, by far, the highest rates of minimum and overtime wage-law violations of any racial or ethnic group. Of the 4,387 workers surveyed, those in low-wage industries experienced a 15% weekly loss in pay. Immigrant Latino workers faced the highest minimum wage violation rates at 35.1% in comparison to 10.1% of their White counterparts. Also, 40% of Latina workers were victims of minimum wage violations. The highest incidence of these violations occurred among undocumented workers (37.6%).

Latino immigrants face the highest workplace fatality rate of any segment of the workforce, making them the most vulnerable workers in the US. The alarming number of injuries and deaths among immigrant workers highlights the cruel reality to which these workers are subjected: daily exploitation, hazardous and substandard working conditions in some of the most dangerous occupations, along with limited or inadequate protection. The AFL-CIO report, “Death on the Job: The Toll of Neglect:

National and State-by-State Profile of Worker Safety and Health in the United States,” illustrates this fact with a breakdown by race of the total number of workplace fatalities. From 1992 to 2007, the number of fatalities among Latino workers has increased by 76%. The total number of fatal injuries Latino workers have suffered on the job (937 deaths), places the Latino death rate on the job at 21 percentage points above the national average—higher than any other population group. Of the 937 lives lost, 634 were immigrants, underscoring the vulnerable status of the immigrant workforce.¹⁶

These numbers paint a clear but grim picture of worker safety in the United States. Specifically, the construction sector had the largest number of fatal work injuries (1,204 deaths), a segment of the economy that is largely represented by undocumented workers. The report also highlights that the top three states in fatalities of Latino workers were Texas (211), California (179) and Florida (111), states that also have some of the largest concentrations of undocumented workers.¹⁷

Since joining a union improves job quality and levels the playing field between workers and employers, and since immigrant workers are most vulnerable to employer abuse, we urgently need to pass two pieces of legislation: the Employee Free Choice Act (EFCA) and comprehensive immigration reform. At the same time, because the status quo for undocumented workers leaves them without basic rights and unprotected from abuse, a drastic overhaul of our immigration system is crucial to regularize the presence of undocumented migrants. The infamous 2008 immigration raid at Agriprocessors’ meatpacking plant in Postville, Iowa exposed a company where employers violated labor, environmental and immigration laws. The company had been previously charged with 39 violations of state health, safety and labor standards and had fought to ignore a vote by workers to join a union at a separate site; arguing that undocumented workers were the ones who favored unionization and therefore they were not entitled to labor protections under federal law. **Not only did the immigration raid bust union organizing efforts**

by the United Food and Commercial Workers (UFCW) at the Postville plant, it also interrupted an investigation by the US Department of Labor based on suspected violations of child labor law among others.¹⁸ This case highlights the de facto irrelevance of workplace violations if workers lack legal immigration status, a stark reality that threatens workers' rights and weakens union organizing efforts throughout the nation.

ANTI-IMMIGRANT HYSTERIA AND ITS CONSEQUENCES

Each successive wave of immigrants has had a difficult time upon first arriving to the United States. **Today, dark-skinned, undocumented immigrants face one some of the most intense anti-immigrant fervor in the history of the nation.** This has brought dire consequences for migrants: hundreds are dying in attempts to cross the border, families are regularly separated due to enhanced deportation policies, hate crimes against immigrants and Latinos have reached historic highs, anti-immigrant myths are festering in American society, and anti-immigrant hate groups in the nation have grown like never before.

The attacks against undocumented immigrants have taken place on various fronts: through political rallies, legislation, the media, anti-immigrant organizations, anti-immigrant "think-tanks," and others. One particular group, mainly the extremist right, focuses anger against Latino immigrants.

Some members of the media have played a central role in promoting this harmful message. Lou Dobbs consistently reported erroneous information and repeated racist myths. For years, his show on CNN served as a regular platform for anti-immigrant organizations such as the Federation for American Immigration Reform (FAIR), which has been listed as a hate group by the Southern Poverty Law Center (SPLC). His show was cancelled, but others remain, such as FOX's Glenn Beck and Bill O'Reilly, who have tricked some Americans into believing that

Latino immigrants are "treading upon us" and taking resources away from American citizens. These paid attack dogs never pause to acknowledge reality: that immigrants give more than they take.

FISCALLY IRRESPONSIBLE ANTI-IMMIGRANT LAWS

Some politicians have stamped anti-immigrant sentiments into law. As a result, discrimination is not only practiced behind closed curtains, the law in many cases now protects it. The policies range from prohibiting rental housing to undocumented immigrants to the legalization of racial profiling, as demonstrated by Arizona's SB1070.

Arizona State Bill 1070 is the most restrictive immigration law in the history of the nation. A Federal District Judge overturned the most harmful aspects of the law and that legal battle continues, but in many ways, the damage has been done. Many families picked up and moved on to "friendlier" neighborhoods and dozens of states around the country discuss "copy-cat" legislation. This type of legislation has proven fiscally irresponsible and will cost an additional estimated \$253 million over the next 2-3 years due to an ongoing boycott meant to prompt Arizonans to repeal the bill.¹⁹

Another example of last year's attempts to legislate against immigrants was a proposal by Senator David Vitter, who pushed to amend the 2010 Census. Vitter's amendment sought to intimidate and prevent people from participating in the 2010 Census by asking their immigration status. It would have resulted in an inaccurate Census count and would have severely impaired the Congressional reapportionment and redistricting of congressional and state legislative districts.

While the Vitter Amendment failed, some of the worst state and local anti-immigrant measures have passed recently. Whether it is criminal penalties for illegally holding a job (Mississippi), denial of services to undocumented migrants (Prince William, VA), discriminatory housing laws (Hazleton, PA,

and Farmers Branch, TX), or local police (Maricopa County, AZ, and Irving, TX) who track immigrants and find pretexts to arrest and then deport them; the message of rejection is clear.

Undocumented immigrants do not fare much better on the federal level. The events in Postville, Iowa, well-documented by Professor Erick Camayd-Freixas, show how authorities are systematically criminalizing migrants. Of the almost 400 undocumented migrants detained at that meat-packing plant, 260 were charged as serious criminals and sent to prison for five months with the inflated of “aggravated identity theft” and “Social Security Fraud.” In this process, workers were “tried” en-masse and coerced into pleading guilty, a clear violation of their constitutional rights.

This is just one example of federal roundups of undocumented workers in the United States. The separation of families and deportations has reached unprecedented levels. Between September 2009 and September 2010, the US deported a record number of undocumented immigrants. 392,000 were returned to their country of origin.²⁰ A recent report by the Immigration Policy Center shows that worksite enforcement raids have damaging effects on a community’s financial, social, and human capital.²¹

Moreover, enforcement-only legislation has proven costly for localities across the country. Two recent reports (one by the Center for American Progress and the other by the Southern Poverty Law Center) show that cities that managed to pass so-called “Nativist” laws that were ultimately overturned by the courts cost their taxpayers millions. For instance, the small town of Hazelton, Pennsylvania spent more than \$2.8 million to defend an ordinance that mandated businesses to investigate the immigration status of workers. Farmers Branch, Texas spent \$4 million to defend a law that required landlords to check the immigration status of prospective renters. And the city of Fremont, Nebraska had to raise property taxes in order to pay legal fees for this kind of legislation. Other cities had to scale down immigration enforcement completely

because they had gone broke.²²

In contrast to these expensive, nonsensical anti-immigrant measures, comprehensive immigration reform makes fiscal and practical sense. A recent report by UCLA’s Dr. Raúl Hinojosa-Ojeda shows that legalizing undocumented workers through comprehensive immigration reform would add \$1.5 trillion to the US GDP over the span of ten years, including approximately \$1.2 trillion in consumption and \$256 billion in investment.²³ Additionally, newly legalized workers would have higher earning power translating into increased tax revenues of \$4.5-\$5.4 billion in the first three years. Thinkers across the political spectrum have jumped in to support this plan: a report by the politically libertarian CATO Institute found that legalization would benefit American households through significant income gains by \$180 billion in 2019.²⁴

VIOLENCE AGAINST IMMIGRANTS AND LATINOS

The official sanctioning of prejudice has another chillingly real consequence: in what the Federal Bureau of Investigation (FBI) reports is a spike of hate crimes against Latinos. A 2008 FBI report illustrates a 40% increase in attacks against Latinos between 2003 and in 2007. They represented 62% of all victims of crimes motivated by the victims’ ethnicity or national origin. For Latinos overall, but particularly for undocumented immigrants, public and personal safety are in jeopardy.

Verbally attacking migrant workers, even simply referring to them as “illegal aliens,” has severe social, human and psychological implications for the Latino and migrant community. The term criminalizes immigrants when they are actually less likely to commit crimes than the native-born. For example, the incarceration rate of US-born men, age 18 to 39, is actually five times higher than that of foreign-born men. Also among the US-born, 9.8% of all male high-school dropouts were in jail or prison in 2000. Only 1.3% of immigrant men who were high-school dropouts were incarcerated.²⁵

A NEW APPROACH TO THE ISSUE OF IMMIGRATION

A more enlightened approach to migration focuses on its root causes. We can look at two major facets of this discussion: First, focus on regional economic policies, mainly free trade agreements with Mexico (NAFTA) and Central America (CAFTA) and look at the impact that such policies have had on displacing people from their land. The second one is to focus on the corporate addiction to cheap labor and how powerful businesses have established a deregulated system that is voracious in its demand for cheap, exploitable labor, and the impact that such a system has had on immigration. Unfortunately, as anti-immigrant rhetoric increases and anti-immigrant legislation grows nation-wide, these vulnerable workers are forced deeper into the shadows, placing them at terrible risk of being exploited, abused and even killed as they try to work to feed their families. **It is time to shine some light on to these workers and what drives them across borders.**

We swing our flashlight beam around to the question of how NAFTA has affected immigration from Mexico to the US. 59% of all undocumented immigrants in the nation come from Mexico, and in particular, the flow of undocumented immigrants from Mexico to the United States increased significantly after NAFTA.²⁶ When NAFTA was being negotiated it was presented on both sides as the magic solution to solve the region's economic problems. It was often mentioned that migration from Mexico to the United States would decrease because Mexicans would be employed when US companies relocated to Mexico, and this would allegedly deter migration. These issues gained more credibility when not only Republicans but also Democratic presidents made this case.

But today, after 17 years of experience with NAFTA, we have enough data and research to show that NAFTA was a failure for working people on both sides of the border. Overall it drove wages down in Mexico and the United States, it created a

huge gap between rich and poor, and a high concentration of wealth. But most importantly today we can see the strong correlation between NAFTA and migration: it displaced Mexican farmers off of their land and into the already overcrowded cities in Mexico –or, on a path to migration to the United States.

There has been a historical tradition of migration to the United States from Mexico. But there were serious increases early in the 1980s, once the free-market reforms started taking place and it reached historically high numbers after NAFTA. In NAFTA's first decade, the annual number of immigrants arriving to the United States from Mexico more than doubled and more than 80% of post-NAFTA Mexican immigrants were undocumented. To quantify, in the years preceding NAFTA (1985– 1989), approximately 80,000 undocumented immigrants entered the United States from Mexico annually. From 1990 to 1994 immigration increased to 260,000 annually. Then from 1995 to 1999, it jumped to 400,000 annually. And between 2000 and 2004, immigrants were crossing the border at a rate of 485,000 a year.²⁷

The failure of these economic policies is clear. In 2008 almost 13 million Mexican immigrants lived in the United States, a 17-fold increase since 1970. A majority—55%—of these immigrants are undocumented. And almost six out of every ten undocumented workers in the nation are Mexicans. Today 11% of everyone born in Mexico is living in the United States, in comparison with 1.4% in 1970. In 1960 Mexico ranked seventh as a source of immigrants. Now Mexico has the largest number of undocumented immigrants in the US (7 million, or 59%) and it also has the largest number of legal immigrants (5.7 million, or 21%).²⁸

The impact that these free trade policies have had in Mexico have been so drastic that recently the World Bank considered Mexico the nation that exports the largest number of migrants in the world – more than China and India, countries with populations at least ten times the size of Mexico's.²⁹

In reality, NAFTA and other free trade

agreements actually codify corporate rights. They exempt businesses from many local laws including regulations on health, safety, wages, hours, pollution, and other critical business practices. Should a dispute arise, they also allow court systems, which lack transparency and an appeal process and in which corporations hand pick the judges who, naturally, can decide in favor of the corporations.

It is time to recognize that, at least in terms of creating the jobs that would help close the widening gap in relative wages between trading partners and make migration unnecessary, NAFTA was, and continues to be, an abject failure. Truly comprehensive immigration reforms should be attuned to the interests of the majority of workers and citizens in both Mexico and the United States. Such reforms are the only way to slow migration. Unfortunately, the corporations that are benefiting from this system would oppose any change. Free trade policies keep pushing for the exploitation of workers, it is a race to the bottom instead of a race to increase the middle class, a main characteristic of a developed nation. Thus, there is ample reason to revisit and revise NAFTA, in order to bring stability to both sides of the border.

Another issue that is ignored in the immigration debate in the United States is the systemic demand for cheap, exploitable and disposable “illegal” labor. The fierce competition of globalization requires corporate management to secure the cheapest possible products, which often comes at the expense of undocumented workers. As long as people south of the border have no way to feed their kids at home and US corporations remain addicted to cheap labor and promoting free trade policies that displace people, no wall will be high enough.

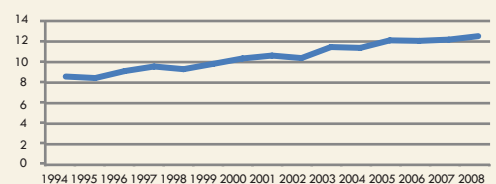
UNIONS- A SOURCE OF PROTECTION FOR UNDOCUMENTED WORKERS

One thing comes into clear focus as we examine the severe challenges facing undocumented immigrants: collective action is their best hope for overcoming these challenges. As the anti-immigrant movement

keeps getting stronger, and the vulnerability of undocumented workers increase, **the labor movement can be one important source of protection for undocumented workers.** The labor movement played a central historical role in establishing America’s middle class. Organized workers fought for the standard 40-hour work week; safer working conditions; living wages; collective bargaining; health protection; pensions and retirement; better and more training for workers; and overall, a better environment for workers to speak up for themselves and their families. The expansion of the middle class is one of the main characteristics of a developed nation.

But looking at this historical evolution of social conditions and labor rights for workers, we see that corporations have managed to divide the workforce so that millions of workers still lack access to any of the benefits that this movement brought. This is especially true for undocumented immigrants, who, in an effort to organize, must consider the possibility of getting fired or being reported, jailed, and deported. It’s a unique challenge for workers, but not an insurmountable one.

Share of Union Members who are Immigrants, 1994-2008



Source: John Schmitt and Kris Warner. “The Changing Face of Labor, 1983-2008” November 2009. Center for Economic and Policy Research. <http://cepr.net/documents/publications/changing-face-of-labor-2009-11.pdf>

It shouldn’t be a tough sell; joining a union brings instant benefits for individual workers. A recent report by the Center for Economic and Policy Research (CEPR) documents a large wage and benefit advantage for immigrant workers in unions relative to their non-union counterparts. The report found that unionized immigrant workers earned, on average, 17% more than their non-union peers. The report also found that unionization raises the pay of immigrant workers about \$2.00 per hour. According to the

report, immigrant workers in unions were also 50% more likely to have employer-provided health insurance and almost twice as likely to have an employer-provided pension plan than immigrant workers who were not in unions. Not surprisingly, the study also shows that unionization strongly benefited immigrant workers in otherwise low-wage occupations. Among immigrant workers in the 15 lowest-paying occupations, union members earned almost 20% more per hour than those workers who were not in unions. In the same low-wage occupations, unionized immigrants were more than twice as likely to have employer-provided health insurance and almost three times as likely to have a pension plan than their non-union counterparts.³⁰

Wage theft and other workplace violations will increase throughout the nation if workers continue to lack protection. The organized labor movement has the structure that can oppose abusive, global corporate forces that have pushed capitalism to extreme levels. **Additionally, solidarity among workers has to reach across borders.** Otherwise the expanding informal economies of the world are going to continue to grow, and this will have an impact on the conditions for all workers. That would result in a race to the bottom for all in the working class.

Union representation can change this by establishing fairness in the workplace. The union should welcome and protect undocumented workers in a more aggressive way. Furthermore, undocumented immigrants should view the labor movement as a tool for social protection and economic advancement.

“UNDOCUMENTED AND UNAFRAID”- IMMIGRANT YOUTH FIGHT FOR JUSTICE

Over 2.1 million young adults came to the United States as children with their families and have not been back to their country of origin since. Many are from Latin American countries and would love to fix their immigration status but cannot; there simply aren't good legal pathways for them in the current immigration system. Legal barriers are not the

only obstacles these undocumented Americans—also known as DREAMers—face in realizing their full potential. Some have to get jobs one way or another—their families cannot afford for them not to work. A recent report by the Migration Policy Institute shows that within this group, roughly 62% of women and 85% of men with high school credentials are in the labor force.³¹

Each year, 65,000 DREAMers graduate from US high schools.³² They are guaranteed an education in US public schools through grade 12. **But upon high school graduation, they find the way to college is blocked by a wall of legal and financial trouble.** Their immigration status prevents them from qualifying for in-state tuition and receiving federal college loans.³³ Recently, these motivated and dedicated youth have advocated for a bill that would change their lives and transform the social and economic conditions of the Latino community. **The Development, Relief, and Education for Alien Minors (DREAM) Act would give these youth a way to fix their immigration status, either through going to college or through service in the military.**³⁴

In 2010, empowered DREAMers mobilized in large numbers across the nation to pass the DREAM Act through Congress. During the lame duck session, they pushed for DREAM through direct actions on the Hill. They held pray-ins and marched around the Capitol with some of the nation's faith leaders. They lobbied congressmen and made their presence felt inside the Senate and the House. Wearing graduation caps and waving American flags, they chanted “How are we feeling?” “Dedicated, motivated, downright educated, you can check us out, you can check us out. What?” This energetic and courageous group shares their story with the media, no longer afraid of deportation.

About 114,000 high-achieving DREAMers have overcome many obstacles and have attained at least an associate's degree.³⁵ Without proper work authorization however, even those with college degrees, cannot make use of them. This deprives the American workforce of a highly skilled and educated group

of budding professionals. The US will need this pool of home grown talent for innovation and to stay competitive.

Julieta Garibay’s story demonstrates the urgency of passing the DREAM Act. She has a bachelor’s degree in Nursing and a master’s degree in Public Health Nursing from the University of Texas at Austin. She is a licensed nurse and was inducted into Sigma Theta Tau, the International Honor Society of Nursing. Despite her outstanding qualifications and the extreme shortage of nurses in the US, immigration laws prohibit her from helping patients.³⁶ Keeping Garibay from working as a nurse is an injustice to her and the nation.

DREAMers have the potential to invigorate the economy. The Congressional Budget Office has estimated the potential economic contribution of DREAMers. **If the DREAM Act were to pass it would reduce the US deficit by \$1.4 billion over the period of ten years.**³⁷ The legal barriers currently facing these hard-working individuals need to be addressed so that the US funds that have already been invested in their public school education are not wasted and their skills and youthful energy can aid in the nation’s economic recovery.

As a champion of the DREAM Act, Sen. Richard Durbin has declared on the Senate floor: **“This is the choice the DREAM Act presents to us. We can allow a generation of immigrant students with great potential and ambitions to contribute more fully to our society and national security, or we can relegate them to a future in the shadows, which would be a loss for all Americans.”**³⁸ Providing these youth with a way to fix their immigration status through education or service in the military would benefit the Latino community and American society as a whole. Failure to pass the DREAM Act would result in the perpetuation of the high poverty rates and low educational attainments of the Latino community that we have highlighted throughout this report.

REAPING PROFITS FROM ANTI-IMMIGRANT LEGISLATION

WHO BENEFITS FROM THE CRACKDOWN ON UNDOCUMENTED IMMIGRANTS?

The private prison industry reaps millions off the crackdown on the undocumented population in the US. In 2010, a National Public Radio (NPR) investigation found that the Corrections Corporation of America (CCA)—the largest private prison company in the nation—played a significant role in drafting and successfully passing Arizona’s Senate Bill 1070. This bill requires police to detain anyone they stop who cannot prove that they entered the country legally. According to the investigation, the American Legislative Exchange Council (ALEC), a group of legislators and industry members (including CCA), proposed the controversial Arizona legislation. Thirty of the 36 co-sponsors of SB1070 received donations from prison lobbyists or prison companies throughout the six months following their support of the bill. This type of anti-immigrant legislation broadens the pool of detained immigrants boosting the revenue of private prison companies. This business model capitalizes on the criminalization of immigrants and it has spread to other states. Think Progress—a project of the Center for American Progress Action Fund—stresses the prison industry ties to anti-immigrant bills proposed in Tennessee, Oklahoma, Colorado, Florida, and Pennsylvania. It is reprehensible that prison interests are behind efforts to institutionalize the discrimination and incarceration of dark-skinned people in the United States.

1. Laura Sullivan, “Prison Economics Help Drive Ariz. Immigration Law,” National Public Radio, October 28, 2010, <http://www.npr.org/templates/story/story.php?storyId=130833741> (accessed January 2011).

2. Catherine Traywick, “SB 1070: It’s All About the Benjamins,” Campus Progress, October 29, 2010, http://www.campusprogress.org/articles/sb_1070_its_all_about_the_benjamins/ (accessed January 2011).

REFERENCES

1. Hector E. Sanchez, "Disposable Workers: Immigration After NAFTA and the Nation's Addiction to Cheap Labor," (paper presented at the academic conference of the United Nations World Food Program and the Latino Research Center, Las Vegas, Nevada, September 4, 2010). This paper is a forthcoming publication by the same UN program and the Latino Research Center.
2. US Census Bureau, "Profile of the Foreign-Born Population in the United States 2000," December 2001, <http://www.census.gov/prod/2002pubs/p23-206.pdf> (accessed November 2010).
3. US Department of Labor, Bureau of Labor Statistics, "Labor Force Characteristics of Foreign-Born Workers Summary," News release, March 19, 2010. <http://www.bls.gov/news.release/forbrn.nr0.htm> (accessed March 2011)
4. "Across the Spectrum: The Wide Range of Jobs Immigrants Do," Fiscal Policy Institute, April 2010, http://www.fiscalpolicy.org/FPI_ImmigrantsAndOccupationalDiversity.pdf (accessed November 2010).
5. US Department of Labor, Bureau of Labor Statistics, "Labor Force Characteristics of Foreign-Born Workers Summary," news release, March 19, 2010, <http://www.bls.gov/news.release/forbrn.nr0.htm> (accessed November 2010).
6. Craig Copeland, "Employment-Based Retirement Plan Participation: Geographic Difference and Trends, 2009," no. 348, October 2010, Employee Benefit Research Institute, http://www.ebri.org/pdf/briefspdf/EBRI_IB_10-2010_No348_Participation.pdf (accessed January 2011).
7. Juan Andrade, *The Almanac of Latino Politics*. 6 ed. P.94. 2010, (Chicago, IL: The United States Hispanic Leadership Institute (USHLI), 2010)
8. Ibid. P.95.
9. Ibid. P. 98.
10. Jeffrey S. Passel and D'Vera Cohn, "A Portrait of Unauthorized Immigrants in the United States," Pew Hispanic Center, April 2009, <http://pewhispanic.org/files/reports/107.pdf> (accessed November 2010).
11. Ibid., 14-15.
12. Ibid., 14.
13. Ibid., 15 & 31.
14. Ibid., 17.
15. Ibid., 18-19.
16. "Death on the Job, The Toll of Neglect 2008," AFL-CIO, April 2008, http://www.aflcio.org/issues/safety/memorial/doj_2008.cfm (accessed November 2010).
17. Ibid.
18. Spencer S. Hsu, "Immigration Raid Jars a Small Town: Critics Say Employers Should Be Targeted," *The Washington Post*, 18 May 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/05/17/AR2008051702474_2.html (accessed November 2010).
19. Gebe Martinez, "Unconstitutional and Costly: The High Price of Local Immigration Enforcement," *Center for American Progress*, January 27, 2011, http://www.americanprogress.org/issues/2011/01/unconstitutional_and_costly.html (accessed January 2011).
20. Shankar Vedantam, "US deportations reach record high," *Washington Post*, October 7, 2010, <http://www.washingtonpost.com/wp-dyn/content/article/2010/10/06/AR2010100607232.html> (accessed January 2011).
21. "A Framework for Effective Immigration Worksite Employer Enforcement," *Immigration Policy Center, American Immigration*

Council, January 25, 2011, http://www.immigrationpolicy.org/sites/default/files/docs/Framework_for_Immigration_Worksite_Employer_Enforcement_012511.pdf (accessed January 2011).

22. Jamilah King, "Anti-Immigrant Laws cost Millions," Colorlines, January 27, 2011, http://colorlines.com/archives/2011/01/reports_anti-immigrant_laws_cost_millions.html (accessed February 2011)
23. Raul Hinojosa Ojeda, "Raising the Floor for American Workers: The Economic Benefits of Comprehensive Immigration Reform," Immigration Policy Center, American Immigration Council, January 2010, <http://www.immigrationpolicy.org/sites/default/files/docs/Hinojosa%20-%20Raising%20the%20Floor%20for%20American%20Workers%20010710.pdf> (accessed February 2011)
24. Peter B. Dixon and Maureen T. Rimmer, "Restriction or Legalization? Measuring the Economic Benefits of Immigration Reform," CATO Institute, August 13, 2009, http://www.cato.org/pub_display.php?pub_id=10438 (accessed February 2011)
25. "Immigrants and Crime: Are They Connected? A Century of Research Finds that Crime Rates for Immigrants are Lower than for the Native-Born," Immigration Policy Center, <http://www.immigrationpolicy.org/just-facts/immigrants-and-crime-are-they-connected-century-research-finds-crime-rates-immigrants-are> (accessed October 2010).
26. Pew Hispanic Center, "Mexican Immigrants in the United States, 2008 Fact Sheet," April 15, 2009, <http://pewhispanic.org/files/factsheets/47.pdf> (accessed December 2010).
27. Jeffrey Passel, "Unauthorized Migrants: Numbers and Characteristics," Pew Hispanic Center, June 14, 2005, P.16, <http://pewhispanic.org/files/reports/46.pdf> (accessed October 2010).
28. Pew Hispanic Center, "Mexican Immigrants in the United States, 2008 Fact Sheet," April 15, 2009, <http://pewhispanic.org/files/factsheets/47.pdf> (accessed December 2010).
29. Roberto Gonzalez Amador and David Brooks, "Mexico el mayor expulsor de migrantes del planeta, dice el BM," La Jornada, April 16, 2007, <http://www.jornada.unam.mx/2007/04/16/index.php?section=politica&article=003n1pol> (accessed October 2010).
30. John Schmitt, "Unions and Upward Mobility for Latino Workers," Center for Economic and Policy Research, September 2008, http://www.cepr.net/documents/publications/latino_union_2008_09.pdf (accessed December 2010).
31. Jeanne Batalova and Margie McHugh, "DREAM vs. Reality: An Analysis of Potential DREAM Act Beneficiaries," Migration Policy Institute, July 2010, <http://www.migrationpolicy.org/pubs/DREAM-Insight-July2010.pdf> (accessed October 2010).

32. Jeffrey S. Passel, "Further Demographic Information Relating to the DREAM Act," The Urban Institute, October 21, 2003, http://www.nilc.org/immlawpolicy/dream/dream_demographics.pdf (accessed October 2010) (accessed October 2010).

33. "Basic Facts about In-State Tuition for Undocumented Immigrant Students," National Immigration Law Center, <http://www.nilc.org/immlawpolicy/dream/instate-tuition-basicfacts-2010-03-10.pdf> (accessed October 2010).

34. The mention of the "DREAM Act" refers to the version of the bill analyzed by the Migration Policy Institute in, "DREAM vs. Reality: An Analysis of Potential DREAM Act Beneficiaries." The analysis corresponds with a bill that would give conditional legal status to undocumented youth who meet the following criteria: entered the United States before age 16, have been continuously present in the US for at least five years prior to the legislation's enactment, have obtained a high school diploma or a GED, and are less than 35 years of age.

35. Jeanne Batalova and Margie McHugh, "DREAM vs. Reality: An Analysis of Potential DREAM Act Beneficiaries," Migration Policy Institute, July 2010, <http://www.migrationpolicy.org/pubs/DREAM-Insight-July2010.pdf> (accessed October 2010).

36. Laura Wides-Munoz, "With Dream Act shelved, immigrants look to make path to citizenship a major issue in 2012," Associated Press, December 2010, <http://abcnews.go.com/US/wireStory?id=12373086> (accessed January 2011).

37. The Congressional Budget Office Cost Estimate, "S. 3992 Development, Relief, and Education for Alien Minors Act of 2010, As introduced on November 30, 2010," December 2, 2010, <http://www.cbo.gov/ftpdocs/119xx/doc11991/s3992.pdf> (accessed January 2011)

38. Richard Durbin, "Floor Statement: DREAM Act as an amendment to the Defense authorization bill," July 13, 2007, <http://durbin.senate.gov/showRelease.cfm?releaseId=280889> (accessed January 2011)

CHAPTER 5

CLIMATE CHANGE'S IMPACT ON LATINO COMMUNITIES AND NEW OPPORTUNITIES IN A GREEN ECONOMY

Energy is an essential part of our lives. It powers our appliances, fuels our cars, and keeps us warm in the winter and cool in the summer. Fossil fuels—oil, coal, petroleum, and natural gas—give life to our economy. However, they produce large quantities of carbon dioxide, which accelerates global warming by trapping heat in our atmosphere. And this has a negative impact particularly on Latinos, who often work outdoors and live in heavily industrialized areas where they fall victim to lung diseases and other health problems brought on by air pollution.

In 2009, the Environmental Protection Agency's (EPA) endangerment finding declared six greenhouse gases (GHGs) threats to the public health and welfare of the American people:

- Carbon Dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur Hexafluoride (SF₆)

GHG emissions from new motor vehicles and their engines contributed directly to this danger.¹ This finding granted the EPA the authority to regulate GHGs under the Clean Air Act. Currently, this authority is under siege. The mantra of reducing the deficit and a smaller government was the impetus behind passage of legislation in the Republican-led House of Representatives that would cut \$61 billion

dollars from hundreds of federal programs.

The bill slashes the EPA's budget by almost one-third and reduces key regulatory powers to regulate GHGs. The challenge of global climate change engages public health, the economy, the environment, political stability and national security. For Latinos and other communities of color in the US, addressing climate change is not only a public health imperative, but also an urgent economic one. According to the Centers for Disease Control and Prevention, **Latinos and Asians are more likely to live in nonattainment counties for fine particulates and ozone—two dangerous and prevalent air pollutants.** The Clean Air Act Amendments of 1990 define a "nonattainment area" as a locality where air pollution levels exceed National Ambient Air Quality Standards.² Sources of pollution such as heavy transportation or industrial emissions result in the formation of nonattainment areas, which pose health risks for their inhabitants. Between 2006 and 2008, 26.6% of Latinos lived in counties that failed to meet federal standards for particulate matter while 48.4% lived in counties that failed to meet federal standards for ozone.³ These air pollutants can cause or exacerbate respiratory problems.

Exposure to outdoor air pollution such as particulate matter and ozone is considered an important trigger of asthma attacks as well as exposure to pets, mold, tobacco smoke, dust mites and cockroach allergen at home or the workplace.⁴

When we spotlight the top ten counties in the US with the greatest density of Latinos in the country and where they stand with regards to pollution, we see that all ten were given a failing grade by the American Lung Association (ALA) for high ozone days. Five of those counties (Los Angeles, San Bernardino, Cook, San Diego and Orange) are on the list of the top 25 most polluted counties by short-term particle pollution (24-hour PM2.5). San Bernardino, Los Angeles, Harris, San Diego and Maricopa County are among the top 25 most ozone-polluted counties in the country. The areas where Latinos are concentrated raise the risk for respiratory diseases among this population, while high rates of poverty, language barriers and lack of access to health care undermine the ability of Latinos to manage health risks associated with air pollution.

Asthma is another critical problem facing the Latino community. A four-state survey looking at race/ethnicity, language and asthma among children in California, Texas, Illinois and Alabama shows that Latino children were less prone to use medication to control asthma than Caucasian children. Additionally, the disparity in the quality of asthma care received widened when children of Spanish-speaking parents were compared to those with English-speaking parents. Looking at language barriers and asthma, the survey found that in Chicago, Latino children whose parents filled out the survey in Spanish were less likely to be diagnosed with asthma (36.3%) than those who filled out the survey in English (55.2%). The findings may illustrate the potential of a language barrier contributing to an inadequate diagnosis rate of asthma among Latinos.⁵

TOP TEN COUNTIES WITH THE LARGEST LATINO POPULATION, GRADES FOR HIGH OZONE DAYS AND PARTICLE POLLUTION, AND GROUPS AT RISK BY LUNG DISEASE AND POVERTY

TOP TEN COUNTIES	LATINO POPULATION	GRADE FOR HIGH OZONE DAYS	GRADE FOR PARTICLE POLLUTION	PEDIATRIC ASTHMA -ALL GROUPS	ADULT ASTHMA -ALL GROUPS	POVERTY ESTIMATE ALL AGES
LOS ANGELES COUNTY, CA	4702785	F	F	239969	611881	1482051
HARRIS COUNTY, TX	1564845	F	D	107812	206787	603105
MIAMI-DADE COUNTY, FL	1496595	F	C	50385	122505	388934
COOK COUNTY, IL	1229964	F	F	123651	311719	767182
MARICOPA COUNTY, AZ	1224005	F	B	101972	280306	521208
ORANGE COUNTY, CA	1016464	F	F	72075	188534	294758
SAN BERNARDINO COUNTY, CA	957866	F	F	55617	118301	288756
BEXAR COUNTY, TX	939260	F	*	43154	85102	270728
DALLAS COUNTY, TX	938672	F	A	64127	125942	409612
SAN DIEGO COUNTY, CA	926926	F	F	70082	188661	364576

Notes:

(1) *An asterisk indicates incomplete monitoring data for all three years. Therefore, those counties are excluded from the grade analysis.

Source: Pew Hispanic Center analysis of Decennial Censuses (for 1980 and 1990), US Census Bureau county population estimates (vintage estimates for 2000 and 2008) and American Lung Association State of the Air 2010.

Urgent action is needed at the federal level to safeguard the health of our communities. If we keep on with business as usual, we will be unable to protect low-income and minority communities from air pollution. It is necessary to reduce regulate and the emissions of harmful and climate-changing gases economy-wide. Plans for transportation and urban development must also consider public health by mitigating human exposure to emissions from vehicles and stationary facilities.

A CLEAN-ENERGY ECONOMY TO SPUR JOB CREATION

Not only do Americans—Latinos included—need to breathe clean air, they also need quality jobs. A clean-energy economy has the capacity to improve the quality of our environment and generate jobs. Analyses have found that investments in clean energy sources like wind and solar create more than four times as many new jobs than similar investments in oil.⁶ The domestic production of clean energy would create millions of domestic jobs, mitigate rising unemployment, and reduce our dependency on foreign oil.

From research to development, production to installation and maintenance, the clean energy economy offers a range of employment prospects to workers. According to the Pew Charitable Trusts, a clean energy economy breaks down into five categories: (1) Clean Energy, (2) Energy Efficiency, (3) Environmentally Friendly Production, (4) Conservation and Pollution Mitigation, and (5) Training and Support. It creates jobs, stimulates the private sector, and generates businesses and investments. It also increases energy efficiency, reduces emissions, waste and pollution, and conserves water and other natural resources.⁷

Between 1998 and 2007, despite the absence of an aggressive climate change and energy policy at the federal level, the national job growth rate in the clean energy economy outpaced overall job growth by more than 5 percentage points (9.1% in clean energy in contrast to 3.7% in traditional jobs). The majority

of clean energy jobs (65%) are in Conservation and Pollution Mitigation. These areas encompass occupations, businesses and investment—including the recycling industry—that help the US take care of its natural resources and reduce emissions.⁸

A clean energy economy must protect both workers and the environment. The labor movement has a key role to play in improving and defending job quality for workers in emerging sectors. The nation's foremost labor unions and environmental organizations have come together in a unique partnership to form the Blue Green Alliance, an organization that unites more than 14 million union members and environmental activists in the fight to advance a mutually beneficial agenda that will protect the environment and create quality green jobs.

The Communications Workers of America (CWA), Service Employees International Union (SEIU), Laborers' International Union of North America (LIUNA), Utility Workers Union of America (UWUA), American Federation of Teachers (AFT), Amalgamated Transit Union (ATU), Sheet Metal Workers' International Association, United Auto Workers (UAW) and the United Food and Commercial Workers (UFCW), the Sierra Club, Natural Resources Defense Council (NRDC), National Wildlife Federation (NWF) and the Union of Concerned Scientists (UCS) comprise the Blue Green Alliance.⁹

Under this partnership, organized labor is educating its membership and providing training programs that will lead to quality work opportunities in a clean-energy economy. It has been two years since the American Recovery and Reinvestment Act (ARRA) committed \$93 billion to green investments. A recent report by the Blue Green Alliance and the Economic Policy Institute (EPI) found that these investments:¹⁰

- Created or saved approximately one million jobs (997,000) through the end of 2010 including direct green jobs and indirect jobs.
- Increased overall GDP by \$146 billion.

- Created employment opportunities for Latino workers- 20% of the total green jobs created are filled by Latinos.
- Created better paying jobs for workers even if they lack a college education-80% of the jobs are filled by workers without a four-year college degree.

To educate Latinos about climate change and the benefits of a clean-energy economy, LCLAA co-founded the National Latino Coalition on Climate Change (NLCCC). Along with the National Puerto Rican Coalition, Inc.

One example of an equitable, common-sense energy policy shift would be to fund and expand public transit. Increasing public transportation options will not only improve mobility for low-income populations, it will also fight climate change by reducing individual transportation-related greenhouse gas emissions and reduce exposure to air pollutants that adversely impact human health.

JOB CREATION BY ARRA GREEN INVESTMENTS

RACE/ETHNICITY	GREEN JOBS DIRECT	GREEN JOBS INDIRECT	TOTAL	DIRECT %	INDIRECT %	GREEN JOBS TOTAL
WHITE	237744	183624	421368	65	68	66
AFRICAN AMERICAN	29090	29363	58453	8	11	9
LATINO	85988	39918	125906	23	15	20
ASIAN	7565	11054	18619	2	4	3
OTHER	6428	4523	10951	2	2	2

Source: Blue Green Alliance and Economic Policy Institute

(NPRC), the Hispanic Federation and 13 prominent national Latino organizations, LCLAA is leading efforts to engage the Latino community, Latino leaders, policy makers and the Administration on the need to support explicit policies that will protect our most vulnerable communities from bearing the brunt of the cost of policy changes. In order for Latinos and other communities of color to reap the benefits of a clean-energy economy, policies that advance clean energy and greenhouse gas reductions must include targeted consumer relief, employment and workforce development programs and increase cleaner transportation options for socially and economically disadvantaged individuals. Consumer protections are needed to avoid financial hardship caused by increases in energy prices. Job training that will prepare workers for emerging jobs in the clean-energy sector must integrate language and skills training to meet the needs of limited English proficient (LEP) populations.

A 2010 poll commissioned by the NLCCC found that an overwhelming majority of Latino voters in the states of Nevada, Colorado, and Florida consider global warming a serious problem that Congress must address now. Latino voters said they would be more likely to support a US Senate candidate that backs proposals to fight global warming. They also believed that switching to a clean energy economy would mean more US jobs. Latinos see global warming as a problem that they have a moral obligation to address, and are willing to make personal sacrifices to reduce pollution. They are even willing to pay more to get more of their energy from renewable sources.¹¹

Latinos support, and would greatly benefit from, a clean energy future in the US. It is up to all of us to make sure that future includes equitable investments, quality and sustainable job opportunities, along with regulation and enforcement of environmental standards that safeguard public health.

REFERENCES

1. US Environmental Protection Agency, "Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act," updated on Friday, January 28, 2011, <http://www.epa.gov/climatechange/endangerment.html#findings> (accessed February 2011).
2. US Environmental Protection Agency (EPA), "Designations," December 17, 2010, <http://www.epa.gov/oaqps001/greenbk/define.html> (accessed February 2011).
3. US Department of Health and Human Services, Centers for Disease Control and Prevention, "CDC Health Disparities and Inequalities Report — United States, 2011," Morbidity and Mortality Report 2011; 60: 30-31, <http://www.cdc.gov/mmwr/pdf/other/su6001.pdf> (accessed February 2011).
4. US Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Environmental Health, "Important Asthma Triggers," Last updated December 15, 2010, <http://www.cdc.gov/asthma/triggers.html> (accessed February 2011)
5. American Lung Association, "American Lung Association State of the Air 2010," <http://www.lungusa.org/assets/documents/publications/state-of-the-air/state-of-the-air-report-2010.pdf> (accessed February 2011).
6. Robert Pollin, Heidi Garrett-Peltier, James Heintz and Helen Scharber, "Green Recovery – A Program to Create Good Jobs and Start Building a Low-Carbon Economy," Political Economy Research Institute (PERI) and Center for American Progress, September 2008, http://www.peri.umass.edu/fileadmin/pdf/other_publication_types/peri_report.pdf (accessed February 2011).
7. "The Clean Energy Economy: Repowering Jobs, Businesses and Investments Across America," The Pew Charitable Trusts, June 2009, http://www.pewcenteronthestates.org/uploadedFiles/Clean_Economy_Report_Web.pdf (accessed February 2011).
8. Ibid.
9. "About us," Blue Green Alliance, http://www.bluegreenalliance.org/about_us, (accessed February 2011).
10. Jason Walsh, Josh Bivens and Ethan Pollack, "Rebuilding Green: The American Recovery and Reinvestment Act and the Green Economy," Blue Green Alliance and Economic Policy Institute, February 17, 2011, <http://www.bluegreenalliance.org/admin/publications/files/BGA-EPI-Report-vFINAL-MEDIA.pdf> (accessed February 2011).
11. "Attitudes of Latino Voters on Energy Policy and Climate Change: Results of Initial Multi-State Poll," National Latino Coalition on Climate Change (NLCCC), April 2010.

CHAPTER 6

POLICY RECOMMENDATIONS

ECONOMIC EMPOWERMENT AND WORKERS' PROTECTIONS:

The recession has undermined the economic security of the Latino community, increased the vulnerability of Latino workers, and widened the gap between the rich and poor. Jobless rates increased faster for Latinos than for whites, while homeownership rates decreased faster. **To correct these alarming trends, any plan for job creation taken up by Congress or the President must target the Latino community.** Workers will need training programs in order to take full advantage of the good jobs, high wages and career opportunities presented in a new economy. In states and localities with limited English proficient populations, these programs must provide both job and language training. Legislation that better protects the lives and health of workers is a priority.

PROTECT AMERICAN WORKERS ACT (PAWA):

It is critical that the Administration create and enforce workplace laws to reduce safety, health and wage violations. As a vital first step, Congress must pass the Protect American Workers Act (PAWA). **PAWA would modernize the Occupational Safety and Health Act of 1970 (OSH Act) to strengthen OSHA's ability to protect American workers.** To deter employers from turning a blind eye to violations of the OSH Act, PAWA would increase whistleblower protection for workers who report safety and health hazards and who refuse to work in unsafe conditions.

PAWA would also increase the severity of civil and criminal penalties for every type of violation. OSHA's current penalties are not sufficiently onerous- the average OSHA penalty is only around \$1,000 while the median initial penalty proposed in investigations where a worker died was just \$5,900 in FY 2007. Under PAWA, employer violations that result in worker fatalities or serious injuries would become felonies, while willful and repeat violations would result in fines of up to \$250,000. Unscrupulous employers, who refuse to comply with safety and health standards and endanger the lives and health of workers, would be more willing to comply with the law if they faced serious monetary penalties or jail time.

EMPLOYEE FREE CHOICE ACT (EFCA):

At a minimum, democracy involves freedom of speech and freedom to organize collectively around issues. In the case of workers, a minimum standard of democracy involves the ability to discuss and debate among themselves free of harassment whether or not they would like to join a union. For Latinos, union membership means higher wages, job security and access to benefits such as health care and pensions. **To remove the barriers for Latinos and all workers to form a union, passage of the Employee Free Choice Act is critical.** Time and again, we have witnessed that the current system for workers

to form unions is broken. EFCA would allow for a democratic decision-making process that provides workers room to be on equal footing with management to bargain collectively for wages, hours, benefits and working conditions. Congress must pass EFCA to level the playing field for all workers.

CREATE OPPORTUNITIES FOR LATINOS IN CLEAN-ENERGY AND ENERGY EFFICIENCY SECTORS:

To meet the global challenge of climate change with a vision for economic opportunity, **the Administration and Congress must invest in the development of clean energy sources that will create well-paid 'green jobs' for America's workers.** The challenge will be to ensure Latinos are an integral part of the emerging clean energy economy and trained to compete for the jobs that will be created. For this aim, adequate funding must be made available for apprenticeship programs that will actively recruit Latinos, as well as other people of color, low-income workers, women, at-risk youth and the unemployed. As we push for the creation of green jobs to fight climate change, curb unemployment and increase the purchasing power of communities of color, workers deserve jobs that pay family-sustaining wages. In accordance with the Davis-Bacon Act, prevailing wages must be part of any public works project that helps our nation transition to a clean and more efficient energy economy. **The opportunities created during this transition must be equitably distributed.** To ensure this, federal agencies must see to it that worker adjustment assistance reaches all workers in carbon-intensive sectors and all industries vulnerable to climate change legislation. These categories include "secondary" workers as defined in the 2002 reforms to the Trade Adjustment Assistance Act.

IMMIGRATION REFORM:

Our current immigration system fails working people. The nation's addiction to cheap labor, in combination with failed regional economic policies (NAFTA and CAFTA) that displace workers from their land, have engendered a pool of 11 million disposable workers whose rights are constantly violated. We oppose similar free trade agreements that are unfair to most workers. The 111th Congress was unwilling to pass immigration reform that would provide a clear process for legal migration, address the inequities of our current immigration laws, and create a coherent strategy for addressing the labor and economic needs of our country. **The President should announce a new approach to retooling our immigration administrative infrastructure that will facilitate access to legal immigration.** This approach should include: reducing the backlog of current applicants for legal permanent residency (LPR) status; providing relief for those currently in the country without documentation until our immigration laws conform with the country's current economic needs; and continuing to pursue bad-actor employers who exploit undocumented immigrants and perpetuate an underground economy of indentured workers. This limited package of immigration reforms should include bipartisan proposals, including the DREAM Act and AgJobs legislation.

PROTECT AND STRENGTHEN OUR NATION'S SAFETY NETS

SOCIAL SECURITY:

Social Security is central to the economic security of all Latinos, young and old alike. For 75 years, it has played a vital role in providing a safety net for the protection millions of retirees, disabled workers and aged widowers. Social Security has mitigated economic hardship for vulnerable communities, serving as one of the most successful government programs whose benefits can be credited in part

with alleviating poverty among the elderly. Without Social Security, the poverty rate among Latino elderly would triple. **To prevent an exacerbation of financial hardship in the Latino community, Congress and the President must protect Social Security and oppose privatization, benefit cuts and any raise in the retirement age.** To ensure that our elderly can live out the sunset years of their lives in dignity, we oppose deficit-reduction measures that target Social Security and exacerbate financial hardship on Latinos. Social Security has never contributed to the deficit of the nation.

HEALTH CARE:

Passage of the Affordable Care Act was a historic step to increase access to health care for 9 million Latinos in the country. **Ensuring that the Affordable Care Act is implemented and fully funded is critical to reduce disparities in health care coverage among Latinos and other communities of color.** Eliminating the five-year bar would increase access to health care among Latinos by making legal immigrants eligible to join federal and state funded programs such as Medicare and Medicaid. In order to provide Latinos with quality care that is linguistically and culturally relevant, action is needed at the federal level to: fund programs that work with Community Based Organizations to increase outreach to hard-to-serve and Limited English Proficient (LEP) populations; provide cultural competency training for health care providers; and increase diversity in the pool of health care professionals that serve Latinos.

CHILDREN'S ACT FOR RESPONSIBLE EMPLOYMENT (CARE ACT):

Passage of the Children's Act for Responsible Employment (CARE Act) is urgently needed to eliminate unconscionable disparities in federal protection for child farmworkers. There are serious loopholes in US' child labor laws that permit an estimated 500,000 children to work in agriculture at very young ages where they are exposed to pesticides and very severe conditions. **The CARE Act would fight child labor by amending the Fair Labor Standards Act of 1938 (FLSA) to eliminate the exceptions in age and wage and hour standards for children in agriculture, and raise the bar to the standards set for all other forms of child labor.**

CONCLUSION

The well-being and economic security of our nation's working families depend on: expanding access to health care; reforming our federal labor and immigration laws; improving our educational system to better serve low-income households and students of color; better and fairer regional economic policies; and addressing climate change. Failure to protect and enact comprehensive policies in all of these arenas will: perpetuate a cycle of abuse and discrimination of workers; deprive children, adults and retirees of vital health benefits; create an underclass of people living in the shadows; and threaten the nation's health and economic security. However, these failures can be avoided. Latino workers remain optimistic about America's future, and work diligently to contribute to it. We owe them the same chance that others in their position have historically had: the chance to use their labor to give their children a better life. Beginning with the passage of the policies we have described, America, and its Latino workers, can emerge from the recession stronger and more vibrant than ever.



Labor Council for Latin American Advancement, LCLAA

815 16th Street N.W 4th floor

Washington, DC 20006

Phone 202.508.6919

Fax 202.508.6922

www.lclaa.org

