

Day Labor, Worker Centers & Disaster Relief Work in the Aftermath of Hurricane Sandy

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Wednesday, October 30, 2013



ACKNOWLEDGEMENTS

The authors would like to thank:

Desiree Nunez, Lydia Parries, Persi Cofresi, Nik Theodore, Edwin Melendez, Abel Valenzuela, Pamela Izvanariu, M. Anne Visser, Annette Bernhardt and Victor Narro for their comments and encouragement throughout the project. We are also grateful to Dean David Birdsell and the staff and faculty at the School of Public Affairs and Baruch College for their institutional support.

The staff at NDLO and their member organizations including Nadia Marin Molina, Chris Newman, B. Loewe, Pablo Alvarado, Marco Loera, Veronica Federovsky, Omar Henriquez, Lorena Gamboa, and John Arvizu were very generous with their comments and support.

We are also extremely grateful to Carlos Canales, Conor McCarthy, Diana Mejia, Gabriel Banos, Germania Hernandez, Gonzalo Mercado, Gonzalo Cruz, Jackie Agudelo, Janet Hernandez, Javier Gallardo, Jorge Torres, Jorge Martinez, Ligia Guallpa, Lilliam Juarez, Lou Kimmel, Loyda Alvarado, Lucina Moscoso, Luisa Granda, Luz Tavarez-Salazar, Marien Casillas Pabellon, Marrisa Senteno, Monica Diaz, Natalia Navas, Rita Dentino, Stuart Sydenstricker, Valeria Treves, Yadira Sanchez, Zoe Colon, Jose Torralba and the workers affiliated with the Workers Justice Project, United Community Center of Westchester, Centro del Inmigrante, Casa Freehold, New Immigrant Community Empowerment (NICE), American Friends Service Committee, Wind of the Spirit, Hispanic Resource Center, Workplace Project, New Labor, Neighbors Link, Don Bosco Workers, Obreros Unidos, Unidad Latina en Accion for sharing their information and experiences with us.

We would like to thank OSHA's Susan Harwood Training Grants Program and the DOL Center for Faith-based and Neighborhood Partnerships for supporting worker safety training of NDLO and its affiliates. We also thank the North Star Fund and the Robin Hood Foundation for providing support to NDLO after hurricane Sandy.

Lastly, this work would not have been possible without the kind support from Laine Romero Alston, Suzane Shea and Helen Neuborne from the Ford Foundation and Robert Shull and Margie Robinson from the Public Welfare Foundation.

The views expressed are those of the authors and all disclaimers apply.

EXECUTIVE SUMMARY

Day laborers have played a crucial role in Sandy relief efforts, yet many of their contributions remain invisible and unrecognized by local governments and disaster planning and relief agencies. This report discusses the challenges that workers faced during the aftermath of Hurricane Sandy and the role that worker centers played to protect the health and safety of workers.

The biggest challenge faced by day laborers during their participation as workers and as volunteers in reconstruction brigades during Sandy recovery efforts was the exposure to hazardous material and unsafe working conditions. This was exacerbated by lack of immediate access to proper training, information on potential hazards or adequate equipment. Under the leadership of the National Day Laborer Organizing Network, a number of local organizations and worker centers came together to lead in the reconstruction efforts and connect with federal, state, city and philanthropic agencies to find and secure the resources needed to provide workers with basic equipment to protect themselves and trainings on how to properly use the equipment and minimize exposure to hazardous materials, dangerous conditions and workplace accidents.

Hurricane Sandy did increase the number of jobs available to workers and in some cases it slightly increased wages but these came at the expense of increased exposure to risks and hazards among a population that does not have regular access to doctors or healthcare.

Day laborers are a labor sector that often times is at risk of injuries and exposure to hazardous materials. Hurricane Sandy help to expose unsafe conditions and questionable practices by employers and failure to provide safe working conditions for workers. Homeowner and contractors were the principal employers during Sandy reconstruction efforts. Homeowners found themselves unable to provide safety to workers because they did not know what was needed, had no means to buy the equipment, or simply were not immediately concerned with worker health and safety. In the case of contractors, many failed to provide protection to workers likely due to ignorance, incompetence, or negligence.

In order to protect the health and safety of workers, employers, and homeowners after an emergency and disaster situation, we recommend that federal, state and city agencies: recognize the important role played by day laborers in relief and reconstruction by incorporating them and their organizations into disaster planning; protect workers' rights during reconstruction; provide disaster preparation trainings; provide personal protective equipment; allocate funds for workers centers in advance of disaster response and reconstruction; support the creation of day laborer centers in every borough of New York City, and in key surrounding metropolitan areas; and protect workers involved in cleanup and reconstruction from the threat of deportation.

Day laborers and their organizations should receive continuous training in disaster relief and occupational safety and health **before** disasters happen and should receive additional equipment, materials, supplies and donations **immediately after** a disaster. Trained and equipped day laborers are essential to safe and effective recovery work but they are also an important vehicle to potentially educate, support, and protect home-owners and small contractors from any hazards, work-site dangers, or potential accidents. Incorporating day laborers and their organizations proactively and on the front-end of emergency management and disaster relief plans and policies is essential to promoting a safe, effective and efficient emergency management response system and to minimizing workplace dangers to workers, employers and homeowners.

INTRODUCTION

Over the past year there has been an increasing interest by the media, city agencies, funders and community advocates on the role of day laborers and low wage worker organizations in disaster relief and recovery work. Much of the interest arose as a response to the mobilization of day laborers and worker centers in the clean-up and reconstruction efforts after Hurricane Sandy devastated large sections of the East Coast on October 29, 2012.¹ The role of day laborers in disaster relief, however, is not new and day laborers were pivotal to September 11 and Hurricane Katrina recovery efforts.²

The experience after Hurricane Sandy suggests that in the aftermath of a natural disaster or emergency situation, **two trends coincide: first, there is a significant increase in the demand for day laborers as homeowners and small contractors seek labor to do significant clean up and reconstruction work. Second, the risks and hazards associated with the additional work generated by clean up and reconstruction also increase.** This is a potentially troubling combination with more day laborers engaging in increasingly dangerous work and increasing their potential exposure to hazards, risks, accidents and injuries on the job.

The aftermath of Hurricane Sandy had a range of positive and negative effects for day laborers and low wage worker organizations in New York and New Jersey. Many workers benefited from additional work opportunities and both worker centers and workers may have also benefited from additional visibility and media coverage. Worker centers have also been able to establish closer working relations with Federal, State, and City agencies and departments and have been able to conduct worker trainings and

distribute protective equipment and supplies. However, workers and organizations also faced many additional challenges, such as how to quickly and effectively get resources to support workers and their work; how to safely prepare workers for increasingly hazardous working conditions and quickly secure and provide needed protective equipment and tools with limited resources, personnel and training; how to get access to additional financial resources and supports; and how to manage the increasing and diverse demands put on organizations, workers, and their families, in the aftermath of a disaster.

This report documents the role, contributions, experiences, and challenges faced by day laborers and day labor organizations in the aftermath of Hurricane Sandy. The main goal of the report is to increase our understanding of day laborers and day labor organizations as first responders to disasters and emergency events and to educate city agencies, funders, community advocates, and the media about the contributions and the challenges faced by this population in the aftermath of a disaster. The main lesson of the report is that Day Laborers and their organizations need to be systematically incorporated into the planning and early recovery efforts of local and metropolitan public agencies and charities. Day laborers and their organizations should receive continuous training in disaster relief and occupational safety and health **before** disasters happen and should receive additional equipment, materials, supplies and donations **immediately after** a disaster. **Trained and equipped day laborers are essential to safe and effective recovery work but they are also an important vehicle- to potentially educate, support and protect home-owners and small contractors from any hazards, work-site**

¹ See Sierra, J. (2012). "Latino Workers on the Forefront of Sandy Recovery Efforts." [Huffington Post](#) (December 28); Turkewitz, J. (2013). "Little Red Beacon for Immigrant Laborers Shine On." [The New York Times](#) (February 18); Pearson, E. (2013). "Day Laborer Advocates Offering Training, Safety Tips." [New York Daily News](#) (February 6).
² Naughton, Aoife, and Wes Wallace. "Day Laborers in the Reconstruction of New Orleans." [Callaloo](#) 29, no. 4 (August 2006): 1372-1388.

dangers, or potential accidents. Incorporating day laborers and their organizations proactively and on the front-end of emergency management and disaster relief plans and policies is essential

to promoting a safe, effective and efficient emergency management response system and to minimizing workplace dangers to workers, employers and homeowners.

THE ROLE OF DAY LABORERS & DAY LABOR ORGANIZATIONS

The research literature on day laborers, the day labor market and worker centers/organizations are varied and extensive. This research has focused on the demographic and socio-economic characteristics of day laborers, on the main features of the day labor market, the impacts of a growing number of day laborers on local communities, and the policy responses that local governments have adopted in response to the growth in the number of day labor sites. Policy responses to Day Labor have ranged from invisibility or ignorance in some cases to increased regulations restricting day labor arrangements to collaborations in the creation of worker or day laborer centers. Research on worker centers has largely explored how and to what extent worker centers facilitate the incorporation of day laborers into the labor market and on the effectiveness of particular strategies and programs developed by day labor focused worker centers.

Research focusing on the characteristics of day laborers has examined indicators such as immigration status, race/ethnicity, levels of education and related demographic and socio-economic characteristics. Some studies have quantified the number of day laborers by region and on a national scale. Estimates of the day labor population in New York City range from 5,831 to higher estimates of over 10,000 day laborers.³ There are approximately a dozen informal hiring

sites in New York City, located primarily in Brooklyn, Queens and, increasingly, The Bronx.⁴ There are also several small sites outside some hardware stores in Manhattan's East and West sides. According to Valenzuela, Melendez and Theodore's 2006 national study on day laborers, approximately 117,600 workers are either looking for work or are employed as a day laborer on a given day, with the largest concentration of day laborers and hiring sites found in the Western United States.⁵ While there have been attempts to count the number of day labor corners or sites and to estimate the number of workers associated with day labor centers, exact estimates of the total number of day laborers are difficult to obtain because the day labor market is very fluid with day laborers moving in and out of the day labor market by the hour, day, week and season.⁶

Researchers have also analyzed the interactions between the fluctuating supply of day laborers and the increasing demand for low wage workers and how changes in the demand for casual labor have driven the growth of the day labor market in the United States. The growing demand for day labor is partially driven by homeowner needs, the fluctuating and specialized needs of small contractors, and other labor market changes requiring greater industry flexibility, shifting labor arrangements, and a push to lower operating costs.⁷ Research has suggested that for immigrant workers, particularly those entering

³ City of New York (2009) Temporary Commission of Day Labor Job Centers.

⁴ City of New York (2009) Temporary Commission of Day Labor Job Centers.

⁵ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 4

⁶ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 4

⁷ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 1

the labor market, there are limited employment opportunities in the formal labor market and for many workers working long hours and days is essential to generate income for consumption, remittances and to supplement other income.⁸ Individuals engage in the day labor market in order to gain work experience in the United States, potentially refine and expand their skill set, and to increase their social and professional networks in order to increase their access to additional work and earning opportunities.⁹ Approximately 60 percent of day laborers in the National Day Labor Survey (2006) reported day labor work as their first occupation in the United States, a statistic which contributes to the notion that the day labor market is a vehicle to integrate new immigrants into the labor market and the local economy.¹⁰ Lastly, many day laborers face additional obstacles in joining the formal sectors of the economy due to their immigration status, limited or no English proficiency, or low levels of formal education.¹¹

According to the National Day Labor Study (2006), the day labor work force in the United States is mostly male though there are several corners of women workers involved mostly in household cleaning and other domestic work.¹² Day laborers are also more likely to be recent immigrants from Mexico and Central America.¹³ Approximately 75% of all survey participants were undocumented.¹⁴ Many day laborers reported leaving their country for economic reasons, learning about day labor sites *after* their migration to the United States.¹⁵ Day laborers are often able to find jobs through homeowners,

renters, or contractors doing a range of jobs in construction, gardening, landscaping, re-decoration, and other home repairs.¹⁶ Approximately two-thirds of day laborers reported having children and help provide for their families by working as day laborers.¹⁷ Day labor can either be a short term or long term employment opportunity for workers but the vast majority of day laborers surveyed, 86 percent, were seeking more stable, permanent jobs.¹⁸

The working conditions that day laborers are exposed to are often precarious, unsafe, challenging, and unregulated. Workers often lack proper safety instructions, proper equipment or other forms of worker training and protection.¹⁹ Day laborers have reported numerous work related injuries and fatalities, which may be due to exposure to precarious working conditions, poorly managed worksites, and work arrangements with multiple occupational health and safety law violations.²⁰ According to a local 2003 New York Day Labor Survey, 83% of day laborers suffered some workplace injuries, 85% of workers experienced some type of employer violation and almost half of all day laborers reported wage theft.²¹ Data from the National Day Labor Survey suggests that twenty percent of day laborers have suffered a workplace injury.²² The inability to work due to a work place injury is common among day laborers; approximately two thirds of day laborers reported missing work after a workplace injury.²³ The National Day Labor Survey also found that more than half of day laborers, who had been injured on the job within the past year, did *not* seek medical care.²⁴

⁸ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 1-2.

⁹ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 1-2.

¹⁰ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 20.

¹¹ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 18-21.

¹² Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 18.

¹³ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 18.

¹⁴ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 18.

¹⁵ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 18.

¹⁶ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. ii.

¹⁷ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 19.

¹⁸ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 20.

¹⁹ City of New York (2009) Temporary Commission of Day Labor Job Centers. Pg 3

²⁰ City of New York (2009) Temporary Commission of Day Labor Job Centers. Pg 3

²¹ City of New York (2009) Temporary Commission of Day Labor Job Centers. Pg 4-5.

²² Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 12.

²³ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 12.

²⁴ Valenzuela, et al. "On the Corner: Day Labor in the United States", pg. 12.

Hazardous working conditions are not the only downside of the day labor market. The day labor market is unstable and workers are frequently underpaid or not paid at all (a phenomenon known as wage theft).²⁵ Further, because the day labor market is often unregulated, workers may also be paid wages below the minimum wage. In fact, wage theft is the most common abuse reported by day laborers.²⁶ Additionally, at least 1.4 percent of respondents to the National Day Labor Survey reported that day labor jobs paid less than the \$5.15 federal minimum wage at the time.²⁷ Aside from low wages and wage theft, day laborers often point to difficult working environments and conditions where they are denied food and water breaks; may end up working more hours than agreed upon; may be subject to insults, threats and even violence from an employer; and may be abandoned at distant worksites by the employer.²⁸

The influx of day laborers into communities has sometimes been met with opposition and tense relations between day laborers and some elements in the surrounding communities. This conflict has often manifested itself in the form of racial epithets, threats and insults directed to day laborers as well as harassment by some members of the community or police.²⁹ According to the National Day Labor Survey, one-fifth of all migrant day laborers have reported being insulted by merchants and 15 percent said they have been refused services in local businesses.³⁰ Communities have expressed health and safety

concerns regarding issues of loitering, public intoxication, urinating in public, harassment of women and an increase in traffic congestion.³¹ Local governments have responded to the influx of day laborers in various ways. According to Valenzuela, one of the most comprehensive responses is through the creation of worker centers.³² Worker centers have been created and managed by community based organizations, local governments, religious institutions, labor unions or local businesses.³³ Since 2006 there have been over 63 day labor worker centers in the United States.³⁴

Worker centers are formal hiring sites, typically located near informal hiring sites, where workers and employers are in a safe place and space where they can meet and negotiate the terms of any casual employment. Worker centers provide many benefits in addition to a place to negotiate work for the day including basic necessities such as restroom access and telephone usage, opportunities for collective action, and engagement in activities that promote local economic development, safe communities, fair wages, and safe working conditions.³⁵ Worker centers function as “labor market intermediaries” providing a safe place and space for parties to engage in a constitutionally protected private transaction and free speech.³⁶ Day labor centers have been able to facilitate and successfully support day laborers’ entry into the informal economy.³⁷ Day labor centers also offer a variety of services that improve day laborer

²⁵ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 15.

²⁶ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 15.

²⁷ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 12.

²⁸ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 15

²⁹ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Do Day Labor Worker Centers Make a Difference?” New York: Center for Puerto Rican Studies.

³⁰ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Day Labor Centers and Community Outcomes” Los Angeles : Center for the Study of Urban Poverty, page 2.

³¹ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Day Labor Centers and Community Outcomes” Los Angeles : Center for the Study of Urban Poverty, page 1 and “Day Labor Job Centers” Presentation to the New York City Commission on Day Labor Job Centers. Dated June 2006.

³² Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. iii.

³³ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 7 and “Day Labor Job Centers”: Presentation to the New York City Commission on Day Labor Job Centers. Dated June 2006.

³⁴ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 6.

³⁵ Valenzuela, et al. “On the Corner: Day Labor in the United States”, pg. 7 and “Day Labor Job Centers” Presentation to the New York City Commission on Day Labor Job Centers. Dated June 2006.

³⁶ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Do Day Labor Worker Centers Make a Difference?” New York: Center for Puerto Rican Studies. , pg. 1.

³⁷ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Day Labor Centers and Community Outcomes” Los Angeles : Center for the Study of Urban Poverty, pg 1.

civic engagement skills and this helps reduce community conflict and empowers day laborers within local communities.³⁸ Studies have also shown that worker centers can help increase day laborer connections to health and safety services and that they are particularly effective in helping provide workers with a place or person to report workplace abuses.³⁹ Worker centers essentially help to regulate and attempt to “formalize” the informal day labor market⁴⁰ by attempting to reduce workplace abuses and non-payment of wages, by educating workers and employers about worker’s rights, and by helping workers improve working conditions to the minimum standards mandated by law.⁴¹

In spite of significant interest by the press and the advocacy community, the literature on day laborers and disaster relief/emergency reconstruction work is quite limited. The experiences during Katrina and other events suggests that natural disasters increase the demand for day laborers and that disaster relief work is likely to increase related risks/challenges for workers. Disasters, by their very nature, tend to create additional occupational hazards and safety issues for workers (and employers) and appropriate recovery work requires training,

equipment and other protections. Greater demand for day laborers and disaster relief work is also likely to impact the organizational structures and capacities of worker centers and to add strains on the limited resources of worker center networks. This study is unique because it focuses on the day labor market and the role of day laborers and low-wage worker organizations in cleanup, recovery and disaster relief. Specifically, this study focuses on the impacts of Hurricane Sandy on the day labor market, the working conditions faced by day laborers in conducting cleanup and recovery work, and the impacts and challenges faced by day laborers and low wage organizations in performing disaster relief work. The report shows that disasters impact the day labor market by increasing the available opportunities to day laborers but also by increasing the hazards and dangers that day laborers are exposed to.⁴² In order to more adequately respond to natural disasters, affected area governments, disaster response and relief agencies, and philanthropic institutions need to support and increase the capacity of worker centers, and need to incorporate these centers and workers in emergency management and relief plans *before* disasters occur.

³⁸ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Day Labor Centers and Community Outcomes” Los Angeles : Center for the Study of Urban Poverty, pg 1.

³⁹ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Day Labor Centers and Community Outcomes” Los Angeles : Center for the Study of Urban Poverty, pg 8.

⁴⁰ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Do Day Labor Worker Centers Make a Difference?” New York: Center for Puerto Rican Studies, pg. 5

⁴¹ Melendez, E., Valenzuela, A., Theodore, N., & Visser, A. (2012). “Do Day Labor Worker Centers Make a Difference?” New York: Center for Puerto Rican Studies, pg. 3. And Valenzuela, et al., pg 7-8.

⁴² Berger, J. (2012). “For Day Laborers, Used to Scraping by, Hurricane Creates a Wealth of Work.” [The New York Times](#) (December 31).

METHODOLOGY

The information for our study comes from a series of conversations and activities with day labor worker centers in New York and New Jersey. We had structured conversations with eleven low wage worker and day labor organizations, participated in a safety training workshop, visited three organizations during worker meetings, and reviewed data and other materials produced by the organizations. The groups included: United Community Center of Westchester; Workers Justice Project; Centro Del Inmigrante; Casa Freehold; Hispanic Resource Center; NICE; American Friends Service Committee- Elizabeth, NJ; Wind of the Spirit; American Friends Service Committee- Palisades Park; The Workplace Project, and New Labor. The information we reviewed allows us to assess the impact of Hurricane Sandy on day laborers as first responders and on the organizations and workers centers that provide services and support to workers. We had conversations with key members of the staff from each organization in order to obtain a more comprehensive understanding of the organization's structure, resources, and their role in Sandy relief efforts. Our conversations with worker centers focused on four main issues: (1) the role of the organizations in Sandy relief efforts, (2) their assessment of

the work performed and contributions of day laborers to the recovery efforts, (3) the main aspects of Sandy reconstruction work and the impacts of Hurricane Sandy on both day laborers and low wage workers organizations, and (4) the key challenges faced by workers and their organizations as a result of Hurricane Sandy.

To supplement the organizations' survey responses and gain a more comprehensive understanding of the experiences of day laborers after Hurricane Sandy, we also participated in three worker meetings with day laborers who participated in the Sandy Reconstruction efforts. The meetings took place between May and July 2013 at three different sites which were impacted by Hurricane Sandy; New Jersey, Staten Island and Brooklyn and they included close to 23 day laborers who were involved in Sandy Reconstruction efforts. Our conversations with workers focused on day laborer experiences with Sandy relief work, the working conditions and wages during Sandy Reconstruction, and on issues related to occupational safety and health and access to safety equipment and any training day laborers may have received to carry out their work.

WORKER CENTERS ROLE AFTER HURRICANE SANDY

Organization characteristics

Low wage worker organizations typically engage in worker organizing; research and advocacy; a range of social services and programs; and some operate day labor worker centers or manage day labor corners. Organizations typically meet with workers, organize meetings, and provide services at a central location but they often go to particular day labor corners to do outreach with workers and organize meetings in other available spaces. The majority of surveyed organizations (64%) manage corners which serve as informal hiring sites where organizations reach out to workers and workers gather to look for jobs. Slightly over half of the organizations (55%) also operate an indoor day labor center that serves as a hiring site, where contractors and homeowners can come to find available workers. A smaller percentage of organizations, 18%, operate outdoor centers where workers and employers can also meet to discuss work opportunities. A small number of organizations engage in all three activities and operate both indoor and outdoor centers while also doing outreach and supporting workers at the corners.

Day laborers usually congregate in strategic areas, such as worker centers or “corners” to look for work. Based on the estimates provided by the organizations, an average of 60 workers gather on each known day labor corner daily and close to 110 unique workers gather weekly. These estimates from 10 of the centers suggest that on any given day, there are approximately 596 workers that have regular contact with a worker organizations gathering on corners in New York and New Jersey. There are potentially thousands of other workers gathering in corners and sites that have not been organized or are not managed by worker centers. The numbers of workers who gather at corners vary from site to site; some sites may have as low as 3 workers to a high of 100 workers on a given day. The number of workers at hiring sites also appears to vary by season. In

general, organizations appeared to have a good sense of the number of unique workers that are connected to them on a daily basis and were better able to estimate the number of workers gathering on corners or sites per day and had more difficulty providing estimates of the number of unique workers on a weekly or monthly basis.

During our discussions with the workers, many day laborers highlighted the importance of a worker center as a primary place where workers can obtain information and contacts about available jobs, avoid wage theft, get relevant news and materials and seek training on occupational safety, health, and other protections. Workers highlighted the difference between being involved with a worker center and looking for work in street corners or other unconnected hiring sites. Corners typically operate on a first come, first serve basis and often there is intense competition over jobs between workers on the street and limited information and contact with employers that come to the street corners. At worker centers, where workers tend to be hired by homeowners or small contractors, the process of matching workers to jobs is more orderly and secure as some information is collected on the work done by the day laborers. Center forms typically include information on the job, the worksite and the employer and this minimizes the chances of a worker getting lost or not being paid. Employers that seek labor in worker centers, particularly repeat customers, tend to know about and abide by worker center rules regarding payment of wages. Worker centers typically have rules that govern the order in which workers go out for jobs, agreements on minimum wages for certain jobs, and rules regarding employer preferences for workers they may know or that have a particularly needed skill set.

Member Demographics

Organization membership varies slightly by race/ethnicity but most of the organizations work primarily with Latino workers. The national origin of the Latino population does vary and some of organizations work with other ethnic groups but Hispanic or Latino members comprise the majority of the workers in these organizations ranging from 60% to 100%. All organizations report having some South American and Central American members and approximately 90% of organizations reported having some Mexican members. According to the organizations, most of their members originate in Central American countries such as Guatemala, Honduras, El Salvador, Costa Rica, and Nicaragua and South American countries including Ecuador, Peru, Colombia, Brazil, Uruguay and Paraguay.

However, organizational membership varies by Hispanic subgroup. The percentage of members from any Hispanic subgroup varies widely from one organization to another. For example, depending on location some groups have a higher proportion of Central Americans, others focus on Mexicans workers and some groups include higher proportions of South Americans workers. Some of the organizations also had a few Black, White and Asian members. Of the eleven organizations we spoke with, 46% had some Black members, 27.3% had some White members and 9% had some Asian members. White members comprised 1-10% of the membership among the 3 organizations who had White members. Black members accounted for 0 to 30% of members in five organizations that reported serving black workers. One organization indicated it had a few (South) Asian members from India.

SCOPE OF DAY LABOR WITHIN RELIEF & RECONSTRUCTION WORK

Natural disasters have multiple impacts on low wage workers, low wage labor markets, worker centers and worker center networks. These impacts stem from sharp increases in the demand for day laborers immediately after a disaster and they involve: changes in the type of work, more challenging working conditions, and increased exposure to dangerous substances or materials. Support organizations also operate in “emergency mode” where small staff works long hours, they have to engage multiple stakeholders, and their resources are stretched to address a variety of worker issues and provide equipment to large numbers of day laborers. The added pressure tests the organizational capacity of many groups and requires management to seek and activate a broad set of resources and supports.

Organizing Volunteer Reconstruction Brigades

Within the first week after Sandy, organizations observed that day laborers were in high demand and among the first core of workers to respond to the disaster relief, cleanup up and reconstruction efforts.⁴³ Sandy hit some areas where day laborers live and workers centers were located quite hard. For instance, the Bay Parkway Community Job Center, a south Brooklyn hiring hall was destroyed by the storm and eventually rebuilt.⁴⁴ In response, many organizations participated or organized Sandy cleanup and reconstruction brigades to help rebuild hard hit areas. Approximately 91% of the surveyed organizations participated in Sandy clean up or reconstruction brigades. These

⁴³ Sierra, J. (2012). “Latino Workers on the Forefront of Sandy Recovery Efforts.” *Huffington Post* (December 28).

⁴⁴ Pearson, E. (2012). “Day Laborers’ Besonhurst Center Destroyed in Hurricane.” *New York Daily News* (November 12); Turkewitz, J. (2013). “Little Red Beacon for Immigrant Laborers Shine On.” *The New York Times* (February 18).

reconstruction brigades were held in Union Beach, in New Jersey, Coney Island and Staten Island, in New York. Some brigades were quite large and organizations estimate that close to 162 different members per center were involved in Sandy relief efforts. Brigade work included doing clean up and debris removal, reconstruction work, providing PPE trainings to workers and other organizations, and volunteering directly to help reconstruct affected areas impacted by Sandy. **As one worker put it:** *“We started getting together as a group to do voluntary work, to make ourselves known as the first groups of workers that were willing to help after Sandy; to make ourselves more visible and gain a good reputation.”*

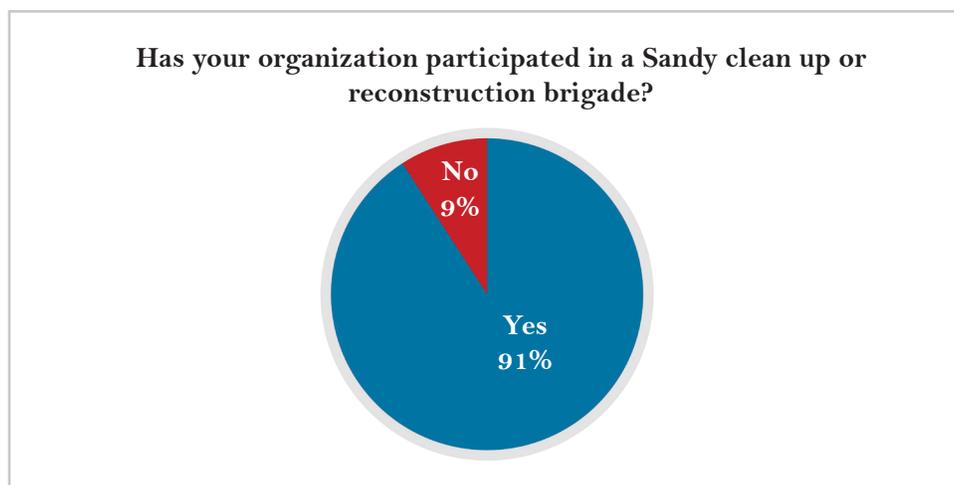
new corners or informal hiring sites in response to Sandy. For instance in South Brooklyn, the Workers Justice Project has identified 6 new corners in South Brooklyn and the Rockaways. Another organization noted that some workers who worked in the restaurant and other industries reported to hiring sites in search of day labor work because the restaurants in the area were closed due to a power shortage and other Sandy related damage.

Although the general consensus among surveyed organizations is that the number of day laborers going to hiring sites increased after Sandy, it is also important to assess whether day laborers

experienced an increase in jobs after Hurricane Sandy. The vast majority of groups, 9 out of 11 organizations, indicated that workers experienced an increase in the number of jobs after Sandy. This suggests that after Hurricane Sandy both the number of workers engaged in day labor and the number of

jobs done by those workers (number of hours and days worked) increased appreciably.

Conversations with workers during meetings also confirm that the number of jobs after Sandy did increase, although the duration of the increase varied from area to area. In some areas the increase in jobs lasted for a few weeks, while in other areas the Sandy related reconstruction jobs were still available months after the storm. One factor that appears to have affected the availability of jobs for workers over time was the arrival and presence of groups of volunteers. Areas where volunteers had a bigger presence lowered the availability of jobs for day labor workers, partly

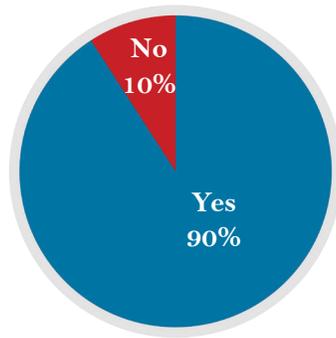


Work flow patterns

One of the immediate impacts of Hurricane Sandy was an increased demand for day laborers to engage in clean-up, reconstruction, and rebuilding efforts.⁴⁵ This was evidenced in part by an increased supply of workers visiting and trying to obtain jobs at the hiring sites. Of the eleven organizations surveyed, 9 organizations, or 82%, indicated that the number of workers going to hiring sites increased after Sandy. Organizations reported increases ranging from 7.5% to 50%, with 3 organizations reporting an increase of 25% of workers going to hiring sites. One organization cited the creation of

⁴⁵ Berger, J. (2012). “For Day Laborers, Used to Scraping by, Hurricane Creates a Wealth of Work.” *The New York Times* (December 31); Editorial. (2012). “Day Laborers, Helping Hands.” *The New York Times* (November 20).

Have workers experienced an increase in jobs after Hurricane Sandy?



related work, 22% of workers spent 5 days doing Sandy related work, 11% spent 4 days doing Sandy related work and 11% spent 2 days doing Sandy related work. Some organizations mentioned that right after Sandy (during November and December), workers were investing 6 or even 7 days a

due to homeowners' preference for free volunteer work rather than paid day laborer work. Another factor which also seemed to affect the availability of jobs was the fact that several small and medium sized companies began to get contracts to rebuild in the affected areas and less of the work was done directly by the home owners. It appears that jobs were more abundant during the initial clean-up and recovery phase in the weeks and months after the storm when day laborers acted as first responders and were hired directly by homeowners in need. As volunteer groups began to arrive, and homeowners were able to mobilize their resources for the rebuilding work, small and medium-sized contractors got a larger share of the jobs and day laborers were more likely to be sub-contracted by these firms rather than engaging directly with affected homeowners.

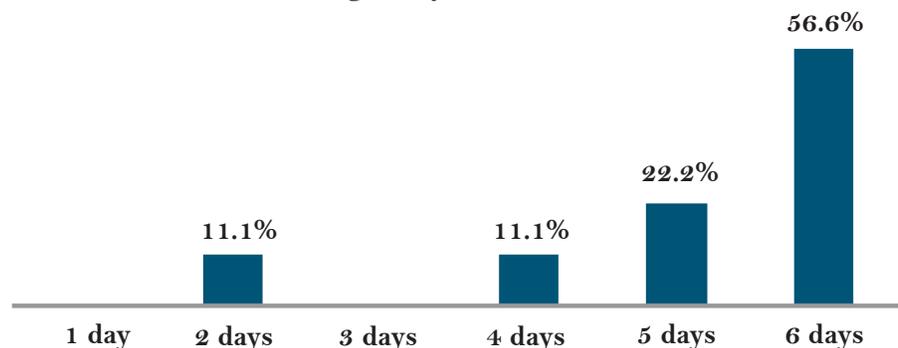
week doing Sandy clean up and recovery work. However, by February the amount of days spent doing Sandy related work decreased to an average of 3-4 days per 6 day work week.

State to State Migration after Sandy

The increase in day laborers showing up to hiring sites was not limited to the day laborers that live or work in the affected areas. Another impact after Sandy was what appeared to be an increase in interstate migration of day laborers looking for work though not as pronounced or evident as it was after Hurricane Katrina in New Orleans. Six organizations, or 54.5%, indicated they had not been aware of state to state migration, while 45.5% or 5 organizations indicated they had been aware of state to state migration of new workers. These new workers were identified as Latinos coming from Philadelphia, Texas, Atlanta,

Hurricane Sandy had an impact on the flow of day labor work and the type of work done by day laborers. According to surveyed organizations, immediately after Hurricane Sandy workers were spending most of their work week doing Sandy related clean-up work. Out of a 6 day work week more than half of workers (56%) spent 6 days doing Sandy

In a 6 day work week, how many days do workers spend doing Sandy related work?



Florida, North Carolina, Georgia, Connecticut, and some going back and forth from New Jersey and New York. Some of the organizations indicated having heard of state to state migration, but not observing it directly, while another organization mentioned seeing union construction workers coming from other states for larger jobs but not day laborers. Our respondents suggested

that there was some but not large levels of state to state migration of day laborers as a response to Sandy, although this appears to have varied by location. Additionally, the responses also suggest that there was some extent of state to state migration for those not in day labor industry in search of work, particularly construction workers involved in commercial reconstruction projects.

TYPES OF WORK PERFORMED BY DAY LABORERS & WORKING CONDITIONS

After Sandy, the types of jobs that many workers performed were jobs specific to clean-up, recovery and reconstruction. Respondents were asked to rank a list of 14 jobs, with 1 as the most common and 14 as the least common. With a rating average of 1.27, Debris Removal and General Clean-up was the most common job, Demolition work, with a rank of 2.91, was the second most common job, and Yard Maintenance/Landscaping /Tree Removal and Basement Remodeling were tied as the third and fourth most common categories. The remaining jobs, in order, were: Mold Removal, Roofing and Insulation, Carpentry, Fences, Wood Floors, Wood Decks, Domestic/Household Work/ Organizing, Loading/Unloading, Plumbing, Gutter Repairs and Replacement, Electrical Work, Welding, Exterior and Interior Painting, Window/Door Installation, Cement Work, Stucco/Re-Stucco, Block and Brickwork. Other types of jobs mentioned by respondents were pumping water from basements and sand removal. Even though mold removal was not ranked as one of the first categories, it seems that a few months after Sandy, workers started getting mold removal jobs.⁴⁶ Workers confirmed that during the first phase of Sandy reconstruction work, they cleaned up the

affected areas and did some demolition work. The next phase according to day laborers has been reconstruction work. The first jobs related to Sandy involved removing (pumping) water from basements, removal of trash and debris, clean-up of affected areas, and taking down walls that had been covered in mold or other equipment that had been badly damaged. The debris and waste were piled up on the streets and day laborers were also involved in removing the piles of trash from the streets and taking trash to dumpsters or providing support to sanitation crews.

Hurricane Sandy affected a broad section of the northeast but the heaviest work concentrated in some areas that were closer to the coast and more severely affected. In order to find Sandy related work, most workers stayed in the areas and centers where they usually would go to find jobs and only a few workers appeared to have transported themselves to the areas directly affected by Sandy. The vast majority of workers continued to go to their regular hiring sites—their regular corners or worker centers and homeowners would come to the centers or corners to pick them up and then recruit additional workers by word of mouth. Over time,

⁴⁶ Nir, S. M. (2013). "Questions Emerge About the Mold That Hurricane Sandy Left Behind." *The New York Times* (March 2).

some contractors that knew about the centers and corners would pick up workers and transport them to the work locations in the areas directly affected by Sandy. Organizations mentioned that there were several sources of information about available jobs and workers tried to find Sandy related work via employment agencies, listings from government agencies, near Home Depot and related hardware stores and through friend and word of mouth networks.

Workers stressed that worker centers played an important role for them in terms of information about jobs and by providing a range of occupational safety and health materials and, over time, equipment and supplies.⁴⁷ Many of the workers suggested that most of the jobs were obtained at the worker center site and through requests that would emanate from workers that were part of their broader networks.

Employers

Conversations with organizations and workers suggest that there were two main types of employers involved in the day labor market after Sandy: homeowners and contractors (including small operations and some medium sized firms). The proportion seems to be evenly split with homeowners more prevalent immediately after Sandy and contractors slightly more prevalent thereafter. The majority of day laborers were employed by homeowners but, over time, the proportion of jobs from contractors to conduct Sandy reconstruction work increased. Dealing with a new set of homeowners, those that did not have previous experience with day labor or reconstruction work, in the aftermath of a storm presented a new set of challenges for day laborers: homeowners were prone to accidents themselves; many lacked information about risks, dangers and how to repair their homes; many lacked access to equipment, materials and proper supplies; most were often under stress and some had difficulty communicating with workers; and many also lacked proper resources to do the work they needed done. Homeowners hired day

laborers to clean and repair their homes, but many homeowners were ill equipped to assess work dangers and properly protect workers, and in many cases, themselves. As a response, numerous day laborers had to teach and advise homeowners on how to stay safe or minimize the risks from injury. One worker put it this way: *“Some of the contractors, not all, gave us equipment. Because many times employers do not know what is needed, especially homeowners, they do not know because they have not worked on that before, but we do and have to be prepared and bring our own equipment.”*

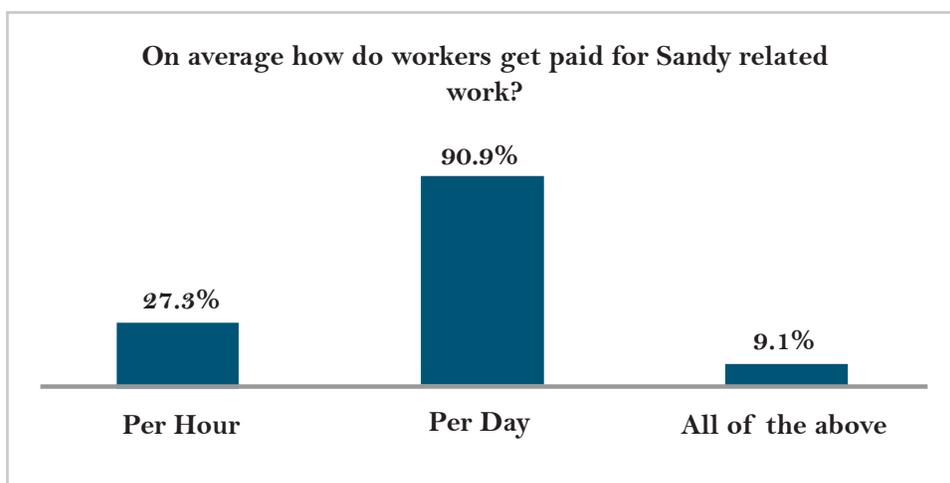
An interesting, and unanticipated, element in our conversations with workers focused on the relationship between the work performed by volunteers and the work performed by day laborers. According to the day laborers some homeowners preferred getting the clean-up and reconstruction work performed by volunteers since there was no or minimal cost involved. However, some day laborers mentioned that some of the work, especially reconstruction work, was poorly done by inexperienced volunteers. In some cases, day laborers had to redo the work performed by volunteers or were hired in conjunction with volunteer crews and had to show volunteers how to properly do the work. As one day laborer put it: *“For example, I went to the house of this lady and I gave her a list of things that she needed to get fixed so the house would be safe again to live in, but because she did not want to pay she went ahead and got volunteers to do the job. The volunteer did the sheetrock, but the structure of the house, the base of the house is falling apart. This is the difference between the volunteer who is a day laborer and has experience versus a volunteer who doesn’t.”*

Many day laborers argued that volunteers had good intentions and that their efforts were very valuable for homeowners and the community but they suggested that good intentions do not fix homes and many suggested that there was a need for balance between paid workers and volunteers to ensure the work was done properly. As discussed before, many day laborers

⁴⁷ Pearson, E. (2013). “Day Laborer Advocates Offering Training, Safety Tips.” *New York Daily News* (February 6).

also did volunteer work themselves, particularly in cleanup of public areas and places, but they argued that their work was professional work that needed to be done and compensated properly. Day laborers said that they felt that some did not appreciate or valued the level of knowledge, skill and experience that day laborers possess and thought they could get the same quality work done for free. Day laborers also made a clear distinction between different types of volunteers and argued that the quality of the work depended on who the volunteers were, their level of support, supervision and coordination, and their previous construction experience.

Day laborers did Sandy related cleanup and reconstruction work through both homeowners and contractors but many argued that their experiences were different and somewhat mixed. According to some day laborers, many small and medium sized contractors started to hire increasing numbers of workers after they obtained contracts to rebuild homes. Workers argued that contractors typically know the needed work but that often they paid less than homeowners. Workers argued that some contractors abused and overworked workers by making them perform very hard work at a fast pace and to be completed in one paid day. Increasing the amount and speed of the work that was expected to be done in one day compromised the health and safety of workers. Many day laborers suggested that homeowners usually treat workers better and provide food, water, and typically higher pay. Another complaint against the companies was that they hired day laborers and sometimes left them stranded far away on the job site while homeowners were more accessible and often established a relationship with workers that led to repeat contracting or references for other work opportunities.



Worker Salaries

We wanted to get a sense of the forms and levels of pay offered to day laborers after Hurricane Sandy and we discussed these issues with the organizations. According to 91% of respondents, workers were paid at the end of their work day for their Sandy work. The pay was arranged on a “per day” basis but 27% of respondents said worker pay was computed per hour and paid at the end of the day. Workers typically have an agreed to hourly rate and a daily rate and they hesitate to go on a job for less than 4 hours. Some workers suggested that after Sandy some homeowners were also offering to pay “per house.” In the overwhelming majority of cases workers preferred, negotiated and were paid per day.

On average, workers were paid \$125 per day. The range per hour was from \$9 to \$15 and per day pay ranged from \$80 to \$150. Pay also depended on whether workers were hired at a hiring site or on the corner, and the type of jobs they performed. For example, in South Brooklyn, the Bay Parkway Community Job Center has higher pay rates than street corner. The initial clean-up jobs were set from \$150 per day compared to the \$100 to \$120 we heard was paid in the corners. However, according to some respondents, per day pay does not necessarily mean eight hours a day, it can mean working more than 8 hours (or less) in one day. Pay rate is also affected by other factors such as worker’s skills and the season.

Our conversations with organizations and workers suggest that wages for workers may have increased slightly in the immediate aftermath of Hurricane Sandy. According to the interviewees, the pay rate appears to have been slightly higher (by about \$10-\$25 per day) immediately after Sandy and during reconstruction. As was in the case with the number of available jobs, the period in which the wages appear to have been slightly higher varied from area to area. During the weeks immediately after the storm, many workers were able to negotiate slightly higher wages, but wages appeared to have returned to average levels several weeks after the storm.

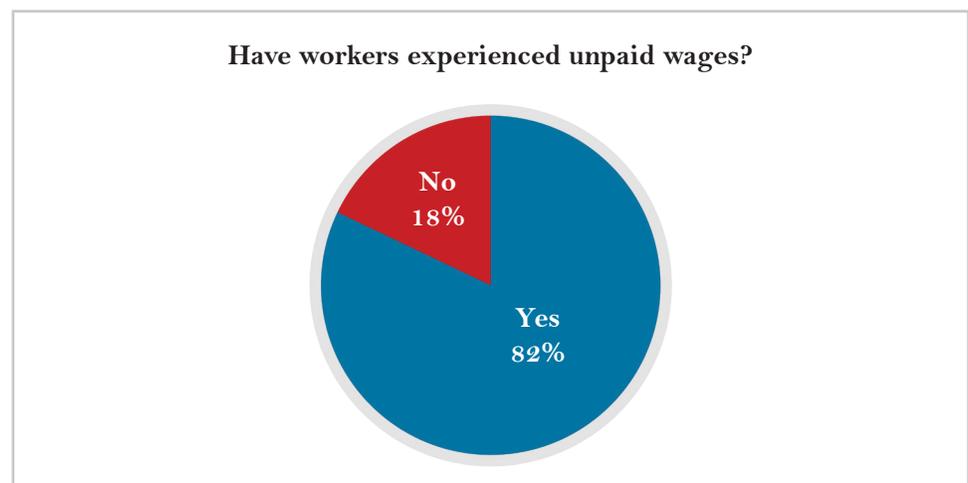
Workers suggested that some areas were able to keep higher pay by engaging in worker organizing and collective action. A worker suggested that: *“When we realized that we as a group were being affected, we had to meet to decide how much we were going to charge per hour. Before we used to charge \$80-100 [per day], after Sandy and all the risky work it implied we decided to charge \$120-130 as an assistant, we were going to places that were totally flooded, at risk of getting sick.”*

According to workers, the inability to maintain higher salaries might have been impacted by the lack of knowledge, on the part of some home owners not used to hiring day laborers, about differences in pay and variations depending on the type of work done (the difference between cleaning and re-building). Homeowners were also attempting to push wages down by suggesting that the work they needed could also be done by volunteers at no cost. A worker summarized the flow of wages after Hurricane Sandy on the following way: *“When I started*

working I set my own price of what I wanted to get paid. The price for our work did go up, but after a week the wages stabilized or even went down. People were getting paid what the employers wanted to pay.” The evidence seems to suggest that wages went up initially after the storm and that the slight increase in hourly and daily wages was related to increases in demand and a deterioration of working conditions and the hazardous nature of the clean-up work. As the months went on, wages appear to have returned to pre-Sandy levels in most day labor locations and efforts have been made to keep slightly higher wages for reconstruction and re-building work at the centers.

The Experience of Wage Theft

Prior surveys and research have indicated that many day laborers face unpaid wages and the phenomenon of wage theft is quite common in this labor market.⁴⁸ We wanted to assess whether day laborers face unpaid wages for Sandy Reconstruction work and the extent of the problem. Nine organizations, or 80% of the total, indicated that workers experienced unpaid wages related to Sandy reconstruction work, while 2 organizations (20%) indicated that they were not aware of workers not being paid their the wages they were owed. Of the 80% of organizations who indicated their workers had experienced unpaid wages, one third did not know

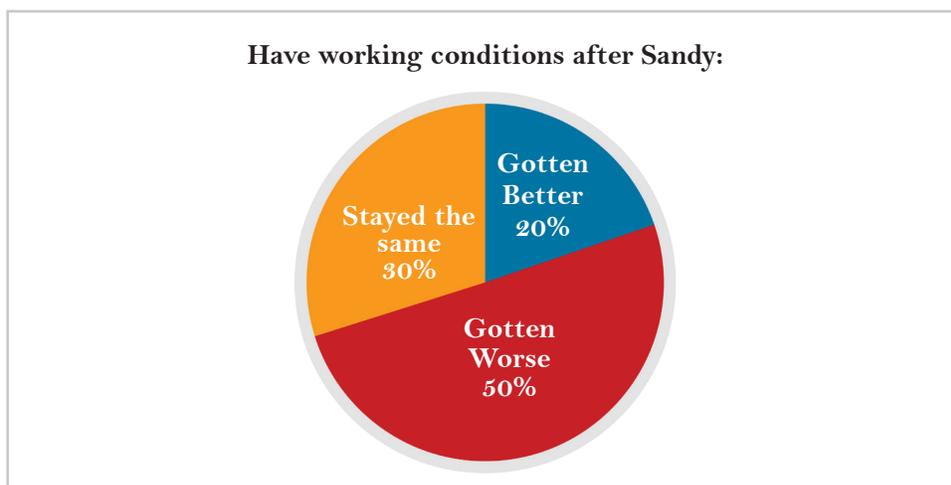


⁴⁸ Valenzuela, A., Theodore, N., Melendez, E., & Gonzalez, A. L. (2006). “On the Corner: Day Labor in the United States.” Los Angeles: Center for the Study of Urban Poverty

the percentage of workers who had experienced unpaid wages. For groups that could estimate the percentage ranged from 10% to a high of 70% of workers who had experienced unpaid wages but organizations highlighted that many of the wage theft cases were from workers that had been hired in corners that subsequently went to the center to seek help with securing payment.

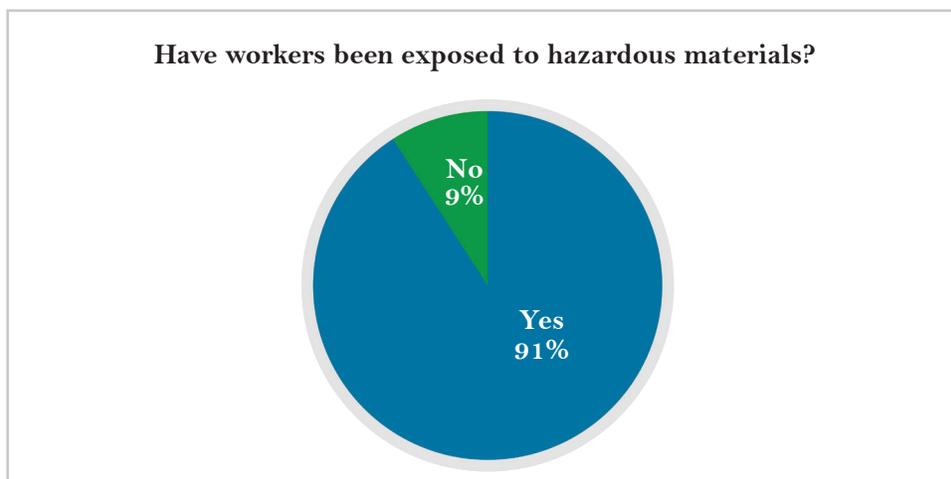
Working Conditions after Sandy

Given past experience with day laborers and disaster relief post September 11th and Hurricane Katrina, we wanted to learn more about any changes in working conditions after Sandy. Survey respondents were asked if working conditions after Sandy had gotten better, gotten worse or stayed the same. Six, or 50%, of organizations surveyed indicated that working conditions after Sandy had gotten worse, 3 organizations (30%) indicated that working conditions remained the same, and 2 organizations (20%) indicated that working conditions had gotten better. One organization who indicated that conditions remained the same supplemented their answer by indicating that working conditions had still been marked by wage theft and that day labor work was hard before, during and after Sandy. One organization indicated that conditions had gotten worse because there were more dangerous jobs and workers were overworking themselves and were exposed

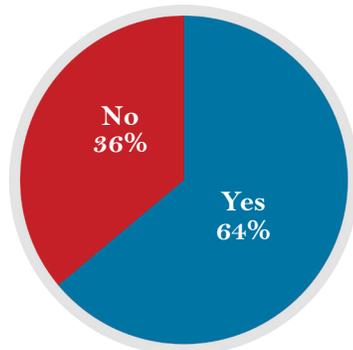


to dangerous conditions. One organization who indicated that conditions had deteriorated mentioned that there were many additional hazards faced by workers that were not always there in more regular day labor work.

After a natural disaster occurs hazardous materials may be released into the environment by businesses or they may be in basements and other parts of homes. Day laborers and other recovery workers are potentially vulnerable to exposure and increased risks to their safety and health. In order to understand the challenges faced by workers and their potential exposure to hazardous materials, we asked the organizations if they knew of any cases or heard any stories of workers being exposed to hazardous materials. An overwhelming majority, 91% of respondents, said they had seen or heard of workers being exposed to hazardous materials, such as mold



Have workers experienced accidents related to this job?



worked one day. The homeowner insisted that I had to do it, because who else was going to do it?"

Previous research on day laborers also shows that day laborers are more likely to experience work related accidents.⁵⁰ Of the organizations surveyed, seven

or other chemicals and materials that workers may not be familiar with or properly trained in how to handle. Some workers were involved with industrial cleanups involving warehouses that stored pharmaceuticals and in hospitals or health facilities where there is high probability that hazardous materials were released, creating potential exposure and dangers for workers. Workers were hired to clean residential and industrial sites without knowing what chemicals of elements they may have been exposed to or what kinds of chemicals they may have been asked to use for the cleaning.

organizations (64%) indicated that workers they worked with had experienced accidents related to Sandy cleanup and reconstructive work, while four organizations (36%) indicated that they were not directly aware of workers that had experienced accidents. Among organizations which had indicated that workers experienced accidents related to the job, two organizations did not know the percentage of workers who had experienced accidents on the job. Other organizations estimated that the proportion of workers that had experienced accidents on the job ranged from 3% to a high of 50%.

Workers reported that they were exposed to contaminated air (dust and debris), rotting waste, contaminated waters, unstable structures, and toxic substances that caused open cuts, eye irritations and skin reactions. Low and flooded basements represented a major challenge as workers had to remove water by using pumps, or even buckets, and had to deal with large quantities of waste and rotten materials. For example, workers told us they saw iron pipes corroded by ocean water and fungus forming on the walls, many instances of mold, and instances where they were asked to clean mold with brooms and scrub the areas where the mold was forming without adequate information, equipment, or protection.⁴⁹ Another worker added: *"I went to NJ to a two meter basement, but we did not go back because it was very dirty and looked dangerous, I only*

During our conversations with workers, a few mentioned having a accidents related to Sandy reconstruction work, although many more did report being exposed to toxic material and contaminated waters. Workers also mentioned stepping on sharp nails, falling objects and broken windows, skin reactions, eye infections, exposure to falling tree branches and unstable houses that could easily collapse on workers. One worker shared a life-endangering accident while doing Sandy related work. He noted:

"I learned about the Center around the time that Sandy happened. Before I did, I went to a job a friend had told me about. I was working cleaning a liquor store; there was no electricity so they were using a generator. When I saw the generator, I remember when someone told

⁴⁹ Nir, S. M. (2013). "Questions Emerge About the Mold That Hurricane Sandy Left Behind." *The New York Times* (March 2).

⁵⁰ Valenzuela, A., Theodore, N., Melendez, E., & Gonzalez, A. L. (2006). "On the Corner: Day Labor in the United States." Los Angeles: Center for the Study of Urban Poverty

me that if these are not working properly the fumes can be toxic. As I was working, cleaning the store I started to feel different, like I had lost my sense of touch, my face felt really soft. I asked my coworker if he was feeling anything, and he said “yes, my legs feel weak”. I decided to leave the place because I was not feeling good. As I was walking up the stairs, I felt weaker and weaker. I finally was able to open the door and get out, but as soon as I did I collapsed. I remember hearing a voice from distance asking me if I was okay, then I started to gain consciousness but later I had a seizure. At that moment, people realized that another worker was inside, they went in and the guy was lying on the ground inside the liquor store. I don’t know what happened to him.

As soon as I felt better I went home, but I had terrible headaches. I thought of going to the hospital but all were closed, so I thought the pain would go away, but it didn’t. The pain got worse then I decided to do to a mobile clinic in the area, they did some blood test and immediately decided to take me to the emergency room. When I got there I was connected to all sort of intravenous medication. When I spoke to the doctor he said if I would have waited more to get treated I would have died, my blood was intoxicated with high levels of carbon monoxide.”

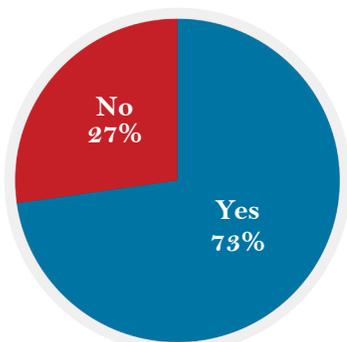
Worker Health and Safety Education and Equipment after Hurricane Sandy

Many of the workers had not experienced any situation similar to Hurricane Sandy before and thus were not aware of how to protect themselves from hazards and were even less aware of the protective equipment needed to do clean up and reconstruction work. Workers were commonly not provided with equipment by employers but many had their own basic equipment like gloves and masks. Lack of adequate tools and equipment was partially due to homeowners’ lack of knowledge of the necessary equipment or not having enough funds to purchase and provide equipment for workers.

Organizations and workers said that as equipment became available through worker centers and other organization it was distributed at the centers and through worker networks. The flow of equipment for organizations and workers after Hurricane Sandy was slow and not as effective as it could have been. This was mostly due to lack of planning and preparation that did not create and effective response and distribution system after the storm. While Federal and City agencies, and the organizational networks, were activated and began to develop collaboration, there were no clear precedents or models on how to deliver the resources that were needed and organization and city staff did their best to make phone calls, write emails and look for ways to mobilize support for worker centers and day laborers. Eventually, donations of equipment, materials, and supplies were arranged and basic trainings conducted

on how to use the equipment and how to increase workers protections and safety. One of the main lessons from the Sandy experience is that Day Labor Centers, City agencies and, particularly, philanthropic and emergency and disaster relief

Workers provided with adequate equipment to work in sites affected by Hurricane Sandy?



agencies need to have some awareness of and familiarity with the day laborer and worker center infrastructure so that materials, equipment, supplies and supports for day laborers can be obtained and distributed before or immediately after a disaster. City agencies need to think about the needs of first responder workers and incorporate their work and needs into emergency response and disaster relief planning and strategies.

Organizations were asked if workers had been provided with adequate equipment to work in sites immediately affected by Hurricane Sandy. About 73% of respondents indicated that workers have been provided with equipment, mostly by the organizations, but 27% of the groups said workers were still not being provided with adequate equipment to do Sandy reconstruction work.

The groups were providing workers with personal protective equipment (PPE) consisting of masks, glasses, gloves, helmets, light jackets and related. This equipment is useful to day laborers in their regular work but some workers argued that sometimes it is not the most adequate for clean-up; especially working under dangerous working conditions and exposed to hazardous materials after a natural disaster. Some of the initial apprehension to using equipment results from lack of awareness by some workers of what they need to use to protect themselves. A worker told us that *“During the second day, I went to help, everything was buried in mud, no safety equipment was given to us, but I was not aware I needed equipment either.”* Workers were grateful that organizations helped them by providing basic equipment and some had additional needs when the work involved taking out water from basements, cleaning mold or avoiding exposure to contaminants.

Over time, all the organizations interviewed mentioned that they provided some form of safety trainings and personal protective equipment (PPE) for workers as part of the organization’s mission to promote safety and help protect workers from hazardous conditions. With the collaboration of the Occupational Safety and Health Administration (OSHA), most

organizations provided the OSHA-10 training, a 10-hour training for entry-level workers. Organizations also gave trainings on workers compensation; on how workers could protect themselves from particular hazardous materials such as asbestos or other dangerous chemicals; and trainings on how to avoid hazardous workplace situations such as falls and other accidents. Some organizations also provided training on how to use personal protective equipment (PPE) and a few organizations have developed train-the-trainer or peer-to-peer protocols and a range of other popular education materials on worker’s rights and occupational health and safety. Lastly, organizations provided *Know Your Rights* trainings in order to prepare day laborers in case of police encounters.

Day laborers highlighted the importance of worker centers as their primary and often only source of trainings as employers almost never provided any protective equipment or information on how to protect workers, but focused exclusively on explaining the particular job they wanted the worker to do. In addition to the trainings mentioned by the organizations, some workers also reported receiving training conducted by the city on how workers should protect themselves from mold. During the group meetings, day laborers expressed the desire for additional trainings on how to use protection equipment more effectively, how to best deal with and protect themselves during mold removal and other more specific trainings. However, workers emphasized the importance of receiving trainings *before* the occurrence of natural disasters. Many workers and organizations stressed that one of the biggest challenges for workers post-Hurricane Sandy was that the safety trainings occurred *“after* the risks had already been taken” and workers had already been exposed to increased risks and hazards without the knowledge or equipment on how to protect themselves at the time. Since Sandy, some organizations have received the resources to provide and require some form of safety training for all of their members.

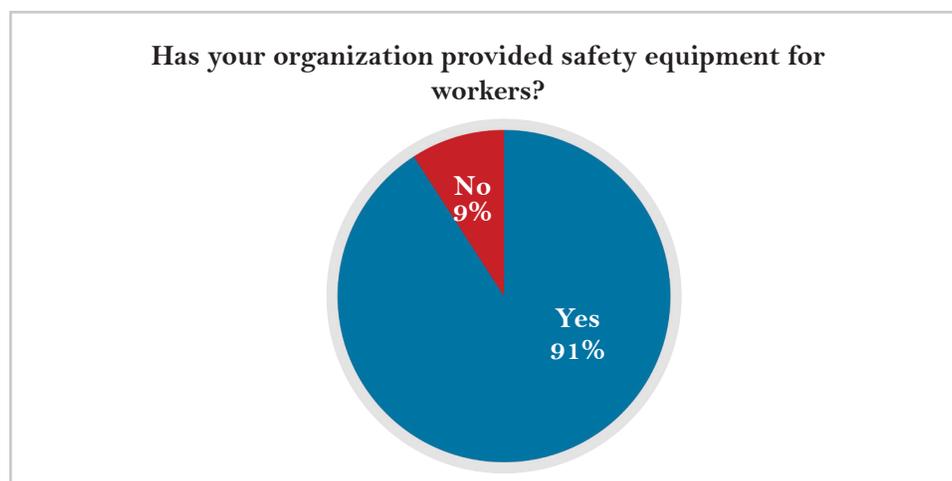
Through the coordinated efforts between the groups and the National Day Laborer Organizing Network (NDLON), Federal and City Agencies, and philanthropic support, organizations were

able to increasingly provide safety equipment to dozens of workers. The efforts to provide equipment were a response to many of the calls for help made by the organizations during the Sandy reconstruction process, a time when most workers were not given adequate equipment by employers to protect themselves from the hazards present at the different Sandy reconstruction work sites. Approximately 91% of the organizations reported that they had received and were providing of safety equipment to workers, which included gloves, masks, helmets, jackets and ear-plugs. As of Mar 31, 2013, organizations had received approximately 2,500 units of personal protection equipment. By September, 2267 of these units had been distributed to workers and the organizations had conducted approximately 84 training sessions with workers on how to use PPE.

additional resources to conduct their Sandy relief efforts. Approximately 82% of organizations indicated they have received some form of resources to continue their work, while 18% of organizations said they had not received any additional resources (or were not sure if they had received resources). Organizations received most of the resources in the form of donated PPE, and received most of the equipment weeks after Hurricane Sandy after a sustained advocacy effort. Groups did not receive any financial resources at first but eventually were able to receive some modest Foundation support from some of their existing funders to support their Sandy relief and reconstruction efforts.

We asked organizations about the sources and types of resources they received for Sandy relief efforts. Based on the information from ten organizations, **private foundations** provided a

significant portion of the support to organizations, in the form of money and equipment. Some of the private foundations that provided support include the Ford Foundation, Robin Hood Foundation and the North Star Fund, with some of the funds funneled through NDLO. Organizations also received some funds



Organizational Resources for Sandy Related Activities

Day labor groups and organizations contributed to the Sandy reconstruction efforts not only by supporting workers during the clean-up work but also by organizing volunteer worker crews, by protecting workers' safety as first responders through safety trainings and the distribution of personal protective equipment, and by advocating for workers and securing resources to carry out their support activities. To better understand how organizations were able to do this work, we asked organizations if they have received any

and safety equipment from **corporate sponsors** and additional support from NDLO in the form of equipment, reimbursement and additional private foundation funds. Other sources of funds included Occupy New York, New Jersey Red Cross and a manufacturer who donated some equipment and tool kits.

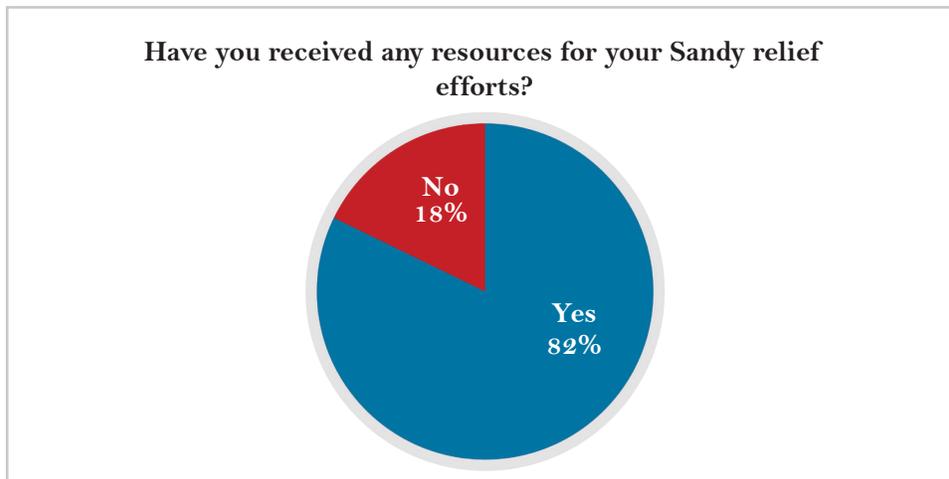
Additional, but much more limited, resources came from individual donors, and city, state and federal sources. Only one organization identified **individual donors** or **federal funds** as a direct source of funding, the remaining organizations indicated they had not received funding from

these sources or did not know. The organizations did not indicate **state resources** as a source of funding; most organizations indicated they had not received state resources or did not know. The same applies to **city resources**, although one organization indicated receiving funds *through* the city but not directly *from* it. These responses are particularly interesting because they suggest that organizations received the **most support from private foundations, some corporations, and the national network NDLOM** but limited or no

direct financial support from federal, state or city resources.

City agencies did play a critically important role in helping to secure corporate donations of equipment and foundation support and the Mayor's Office of Immigrant Affairs in New York played an important role in monitoring the situation for worker centers and connecting them to other sources of information and support. Similarly, OSHA and the US Department

of Labor were activated, did site visits with a worker center, and played a critical role in advocating for the provision of materials and supplies to responding organizations and worker centers.



WORKER AND ORGANIZATIONAL CHALLENGES AFTER SANDY

In discussing their experiences in the aftermath of hurricane sandy, organizations mentioned a number of challenges faced by workers and by the organizations that were trying to support them. The responses from organizations and day laborers suggest that some of the impacts of Hurricane Sandy include: (i) an increase in the number of workers reporting to hiring sites/corners; (ii) the creation of new hiring sites and corners, (iii) the migration of workers from other industries to the day labor industry and (iv) the migration of workers from other states to affected areas and (v) increased hazards for workers in reconstruction areas.

The primary challenge that workers reported after Sandy is the lack of safety while performing the job and the lack of acknowledgment from the city on their contribution to the recovery of affected areas. Workers feel they need more training on how to stay safe, personal protective equipment and the recognition of their work. Organizations were also asked if they have observed other challenges workers had experienced anything other than unpaid wages or work related accidents. One organization indicated that some day laborers had become subcontractors, while another organization indicated it was aware of workers that had undergone surgery, work related accidents and

injuries, underpayment of wages, and an increase in incidents of wage theft.

Challenges Faced by Workers

There were a number of challenges faced by workers and day laborers as a result of their Sandy reconstruction work. Health hazards and the lack of safety or protective equipment against hazardous material emerged as the most commonly mentioned challenge. The second most common challenge related to wages, either in the form of wage theft or low salaries paid to workers for Sandy reconstruction work. The third and fourth most common challenges were lack of acceptance or recognition from the community and lack of worker training on some key areas of work and skills. Other challenges for workers involved lack of stable work and lack of local opportunities for work, long days, workers being taken to far away places they did not know and where transportation was difficult, harassment by police, increased exposure to crime, and challenges associated with lack of documentation.

Workers Centers after Sandy

The aftermath of Sandy also created challenges for organizations, many of which already existed but were amplified by the added stresses of their work during Hurricane Sandy. The most mentioned challenge was the lack of immediate access to protective equipment to distribute to workers right after the storm. Other challenges included lack of resources to support the most pressing work including staff capacity and stress, economic resources, adequate and flexible space to conduct the work (on worker center was destroyed by the storm), and needing to be in response mode trying to tackle the issues as they were happening as opposed to working from a prepared plan and executing the strategy. A final set of challenges mentioned by organizations involved difficulties in reaching out to workers due to limited staff capacity and the lack of overall recognition and support for workers centers.

Worker centers have played a pivotal role in protecting workers and organizing brigades to

help homeowners rebuild their homes and protect property. However, organizations lacked the level of resources needed to sustain their outreach work and to organize and support additional groups of workers. Worker centers were able to activate their NDLO network infrastructure to secure some resources, to secure donations of materials and equipment, to receive, catalogue and distribute the equipment to workers, to offer training to worker leaders and to workers themselves, to engage in advocacy on behalf of day laborers, to serve as a liaison to funders, policy makers and city agencies, and to organize volunteer brigades of workers that supported a broad range of cleanup and recovery efforts. Over time, as Federal and City agencies were able to become more responsive, the groups were able to receive equipment and engage in some training, they were better able to help workers protect themselves from hazards and accidents and to protect their rights as workers. But, as one worker put it: *“Sandy already happened, the clean-up and demolition phase already happened, we are left with toxins and contamination, what we should do? How should we protect ourselves?”*

Hurricane Sandy had several impacts on day laborers, the day labor market, and organizations that work with day laborers. On the one hand, Hurricane Sandy increased the demand for day labor work and increased the amount of day laborers that gathered at hiring sites. While workers may have experienced an increase in jobs, they faced many additional risks, such as health hazards, potential for accidents on the job, and often times did their work without safety or protective equipment or without receiving recognition for their work. Employers, for the most part, did not provide day laborers with safety equipment or training. One reason for this is that some employers are homeowners who themselves need training and resources to protect themselves and the workers that may be doing work in their homes. Organizations that work with day laborers also found themselves stretched to their maximum capacity and began to build a resource base needed to sustain an effort to adequately do outreach, provide equipment and training, and assist more day laborers engaged in Sandy Reconstruction work.

Our conversations with organizations and their workers suggest that day laborers and organizations were actively engaged in reconstruction work but were short of many of the resources they needed to adequately respond to the crisis and proactively prepare large groups of day laborers for the response. In order to promote effective emergency management, the needs of day laborers and workers centers should be incorporated into formal disaster relief and recovery plans and need to be considered by policy makers and emergency management personnel, as these workers and organizations are frequently first responders in disaster and mass cleanup situations. Worker centers were quickly activated and, over time, efforts were made to provide them with the necessary resources by philanthropic institutions and by local, state and federal entities. Any future disaster relief and recovery plan should include a more formal assessment of the local worker center infrastructure so that resources can be made available quickly to identify workers, provide more access to training, supply workers with protective equipment.

There is also a need to increase resources available to federal, state and city agencies so that the number of inspectors to monitor the safety of workers in affected areas is increased and there can be more strategic outreach, through existing worker centers, to workers participating in disaster relief efforts. Disaster planning and relief agencies need to consider, and incorporate into their planning, the frequently observed reality that the demand for day laborers increases after a disaster at the same time that exposure to occupational safety and health challenges and the potential for wage theft also increase. Disaster planning and relief agencies need to proactively incorporate worker centers and the day labor community into their disaster and relief plans, in order to be properly prepared and minimize these challenges. Any disaster response, relief and recovery planning that does not incorporate the role of worker centers and day laborers into their plan rather than being proper disaster planning is a disaster of a plan.

Federal, state and local entities and philanthropic institutions, particularly those like the Red

Cross and others involved in emergency response, should be prepared to allocate funds to community organizations and worker centers so that they can prepare and do outreach to workers, provide the proper equipment, and can adequately train workers for emergency response. City and community organizations should provide ongoing safety training for workers in order to prepare them to respond better to emergency situations. Trainings should also be accessible to homeowners, many of whom were unaware of the risks that Hurricane Sandy posed to them and to the day laborers helping rebuild their homes. Companies (small and medium sized contractors), homeowners, and other employers of day laborers should be required to provide day laborers with the necessary protective equipment to reduce risks.

Lastly, day laborers should be equipped with information that can be distributed to homeowners to educate them on any potential dangers and provide them with key information and guidance on how to avoid accidents and protect their health and their families from any dangers after a storm. Day laborers are some of the first outsiders to go into affected homes and are an invaluable source of information and support for families after an emergency or disaster in their home. Day laborers should be equipped with the needed information and their work to help protect families and homes should be facilitated. Lastly, day laborers should be recognized for the work that they do and the contributions that they make to the disaster relief, cleanup and recovery of our neighborhoods, cities and towns.

CONCLUSIONS & RECOMMENDATIONS

Hurricane Sandy had a significant impact on day laborers, the day labor market, and organizations that work with day laborers. Our conversations with organizations, observation of their activities and participation in meetings with workers has allowed us to develop some concrete findings about the impact that Hurricane Sandy has had on day laborers and the various contributions of day laborers and other low wage construction workers to the relief and reconstruction work post-Sandy.

- In the days immediately after Hurricane Sandy, both day laborers and the workers centers that organize them found themselves in the position of being first responders in disaster relief, without having the adequate training or resources needed for this kind of mass cleanup and recovery work.
- Hurricane Sandy increased the demand for day labor work and increased the amount of day laborers that gathered at hiring sites (in part due to displacement of workers from other affected industries).
- While workers may have experienced an increase in jobs, they faced many additional risks, such as contaminated water, air, exposure to hazardous and toxic materials and the increased potential of accidents on the job.
- Employers, for the most part, did not provide day laborers with the safety equipment or training needed to adequately protect themselves from these hazards, although required by law to do so.
- Many employers were homeowners who themselves lacked the information, experience, training and resources to protect workers, and even to protect themselves. In addition, they were under stress because of the direct impact they have suffered in the storm.
- Organizations that work with day laborers were engaged in the response to the storm, but did not have the needed resources and materials to adequately equip and assist and reach the large numbers of day laborers and other low wage construction workers that carried out Sandy Reconstruction.
- While day laborers and other low wage construction workers carried out this work, there was virtually no recognition of their key role from traditional disaster relief entities.
- Efforts to reach out to and connect with City, State and Federal officials were challenging in the immediate aftermath of the storm due to the immense pressures felt by the many agencies and stakeholders.
- Over time, existing relations with the Mayor's Office of Immigrant Affairs in New York City and Federal Agencies like OSHA at the US Department of Labor were activated and they played a key role in helping to secure attention, resources, equipment and supplies for day labor organizations and workers from other federal, state, or local government officials.

KEY RECOMMENDATIONS

In order to promote effective emergency management, the needs of day laborers, workers centers, and other low wage workers should be considered by policy makers and emergency management personnel. Below are some concrete steps that can be taken in order to ensure that there is an adequate response infrastructure when the next natural disaster or mass emergency event occurs and that the day laborers and immigrant construction workers whose lives are at risk are adequately supported and protected.

Recognize the important role played by day laborers in relief and reconstruction by incorporating them and their organizations into disaster planning. Disaster planning and relief agencies need to consider in the planning the known fact that the day labor market increases after a disaster at the same time that exposure to occupational safety and health challenges and the potential for wage theft also increase. Disaster planning and relief agencies need to proactively incorporate worker centers and the day labor community into their disaster and relief plans, in order to be properly prepared and minimize these challenges. Local, state and federal agencies charged with the protection of workers and their rights also need to proactively coordinate with the day labor community in the development of their own disaster plans. Any disaster planning that does not incorporate the role of worker centers, day laborers and other low wage construction workers into their plan rather than being proper disaster planning is more a disaster of a plan.

Protect workers' rights during reconstruction:

Dedicate specific resources from government agencies such as OSHA, the USDOL Wage and Hour division and other enforcement agencies to addressing the conditions faced by day laborers. While these agencies conducted significant education and enforcement efforts in Sandy's wake, it is clear that more needs to be done. It is crucial that these agencies develop proactive emergency plans for education, equipment distribution and complaint investigation, in collaboration with the day laborers and other low wage construction workers and their organizations. We recommend that DOL considers ways to support and expedite the authorization of OSHA 10 trainers who are part of day labor and other low wage worker organizations so that they will be able to offer the trainings themselves, and increase the pool of trainers who will be ready in an emergency situation. We also think it is important to consider policy change that would enable OSHA to provide safety equipment in the aftermath of a disaster. Under the OSH Act, OSHA cannot directly provide safety equipment to workers and a change to the Act could allow them to do so. In addition, coordination with FEMA on worker issues is essential for an adequate federal

response. When a disaster hits, all entities should already be working in close collaboration to activate existing plans and processes.

Provide Disaster Preparation Trainings -

Prepare workers by providing regular training on how to respond to natural disaster or any other disaster. Local governments and community organizations can provide ongoing safety training for workers in order to prepare them for cases of emergencies. Trainings can be provided by day laborers and other low wage construction workers themselves, who have already gained experience in Sandy, and can best share their knowledge and experiences with others. There should also be trainings that are accessible to homeowners, many of whom were unaware of the risks that Hurricane Sandy posed to themselves and to day laborers and other low wage construction workers helping rebuild their homes. This can be done through a "day laborer first responders core" that would enroll workers and provide ongoing training for different elements and tasks related to disaster response. This kind of flexible structure could also be helpful in providing some form of checks on wage theft and safety violations. In addition, OSHA or some other entity (like a COSH) could develop a training video, app, or a set of popular education materials that would be easy to access for all workers – in addition to formal classroom training.

Provision of personal protective equipment

- Although companies, homeowners and other employers of day laborers and other low wage construction workers are already required by law to provide day laborers and other low wage construction workers with the necessary protective equipment to carry out their jobs safely, many do not do so. Closing our eyes to that fact does not make it less real for the many workers who are risking their lives. Both government and the private sector need to step-in quickly and ensure that protective equipment (along with training) is provided on an emergency basis and that arrangements are made before the emergency occurs.

Allocate Funds for Workers Centers in advance of Disaster Response and Reconstruction -

Many of the recommendations

included in this report can be developed as a partnership between government and workers centers. Federal, state and local agencies should allocate flexible funds to community organizations to be able to prepare, equip, and train workers for emergency response. Workers centers have the trust of the day laborer community, many recent immigrants, and are able to reach them more quickly and effectively into these communities in collaboration with relevant government agencies. At a local and state level, government agencies should work with day labor organizations to develop, monitor, and enforce fair rebuilding standards that protect workers' rights on all reconstruction projects--particularly those that are financed with public funds.

Create Day Laborer centers in every borough of New York City, and in key surrounding metropolitan areas. Day labor centers are organized community job centers that provide a crucial source of information, job placement, and coordination for immigrant workers in the area. They are the resource to which immigrant workers and their families turn, whether they need basic information about their rights, or in an emergency situation, such as a natural disaster. According to the National Day Labor Survey, 70% of existing day labor centers receive some kind of public support but New York City, in particular, stands out as a large metropolitan region that provides no local funding or support for day labor centers. An investment in day labor centers will yield results in not only improving the conditions under which these workers labor, but also in continuing to develop an infrastructure that is available to the entire community on a regular basis and, particularly, in cases of emergency.

Protect Reconstruction Workers from Threat of Deportation. In order for neighbors to focus on recovering from crisis and providing emergency services, they must not worry about the perceived or real threat of family separation that can occur when government entities are merged with deportation authorities or when immigration authorities are present in recovery zones. The very same worker heroes who are gutting and rebuilding homes one day, can be subject to detention and deportation the next. Steps that can be taken to support day laborers

and other low wage construction workers include local authorities suspending submission to ICE hold requests; suspending immigration enforcement operations during disaster recovery periods; and advocate for the inclusion of day laborers and other low wage construction workers under temporary administrative relief and in any federal immigration reform legislation.

Day laborers and their organizations should receive continuous training in disaster relief and occupational safety and health before disasters happen and should receive additional equipment, materials, supplies and donations immediately after a disaster. Trained and equipped day laborers and other low wage construction workers are essential to safe and effective recovery work but they are also an important vehicle to potentially educate, support and protect home-owners and small contractors from any hazards, work-site dangers, or potential accidents. Incorporating day laborers and their organizations proactively and on the front-end of emergency management and disaster relief plans and policies is essential to promoting a safe, effective and efficient emergency management response system and to minimizing workplace dangers to workers, employers and homeowners.

BRIEF PROFILES OF THREE DAY LABOR WORKER CENTERS

1. **Casa Freehold** has been helping immigrants in the Freehold community for over six years. Their goal is to create a worker-led center where workers can be trained and educated, and where their families can come and take classes to learn English and other skills. Freehold, NJ

<http://www.casafreehold.org/>

2. **Workers Justice Project** mission is to empower low-wage immigrant workers to gain a voice in the workplace and build strong and economically sustainable communities through education, organizing, leadership development, and the growth of grassroots economic alternatives. The **WJP Bay Parkway Community Job Center** in Bensonhurst, Brooklyn connects small businesses and homeowners with skilled day laborers for a variety of services; Cleaning, Moving, Demolition, Carpentry, Roofing, Painting, Tile, Masonry, Snows Removal, General Labor. Bay Parkway, Brooklyn

<http://workersjustice.org/>

3. **El Centro del Inmigrante's** mission is to provide for the economic advancement and well-being of immigrant workers and their families until all immigrants achieve full civic participation in the United States. Services include English as a Second Language, G.E.D. and Literacy classes, labor organizing, health education and screenings, family and immigrant rights services, immigration counseling, legal assistance, social activities, food and clothing distribution and community service. Port Richmond, Staten Island

<http://elcentronyc.org/>

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*Front cover image: Gonzalo Mercado
Back cover image: Chandra Narcia
Design & Layout: Marco Loera*