Appendix VI: Industry Profiles and Expanded Findings

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DAY LABORERS INDUSTRY

1. BACKGROUND: DAY LABORERS INDUSTRY

Atilio

“Well, there are times when it’s a little bit difficult because, usually when an employer comes to hire a worker it’s usually to do heavy work, dirtier, stinkier, and where they mistreat you. Many people think we are some kind of animals. … We usually have to do the heaviest or dirtiest job nobody else is willing to do. Then, one has…to do it because one comes mentally prepared from his country, because in Mexico, for example, the employers are very mean, and one is used to work under pressure. Well, one tries to diminish all that as much as possible, the least unpleasant, whatever we can do; one tries to avoid diseases and all that.

“Yes, I worry about my health and safety, but as I told you, one has to try to do his best and tolerate… One has to try to finish the day. If one doesn’t like the work, or if one doesn’t like the way the employer treated him, the next day one doesn’t go back, right? I mean, to take drastic actions.”

This respondent expressed his thoughts about the main aspects of day labor work: (a) how some in society disparage them; (b) they do the riskier jobs that nobody else wants; (c) they are concerned about health and safety, yet, they tolerate the lack of it and find other ways to cope; and (d) they contribute to the economy of Los Angeles, but are not recognized for these contributions.

Size of the industry

Although the exact number of day laborers is difficult to estimate, it is thought that nationally, there are over 250,000 day laborers (Polivka 1996), concentrated mostly in large urban areas. In the New York metropolitan area, for example, there may be as many as 12,000 (Kamber 2001). In Southern California, it is estimated there are 15,000 to 20,000 day laborers spread out over 100 street corners (Valenzuela 1999). A more recent estimate ups that to 55,000 day laborers just in LA County (Marcelli 2002).

The vast majority of day laborers are hired informally on street corners by homeowners or small businesses. Usually, an hourly or daily wage is agreed upon verbally and the day laborers are taken to a particular worksite for the day. Common tasks include light construction, painting, digging holes, cutting shrubs and landscaping, painting, cleaning and maintenance, and helping people move furniture or other items. Most workers serve
as assistants to skilled workers or licensed contractors (Valenzuela 2002). In Southern California, about forty percent of day laborers engage in construction and about a third in painting and gardening. Other tasks include auto repair, electrical work, welding, masonry, and cooking/baking work, among others (Valenzuela 1999).

**Characteristics of workers**

In 1999 Abel Valenzuela conducted the first random comprehensive survey of day laborers in the United States. The Day Labor Survey involved 481 face-to-face surveys at eighty-seven sites in Southern California. Some sites were connected to a specific industry such as painting, landscaping, gardening, moving, and home improvement, while others were unconnected. A few (eight) were regulated by a city or community-based organization.

The findings of the Day Labor Survey give a snapshot of the characteristics of this work force in Southern California. Several commonalities stand out. Most day laborers had limited English proficiency and limited educational backgrounds; close to eighty percent did not have a high school or other diploma. About half were recent arrivals, having been in the U.S. for less than five years. Close to ninety-nine percent were foreign-born and eighty-four percent were unauthorized (i.e., without legal working documents). Most were Latino: seventy-seven percent were from Mexico, and twenty percent from Central America. Virtually all were male, and most were young, averaging thirty-four years of age.

However, the Survey also found that almost a quarter of the sample had been in the U.S. for over eleven years, and ten percent had been here for over twenty years. Even though most workers were young and half were single, sixty percent fell in the mid-range of twenty-eight to fifty-seven years of age. A significant number assisted extended family members with financial support. Even though most did not have U.S.-conferred certificates or degrees, day laborers possessed a wide range of educational backgrounds (Valenzuela 2002).

Day laborers turned to this type of work for many reasons. They may have lacked work experience and skills to do other work; they may have faced barriers to formal employment; social networks may have helped funnel them into this work; or they may have been attracted to the flexibility and wages this work offered, despite the inherent uncertainty of getting regular employment. According to the Day Labor Survey, a lack of legal work documents was the primary factor which prevented workers from finding other jobs. This was mentioned by forty percent of respondents. One fifth identified their inability to speak English as a factor in their inability to find other work. Low pay rates or unavailability of jobs in other sectors was cited by almost twenty percent of respondents.
Working conditions

Wages.
Workers negotiated wages directly with employers, so wages could vary widely. The Day Labor Survey three years ago found that the mean hourly “reservation wage” (the lowest wage workers would accept for a job) was $6.91. Day laborers’ earnings were highly unpredictable, since there was no assurance that they would be hired on a given day or how many days a week they will work. Even though most day laborers sought work five to seven days a week, on average they were hired three days per week. A good month may have brought in as much as $1,069; a bad month only $341. Mean monthly wages were $568 (Valenzuela 1999). The variations in work demand depended on weather, seasonal periods, economic recessions, the vagaries of need among industries such as construction, competition among other day laborers, and chance. This insecurity was particularly hard for workers whose families depended on their remittances. The mean amount of money sent home annually by day laborers in 1998 was $2,630 (Valenzuela 1999).

Employer abuse.
Employer abuse is rampant in this sector since employers face little or no accountability for informally hired workers. According to the Day Labor Survey, about forty percent of respondents had been paid less than the agreed-upon amount, or had been cheated out of pay altogether at least once. Over a quarter had been given bad checks and been abandoned at the worksite. About a third had been left without food or water or given no breaks at least once, and more than ten percent had faced these conditions more than eleven times. Approximately fifteen percent had experienced violence and threats, and twelve percent had been robbed at least once (Valenzuela 1999). Due to the informal nature of their work, the vulnerability deriving from their immigration status, as well as language and cultural barriers, many day laborers have little to no access to recourses when their rights are violated.

Health and safety.
Not only can hiring sites be dangerous, but work assignments of day laborers often involve serious hazards. Many employers do not provide protective equipment or training, and many fail to take responsibility for preventing or dealing with the consequences of workplace accidents, injuries, and illnesses.

One recently publicized case illustrates the seriousness of the hazards and the difficulty of holding employers accountable. A day laborer in Orange County fell to his death from a palm tree he was trimming; he was one of twenty-seven workers statewide who died in landscaping accidents in 2000 (Godines, 2002). The employer left him dead on the ground, and the police maintained that leaving the accident scene was not a crime. According to Valenzuela, this is a common response by employers. In this particular case, Cal-OSHA eventually issued four citations to the tree-trimming company.

In 2000 in New York City, 148 immigrants died from fatal falls from roofs, building girders, scaffolds and ladders; and 139 immigrants were killed when struck by falling objects, rolled over by objects; or caught, pinched, or crushed by machinery (Maier
Voices from the Margins: Immigrant Workers’ Perceptions of Health and Safety in the Workplace

The type of work done by day laborers puts them at risk for these kinds of serious injuries. According to the National Institute for Occupational Safety and Health, non-construction laborers and construction laborers suffer among the most injuries and illnesses involving days away from work (NIOSH 2000).

Recourses

Organizations.
The Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) is one of about fifteen organizations nationwide that help day laborers. They are based in cities that include: New York, Miami, Chicago, Seattle, Arizona, Colorado, San Francisco, San Diego, and Houston. Last year, the National Day Labor Organizing Network, a coalition of eighteen day labor advocacy groups, organized a conference at California State University at Northridge that focused on workers’ rights, immigration, and law enforcement issues affecting day laborers (Hayes 2001). However, most day laborers nationwide do not have hiring sites regulated by the government or associated with community-based organizations. According to CHIRLA, about eighty-five percent of day laborers in L.A. County are not part of the day labor centers they helped set up. As a result, most day laborers have few or no sources of support in defending their rights and protecting their health and safety.

Ordinances.
Informal day labor corners have existed in Southern California for at least two decades. In response to complaints from residents and business owners, Los Angeles County and at least a dozen cities in the region passed ordinances banning street-corner solicitation (Cleeland 1999). In the 1990’s, these ordinances were upheld in Superior Court and later in the state Court of Appeal. The Mexican American Legal Defense and Educational Fund challenged the Los Angeles County law in federal court on grounds that a day laborer’s right to announce his availability for work is protected under the First Amendment (Hayes 2001). In September 2000, a federal judge declared the Los Angeles County ordinance unconstitutional.

Holding employer accountable.
Holding employers accountable is difficult, not only because of the informal nature of the hiring process, but also because there are sometimes several sub-contractors involved, who are often un-licensed. The case of Armando Rubio illustrates this. Rubio, a day laborer who cut off his thumb on the job, was not hired by the general contractor for whom he worked, but instead by a worker who himself was employed by an unlicensed and “unknown” subcontractor (Mozingo 1997). Because day laborers often work as “private contractors” when hired by a homeowner, they are not covered by workers’ compensation, since there is no legal employer (Valenzuela 2002). (However, if they do work for a subcontractor, such as a small business, then they are covered.)
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2. DEMOGRAPHICS OF THE SAMPLE

For this project, twelve day laborers were interviewed; all were male. Each was contacted through day labor centers run by the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA). Three respondents were in the twenty to thirty-year age range, two were between thirty-one and forty, four were between forty-one and fifty, and the remaining three were between fifty-one and sixty. The majority, eight respondents, were from Mexico. Of the rest, two were from Guatemala, one was from Colombia, and the country of origin was unknown for one, who was also Latino. Five respondents had been working in this industry for two years or less, three had been working from three to seven years, and four from ten to twenty-two years.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

Injuries were common due to the type of work they did. Common injuries included: falls from trees, roofs, construction sites, or ditches; cuts and loss of fingers from mechanical equipment; fractures; skin damage; back and muscle problems; respiratory ailments; allergies; and reactions to toxic substances. Most workers knew of co-workers who had been injured, and in some cases died, on the job.

History of illness and injury to self.

_Hector_
“I broke this finger, and I got an allergy here because of work…what happens is that in painting, one uses a lot of acids and lead, and if that gets mixed, and you are working, and you do not wipe off right away, it gives you allergies.”

_Javier_
“Once I had to handle some acids, and both my hands got cracked, as if I had worked a lot. I just said, ‘Let's see if it cures by itself.’ That is how our work is every day. I guess that if one asks for protection gear, I do not think they will give them to us. Because one goes to work and they just say, ‘Work, and do this and do that.’ If it worked like that [meaning providing protection] they would say, ‘Here you go, use this for protection and work.’ But they are not like that… Once I had to lift a garbage can and I thought it was full, so I put a lot of effort lifting it, but it wasn't full, so I twisted myself. I couldn't keep on working, but I didn't say much…

“I feel pain in my back, but it is normal because one gets tired… I got a headache…but I only went there two or three times because I didn't like it because of the toxic[s]. And I always had something in my throat in the morning. So I said, ‘No, this is not good for me, because I am not feeling well.’ But, yes, I think that kind of toxic[sic] is very harmful for the respiratory system, that is why we get headaches, and the throat, one feels as if one has a cold.”
Mario
“I fell down from a roof, I was working with the same friend, I fell down two or three feet, but nothing happened to me, I was lucky. That was the only accident I had, but no…”

Atilio
“[We face] dust, stress, and heavy work. About three years ago they took us to make a shallow ditch, and I tried to walk on the edge and fell down. I hurt my knee… I still have some discomfort… It was about two and a half years ago, three years, yes. Then, together with the arthritis that I have, well, I do not know, it's harder for me…”

Ciro
“I painted cars, but I got harmed from the paint, and I haven't done any other kind of work besides painting cars since I was fifteen. I know the work, and I didn't develop any other job skills other than for car painting. And now that I am injured from the paint, I have to look for another type of job in order to survive… One time an iron fell on me here, I thought I had broken something but, thank God, I didn't, it just swelled up. Yes here, it was a very big iron… it fell on me from up above.”

Luis
“I got hurt once already. That’s why I carry these [gloves], but I am not hurt now. I had an accident at the tree-trimming job. I fell down from the tree, and I fractured my two hands. That’s why I wear tight gloves most of the time, because I need to have my hands very tight. I was two years without working, without working.”

History of illness and injury of peers.

Ciro
About a month ago a compañero fell from a trailer where he was unloading rolls. I do not know how he got tangled up and fell, but he fell on his head and split it open here. They gave him stitches, and he has a scar here. And the boss told him he was going to give him some money, and now he says he isn't going to. Those are the risks an individual runs…There are compañeros that have fallen, like the guy that sliced his head. There are other ones that have hurt their hands; others have busted fingers. There have been various accidents, backs…. I complain a lot about backaches even though I use a back belt…”

Hector
“One co-worker hurt his spine…He was working and a wall fell over him, the wall fell over his leg, and he fell down and hurt his spine. And there is another worker who blew off these two fingers… He says he set the machine to cut wood, but he forgot the machine was on and he put his fingers in like this, to grab it, and it caught his fingers. Well, those are the accidents. Sometimes they happen because one is not cautious, one is not careful of what one is doing… Work affects your health. I think so, because sometimes when one gets out of work… that's what makes you sick.”
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Domingo
“There have been maybe one or two accidents this year… sometimes a loose wall has fallen over someone, or something like that. Or maybe while doing excavations… sometimes it happens. But, no, the paramedics do not come or anything like that. Also people hurt their backs.”

Mario
“Not long ago, a friend, in a place where there are some moving companies, here near Santa Monica…a friend had an accident, and they say he had a lot of problems. They say the guy who ran him over with the moving truck left… He hurt his foot, he is a Oaxacan. I saw him and I asked him, ‘What happened? They gave you [money]?’ ‘No, nothing,’ he says… ‘I couldn't do anything, I didn't realize, when they took me, the police came immediately, and the guy had left already, that's what I saw.’”

Francisco
“The other day they sent us someone that had nothing to do with carpentry, just a helper, but he knew how to hold a saw and use the instruments, you understand? I knelt down and held the wood like this, I put it on top of something and very carefully I cut the formica tube…Maybe he was doing the same thing…But he put it like this, and while he was cutting, he cut off half of his thumb.”

4. WORKERS’ CONCERNS AND FEARS ABOUT INJURIES AND ILLNESSES

Most day laborers fear workplace injuries, though many accept risk as part of the job. Workers worry because they know the work they do is dangerous, and also because they know that if they get injured, they have limited medical care options. Respondents expressed concerns about working on elevated places where they could fall, exposure to chemicals and contaminated items, back injury, skin and eye irritation, breathing difficulties, temperature extremes, accidents resulting from being pressured to work too quickly, and fear that they would get hurt far from their families, who lived in their countries of origin. Some respondents said that they couldn’t really “afford to worry” because they needed the job and had little control over the working conditions. As a result, workers’ concerns about their health and safety were sometimes countered by their concern about pleasing the employer in order to secure work in the future. Almost all respondents stressed that they were very careful in their work, since this was the best way to protect themselves.

Salvador
“Yes, there are dangerous things. We work with tools. They are the most difficult jobs, the hardest ones, the jobs we do are the ones that no other race wants to do, the most despised and hardest jobs – very susceptible to serious accidents. Now and then you hear about someone getting buried or that something fell on someone, and they were all day laborers… For example, with a gas pipe, or in the case of a cutting tool, an electric saw, a hand or foot can be severed…It depends on what we are
doing…climbing up on something, a fall. Well, we do roofing, and someone can fall; anything can happen.”

Francisco
“… We are not safe. …from the work you can get hurt, you understand me? Up until now I’ve been spared, but who says I’m ‘home free’? It doesn’t get more serious than, my back hurts sometimes. It hurts normally when I work all day, of course, but it’s not that I have to be hunched over with pain, not like that. My arms normally they hurt, I put some ointment [vaporub] like that on my elbow, but it’s not beyond normal fatigue. Until now I think I’m fine.

“Of course [I worry about getting hurt]! If I get hurt, what will become of me? Who will take care of me without my family? So, I would have to go to Mexico because there I know they will take care of me…you’re always worried about that…you just go, because you do not have a choice, we have to continue….”[All my co-workers], all of them, it’s the same worry, it’s impossible not to think like that. Even if we do not want to. That is, you cannot avoid it, you have it on your mind already…

“…Ahhhhh! there are many risks…. ….Every day we [have] risk in the places where we work. If we are making a hole, we can fall in the hole. We see that on TV every day, and that could happen to us…so you always have that worry. …If a scaffold falls on me and breaks my spinal cord, it breaks my feet and hands…I cannot work…where will I live? How will I support myself? My people, will they put up with me in an apartment with them? And then my family, what will I do with them? What if I fall in a hole? Yesterday someone fell in a hole, and they took him out all messed up in his neck and I do not know where else, and he was from here [the U.S.]. Us that aren't from here, of course we have these worries… So, every day we are risking… there are no invincible[s], there are no supermen, you understand me? … Out of nowhere it can happen, you have to be very attentive, very attentive… And if I break a knee I cannot work, that's why I tell you it's a constant worry….”

Javier
“I worry when there is stuff that’s too heavy that we have to lift. But as I told you, one is used to work, and if I cannot do it, I say, ‘I cannot.’ But otherwise I try as hard as I can, and sometimes I do it and then I say, ‘Oh my God, what if something had happened to me?’ And I always say, ‘My God, help me.’ We have to work, that is the truth; there are some things that one has done that are very dangerous. I mean there are a lot of heavy things. But there are heavy things, or for example, when one climbs up the roof of a house, that is dangerous. It is especially dangerous because one doesn't have anything, one falls down from there, and I do not know who is going to help us. That is the danger… Some heavy things can fall over one of us, and the danger is that we do not even know if the patron [employer] is going to go help us or not, that is the danger…
“Yes, I worry… I am concerned about having an accident, and I do not even know where to go or what to do. That is why I say that I try to do my job as well as I can, so I won't have any accidents.”

Hector
“In the job I currently have, … I could get hit, fractured, crush a finger, because sometimes we have to move heavy things. Or it can affect my back, that's one of the dangers one faces….”

Serafin
“The risky thing about the bricklayer work is that you have to get up to high elevated places, and you have to take materials up there… that's the only thing that is very risky for one. Or when you are excavating and you make deep holes, you say, ‘Oh! It's dangerous here! This land can collapse, or you can fall.’ That's the only risky part of the job.

“Well, so far, I do not think [about getting sick or injured]. Who knows if it happens later on? Maybe later, yes, if I find a job in a big construction. Maybe, yes, it could be more risky and an accident would be more likely to happen…Of course I would be worried about that, because well, can you imagine how it would be? Being far away from home and my family?”

Roman
“There are dangers in construction… We work in elevated places a lot, and if we slip up there… that can be dangerous… With electrical machines, the one who is cutting, for example, the electric saw, that's very dangerous, if a person is using it to cut something, well, that person needs to know how to do it, right? Because not everyone can… It's not just like, ‘Oh, I just press the little button and that handsaw is going to work and…’ No, no, not anyone can do it, you need to know how to do it because it's dangerous.”

Sacrificing health to do the job.

Domingo
“Many of us do not realize that, because we say, ‘No, well, let's go to work.’ And once at the workplace one remembers, ‘I wonder if the employer has gloves or goggles to work?’ Yes, some workers say they do not have them, but to avoid missing the job they have to do something like that. Yes, that's the way it is.

“[The employers will say] ‘Move faster! Fast!’ And one says ‘Well, what if I have an accident or I fall down? It's going to be your fault.’ There are people who take it easy. Those are the good employers. And you cannot push the worker so much because you drive him to despair…That's when accidents happen, you can fall down, or you can break a hand or a foot, or something like that…”
5. THE REPORTING OF INJURIES AND ILLNESSES

These workers generally did not report injuries to employers for several reasons. First, they felt that it would not make a difference since the employer would not take care of them. Second, many feared losing their job. Lastly, some were afraid of retaliation by employers who threatened to report them to the Immigration and Naturalization Service (INS). Some respondents, however, had reported injuries and in some cases had successfully insisted that employers pay for their medical expenses. Those affiliated with the day labor centers organized by CHIRLA mentioned having access to advocates and legal support.

*Mario*

“Yes, I have been lucky in that sense. Once I got hurt using that thing they call chapopote [tar]…I got burned here, on my hand. He [the employer] paid me the days I didn't work, and he took me to get a treatment. And that was the first day I worked with them. I cannot complain about that… Here where I got burned… It was my hand, my fingers like this. I was doubling up with pain like this. I took the bucket like this, with the hot straw and I was taking it up to the roof. I was working with a guy that was a stranger to me. I rolled down. The guy that was up there came down. The one who was in charge of the job, like a steward, and he said, ‘No, no you won't have any problems. We are going to pay you everything and the treatment. Do not worry. Yes, I will take you to the doctor, and I will talk to the employer and this and that… I am going to give you money and this and that.’ I told him, ‘If you do not take responsibility, I will report you to the authorities, I report your truck, what company you work for and everything.’ That's what I told him.

“…But the thing is that there are a lot of people who, when they get hurt, they are afraid and they wait up to three days to report it to the employer. That's why there is no guarantee that he is going to cover the medical expenses or something. For example, there is a man there, he is working, and he doesn't say anything to the employer, he just keeps on working. One day he told me, ‘I feel sick, my back hurts.’ I told him ‘Well, if you got hurt or something, you got injured or something, why didn't you report it to the employer?’

“Many people do not [report injuries], they would rather leave and that's it. They prefer not to say anything to the employer to keep their jobs. Because once a friend had a backbone displaced, and he was working with me and he didn't say anything to the employer. When I came back he told me, and I told him, ‘You should have told me at the workplace, I would have told the employer if you were embarrassed or something.’ He moved something heavy, a box or something like that. He said, ‘I hurt my back, it hurts.’ But he told me two weeks later at the apartment. ‘You should have told me! You should have told me at the workplace!’ I told the employer, ‘This person got hurt,’ and he said, ‘No, well, he didn't say anything right away, maybe he got hurt in another job.’ The only thing the employer said was, ‘Do you want to work, or are you offended because of what happened to your co-worker?’ I said, ‘No, but he..."
wants to tell you about it.’ He said, ‘He should have told me immediately, maybe he didn't get hurt at my workplace. That's why I have always told you, when you get hurt here at the workplace, or any of your co-workers get hurt, you must report it immediately…’ I told him, ‘No, the thing is that many workers are embarrassed to report it or something like that.’ … Afraid of losing the job. My friend went back to Mexico, and he was injured, the only thing I could do was to relieve the burden for him by giving him some money. He didn't even have enough money to pay the ticket. I told him to go back to Mexico and heal there.”

Javier
“[We do not report because] to be honest, I think the employer is not going to do anything. Because we are ‘informal.’ We come and go, so we do not get to have a doctor or anything.”

Serafin
“Since they [contractors] hire us for a certain number of days, if it's a serious injury, I think they [day laborers] do report it to the employer: ‘You know what? This happened to me, what do you think? Can you help me or not?’ But no, I do not know, I am not very sure the employer is going to help.”

Francisco
“Noooo, most people do not report it. A lot of them wait…a lot of them do not, they just bear it, you understand? Because they see that it's not so serious an injury. But when it is, then it is…yes, yes, they jump back, you understand? Quickly. Here [at day labor center] we have someone that more or less pushes us, gives us a little push to look for a way to be compensated, and then we do not stay so low, because we need, whether we have a family or not, we need to live, you understand?”

Ciro
“There are many workers who have accidents and do not report it, because they are afraid of retaliation. The employer tells you, ‘I am gonna call immigration.’ The first thing he wants to do is scare you with that. And most workers get scared, and there is no more… Do not get scared, do not be fools! I defend myself first. If someone does something to me, I complain…but most do not because they are afraid of retaliation all the time. If the employer doesn’t reply, I go to the [day labor] center. If the center doesn’t solve anything, I go to the Labor Division.”

Hector
“There have been many accidents, but sometimes one doesn't realize… Among my co-workers, they do not want to say it… Not everyone reports accidents, most of them are afraid that the other co-workers might say something mean, or that the employer is going to ‘wish’ them something, or that they might get yelled at… Or being fired.
6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

Workers protected themselves in a variety of ways. First, some refused to take dangerous jobs or perform dangerous assignments. Similarly, they refused to return to work for an employer who mistreated workers. Second, some asked for protective equipment from the employer or bought it themselves. This was complicated by the fact that workers could not usually plan ahead for the kind of work they were asked to do. The day labor centers helped workers in providing them personal protective equipment such as gloves and masks and encouraging them to refuse unsafe work. Third, almost all respondents stressed that being careful helped them avoid injuries and accidents. Ultimately, the ability to take precautions was limited by employers’ demands, and day laborers’ needs to work, regardless of the health and safety conditions.

*Luis*

“I am that kind of person. I first tell the employer, ‘Look, if you want me to cut that tree, okay, [if I do not have the equipment, right?] I need some picks to climb the trees. I also need a belt, which is a belt like this one, but it's stronger and it has some hooks here, it holds you, and one sets the hooks and it secures you. You can have your hands free. But if you do not have that, one is not safe, because it’s very likely that the branch breaks, and that’s when you fall down. That's when you break any part of your body. So, that's why you better tell the employer, ‘Look, I cannot do this job because I need this tool. Please bring it or I am sorry, I won't be able to do it.’ But some people do it because they are in need, and they say, ‘Nooo, I climb up there anyway,’ but they do not know the danger they are [being] exposed to.”

*Elias*

“Day laborers come from all different work trades. Many have construction experience, carpentry. Each person chooses. But when there is a job here, rough and tough jobs, we go for the ones we know. Like for me, the other day there was a painting job and a car job and I said, ‘Nope, I cannot take that job, the doctor told me…”

*Hector*

“Yes, we, in the [day labor] center have a system. Sometimes the people who are there, they have known us for a long time… when an employer comes and one of our co-workers had a bad experience with him, or maybe the co-worker didn't like the job, they say, ‘Hey! Do not send us with that employer because it's a dangerous job. Or we have to fumigate the garden, and that's dangerous, he doesn't give us protection.’ The workers are protecting themselves… We protect among ourselves, and they also say, ‘Okay, look, this employer owes me money, or this other mistreated me.’ And the person who is in charge in the center tells the employer that he is sorry but that he is not going to give him any more persons, any more day laborers… The problem is that he won't take us, but he is going to go outside and take other persons who do not know about the dangers. It has happened, a lot of people have died buried making ditches, or in construction accidents. But we help each other in the center. We protect us among ourselves…”
Mario
“Sometimes they give me a back belt, and if not, I refuse to work… When there is a heavy move, one always carries his own back belt… Or something like that… One already knows that when you lift something heavy, one must have some kind of safety device, otherwise you can hurt your back or something like that. The times when I have worked in moves [moving things], I immediately take a back belt or something like that, because sometimes we have to move heavy things…

“…If you do not take care of yourself, nobody will. If the employer likes you he will take care of you. If I liked you a lot, I would support you and would take care of you as I take care of myself…

“…Or sometimes they have one of those little cars [fork lifts] that you move from one place to another, and one gets on them, and drives them and move things from one place to another. But I do not lift heavy things there. If I cannot, I do not do it. I ask for help or something…I ask for someone to help me move the heavy things.”

Javier
“Well, we cannot carry anything [personal protective equipment], because we do not know what kind of job we are going to get each day. I can get a job painting, gardening, and mixing… Gardening means a lot of dust; some gardeners bring their own stuff, gloves, mouth covers and protection for the ears because of the noise. But, in the case of acids, it is very rare when we know if we are going to be working with acids. It could happen that you have to wash something, and it has acids. And if you do not have gloves… the hands are the ones that suffer.”

Serafin
“When you are going to do a job and you have to get up in a high elevated place, you have to be as careful as you can. I mean, you have to try your best, and be cautious to avoid accidents… I have to be careful with what I am doing, and take care of myself. I mean, I have learned to do the best I can, but being careful, even though it takes longer, but without risking one's life.”

Domingo
“I won't go back to work with people who do not treat me well. I already know the client system here [day labor center]. I think, ‘Should I go with this employer or not?’ Then I say, ‘No, I am not going to work with this employer, erase my name from the list or send another worker.’ Then they scratch my name and I say, ‘No, I already know how that employer treats the worker.’ Some workers do not know anything, and the employers take them and they mistreat them.”

This worker talked about the importance of wearing certain kinds of shoes in construction work, as well as the drawbacks to wearing some types of personal protective equipment, such as goggles.
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Roman
“Well, the only thing we can do is to be cautious, to try to take precautions. For example, since I work in construction, one has to work in elevated places. We have to try to do things better, to be cautious, to take care of himself. And some jobs have to be done fast. Then when one works fast, yes, when one sees that one can trip or something, tries not to. Who would want to have an accident, right? One needs good shoes, right? But that's a matter of...I need special shoes to do this job, right? Like, to do wood work, right? Good shoes, the better the shoes are, the higher the guarantee one is safe... In some places the employers say, ‘You know what? You cannot come to work here with tennis shoes,’ because of the nails, you need working shoes.

“Well, goggles, sometimes you have to wear those, right? But many times one doesn't wear them, but that would be a good precaution... But ... you cannot do some things easily with those goggles on. They get clouded, you are doing something, and suddenly you cannot see anymore. Then one just tries to get away without using them, right? One tries to be cautious, one tries to leave some distance between your face and whatever you are cutting to prevent you from getting stuff on your face. But anyway, one tries to be cautious, eh? In general, workers do not wear them. Well, it can be in very strict companies that they have their own rules about what the workers must use, right? But not in the jobs I have had, and I have worked in many places.”

7. REPORTS ON WHAT EMPLOYERS PROVIDE

Some employers provided workers with protective equipment, food and water, medical care compensation, and guidance on safety precautions. However, workers usually could not rely that any of this would occur, and most employers did not provide anything. Employers sometimes recommended that workers protect themselves or respond positively to workers’ requests, but in the experience of respondents, they rarely initiated a discussion on precautions that should be taken. In some cases, employers required that day laborers have the appropriate dress or equipment but, even then, they did not provide those items.

Hector
“There are many people [employers] who tell you that it's going to be tough, so that they recommend you to bring a back belt, boots, gloves. A lot of them tell you that. But some others do not say anything. They just say, ‘Let's go to work and we'll see how we manage it.’ That's it. Most of them, some employers do not say anything, but when you get to the workplace they tell you, ‘Here, have this, use this.’ But other employers do not do that, they just go, ‘Hey! Let's go to work…’

“When one is bent over, or when one is cleaning something, they give you knee protectors. I have gone to many places to work where they have asked me, ‘Do you have knee protectors?’ Those are little rubber things that they put on your knees, and you can bend on your knees. Some workers do wear belts; some workers wear belts to unload trailers...I ask at the workplace when we get there, but not here [at the center].
If I get there and they do not have anything... I have been in that situation. But many times the American employer realizes, you are going to bend on your knees to clean tile. ‘You are going to be cleaning it, and you are going to be bending down on your knees. You are going to need knee protectors.’ They carry them with them, or sometimes they have them in the garage.

“If I do not speak English very well, when I do not understand a person, I call the person who is in charge in the center, and I go, ‘Hey! look, ask him where the job will be located, and if he has gloves, or any other thing, if he has helmets to protect us.’ Because as I told you, sometimes the job is very heavy, then the employer himself tells us, ‘Hey! look, I need young people, or I need you to wear boots and gloves because the work is heavy.’ The employer doesn't provide equipment. But sometimes the center itself provides us with it. They say, ‘Okay, you need gloves? There are gloves, use them.’

**Javier**

“Well only once a *patrón* [employer] told me, ‘You are going to work here, do everything very carefully, so nothing will happen to you, if something happens to you I will take responsibility.’ But that is the only *patrón* that has told me that. Only one has told me that he was going to take responsibility if something happened, and it wasn't a job where we had to handle heavy stuff…”

**Domingo**

“Sometimes one feels like, indisposed … when it's 90 or 100 degrees, one cannot stand it. One has to bring water because one feels very thirsty. It makes you feel bad because sometimes it's too hot, and one cannot stand it. Two or three hours walking, you can fall down...Sometimes there are employers who provide you water, ‘Do you want water?’ ‘Yes.’ ‘Yes, okay.’ They bring you water or cold sodas. Or they put a little refrigerator with ice… Some, not all of them.

“Sometimes to protect one's eyes, when you are sandpapering or something like that you wear some kind of transparent glasses…I wear a hat to avoid getting paint in my hair... If we do not ask him here [day labor center], when we are there we say, ‘Do you have gloves or masks?’ ‘Okay, I will get you some.’ He goes and looks for them and then comes back, ‘I do not have any.’ ‘That's forgivable.’ One doesn’t care... As long as it is not to sandpaper or something like that, no. It depends on the job. If, for example, we have to unload a container, one asks for gloves, glasses, or something, and one has to wear boots, because there are nails or something, or one steps on wood. What they ask the most for is thick boots because if you step on a nail it will get twisted, whereas if you are wearing tennis shoes [sneakers] the nail will perforate your shoe.”

**Ciro**

“They do not give anything. They do not even want to give you gloves. You would suppose that the employer is the one who has to give all of that...They didn't give us anything in electrical work either, nothing to protect us. With the electricity,
sometimes we get some electrical shocks… In the majority of jobs they do not give any kind of protection equipment. We [day labor center] are changing all of that. You know that you have to know about the wires, which wires are hot and all of that and they simply told me, ‘Just cut that.’”

8. WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY

Most respondents felt that the employer should take some responsibility for workers’ health and safety. Many saw this as a joint responsibility between employers and employees. Since the workers believed most employers would not look out for them, they took it upon themselves to be responsible for their own health and safety. A few workers mentioned the responsibility of the government and community organizations, including CHIRLA.

*Francisco*

“I imagine that the government should be responsible. We are working here for the progress of this country; *estamos poniendo nuestro granito de arena* [we are bringing our little grain of sand]. We never get anything in return. Why not? The government could give us some opportunity, we could have certain rights, you understand? I imagine that the government has a lot to do with this… And we're talking about twenty, thirty years, about anonymous heroes, right? When it comes down to it, in our countries they do not recognize us, and they do not recognize us here either, because every time we want to try to do something they put an infinity of traps in our path. The employer has his responsibility, the associations do their thing, and the government has to do something else because the government is the head—that's the way it is.”

*Javier*

“I guess the *patrón* [employer] should take responsibility. The one that picked us up. If there is an accident at the workplace they are the ones who are responsible. Beyond that, I do not know if there is anyone else over them who would be responsible. That is a question that I have always asked myself. ‘Okay, I go with this person, and is he going to support me?’ If I have an accident—I beg to God not to wish for that—if they do not take responsibility we have to take care of it by ourselves. …I do not know how it works here, because thanks to God I haven't had an accident yet.

“…The *patrón* [employer] should prevent [injuries to the worker], and the responsibility of the worker is to be responsible and to work well for the sake of the *patrón* and for oneself…Paying for medical expenses—that's up to the *patrón*… if he puts his hand on his heart [conscience]… I guess he takes responsibility.

“I think we [the workers] are responsible for health and safety. The employers are responsible, and the owner is too. We have to pay attention to both things, because
the employer has to make sure his workers are safe at the workplace. And we have to make sure the place where we are going to work offers the safety we need. If we need gloves, helmets, masks or goggles, we have to tell them, ‘Hey! We need this!’ And if the employer doesn't want to do it, we buy them…That happens sometimes, one goes out to buy it to have our own safety.’

Serafin
‘The employer is the one who must make sure that, for example if it's a dangerous job, then the employer must have all the safety equipment… I mean, because he knows very well how risky the job is. For example, one should tell the employer, if one doesn't have the necessary equipment, well you better do not do it, right? Or maybe you tell the employer, ‘You know what? Well, I need this equipment to do this job, because well, yes, I wouldn't like to suffer an accident or anything like that.’’

Hector
‘What would I like to see? Oh, it would be that each person were responsible, each one, because… sometimes the employer is not responsible, and sometimes the worker isn't either. I would like both persons to be responsible, I mean, if something happens to me, I have to report it to the employer, and the employer must tell the workers, ‘Hey! Do not do this because you can cause an accident.’

“The guy who blew off his fingers, the employer only paid for the hospital. And then no more work. After the accident, he stayed home for fifteen days. The employer didn't pay him those fifteen days, and when the worker went back to see if the employer hired him back, he refused to hire him…He already had another person who had taken his place, and he didn't give him any more reasons…. I think the employer has to be responsible. Because he has to look after one's safety… because sometimes the employers do not make sure the workplace is safe…”

Domingo
The employer is responsible… You wouldn't be able to tell nowadays because we are all equal. I mean, the American employer, yes, there is some concern like, ‘Okay, do not get hurt, okay, take it easy, if you do not have boots, I have boots, I have gloves, or goggles.’ Also, if you are going to work with dust or something like that…The American employer is… Some are more responsible, they say, ‘Yes, I have equipment for you to be protected.’ But we, many of us do not realize, because we say, ‘No, well, let's go to work.’ And once at the workplace, one remembers: ‘I wonder if the employer has gloves or goggles to work?’”

Ciro
“The employer's insurance, or the employer himself should cover the costs if someone gets hurt, if he wants to include you in his insurance. It’s the employer’s responsibility because one got hurt at the workplace, his workplace, or maybe it was because of one's negligence, but it is an accident…One takes the risk… but it is a work accident anyway.”
9. IDENTIFIED RECOURSES

Workers gave each other advice, exchanged information about employers, work activities, and health and safety measures. They also helped each other by translating and lending money when necessary. In some cases of worker injury, the employer had paid for the worker’s medical care and provided some lost time compensation, but usually only if the worker insisted and threatened to take legal action. One last resort mentioned was to return to one’s home country to “recover” there if they could no longer work or afford treatment. Workers associated with CHIRLA mentioned the organization as a source of information, protective equipment, protection from bad employers, and legal recourse. Only one respondent knew about Cal-OSHA. None relied on other governmental agencies, although one respondent mentioned the labor department as a possible recourse.

No recourse available.

Atilio

“When I hurt my knee, I kept on working like that. I didn't get medical attention or anything. I was sick for about a month and a half…I didn’t get medical attention because I didn’t have all the information needed to go to a clinic. And as I told you, one is used to—in his country of origin—to suffer this type of accidents, and to tolerate, right? To tolerate and to move on in your life, because there is no choice, one cannot stop, right? One cannot stop…”

Reliance on other workers.

Serafin

“We talk about the normal things that one talks about with friends, right? With co-workers, we say, ‘You know what? Be careful when you do that job because you can fall down or something. When you are doing something that can cause you an accident be very cautious.’ Yes, we worry about our co-workers.

“They hire you in other places and, ‘You know what? You are going to do this.’ But they never explain to you, ‘Look, do it like this, or like that.’ Or for example, ‘There is some danger here with this machine.’ No, they never tell us that. Our co-workers explain to us, but the employer never explains anything…”

Mario

“[Injured workers] pay their own medical expenses, and their relatives help them or something. As I told you, this friend of mine did not have enough money to leave, and I gave him the money to buy the ticket. ‘That's all I can do,’ I told him, ‘this is some support I am offering you.’ He said, ‘No, but you are broke too, how are you are going to give me money?’ ‘No,’ I told him, ‘take it, you can pay me back…’
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someday, you know me already, you can pay me back later.’ I have helped people like that…”

**Hector**

“We[day labor center] have tried to handle protecting workers in a personal manner on the street corners. We have tried telling them about the dangers they face. But what happens is that the people on the corners do not like other people to come and tell them what to do. What we have decided among ourselves is that, okay, if they do not want us to go and tell them, let them see by themselves. We are not going to get involved in this anymore. And among ourselves, among different centers, we pass on information. If by any chance the same employer goes to another center, they already know that he is not a good employer… At CHIRLA, my co-workers have told me, ‘Hey! Look, if this happens to you, you have to call this telephone number, or if you cannot talk, call us, and we will help you.’ But above all, they have helped me to know how something can affect me and how it can affect the other person… The person whom I worked with, he used to tell me, ‘Hey! Here is this mask, which is special for this chemical; it won't let you inhale it.’ That mask had cotton, and the cotton was covered by plastic that is going to protect me. Because sometimes one—without mask—is breathing smoke, and when I blew my nose, you could see the colors I had used… He used to explain to us, he used to tell us, ‘Okay, if you cannot read in English or something, here on the back it says that it can be harmful for this. Or do not mix it with another chemical because you can make an explosion, or a cloud of smoke with a strong chemical.’”

**Roman**

“For example, if someone else is working with me, or we are working together, I tell him, ‘Look, be very careful if you are going to use this. Try using it like this, because of this reason… Because you have to go like this, and this machine does this, and that's dangerous, be very cautious because it can happen.’ And that's how it goes… Yes, yes, I mean, one learns through time, right? And they tell you, ‘Be careful, eh?’ One needs to listen to the other person and be cautious, and one has to know that if someone is telling you that it is dangerous, well, then you should be careful.”

Legal recourse.

**Domingo**

“When someone gets hurt, sometimes lawsuits happen. Sometimes workers talk to the employer and tell him [and he answers], ‘Go to the doctor and I help you.’ They cover the medical expenses… some people are responsible. Some others are not responsible. Then, some workers file lawsuits. And here, the one who doesn't have legal papers, and the one who does can file a lawsuit. All of us are covered by the law. If they do not file a lawsuit, well, they talk to the employer anyway and tell him, ‘Look…’ The employer sometimes says, ‘Okay, I'll take you to the clinic.’ And other workers who do not, they file a lawsuit, ‘I'll send you to court!’…Sometimes when one gets hurt some employers say, ‘No, it's not my fault.’ Then they go to a lawyer or a professional… Here [at the center] we have lawyers. Sometimes there are lawyers
out there. Then they work hard because all the lawyers out there charge. Nobody works for free. And that way, it's regulated, because everything is based on safety.”

Mario
“They assign a lawyer to the worker. That guy I told you that got injured in a move. That's what he is fighting about now, because he has his family and he is asking for help. I told him, ‘Well, talk, fight, you have been living here for a while, with most of your family here.’ He introduced me to his daughter and she told me, ‘How can I help my father?’ I told her, ‘But you have a lot of experience here. You have more experience than I do here. You have lived here longer.’ She said, ‘We are going to fight to have them pay the medical expenses and everything, the treatments and everything.’ They are looking for the employer. They haven't caught him…”

Salvador
“Well, if I were to get seriously injured, I would go to the hospital and start a case.”

The lack of medical options and health insurance.

Hector
“Us, in the corners, the day laborers, there is no safety there, because the job is not stable, the job can be temporary. But sometimes when you work in big factories, everybody has their insurance. But when it happens outside a factory you do not. No, one has to pay for his own medical expenses and medicines.”

Domingo
“The employer only pays for you if you are in a factory. But not here, here you have to file a lawsuit, to make the employer pay you. Because here, since we are day laborers sometimes we work one day and sometimes we work two days. Sometimes we work for a week, or sometimes it's only two or three days, it depends on your luck. Here you will never say, ‘I have a permanent job.’ You can always get a permanent job, but they will pay you minimum wage… Because if I go to work in a factory, they are going to pay me, and I will be punching cards for six days, but not here. Here, the day you want to work you work, and nobody will force you.

“I go to a clinic and get medical checks every year. And there is going to be a health center here [day labor center]. …clinics and everything; they are coming to do exams…They do not charge me anything…and they do not charge anything for the medicines either… If it's something serious, they charge, obviously. If one goes to the hospital, they charge for the consultation. But they do not charge anything in the clinic where I go, and they can send me to have an operation or something. They charge for dental care too, and they charge for eye care too. One goes to buy the glasses, and they charge you for the exams. But what they charge is very little, an insignificant amount, if you say you come from here [the center].”
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Javier
“I do not have insurance. No, I do not have anything… I use little domestic remedies. I do not have insurance; I do not have a doctor. We simply buy head ache pills, stomach ache pills, herbs that are known to take away the pain also, that is all one does.”

Coalition for Human Immigrant Rights of Los Angeles (CHIRLA).

Atílio
“One thinks nothing is going to happen, or one tries to be careful… Here they are advising us, the guys from the day labor, the coordinators. They are always providing us information about safety at the workplace, to be honest, to work hard, and that they pay us fairly, and to make clear that each day—since it's day labor—each day has to be paid. They are always advising us in that sense.”

Francisco
“I do not know where to get information, except what you see on television or in the newspaper. If not, well then I turn here [the centers], ask the right question, and then they inform us, they give us telephone numbers, or they more or less give us [what we need].”

Serafin
“If I got hurt, I mean, for example if it were serious, well, I do not know if the employer would support me, for example if I couldn't work anymore… If I hurt my hand, or my foot, or my spine, if I couldn't walk or whatever, right? Though I do not think he would do that, right? Because they hire us just for a day, for three days. Maybe the employer would support me. Well, if he supported me, I would like him to at least give me money to go back to Mexico… If he didn’t support me, well, the truth is that it would be sort of difficult… Though, anyway, if I cannot work anymore I would go back to Mexico.”

10. LEGAL DOCUMENTS

Respondents’ legal status had implications for their sense of vulnerability vis-à-vis employers. They felt that their ability to pursue other kinds of employment, and to receive adequate medical care was limited.

Javier
“We do not have any help. None that I know, at least. Well, I haven't had any accidents; neither the other workers that I know have had big accidents. Unless we are talking about big factories, in which we cannot be, because they ask for your legal documents. Insurance papers, one can get them. But legal documents, that is the only thing that matters here. And that is the only thing we cannot have—that is the disadvantage we have. From all of them, only one has told me that he was going to
take responsibility if something happened, and it wasn't a job where we had to handle heavy stuff…

“I would like to have a better job. But I do not know what I need to have it. For that, the main thing is legal documents, isn’t it? Sometimes the contractors pick a worker, and the worker knows how to do the job, but they do not take him because of the papers. The main thing is the papers… For the job that is available you say, ‘But I know how to do it!’ And I stay thinking, ‘If I had documents I would be working, but since I do not…’ “

*Ciro*

“That's something that we [CHIRLA] also have to teach the day laborers, to get education, we have to teach them not to be afraid, just because they have no papers doesn't mean they do not have the right to, ‘You know what? Are you going to fire me?’ Like my brother, he told the employer, ‘Are you going to fire me? First you pay me…you pay me first, then you throw la migra [INS] on me. I do not care.’ My brother didn't have papers by that time, because he is the first who came [from the family], and the employer paid him, because he didn't get scared. I say, ‘There are laws. If you do not have a mode of surviving, there are offices where they can help you. If you do not have the means, and you got hurt, and you cannot work, and you cannot pay the rent, there are offices where they can help you, even though you do not have papers. No, many workers get scared. They go, ‘No, what if we go there and then they call la migra?’”

*Mario*

“I already had [the rash] before coming here from Mexico, I got a little rash and it healed. I was going to the hospital, I go to the centers in Los Angeles, the family centers. It's where most Mexicans go because it's not very expensive. They didn't charge me anything because I went with a friend who has legal documents and everything, and he did all the talking.”

11. LANGUAGE BARRIERS/EDUCATION

Some respondents were interested in pursuing educational opportunities, such as attending English classes, or learning about their work, health and safety, or the law. However, because of their need to work, they had limited time to do this.

*Domingo*

“There are English classes [at the day labor center], sometimes one gets there but it's full. Since I am waiting for a job, I cannot participate because an employer can come and take me. But if you are not waiting for a job, anyone can come in the class.

“It’s very hard to get information; one has to inform people about the risks, accidents or something, ‘We are going to go to do this job, but you are going to look carefully how we are going to do it,’ or, ‘I am going to guide you.’ Because many times you
can do something that can harm you, or some jobs are harmful. I would like to know more about health and safety…But one would have to have some time, some more capacity… It's very hard because one doesn't know, because one is looking out for a job, or looking out for home, or any problem I may have, or the car. One’s mind is somewhere else…”

Mario
“I want to learn some English to defend myself. I know some words, but not enough to get a job or anything… I studied very little; sometimes I didn't even pay attention. I would just go one day, and then I would skip the next… I learned some words. Yes, I know some, but it's not enough to talk to an employer or something. I can communicate, right? But it's very different when you need to take a job.”

Francisco
“I have always been… My mom told me, ‘Why didn't you become a lawyer? You like to solve problems.’ If I do not like something, if I do not like the way they are treating me, I argue with them…. I learned through reading… Reading all the time, reading at the libraries and reading the laws… There are things here that when I try to use them, they tell me, ‘No, you are crazy,’ I tell them, ‘Let's go to the library and I will show you in such a book, such section of code x , there it is.’…But they do not understand.”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK
Respondents wanted more health and safety information, medical insurance and better medical care, better treatment from employers, and more support from day labor centers and the government.

Domingo
“I would like us to have more support from the government, I mean, a little more advantage. I hope this [the center] doesn't end, right? I hope there is enough funding or that the personnel… Because the city pays the coordinators, but the mayor and the council members support us, thanks to God. I hope we keep on doing this…the way it is now, because this center is the best organized among all.”

Serafin
“I would like more information. If a job is dangerous one has to be more or less capable of knowing the job's risks… For example, how to use the tools, or for example, I would like someone to explain to us all the risks there could be at work… If I am working… I would ask them to be patient when I am doing my job. And I would like him to see if he likes the job I do, and that he keeps on hiring me, because it's very important, to me, it's very important to have my job... Also, if it's a dangerous job, I would tell him, ‘Oh! You know what? Can you give me training to do this job?
That way you would get better results.’ I mean, I would be able to do it better, and with less risks also for the worker.”

**Javier**

“I would like to get more information about… People who can help us, doctors where we can go. I guess we go to the hospital… But we do not go to other centers because we do not even know about them. If I knew, I would go there and ask for more information. That way the information can be distributed. I do not know of any other source that can help. The only thing that is left for us is to work, to move ahead in our lives. That is our motto, ‘To work to move ahead.’ The problem is when God wants that one is sick, but in that case I wouldn't know who to ask for help.”

**Salvador**

“I would like preventive information to avoid accidents.”

**Ciro**

“Well, the information I would like to have is what I can do to help my co-workers to defend themselves and to not be afraid, to convince them that nothing is going to happen to them. That's the information I would like to get. I would like to see a paper that says, ‘Here it says that they cannot do anything to you. Understand this. File a law suit, or do whatever you want. Nothing is going to happen to you. Immigration cannot do anything to you.’ That's the information I would like to pass on to them… In terms of safety, I would like the employers to understand a little bit that we are also human beings, and that we are not going to work like animals, right? ‘Do this and do that.’ And knowing that there are chemicals or something. And one does it because one needs the money. I would like them to say, ‘You know what? Look, wear this, wear that, it's for your own sake, if you do not wear it I won't give you the job.’ Right? Also, I would like someone to talk to the employers for them to stop abusing…..”
DOMESTIC WORKERS INDUSTRY

1. BACKGROUND: DOMESTIC WORKERS INDUSTRY

*Rocio* (an independent domestic worker who does not “live-in”)

“I would feel secure and comfortable if I had an eight-hour day. I do not feel old, and I am strong enough to work ten hours a day. And I would like to have medical to cover me, that when I have a pain I can go the hospital, and my job would be secure, and that I had an insurance that I could go to the hospital immediately. That is my dream, to have a secure job, because the Medi-Cal [Medicaid] I have is temporary, to be renewed every six months. It is not sufficient to have two and a half hours work per day; [it] is very sad. I need an eight or ten hour job—that is my dream. I do not know if I’ll find it. It’s been two months that I do not have a sure job. I have only found hourly jobs, and I need work. I have six children, a daughter is here with me, and five are in Guatemala with my husband. He works there, but I need to send them money. I left my job because I was being exploited, working eighteen hours a day for the same wages. I was not even getting the minimum wage. It was a true injustice. She [the employer] was used to this, they are used to this. But I trust in God, and have faith. I will someday have an eight-hour a day job, I do not know in what field, but to have forty hours a week, that is my dream.

“Sometimes I have pains in my back, and also my inside, from vacuuming. My back and my arms hurt from picking trash, cleaning furniture, and housework. They smoked a lot, and the cigarette smoke in the house was affecting me. I was feeling it in my lungs. This couple had sons that were doctors, and they would bring their instruments and check me and tell their parents they should not be smoking as it was affecting my eyesight. They told them to smoke at the park to avoid the smoke in the house that was bothering me. I quit that job because at the clinic they told me that the smoke was injurious to my lungs.”

The above quote reflects many of the issues found in the domestic worker industry: (a) symptoms from health and safety hazards; (b) wage irregularities; (c) the lack of health insurance, or the singular availability of temporary government health insurance due to low wages; (d) no employment stability; and (e) family obligations forced the respondent to continue employment in this job.

Size of the industry

Every year, an increasing number of households in the United States hire someone to do the cleaning. Between 1995 and 1999 this number increased fifty-three percent. In 1999, between fourteen and eighteen percent of households in the United States hired a person or service to do the cleaning (Ehrenreich 2001, 91). Locally, the number of gardeners and

The U.S. Department of Labor estimated in 2000, that there were 948,230 “maids and housekeeping cleaners” in the country. However, this definition included a broad array of workers who “perform any combination of light cleaning duties to maintain private households or commercial establishments, such as hotels, restaurants and hospitals, in a clean and orderly manner. Duties include making beds, replenishing linens, cleaning rooms and halls and vacuuming.” (BLS 2000). Close to ten percent of maids and housekeepers (95,490) worked in California the same year, and a quarter of those (24,120) resided in the Los Angeles-Long Beach area (BLS 2000). Moreover, nearly 82,300 people were employed as “private household workers” in Los Angeles, Orange, Ventura, Riverside, San Bernardino and San Diego counties in the second quarter of 1999 (EDD, 1999). According to the Multi-ethnic Immigrant Workers Organizing Network (MIWON), “These are domestic workers whose employers pay unemployment insurance, so there may be as many as three times that number of people unreported.” (MIWON n.d.).

Therefore, these numbers underreport the size of the real labor force that comprises domestic work. Even when numbers of domestics can be estimated from the census and labor databases, they are marred by the common practice of underreporting such work in the informal sector. The job of domestic work usually involves an informal labor arrangement between two people. And in most cases payment is simply a cash transaction that is never recorded with the Internal Revenue Service (Romero 1992). While this number cannot be verified, it is believed there are nearly 100,000 to 140,000 domestic workers in Los Angeles County (Kite 2002; Perez 2002; Prado 2002).

In fact, the Los Angeles-Long Beach metropolitan statistical area has the most domestic workers of any area in the U.S. (Hondagneu-Sotelo 2001). According to Sociologist Ruth Milkman, greater inequality in income distribution in a city tends to generate a greater amount of paid domestic work (Milkman 1998). In fact, Los Angeles’ diversified economy – with its manufacturing and entertainment industries – is the home to a large number of people with highly paid jobs. These high-income households, together with a large concentration of Latino immigrants, offer a strong market for household services (Hondagneu-Sotelo 2000).

Two defining features characterize the nature of domestic work. Domestic workers not only provide a cleaning service, they sometimes are also expected to fulfill emotional gaps by caring for others’ children. Cleaning dirty houses is undervalued work in production-oriented societies, and it has been a job reserved for poor, immigrant and/or rural-urban migrant women (Hondagneu-Sotelo 2000).
Characteristics of Domestic work

Domestic workers often work from 6 a.m to 10 p.m. Transportation is costly and it takes time to get from one job to the next, often making it hard to clean more than one house per day. Most domestic workers are paid by the hour. However, often workers are paid for fewer hours than it actually takes to do the work, forcing employees to work faster to finish the job. Many workers feel a greater time pressure when the client is present. Hence, they prefer working when the client is absent. Time pressure also heightens the risk of injury. Having to work fast makes it harder to follow health and safety precautions.

A cleaning person’s typical daily tasks include sweeping, mopping and waxing floors; dusting and vacuuming; cleaning bathrooms; plus some outdoor work. If a worker has more than one client a day, it may be impossible to complete every task. Sometimes workers must bring their own supplies, because the house does not have them.

Cleaning often is the only job that workers know how to do. Individuals do it because they may also need to support their relatives in their country of origin, or they must pay for their children’s education.

When domestic workers actually live in the homes of their employers, they often feel isolated, vulnerable to abuse by clients and outside the reach of enforcement of labor laws. To mitigate their isolation, they sometimes feel the need to have a relationship with their clients. They yearn for a smile or a gesture to show appreciation from their employers. In reality, they are often ignored by the clients or families and they discover that their clients do not care about them, their feelings, or their health.

There are three types of domestic workers: (a) Live-in nannies/housekeepers, (b) Live-out nannies/housekeepers, and (c) Housecleaners. Live-in nannies/housekeepers are those domestic workers who live at their employers’ home and are treated as a “maid-of-all-trades,” performing housekeeping and child-rearing tasks. Live-out nannies/housekeepers are those who perform housekeeping and child rearing tasks, but they live at their own home and sometimes have more than one employer. And housecleaners are domestic workers who clean different houses every day. Usually, recent immigrants find it easier to get a job as a “live-in,” and later they move on to “live-out” or daily housecleaners (Hondagneu-Sotelo 2001).

Housecleaners earn higher wages and enjoy more autonomy than nannies/housekeepers, but they must put up with doing dirty work. They must take out other people’s trash on a daily basis, and scrub other people’s floors, toilets and kitchens, “often ones that have not been cleaned since the last time they did it one or two weeks prior.” (Hondagneu-Sotelo 2000). In comparison, it is easier for “live-ins” to find clients and enjoy the convenience of having their housing provided. However, they must also cope with lack of privacy and poorly-defined work hours. Live-out nannies/housekeepers’ hours are more predictable and they have more free time for themselves after work. During this time, some go to classes or spend time with their families. They live at their own house and are able to
Domestic workers in Los Angeles find employment in one of several ways. Some domestic workers work through cleaning agencies; others form cooperatives, and others find their clients independently.

Domestic Employment Agencies.
Domestic worker agencies usually have a pool of prospective employers and a pool of potential employees. Their job is to match the employer’s preferences with the worker’s characteristics and abilities. Frequently, they charge a flat fee to the employer and deduct a percentage of that fee from the worker. In order to match employer’s preferences, “In some cases the questions asked are discriminatory or illegal under existing labor laws. For example, prospective employees are asked their height and weight, marital status, and whether the applicant has children living in the United States or in her country or origin. This is then used by prospective employers in deciding whom they would prefer to hire.” (Rosales 2001).

Cooperatives.
There are two domestic worker cooperatives in Northern California, both located in San Francisco. (One integrates information about organic, non-toxic, cleaning products in its training for domestic workers and promotes this to prospective employers.) The only cooperative of domestic workers in Los Angeles is Dynamic Workers LLC, which was a project of the organization Strategic Actions for a Just Economy (SAJE) and is now a project of Physicians for Social Responsibility. It started as an extension of the Hollywood Community Job Center, established in 1997 by the Instituto de Educación Popular del Sur de California (IDEPSCA). This Center originally served as a hiring hall for day laborers. Between 1998 and 2000 Center staff and SAJE joined forces to create job opportunities for immigrant women as well as a cooperative for domestic workers. It incorporated a number of members into a legal entity: a limited liability company (LLC).

This cooperative is attempting to change the domestic workers industry in Los Angeles. It is not just a domestic cleaning company, but also a women’s economic empowerment project. The members own their own business and in turn have access to better paying jobs with better working conditions. They have developed a plan for profit sharing, and have educated themselves about tax and financial issues, immigration law, and workers’ rights. They have also built a sheltered market niche in a specialized cleaning field. After three months in the cooperative, the members can obtain health insurance through the cooperative. They also promote the use of environmentally sound cleaning products in order to protect the workers from the hazards of intensive cleaning with harsh chemicals. These workers earn twice the going rate. More recently, as a strategy to expand the cooperative as a profitable business, the group is considering selling their own natural-based cleaning products and techniques (Zamora 2002).
Independent domestic workers. This is the most common source of employment for domestic workers in Los Angeles. Especially in the case of housecleaners, informal networks help such workers find clients. In a recent study, only nine percent of 153 domestic workers interviewed found their current job through a domestic employment agency; eighty-eight percent did so through their own informal networks (Hondagneu-Sotelo 2001). Examples of informal networks include referrals to clients by other domestic workers or referrals to clients’ friends.

**Domestic workers**

Domestic workers are an economically and socially marginalized group within the immigrant community. They are isolated from other domestic workers because usually they work by themselves. They are susceptible to low wages, physical abuse and sexual harassment. And because of their sense of isolation and legal immigration status, many feel they are not able to exercise their rights to confront their clients about inequities (Riegos 1997).

**Sex, age and ethnicity.**

Most domestic workers are female. Some are in their late teens, and others work into their seventies. It is more common for Guatemalan and Salvadoran women to work as domestic workers, compared with Mexican women. There are several reasons for this, the most important being that when Mexican women migrate to the United States they have more employment alternatives due to their networks of family and friends. In 1990, for example, twenty-five percent of employed Guatemalan women and twenty percent of Salvadoran women were employed as private household workers, in sharp contrast to Mexican women, where only five percent worked in this occupation. These numbers were similar in 1980 (Zentgraf 1998). This is confirmed by a non-random survey of 153 domestic workers in Los Angeles, in which seventy-five percent were from Central America, mostly from El Salvador and Guatemala (Hondagneu-Sotelo 2001).

Additionally, the Los Angeles County Census (1990) estimated that eighty-one percent of “maids, housekeepers, and childcare workers” in private households were Hispanic. If we take into account the historic underreporting of the Latino immigrant population, this figure may actually be much higher. Latinas constituted eighty-three percent of all housekeepers, eighty-one percent of all maids, and sixty-eight percent worked in private households as childcare workers (Rosales 2001).
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Working conditions

Wages and salary.
Most domestics are paid in cash or with personal checks. Their employers do not pay payroll taxes. They make between $5-$15 per hour, or $40-$60 per housecleaning day, on the average (Hondagneu-Sotello 2001).

Health and Safety.
The two most common complaints of domestic workers are back pains and the effects of cleaning chemicals on their bodies. Back pains are common among domestic workers because of the amount of bending and twisting they must do everyday. Hondagneu-Sotelo (2001) mentions back pains as a consequence of intensive cleaning. On the other hand, “The cleaning chemicals, for example, can be dangerous, causing everything from skin irritation and rashes to serious respiratory problems from inhaling toxic fumes. Sadly enough, most domestic workers will not seek medical attention because of the prohibitive cost and lack of easy access.” (Rosales 2001). The other most common injuries in domestic workers are burns, falls, allergies, and respiratory problems (Perez 2002). UCLA’s Department of Family Medicine is currently undertaking a study to assess the health of domestic workers (Tellez 2002).

Benefits.
According to the California Employment Development Department (1998), fringe benefits, such as medical, dental, and pension plans, are usually not available for this occupation, though vacation pay and medical benefits may be offered to “live-in” workers. Rosales’ survey of domestic workers in Los Angeles found that of the twenty-six women interviewed, not one had any medical benefits, and only four were having income and social security taxes deducted from their wages (Rosales 2001).

The Fair Labor Standard Act (FLSA) excludes “live-in” workers from overtime pay: “The FLSA is perhaps the single most important piece of legislation for workers in the United States. It establishes minimum wage, overtime pay, child-labor protections, and the standard of a forty-hour workweek—but excludes ‘live-in’ workers from overtime pay.” (Tsai 2002). Whether the employer is obligated to pay social security taxes, “Depends on the relationship between the worker and the employer. If domestic workers have their own janitorial or cleaning service where they bring their own equipment – vacuum cleaner, brooms, mops and cleaning supplies—they are considered self-employed and they are required to pay social security taxes as a self-employed individual. But if the domestic worker goes to the home, uses the supplies provided by the homeowner and follows the directions given by the employer, an employer-employee relationship exists, and the employer is required under the law to pay social security taxes and give the worker a W-2 form each year” (Gitomer 1998). Although there are labor laws that apply to domestic work, it is up to the worker to raise these issues with the employer and the Labor Commissioner.
It is difficult to unionize domestic workers because there is typically one employee per work site, and employers could fire “live-in” domestic workers because they are not protected by the National Labor Relations Act. However, this could change if there were an organization that functioned as an “employer of record,” as in the case of homecare workers, where there is a Public Authority in Los Angeles which is the employer of record for all homecare workers who receive payment from public funds. Several community-based groups have begun to organize for workplace rights for domestic workers, including CASA of Maryland and the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) (Tsai 2002). CHIRLA’s Domestic Workers’ Association has been successful in legal action’s against employers and employment agencies (Chang 2000).
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2. DEMOGRAPHICS OF THE SAMPLE

We interviewed a total of twelve domestic workers who were housecleaners. All were Latinas. Seven were from Mexico, one from Nicaragua, one from El Salvador, one from Guatemala, and we did not know country of origin for two of the workers. Ten were contacted through the cooperative Dynamic Workers LLC and two were unaffiliated with any organization (one was a “live-in” worker and the other was a daily housecleaner). Four were actual members of the cooperative. (In order to become a member one has to get jobs through the cooperative for three months.) An additional six were working through the cooperative. Two were found through personal contacts. All of those were working as “live-out” daily domestic workers – they cleaned different houses on different days each week. For the cooperative members, the client paid the cooperative for their services, but they were considered “self-employed” as a member of the LLC (limited liability company). Under this arrangement, they do not qualify for workers’ compensation nor coverage by Cal-OSHA.

Those in this sample had been doing domestic work for less than one month to twenty-one years. Five had been working as domestic workers for a year or less; four between two and four years; two for eight years and one for twenty-one years. Their ages ranged from twenty-two to sixty-five years old. The average age was forty-six. Six were between forty-five and fifty-five years of age. The ages of two were unknown. Four were highly involved with the cooperative, six were involved at a low level, and two were not involved in the cooperative at all.

In the case of these domestic workers, the client was the employer who was purchasing their labor power.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

The workers had a variety of symptoms attributed to working with cleaning solutions. They also got injured from on-the-job falls.

*Janet*

“The liquids were very strong, and since I came here I have had that problem. The liquids affect my sight [eyes]. The liquids they use are too strong. My eyes cry since I came here, with pain, irritated. And sometimes when I sneeze or something like that I get like, as if some blood vessel broke, I get little spots of blood… But I think it’s from the liquids. Those liquids affect one’s health. Then the hands, it doesn’t matter how much I use gloves, it always penetrates. Sometimes the gloves break, the hands[skin]get peeled off, they get hurt. It has happened to some of my co-workers…”

*Melinda*

“We were a group of co-workers, and the man gave us the liquids, but those liquids! I was sick for two weeks with headaches, a very strong one. I couldn’t stand it, I also
had a cough. I felt as if the liquid got stuck in my chest. My eyes were on fire; they filled up with tears. When we finished, we were almost blind. It was a very strong liquid he gave us. The apartment and the bathrooms were moldy, and the man wanted them to be clean. He used to check, and if he found a little bit of dirt, he would make us go over it again and use the liquids again. That liquid was incredibly strong. And my co-worker got sick, too. I was very sick after that.”

Amelia
“When I used the Tilex, I almost threw up there in the bathroom. Maybe it was my fault because I closed the door and put it… It has to do with the ventilation, and even later, I came out and I was coughing because I breathed in all that smell. Since it’s too strong; for five or six hours I was like that, coughing.”

Fernanda
“The only thing is that yes, my eyes get irritated. This does happen, they get irritated by the liquids and the smell of the liquid…. “I suppose they [co-workers] do [get sick] because some of them say their eyes water. I have a work mate that says, she was just telling me, [her nose] bleeds. And well this is something bad to worry about, no? Because to be in contact with the liquid… They should ask the client to change it because it's too strong. One day there were a lot of workers that had their hands cut/chapped up by the work.”

Nancy
“Yes, I think some liquids. Because I suffer, because when I am using certain fluids my eyes hurt and get itchy. I have been to the doctor because of eye allergies. Some fluids, I think irritate my eyes. When I get home, in the afternoon, as soon as I get home, I wash my face. I put cream on my face. The doctor told me to wash [my eyes] with baby shampoo. Then I put in drops he gave me for allergies, because I feel that bleach and all those chemicals, I think they give me eye allergies. That is the only thing about cleaning houses, the chemicals.”

Monica
“One time when I was washing a cement corridor I slipped, washing it with soap, and I hurt this knee, when I fell on this knee, and for a long time I…even my leg hurts. Yes, my leg hurts because I hit my knee, and I have this thing that at night I have to put hot things on it. Because, to be honest with you, you do not earn enough to pay for a doctor.”

Ofelia
“At the beginning, when I started to work with these liquids I had headaches. I do not know, I cannot tell you whether this disease in my eyes is because of the liquids or it’s because of the disease I already had. It has affected me in the head. Now I have glaucoma. I cannot see without my glasses. I can only see the big things, the bright colors. The doctor says that my sight will probably… he gives me some drops to lower the tension in my brain, to keep it from going up again. But I notice when I am
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working I can feel when the liquids go up to my brain and then go down through my body. It can be the liquids, or it can be a disease, but I cannot tell.

“I was moving some furniture and I twisted. I told him, ‘It hurt. I felt as if I injured my back,’ and later I told him, ‘You are going to have to take me to the doctor,’ but I was kidding, because I had been working for them for ten or eight years. And he answered me with a very ugly phrase in English. So I told him, ‘Oh, well, if that’s the way you think about me. I am not coming back to work here.’ I never went back, because he said… it was a word that he said… an insult…when I told him he had to take me to the doctor because I had injured my back.”

Olivia

“Look, I slipped once, and it took me a month to recover from my leg. It wasn’t purple bruised, it was black bruised! Black! I got injured twice. I even had to bathe the dog, and one day I was brushing the dog and it untied itself, and I dropped the brush and this finger bent back, and it still cracks. Now I can move it a little better, but not very long ago it still hurt.”

Soledad

“I think some of my co-workers have had accidents. Sometimes we have to climb on stairs to reach high elevation places, and some of my co-workers have fallen down from the stairs. Or sometimes we have slipped on the floor when it’s slippery.”

4. WORKERS’ CONCERNS AND FEARS REGARDING INJURIES AND ILLNESSES

Many of the workers had concerns about falls, lifting heavy items, and the chemicals in the cleaning liquids they were exposed to every day. They said they expected these would hurt them, if not now, then later in life. Some employers dismissed workers’ concerns about the chemicals. Since they cleaned their own homes sometimes and had no health problems, they said, there was no problem. The employers did not acknowledge that these workers were exposed to these chemicals as often as five days a week (Romero 2002). Getting infections from the trash they cleaned up was also a concern, as was the risk of assaults when they waited for buses late at night.

Amelia

“You have to be careful when you’re going to clean windows. Use safe ladders, and always with someone, because if there are windows on the second floor or something like that, it’s better if they hire a man. For example a day laborer, to help you with the cleaning of the house, so that they do the heavier things. We do not pick up furniture. We do not do heavy things. All jobs have their pressures, do not they? You use a lot of hot water, so you can develop arthritis. It’s something that… that you think about all the time.”
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Janet
“One has to find a way to protect herself because if one doesn’t care for herself, who else is going to do it?

“The liquids affect my sight [eyes]. Among the liquids we use to clean, I consider that the most dangerous are the ones we use to remove everything. They not only remove things but one absorbs them. I say that if they dissolve the dirt, I wonder what they dissolve in our bodies. I think about that sometimes, because I have seen how they harm me, my eyes, they are harmful for my body, and they can even give you allergies.

“They [co-workers] always talk about the dangers at the workplace, about the liquids. We talk about cases in which we have to clean high lamps, windows. We have to clean almost everything. Some people even want us to clean the kitchen ceiling because sometimes they accumulate grease. So we have to climb up there to clean all that with those strong liquids. And if one is not careful, the liquid can spill out on her face, and that’s very bad. Sometimes they are like sprays. And even though we look down, we are inhaling the strong smell.”

Soledad
“Yes, of course, of course I am concerned. All the persons who do this kind of job someday will be harmed, right? It harms us in the long run being in constant contact with those liquids, truly. The truth is that there are some liquids, there are things that we use for cleaning, which can be very harmful to our health.

“Sometimes one has to bend over a lot, bend over to clean something. I get backaches, pains in the neck, in my arms, when we are there trying to remove something, being there moving your arms, your hands, and to bend over.

“Sometimes we have to climb on stairs to reach high elevation places, and some of my co-workers have fallen down from the stairs, or sometimes we have slipped on the floor when it’s slippery. Or where we have to walk a long distance to get to the bus stop, and sometimes it’s very, very far away. And on the way something can happen to us. Someone can assault us. Or sometimes there is not enough lights on the street. Well, many things can happen.”

Melinda
“The liquids, but those liquids! I was sick for two weeks with headaches, a very strong one. I couldn’t stand it. I also had a cough. I felt as if the liquid got stuck in my chest, my eyes were on fire. They filled up with tears. When we finished we were almost blind.

“Sometimes we have to face risk when we clean windows that are up high, because I have gone to clean windows that are up high, and we have to hang in order to do that. What we did is, we would hang. With this hand we would use the window cleaner and with the other we would hang like this. We were risking our lives.
“We have to take the bus, we get out late from work, and we are in danger when we have to wait on the street with our purse and everything. It’s a risk, sometimes we are waiting for the bus and the street is so empty.”

*Julia*

“Oh, the liquids, yes, ammonia, that’s very strong. Tilex, oven cleaners, that’s strong. Well, yes, it is scary because right now I do not feel sick, but who knows later on. Because sometimes you do not feel it at the time but… with time you get more and more affected. I am worried about getting an infection from the people, you know, that leave things just lying around like that, toilet paper. This is what scares you, getting an infection.”

*Fernanda*

“The liquids are the most… a little more difficult. And, well, I suppose also that having contact with germs in the bathrooms, no? Because the living room, kitchen, the bedroom, aren’t dirty, but the bathroom is the dirtiest. It’s where you use the strongest liquids to get out the... If you fall on the floor, it's the most dangerous thing that can happen. Or you can fall from a ladder when you're cleaning a lamp. You get kind of nervous because you have to finish in a few hours a house that's dirty and big.”

*Yesenia*

“It [cleaning liquid] burns my hands. It gets really ugly here. The liquid… it affects my eyes, I feel that my eyes are on fire sometimes, or here in my throat. I feel like I am choking when the liquids are too strong. And, sometimes where there isn’t a vacuum, to clean the carpet, I sweep it, and the dust comes up in the air. It gets inside my nose and makes me sneeze very often. They also say it’s bad to lift heavy things, sweeping, cleaning, well, and also the liquids. One has to bend over frequently during the day… to make sure there isn’t dust left on the floors. And at night, that’s when, yes, yes, my back hurts. But that’s only when there is a lot of work, because some places are dirty and some others are not.”

*Nancy*

“I think some liquids [are harmful]. Because I suffer, when I am using certain fluids my eyes hurt and get itchy. I have been to the doctor because of eye allergies. Some fluids, I think. I think it may be dangerous to get on ladders.”

*Monica*

“One time I did dare to clean with Clorox, and when I was finishing, I felt like I was being squeezed here and my throat—I couldn't swallow anymore. So I felt like I was choking. Another thing I have is that my hands fall asleep, and the days that they fall asleep the most are when I use Windex. Another one that I feel as if I drank it is Pinesol. It seems harmless but if I start to... There are a lot of houses where they tell me, ‘You can clean this, put Pinesol in water. Put it on the mop and clean this for me.’ I feel as if I’d swallowed the Pinesol. The smell of Pinesol is bad. Yes, I think
that the chemicals are very bad for you. You should use a ‘mask’ but it gets in your way as you’re cleaning. So to avoid this you do not wear anything.”

Ofelia
“The liquids one uses, it’s too much. They used to be mild, but now they are too strong. As you can see in the commercials, they have bleach. They have this and that. They make us suffer from our eyes, head. Another thing is, when we have to clean windows, or to do things like climbing places where they have a lot of adornments—they have more adornments than I have at home—we have to clean them, and it’s very dangerous. If you spray too much, and you stay in the same place, the liquids are so strong. That ruins your eyes a lot. Your hands get very dry. One has to put lotion on all the time because they get so dry from using those liquids to clean the bathroom, and everything, too strong.

“But in this job, judging by the way we work—so hard—I do not know if I am going to last five more years. I am going to die, because my lungs cannot take it as they did when I was younger. Because when one is younger, the smells and all of that do not bother you. But when you get older, you start having pains and everything affects you. If you bend to pick something up, if you are on the floor, all of that is a lot of work. You lean over, you get up, your bones cannot stand those poses, right”

5. THE REPORTING OF INJURIES AND ILLNESSES

Respondents said that sometimes they did dangerous things because the clients required them less space to do so. They also did not report when they felt sick or injured, because they were afraid they would be fired. Even when they took care of the illness or injury on their own, they did not mention it to the client because they were afraid the employer would hire someone without “so many troubles.” In one case, the respondent’s cousin mentioned how much her medical bills cost for treating her back, and the client (of many years) fired the cousin. Workers felt that they had no leverage since the job was an informal verbal contract and because they could be easily replaced. There was a case of a worker who needed a letter for medical coverage for eye surgery, but the client refused to give it to her because the worker was undocumented. Eventually, the worker left.

Ofelia
“When you get hurt you shut your mouth. The only thing that could happen is that the client gives you medicine or something. You go to the doctor and pay with your money, even though you do not have enough, right? But just to avoid complaining, to avoid losing your job.

“They [co-workers] do not say anything because it’s a danger for us, because since they do not have insurance, and maybe they do not have legal documents. Because I feel that since I have legal documents, whatever happens to me I have to claim. But when one doesn’t have papers one cannot, because one knows they are going to fire us, or that somebody is going to complain about it. The only thing they [clients] care
about is the job. I have medical insurance [through husband]. No, when something has happened to me at work, like I feel like I am choking or something, I go to the doctor afterwards. But on my account, I do not even tell them what’s happening because if they see you with too many troubles, they will look for another domestic.”

*Janet*

“Sometimes the client is not at home when we are there, or sometimes we cannot communicate with them because they do not understand our language and we do not understand theirs, so we cannot talk about anything. But at the workplace, I think sometimes the client wouldn’t even notice if something happened to us. The most serious thing is if one breaks a bone and one is unable to work. Because the rest of this is harmful to us. But we still keep on going to clean their houses, so they [client] do not really notice if they are harmful or not, because nobody has ever told them anything about it.”

*Fernanda*

“I do not know what they [the cooperative] do, but supposedly this is a cooperative and they should provide medicines, no? They can send her [injured worker] to the doctor. But if she doesn't say anything, what can the cooperative do if she doesn't say, ‘You know what? I got sick.’ They do not say because of fear or something. Because they think they won't help them, but, well, it's a cooperative of women and that's what it's for.”

*Monica*

“And one thinks, ‘If I tell the client she is going to tell me not to come back.’ So, to avoid losing the job, I shut up, I do not say anything. But if those persons have legal documents, or the people who have insurance, I guess... Then, one just shuts up, one doesn’t say anything because one thinks, ‘Well, I do not have any chance to win, I am not going to waste my time.’ And I just try to heal it and keep on working.”

*Olivia*

“I slipped once, and it took me a month to recover from my leg, and I never reported it. I never reported it, first, because as I told you, I do not like problems. Secondly, because this person [client] has been very nice to me. Third, because of lack of time. And fourth, because I had been only two weeks working in this house where I am now. I said, ‘If I create a problem out of this, I will affect that person, and I will affect myself because I won’t be working.’ And one has needs, right? So, the truth is that I never reported it. I never said anything to her, ‘Look, this happened to me, help me.’”

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6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

Workers at times did take the initiative to protect themselves. For example, some tried to convince clients to buy milder liquids or just use water and soap. One respondent recommended better cleaning supplies (for example, a mop that kept the dust from flying
up). Other activities included wearing safe shoes, bringing their own protective equipment, being careful where they stepped, putting down a towel on wet floors, wearing an apron, closing the door to the room where strong chemicals were used, putting cleaning liquids on a paper towel instead of spraying it, etc.

In the case of very dirty houses, respondents mentioned taking such safety-related actions as spraying the area first with anti-bacterial cleaner before starting work, or throwing their clothes away after very dirty jobs. Respondents also mentioned the following ways they took care of their safety and health: good eating habits, resting, drinking milk for a sore throat related to breathing chemicals, not carrying a purse when they had to wait for the bus alone late at night.

A couple of respondents said that taking precautions was necessary to keep their job. Many others said they had to take care of themselves since the client did not, and because they did not have medical care options. The main obstacles they identified were clients not caring about the effects of chemical substances and insisting that they use strong liquids to clean. Also, workers did not always see clients, because they often worked in empty houses, and even when they did, there were language barriers, making it hard for them to suggest changes.

A few mentioned simply being cautious in what they do, working slowly and conscientiously.

*Janet*

“We should always be cautious. For example, I am cautious in what I do. But just to get things done, one does it fast. That's when one gets hurt, one can cut herself, one can hurt a foot going up and down the stairs. All of that happens when we hurry to finish earlier. It's better to be cautious, to do it well. I am one that would rather work half an hour later than do my job in a hurry. I have noticed that when I have worked too hard to finish everything, I end up more tired, more stressed. Instead, when one relaxes doing her job, I say, 'I better give half an hour more, but it will be safer for myself.' One has to take care of herself. We cannot expect other people to say, 'Here, have this, to protect yourself.' I know that this and that is harmful for me. Then, I am going to buy a mask, I am going to carry my gloves in my purse, and in that house I am going to use a special liquid, less harmful. It's better to spend a little bit more money on that and not to have to spend too much on more serious things [like accidents].”

In some cases employees just took the initiative. For example, one respondent used very little of the strong chemicals; another diluted them with water. One respondent cleaned with vinegar and another with soap and water only. Others brought their own cleaning liquids and supplies.

*Monica*

“Thanks to God, I am Christian, and I think that maybe God is sending us the means for us to take more care of ourselves. And I hope my co-workers, they try to avoid
more the chemicals. Because the owner of the house can give me all the chemicals he wants, but I think that soap is enough. That's the only thing that existed before. What existed first? Soap. Women used to clean everything with soap. I clean with soap where I go, and they haven't complained. It's all about removing the dirt very well, rinse off thoroughly, very clean, and when the employer comes back she says, 'It's fine.' I try to do my job well, and I try to use less chemicals, because they are very harmful to me.”

One respondent mentioned reading a manual on how to use liquids and the importance of peer-to-peer training. Other precautions included using safe ladders, not picking up heavy things, and getting someone stronger to do ‘heavy things,’ like yard work or washing windows.

*Amelia*

“What’s important is that there’s a manual [that the cooperative provides], so that’s why new people can ask. We [cooperative members] have a manual of all the liquids, of most liquids that are used: how to clean a carpet, what kind of foam you can use with clorox or not… Everything is explained in Spanish [in the manual]. So, for example, if Tilex doesn’t have an explanation in Spanish, there [in the manual] it says it’s good for this. Go somewhere else, that is, clean another area, and when you come back the smell isn’t as strong, and you just clean and it doesn’t harm you as much.

“Because the clients aren’t responsible for this. There are clients that only care that you clean their house, and whatever happens to you, happens to you. Honestly, that’s the way it is, ‘Do this, use that, I want my house clean.’ There are a lot of people that say, ‘I do not want you to use this, because, for example, the smell stays in the air.’ So they buy the products that they want to be used in their house. Because some people use only Comet or something like that. They use only, it already has Clorox, so they tell you to not use more Clorox. ‘Do not use Tilex, only this.’ There are other houses that, for example, the people have moved, so the house is empty. And we have to leave it shining like a mirror. So there we use all the liquids, but we know that we have to use gloves. And for the ones [co-workers] that do not know, we explain.”

In some cases, respondents left jobs that were unsafe or where clients did not allow them to use less harmful liquids

*Ofelia*

“The ammonia is another one. I once went to a client’s house, and she liked the ammonia. I felt as I was choking, and the lady got mad when I told her, ‘Look, I am sorry but I am not going to be able to work at your house anymore because you like the ammonia, I cannot.’

“When one gets there [to the client’s house], one tells them, ‘No, this liquid is too strong.’ They say, ‘Oh no, well, we have to use it.’ So, to prevent the harm, we drink water or liquids, or a soda, or something that takes it away immediately, and we go out, because when I spray, I get out when I feel it’s too strong there, right? They do
not give us those mouth covers. And I do not bring them either. One cannot work with gloves. I wear gloves only when I work for the first time for a client. Or when I clean the toilets, I always wear gloves to avoid getting something. When I have a wound it’s scary, that’s when I use gloves. But for the kitchen, for bedrooms, no. I have never used mouth cover because when I put it on I feel like I cannot work comfortably.”

Some tried to educate co-workers about precautions to take.

*Monica*

“Well, I hope the other co-workers would say, ‘Yes, it’s true’ and try it, but I have talked to a woman from the cooperative. I have gone to clean with her and I tell her, ‘Look, let’s use less chemicals. With soap, let’s clean with soap, and it will be the same.’ ‘No, no, the soap is only to wash the dishes, it’s not to clean the floor or the doors.’ ‘How come? If the soap removes the dirt—I tell her—I wipe the door off with a rag, a towel with soap and then I wipe it off with a dry towel and it gets very clean, it’s clean.’ ‘I have worked with…’ ‘No, that doesn’t remove the dirt.’ She has that in her mind, that only with chemicals you can clean. I do not like to contradict other persons or their thoughts because some people get mad. One cannot make them quit. But maybe if you come and tell them they will say, ‘Oh, no, she has studied, and she knows about this, and it’s true what she is saying.’ They can give credit to what you say.”

7. REPORTS ON WHAT THE EMPLOYER PROVIDED

**Personal Protective Equipment (PPE)**

For this industry, PPE consisted mostly of masks—so as not to inhale chemicals—glasses or goggles, gloves for the cleaning liquids, adequate clothes or an apron over clothing, and sturdy, closed, non-slip shoes. Respondents that used PPE mentioned using gloves most frequently, and masks occasionally. Most employers did not provide any PPE. Some respondents mentioned bringing their own.

But it is important to keep in mind that the sample is skewed, since ten of the twelve respondents were affiliated with the cooperative, which not only provided training on health and safety, but also urged members to use PPE and provided some PPE. The use of PPE by workers also depended on how dirty the house was and the nature of the job. For example, PPE was used if strong chemicals were employed, if it was the first time the worker cleaned a particular house, if it was the bathroom that was being cleaned, etc.

*Monica*

“I am careful to use tennis shoes with a grooved sole so I do not slide.”

One respondent brought up the problem of gloves being damaged by the cleaning products and having to buy new ones each time, at a cost of about $5.
Fernanda
“I use gloves. I like to, and sometimes I use a covering for my nose. I do not know if my work mates use it or not, but really I've seen that some work without gloves. Sometimes I also use a mouth covering. It depends on the place where I'm going. I take precautions. For the gloves, you need to use the right brand. It’s expensive because it's $5 for each one and there are times that the liquids, for example in the last house I went to, they ripped. That is, they [the gloves] got very thin…The liquids wore them out. They wear them out…the rubber gets diluted. It’s like bleach for clothes. The clothes get very white, but they get diluted because the bleach starts to eat the color, the fibers. If you do not rinse them, or if you leave them with the liquids, they stick. They break. Each time you use a strong liquid, you have to buy new gloves.

“Rags that I use for cleaning, many people take them home. I do not know how they clean them, but I do not agree with this. I take my rags, I use them, and I throw them in the garbage, because how are you going to take a rag and wash it in your house? Well, I do not have a washing machine, and I'm not going to spend a dollar to clean rags that I use. I rather throw them away. The rags I get where I can. I do not buy them.”

Changes made by employer.
The general sense was that employers did not take the initiative to care for workers’ health. In a few cases, employers advised workers to be careful, bought natural cleaning supplies, or listened to workers’ requests. However, respondents made it clear that these were exceptions to the rule. In fact, in a couple of cases respondents said that they felt that clients’ insistence on using less harmful cleaners was due to concern for their own health, not due to concern for the workers’ health. Besides lack of concern for workers’ health, the main reason cited for employers not making changes was the employers’ perceptions that if workers used less strong liquids, their houses would not end up as clean. One respondent said that the only thing clients did was offer more money, but did not change the working conditions.

Ofelia
“Well, the clients, I do not think there is anything the clients could do to ameliorate the situation. Because they… if they like you…the only thing they do is to say, ‘No, I do not want you to go, I am going to raise your salary by $5 or $10.’ That’s it, they fix it with money.”

Amelia
“I’ve noticed that, for example, if we suggest a certain liquid, something to sweep that doesn’t make the dust come up, things like that, people buy it. That happened to me in a house that they asked me why I used that ‘broom’ that has a little cloth. And I told them, it picks up all the hairs, but they do not fly all over, because with the broom everything flies. The next time I went they had bought it. They gave me the little cloths, ‘Change them,’ they told me, ‘Do not re-use them.’ There are people that
are interested in how we clean their house. That way they do not inhale anything and we do not inhale anything.”

_Rocio_

“The boss has never done anything to prevent an injury. It is up to the worker to know how to use the ladder, stand on a chair or table to reach whatever – to look after herself.”

8. WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY

Most domestic workers thought they were responsible for their own safety. There are two types of safety in this case, the one which only the worker can provide, and the one that should be the client’s responsibility. An example of the first case is wearing tennis shoes to clean the bathroom to avoid slipping. An example of the second is the client buying less harmful cleaning liquids and protecting the worker from getting harmed. Some who were in the cooperative thought the cooperative should be responsible. In several cases the workers mentioned that the factories that make the liquids should be responsible for their health and safety.

The worker.
According to some interviewees, the worker was responsible for taking care of herself because no one else was going to do it. The worker should also be prepared to convince the client to buy other liquids because the client was not aware of the harm the liquids caused. One domestic worker blamed herself and others, saying that they were careless, that they did not protect themselves enough. Domestic workers took care of each other. Some said that the worker had to be careful, e.g., when the bathroom floor was wet, she must walk cautiously to avoid slipping. Others mentioned that the worker should act to improve working conditions by supporting the passage of protective laws.

_Melinda_

“According to us, the responsibility… we [cooperative] talk about it so that we take care of each other. We talk about it among us, let’s say in the meetings we hold…we bear the responsibility. Ourselves, what precautions we are going to take. So that’s why we buy all the liquids, to make sure we won’t get sick with other chemicals. And we decided to buy all the liquids ourselves, all the tools. If a house doesn’t have them, we use the liquids that are less harmful for us, to prevent…”

The employer.
According to some of the domestic workers, the employer usually did not warn them or provide protective equipment. Some thought the employers were responsible for providing a healthful and safe environment by buying less harmful liquids. But usually they did not take that responsibility. They did not act responsibly towards the workers.
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Janet
“Well, I think they are responsible, where one goes to work, where they are providing you the job. The owner of the house where one goes to work is the one who must make sure one is safe. It has to be him/her… because they are providing the job, and one just goes there.”

The cooperative.
Some of the responses included: the cooperative should talk to the employers and tell them to buy less harmful liquids; and the cooperative has to warn the workers about the risks.

Yesenia
“Well, I think it’s the cooperative. Yes, and I think the cooperative is the one that has to prevent us from all of that…”

The manufacturers of cleaning liquids.
Workers said the manufacturers of cleaning liquids were responsible because they knew how much harm they were causing. The manufacturers were the ones who convinced the employers to buy their products. And eating, breathing and living in dwellings cleaned with those products were harming the employers, too.

Soledad
“My many people might be involved, to prevent, I mean, to… oh! How can I say this? To stop the products from being so harmful, right? These products could be…biodegradable. They should make biodegradable products. The cleaning products industry should think about how to create products that are not so harmful for domestic workers’ health.”

Who is responsible for medical expenses.
Some said that the client should be responsible, and others said the cooperative should be responsible for covering medical expenses in case of an accident. A domestic worker mentioned that there should be a law that made clients pay for their health insurance and social security.

Ofelia
“There should be a law that makes them pay your social security, your medical insurance, because this job is as informal as any other.”

A critical issue raised by domestic workers was that since they had so many different clients, and these changed all the time, there was no way they could have medical insurance. Therefore, they had to pay their own medical expenses in case of an accident. Some clients did pay for the medical expenses, but since domestic workers were “replaceable,” they were at risk of losing their job.
Monica
“‘Yes, I want to go to a clinic, but to be honest…I am sorry if my tears come out, but I feel impotent because we do not earn enough to pay a doctor and we do not have insurance either. We work doing this, and we do not get insurance of any kind, because since we do not work in one house only, who is going to give us insurance? Who is going to make sure nothing harms us? If today we go to one house, and tomorrow we go to another house, and the day after that we go to another house, so, who is going to give us health insurance? And if we want to get insurance, the only solution would be not to work. But if we do not work, we do not earn. We earn to survive, for rent, for telephone, for food, for clothing, to send to our families, our sons. If we do not do it, we do not earn. And it’s the only job we know how to do in this country, to take care of children and clean houses. I think that if we worked only in one house, maybe, but since we do not work only in one house, but we go from one house to the other, and this one told me, ‘You know what? Do not come back anymore.’”

When domestic workers got hurt at the workplace, some clients treated them as if they were inferior and therefore did not deserve attention. Sometimes, the client offered a medication or remedy, but did not send the worker to the doctor or offer to pay her medical expenses. According to another domestic, the client was obligated to cover her medical expenses. She did get sick, but the client would not assist her in getting medical insurance, because she was undocumented and the client did not want to get in trouble for sponsoring an illegal person. One worker doubted that their clients would offer any financial assistance since they probably thought that health expenses were included in what they paid them.

Amelia
“‘Above all, I think that would be reasonable, because they think that with what they pay us they are paying even for health…They do not look beyond…‘Oh, you have a cold, do not work, come another day when you feel better.’ They do not say that. We are human beings, and we are doing a service for them. But that doesn’t mean we are not human, so if they had a little bit of conscience, maybe then, but they do not look at that. I’ve seen that with many people. The more money they have, the less they want to pay or spend.’”

9. IDENTIFIED RECURSES

After three months as members of the cooperative, workers could get medical insurance. However, even those that had it could not afford to stop working when sick, because they needed the income. In one case, a worker was told she could qualify for Medi-Cal, but her client would not give her a letter she needed to prove her earnings, because the client was worried about having an unauthorized person working for her.
Ofelia
“I have been working in the same house for twenty-three years now. I could have had my social security paid, I could have had so many benefits. And now I have nothing. I am going to retire because, thanks to God, I have saved some money.”

Soledad
“Yes, now we have medical insurance, and we are also paying for cellular phones that we use to communicate among us [the cooperative members], to provide a better communication among ourselves.”

Melinda
“If we are sick, we just keep on working. If we are very sick, if we have time, we go to the doctor. Now that we have the insurance, we go to the hospital, and they assist us there. But the next day we go back to work. It’s like—in this job—we cannot take one or two days off, we are forced to be available. And if it’s something serious, we report it to the coordinator [of the cooperative].”

Olivia
“Oh God! I would like to know and buy a place in the cemetery here, a place where one goes to rest forever, and that I can pay it little by little. And I would like to get medical insurance too, right? Well, to be prepared.”

Rocio (talks about when she lived as a “live-in” domestic)
“In 1998 I went to work in Beverly Hills, housekeeping and baby sitting for three years. I left the job because I could not tolerate it any longer. The lady was living in a mansion with nine bathrooms. She was never concerned about my health. I had a bad eye and was very pressured by my work, and my eye hurt a lot. I told her I needed to go to the doctor. She allowed me just a certain amount of hours, as she had to go out. I quickly went to the doctor and paid him from my own money. The doctor said my eye was drying from so much [cleaning] liquid in my eye. Then I tell her I need a letter from her to present to the hospital, because my eye is very sick, and I was to be operated. But I did not have the money that the private clinic was charging. And the doctor said, ‘Tell your boss to give you a letter stating that you live with them and that the letter will lead you to the general hospital and you will receive free medical.’ ‘No, if I give you the letter you are asking for, I will involve myself in problems because you are not a documented worker and do not have medical rights.’ The lady told me all this. The following day I went to the hospital and said this to the office, and they told me I had a bad boss. ‘She does not want to give you a letter saying you live with them six days, sleeping and eating and paying rent? You do not pay large bills because you have small earnings and you have been there for three years.’ They have an obligation, but neither the lady nor her husband would agree on the letter and I began to despair.”

Medical care options.
As stated above, members who belonged to the cooperative for three months received medical insurance. Other workers resorted to free clinics. In one case, the client offered
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to give the worker money for an injury, but she declined the offer saying it was not ‘serious.’ Workers talked about ‘healing themselves’ and getting ‘massages.’ In one case, a worker put cleaning liquids on a cut, thinking it would disinfect it. Some took over-the-counter medications, and others resorted to personal strategies (for example, drinking milk, drinking water, using VapoRub). One respondent said she only had access to ‘God’s medicine.’

Even when workers had insurance, it was difficult to take a day off from work to go to the doctor. In one case, a worker had access to a doctor who gave her medicine for her allergies. Another worker explained that because she did not have money for a doctor, she did exercises to make the pain in her leg go away.

A common theme was that workers felt like they had no choice but to keep working since they did not earn enough to pay for a doctor and did not have insurance. There was also a common feeling that clients did not care about their health and safety and that they would not be responsive even if they reported injuries to them. One respondent mentioned that she might need eye surgery and hoped that Medi-Cal could pay for it.

*Janet*

“Here [cooperative] we have [medical] insurance. And if something happens to us the cooperative will support us. But it’s only for the ones who are members. The ones that are starting, they do not have a clinic where to go. If something happens to them they go to the clinics that are willing to help. Since we have several clinics that provide help we can send them there, but those are the only options we have. There are clients that when one falls down they worry. Like this woman, she fell down at the client’s house and the client was very worried. She told her she wanted to take her to the doctor, and she called to make sure she was fine, because this woman didn’t have insurance yet. But the client was very kind. The client just gave her some money. But the woman didn’t want it. She said, ‘No, I am fine, I will just go to someone who can give me a massage in my hand, because that’s what I want.’ Sometimes we are hurt, we go to work and we face more risks... But nobody can stay home and lose a workday. Most of the people who work here are used to heal ourselves. The job that we have here is much more different, because we do not know what kind of virus, what kind of stuff we are exposed to where we go to clean. We do not know what we can get. And a wound for me is very, very bad, because if one has a wound, she has to protect it very carefully. Because one can get any disease through a wound. We can even die. Many of my co-workers say, ‘I cut myself, but the liquids itself will dry it up.’ Each person has their own way to cure themselves, and they keep on working.”

*Yesenia*

“I do not have medical insurance, but I go to a clinic. Some people took me there, and just yesterday I went there. But, no, the doctor wasn’t there, and they gave me an appointment for Thursday. And that’s the first time I go to the doctor here. I do not know what they are going to do to me.”
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Ofelia
“When I told her what her husband had told me, and that my back hurt a little bit she said, ‘Well I have a very good ointment.’ It was a Chinese ointment. She applied it and then she said, ‘Do not work so many hours, work less until it’s gone.’ But I didn’t come back. And I told her that she had treated me very well, but I didn’t like the phrase her husband told me, because he said a word… I do not remember, but it’s a very, very, very… I do not remember what he said, but…Well, as I told you, this is our job, right?”

Olivia
“With God’s will, thanks to God, I healed. It took more than a month, walking with problems, but I kept on working. Well, with God’s medicine, because no…I didn’t go to the doctor or anything, nothing.”

Workers’ compensation.
A respondent told of a cousin who hurt her back and paid all the medical bills herself, but when she mentioned it to the employer, the employer said she would pay the bills. However, the employer was not happy and ended up firing her instead.

Ofelia
“People do not report it when they get hurt. You cannot because—honestly—you have too many problems. My cousin had a similar problem. She had been working about eighteen or sixteen years for the same client. She says that she fell down and she hurt her back and she told the employer. She had been working for her for years… So, my cousin—since she was desperate—she went to the doctor and paid with money. She paid a lot. Then she told the employer how much she had paid to the doctor. The lady [employer] didn't think it was appropriate. She didn't think it was right. She told her that she was going to pay those bills that my cousin was paying to the doctor. But the lady wasn't very happy. Soon after that, the lady told my cousin that she wasn't going to need her anymore because her daughter had gotten married and the daughter's maid was going to work there. What I mean is, she kicked her out, she didn’t like it anymore.”

Another one said that some clients asked for a domestic that had medical and “workers” insurance to relieve themselves of the responsibility.

Amelia
“What I have noticed in jobs where I’ve been recently, they asked me if I had medical insurance, if I had workers’ insurance so that they could relieve themselves of the responsibility if I fall or something. So they even call [and say], ‘I need someone to come to my house, but that has medical insurance, that has workers’ insurance, and that has papers…’ The first thing I would do if I fell, is to call the cooperative to tell them that I fell, to see if they take me to the hospital or something. And then later, depending on what happened, maybe, if the client wasn’t there at the moment I would tell them afterwards. But really, I do not know what I would do.”
Yesenia
“When a co-worker gets hurt or sick, well, if she gets sick, she won’t work, but she won’t get paid either.”

Another respondent mentioned that the employer told her to go to the doctor but did not pay.

Olivia
“Well, look, for example, in that job that I told you, the lady kicked me out of her house at 10:00 p.m. Yes, I got injured twice…I told her, and she told me to go to the doctor, but she didn’t say, ‘Here, pay the doctor with this money.’ She didn’t pay for the doctor. And by that time, she was paying me $170, and I said, ‘No, I am not going to waste my day at the hospital, and pay $60 or $70.’ So…”

Legal recourse.
None of the respondents mentioned using a legal recourse to get compensation for a work-related injury.

Cal-OSHA.
None of the domestic workers interviewed had heard of Cal-OSHA.

Ignorance/lack of information.
Domestic workers were not very well informed about where to go for health and safety information outside the cooperative (for those who were in it). What they learned, they learned from TV. But in general, they answered that they did not know where to go for information regarding health and safety.

Rocio
“I would like to know about laws helping or protecting [the worker]. For example, in my case, I do not have working papers, and I came to this country due to a problem in my country. I need to know how to arrange my papers in order to have a proper ID… that I may not constantly be embarrassed because I do not have the proper working papers. This I would like to know. But I do not know where to acquire this information.”

Olivia
“I do not know. I do not know anything, where to go, how to get informed, even though one watches TV, and everything. But many times one says, ‘I will write down that number later,’ and then one forgets. One never learns how to take note of a telephone number to get information for so many things, right? Yes, the truth is that I do not know where to go to get help and support in a given moment.”

Other co-workers.
Domestic workers shared information about their experiences using certain liquids. They talked about solutions or strategies to protect themselves to avoid getting injured or sick, such as wearing gloves, masks, tennis shoes, and buying the liquids they use. Some of the
domestic workers that were new to the cooperative said that they had never heard other workers talking about health and safety issues. An important issue to point out is that domestic workers that work as “live-ins” have less chance to talk to other domestic workers about these issues. Therefore, they might be more isolated and exposed to risks.

**Melinda**

“We talk about it so that we take care of each other. We talk about it among us. Let’s say in the meetings we hold…We bear the responsibility. What precautions we are going to take… that’s why we buy all the liquids, to make sure we won’t get sick with other chemicals. That’s why we talk about it among all of us and we decided to buy all the liquids ourselves, all the tools. If a house doesn’t have the… or where they have them, we use the liquids that are less harmful for us, to prevent…”

**Soledad**

“Yes, it is helpful, that’s what we try to do when we meet. We meet every Monday to discuss, to talk, to see what measures we can take to make things less heavy. Every day we clean houses. It helps a lot, well, we have L. [staff to the cooperative], and sometimes she helps us a lot. She knows a lot of things that can be helpful for us, to our cleaning life, right? And, besides being domestic workers, we want to develop other skills to learn how to use computers, learn English—for the ones who do not know how to speak English very well—to be able to communicate better with the clients. That’s very important too, the communication with the clients. Because not all of us are lucky enough to find Spanish-speaking clients, right?”

Self-taught.
Domestic workers taught themselves through: (a) their own experience; (b) reading the liquids’ labels; (c) intuition; and (d) the health symptoms they experienced when using the liquids.

**Monica**

“The only intuition I have had is what I feel, inside of me when I absorb the liquids—just as all my co-workers must feel it, because we are all flesh and blood. And we all breathe. I think they must feel the same.”

**Olivia**

“The experience, mija [laughs]... The experience one gets from time, life is the school. Life is a better school that anything else, because we learn with time that one has to be careful and not to get in trouble, whatsoever.”

Other sources of information.
In the case of domestic workers, other sources of information they turned to were: (a) people in their country of origin; (b) brochures, news, TV, Internet, magazines, and (c) family members.
Melinda
“Well, I got a little from Mexico. We used to work in a cooperative too, and we were six women. And some people came to give us some information regarding health issues. I came here knowing a little bit about how to protect ourselves better. Here, through the cooperative, at the beginning the clients provided the liquids. We buy our own liquids now, but we only bring them to houses where they do not have them.”

Soledad
“When I want more information regarding health and safety issues, I get it in many different places, in bookstores. You can find brochures, or books too, which can be helpful, books that teach us how to… There is always information on the computer, there could be information there… On the Internet… Well, my son is the one who helps me to do that. I am still learning, right? And when I want to find something I tell him, ‘Please, help me find this.’ And I learn from my children, too. Yes, from them too, because it’s useful information for them, too. They learn, I learn. We teach each other, how to take care of ourselves, how to prevent accidents or injuries. I have seen several telephone numbers I can call. Sometimes we see them in magazines or newspapers, or it says, ‘If you need information regarding any product or this or that, call this number.’”

Fernanda
“Sometimes if I receive some information it's from the liquids themselves. ‘Do not use this, use it at a distance.’ It's the only [information], because other information is really not there. With experience you know, as you use different liquids, you start getting experience, if you got burned…”

Yesenia
“I just go to the doctor. Since, I only have been here for… it’s going to be two months since I got here, also to this country, it’s the same time I have been working, and well, no, I do not know much about things here.”

10. LEGAL DOCUMENTS

Respondents talked about the difficulty of getting a driver’s license or identification papers without legal residency papers. Not being able to drive meant they had to take the bus, which meant long traveling times and having to wait alone at night. One respondent said some employers wanted workers with papers. Another described feeling vulnerable because of her immigration status. She also felt that even with papers workers get abused. Another respondent felt disheartened that she was exploited and could not ask for higher pay because of her immigration status. She would like to know how to apply for legal residency, but did not know where to get this information. Others felt it was a waste of time to bring up injuries if one was undocumented. One respondent said that undocumented workers went to the hospital because they attended to you regardless of immigration status.
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Melinda
“It’s also hard… because we do not have a car. No, well, we do not have legal papers; we cannot get a license, or ID and all that. And transportation is very hard for us, because we have to travel from one place to another. We have to take the bus. We get out late from work. And we are in danger when we have to wait on the street with our purse and everything. It’s a risk, sometimes we are waiting for the bus and the street is so empty.”

Rocio
“I have found that in this country bosses do not appreciate the services. It hurts, and I say it with tears, because truly, the poor are exploited. This I do not understand. We come to this country seeking help, but in eight years, my life has been bitter and disagreeable. As I have felt the disdain of my bosses instead of appreciation. There were times when my boss said to me, ‘The day you leave, I’ll go the agency and I can hire someone at $150.00.’ She had been paying me $300 for six days and nights, and it was a lot of work. I was working from 8 in the morning to 12 P.M. It was too much, and one day I told her, ‘I am in great need of work, but I do not want you to take advantage of me, working long night hours. Why do not you increase my pay when I work night hours? Why do not you pay me $10 an hour?’ ‘Oh no, you cannot ask for higher pay, you do not have proper working papers, and your are working in Beverly Hills, no less.’

“My boss threatened me because I do not have proper ID. I went to the hospital and told this to the doctor. She told me not to return to the job. In fact, she went to the house to see the lady. She said, ‘R. works in your house, why do not you give her the letter?’ She said, ‘My husband doesn’t want to. We are honest people and they will take money from her.’ That is not true, and I do not know why the lady said this. At the hospital I was told that immigration had nothing to do with patients coming to the hospital. But this is the way the lady was.”

Ofelia
“It requires many sacrifices to find good clients in the end. And since one doesn’t have legal documents, one is an immigrant; one is exposed to be reported by them, since they are Americans, and one is always exposed. But there are good people too… God be blessed. Maybe all jobs are like this, but this one is very dangerous. One never knows. That’s why most of the domestic workers wait until a friend recommends them or something like that. After this case with this man, I said, ‘This is the first and last time… when I accept a new one, it will be a couple.’

“Look, I am telling you, even having legal documents, if one tries to find another job, it’s the same problem. Maybe you even get a worse client. Then if you stay there putting up with all the stuff they are telling you… that’s the problem.

“They [other domestic workers] fall down from the stairs; a friend fell down. Another friend says that she slipped when she was waxing the floor. But as I told you, they do not say anything because it’s a danger for us, because since they do not
have insurance and maybe they do not have legal documents. I think that an illegal person has to shut her mouth. But a person who does have legal documents, well, it’s very important that she reports it if something happens to her. Whether they help them or not, but she has the right to speak up.”

11. LANGUAGE BARRIERS/EDUCATION

Most talked about communication difficulties with clients due to their lack of English proficiency. One found it terrifying just to pick up the phone, and another felt stressed just thinking that the client might be at home trying to talk to her. One felt that clients were sometimes dismissive of domestics who couldn’t speak English. A few talked about wanting to learn English to get a better job that was “less risk and less heavy.” Many felt that when you didn’t speak the language it was easier to be taken advantage of. Some were concerned about not being able to read labels on cleaning products that described harmful effects. One ended up talking to the client’s daughter, who spoke a little Spanish, to ask her to get another type of liquid.

Yesenia
“Well, we have to look for all the cleaning utensils first, and then, take the liquids, which are one for each task, for wood, for the floor, the bathrooms. And well…. I apply the liquids to the bathroom. I do that to dissolve the dirt and everything, and while I do other stuff, I clean the mirrors. And when I am done, I start cleaning the bathroom. I apply Ajax and 409. Those are the ones I remember, because since they are in English… I cannot, well I do not know how to speak English.”

Ofelia
“I would like to change to another job. And as I told you, it’s a pity I haven’t learned English, because I can speak a little bit of English, but I cannot write in English. That’s why I haven’t been able to get a lighter and nicer job. I think I will retire later, because I still want to work. Sometimes it’s too boring. When one comes here, since one doesn’t speak English, the lady one works for tells you at the beginning, ‘Do this.’ They point with their finger, ‘Here, here.’ They just point, and one says, ‘Yes, yes,’ since one doesn’t know… And one works all day long, if possible, and maybe for little money. And one works very hard, and one doesn’t even finish. Since one doesn’t know English or anything, it’s what they say. That’s the way it is for a lot of people, and a lot do not know their rights. They used to make them [the liquids] slightly milder. Nowadays they are too strong. And there are a lot of people who do not know English. And if you do not read what it says on the label it’s worse. You have to know what liquid to use for one thing or another. Because if you mix two liquids that are opposites, you can get—the container has the information—you can choke. Like an attack, because since both liquids are not supposed to be together. You have to read the label, and if a domestic worker doesn’t know how to speak English, she cannot read it. So she can mix two liquids and get harmed.”
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Janet
“Thanks to God, nothing serious has happened to us, right? Sometimes the client is not at home when we are there, or sometimes we cannot communicate with them because they do not understand our language. And we do not understand theirs. So we cannot talk about anything. For example there are clients that we think, ‘Oh, I have to go to this client’s house!’ Because there are clients who are too demanding. Sometimes when the client stays at home, you think, ‘Oh, she is going to be there all day. Today I will have a heavy day!’ Because we know the clients, and we know where we are going a day ahead. So you spend the night thinking about it. And sometimes we dream of it, because it has happened to me that I think she is going to be there, and she is going to be talking to me, and I won’t understand, and that’s a stress. As I told you before, it’s hard to communicate with the client… Sometimes the client is a nice person, but since we cannot communicate, she sometimes shows us they care through something that she offers you. It can even be a smile or some kindness she shows you. Sometimes we think it’s a pity that we cannot communicate with them, right? And there are some clients who speak a little bit of Spanish. We talk, and we start chatting, to negotiate with them how we like it to be so that both of us are comfortable with our work, right? That’s when we start to know each other, what she likes what she doesn’t like. And there are people who do not even notice you, they think, ‘Oh, these people do not even understand English.’ And they do not even turn around to look at you.”

Amelia
“I think you should learn something every day. Even the woman who came right now has been doing this longer than me. And she is afraid of answering a phone call from a client. She panics. I do not know much English, but I try to do it. I panic sometimes, but they ask, ‘Do you speak English?’ ‘No, but I speak a little.’ Before, I was very embarrassed. If I said it wrong they would laugh at me… Now I think it’s fun with a client that I have. She loves it when I go, and the woman speaks only English. And the woman talks to me, she tells me some things that I understand and some things that I do not. You know what she tells me? ‘I like it a lot because you listen to everything I say, you pay attention.’ Now with the passing of time, I can have a conversation with her. Even I surprise myself. It’s helping me somehow. She loves it. She also gave classes. Then she tells me, ‘Come, help me do this.’ And I’m like a child, and she tells me, ‘You are a great student.’ And I laugh. I tell her I do not know anything about this, but there I am doing it with her. Before the people that went there were scheduled every fifteen days, but since I go there, she tells me to come every week. So I have had funny things happen, and yes, now I can get out some extra little words, so I like that a lot.”

Olivia
“Sometimes one, because of lack of English, or for ignorance, one says, ‘I am fine,’ but an outsider can see clearly what is not fine with one. I do not speak English. Why would I lie to you? No. A little bit, but not much. In that job where I stayed for six years, I would get out on Friday and would go to school on Saturday, from 8:00 am to
12:00 p.m. But after I found other jobs, I couldn’t do it anymore because my job was from Monday through Saturday afternoon, when there are no more classes.”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK

One worker commented that in order to make changes in the use of hazardous liquids, domestic workers had to know about alternatives and had to be able to educate the client about what is harmful. But they weren’t usually prepared to do this. Domestic workers faced all the problems of being paid ‘under the table.’ For example, one respondent had worked for twenty-one years and regretted that she still had no job security, no social security, and no health insurance. One respondent saw a need for a law that required liquids to be less hazardous. Many felt that liquids had gotten stronger in the past few years. One pointed out that one of the factors that made it hard for domestic workers to share information and to organize was that they worked in separate and isolated sites. Most wanted more control in determining how many hours were needed to do a certain job, as well as more hours of work in general.

Janet
“Well, yes, at least information related to our health at the workplace. What we would like is to get support. We already talked about the liquids, to see how we can protect ourselves, to avoid absorbing them. How can we protect ourselves from that if the client doesn’t want to change them? If we get sick relatively often, what medications are appropriate to heal ourselves from the harm produced by those liquids? That would be really good. We would like to get information regarding what harm those liquids can produce in us, because we do not know what they contain and how they can harm us. What can harm us in the long run? We would like to get more information in order to be aware of the potential risks of using those liquids. That’s the main thing… we would like them to be milder and less harmful for us. We use liquids that, even gloves… we use them to clean ovens, stoves… they destroy the gloves! Why cannot people realize they destroy our hands? We are using gloves and everything, and our fingers here get chapped.”

Melinda
“We would like to know also about lead [in chipping, old paint]. Here [in the cooperative] they are going to train us. In two or three months they are going to train us, how to work, how to clean, they are going to train us. I saw a little bit of that, I like that kind of job because we have to be very careful, we have to be responsible, and working with lead is very delicate.”

Amelia
“That all of us [in the cooperative] share our bad experiences, for example with liquids. To talk, ‘Do not use this liquid because it does this or that to you,’ or, ‘Put it, but then step away,’ so that we would all be safer… To have more communication among all of us, to take care of ourselves more. Because we really are all doing the same work. I wouldn’t like to know, ‘Hey, she got sick from her lungs because she
did this or that,’ and then I’m going there to do the same thing, the same thing is going to happen to me...yes, I think about that. That we could have a little more communication with them and say, ‘I’m not going to use that liquid because it harms me.’”

Fernanda
“Well, above all, I would like to know if liquids affect your sight, and well, above all, because without sight I wouldn't be able to work. Your hands are what you use the most. You wear work clothes, take them off when you get home and do not use them. But your hands, your sight, it's what's most important to me. An eye check-up. Above all, I would like to see that the cooperative itself demands that they use gloves and mouth coverings when you use a lot of strong liquids. And at least once a month, at least, an eye check-up, this is what's most affected. And the lungs, what emanates from the liquids. I think this is the most important.”

Yesenia
“I would like them to tell me what are the risks of each liquid, and how I can protect myself. Well, with more natural liquids that are not so harmful. Because I think it would be better, that the liquids were not so strong, that they were less harmful, because they are too strong and they affect us.”

Monica
“Well, the changes I would like to see, first that they pay us a better wage because some houses have two big living rooms, two dining rooms, five bedrooms, kitchen, three bathrooms, and they pay us $60. But we do it because we need to earn money. But since I started doing this, and from the moment I see that house, I know it’s not a $60 work. And I also think that if it’s a person who has a house that big, it’s because he has a lot of money. Sometimes we cannot finish in one day, and one says, ‘I’ll be back tomorrow to clean the bathroom and the kitchen,’ because it wasn’t enough time, and they give you $60. Every fifteen days, do you know how dirty can a house get in fifteen days? And that’s all they give us. I would like to see that changed, that they pay us more consciously. And also that thing about the protection from the chemicals, I would love that.”

Olivia
“One doesn’t have someone to guide her, someone to tell her all this. On one occasion, I saw something about domestic workers on TV. In fact, I heard that there were some books where you could find out about your rights, and I always said that I was going to order them. Because it was even free, but I never did it! One doesn’t do it right away and then forgets. Yes, the truth is that I do not know where to go to get help and support in a given moment. I would like to get medical insurance, too.”
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GARMENT WORKERS INDUSTRY

1. BACKGROUND: GARMENT WORKERS INDUSTRY

Milagros

“They [employers] pay very little...They see that you’re working …In one of the factories that I worked, there were times when you were making a little over $200, and what la señora [employer] would do…..the same thing happens in almost all of the sewing shops— she would lower the prices. If you make a lot of pieces, they start to lower the price. That’s what happens. And so that’s what I do not like. It’s too much trouble….. All the employers wants [is] to make more money….

“There are times when I’ve cut myself with the scissors…so if you do not work quickly with your hands, you can cut yourself a little with the scissors. And the scissors are sharp. Most of the…time it does happen…The worry of having to do the work fast, you know. So it’s possible that it happens continually, you know…It’s a pressure from the employer because if the employer…guaranteed the minimum wage, you know, then you’d work slower and with more caution. But you want to make more money. It’s a pressure that the employer places [on us]. And the conditions have gotten worse. It’s gotten worse over the last four or five years. Like I said, I’ve come to factories where I’ve felt disgusted…and…you feel sick when you go into the bathrooms.

“The employer never pays the medical expenses. Never. There…. in the sewing shops, there aren’t those benefits. It’s rare to find a company that can have those benefits. It’s really unusual.”

The quote above captures many of the working conditions garment workers face in the apparel industry: (a) wage and hour violations; (b) health and safety hazards; (c) working under pressure; (d) unsanitary conditions; and (e) lack of medical benefits.

Size of the industry

In the past twenty years the apparel industry has experienced constant growth in California, adding over 50,000 workers. (Appelbaum 1999). Since 1989, garment employment in California has superceded that of any other state. According to the California Employment Development Department, there are about 132,000 garment workers in California, and the number is projected to reach 170,500 in 2008 (California EDD 2002). Close to 6,000 garment shops are registered in California (California DIR 2001), though many more unregistered shops also operate. And workers in those unregistered shops are not reported to the EDD, so there are more than 132,000 garment workers in California. In California in 2000, the apparel industry produced more than
$13 billion in products and accounted for more than $1 billion in exports. (Lashuay, Nan et. al. 2002).

The vast majority of California’s apparel workers are employed in Los Angeles. In fact, the Los Angeles Basin accounts for 80 percent of California’s apparel and textile industry (California TCA 2000). The apparel industry in L.A. County is the largest manufacturing employer, accounting for one out of five manufacturing jobs (Bonacich 2000). The California Employment Development Department estimates total apparel employment in Los Angeles at 90,200 as of June 2002 (California EDD 2002). Adjusting for the size of the underground (unregistered) economy, the Los Angeles Jewish Commission on Sweatshops estimates that there are currently as many as 163,500 people working in the apparel industry in Los Angeles County alone, including as many as 122,250 sewing machine operators (Bonacich 2000).

Los Angeles has become the center of the nation’s apparel industry for a variety of reasons. Los Angeles specializes in the most volatile and lucrative portion of the industry: women’s outerwear and men’s wear styles that change quickly. Being located in a fashion center allows firms to adapt production quickly to changing styles. In addition, Los Angeles’ firms can draw on a large immigrant labor pool, which provides both the workforce and entrepreneurs to run contracting shops.

**Structure of the garment industry**

Retailers consolidate and drive out competitors. The past twenty years have seen a consolidation of department stores, fueled in part by suburbanization. With the repeal of fair trade laws, discounters began to carry only their own labels and to compete with both department stores and other retailers. Today, four companies sell two-thirds of the clothes sold in the United States. Wal-Mart sold more than $117 billion in 1998, and the next biggest retailers, Sears, K-Mart, Target, and Mervyn’s, together sold over $100 billion (Burgel 2002). Retailers rely on manufacturers to oversee apparel production.

Large manufacturers dominate sewing contracts. Most manufacturers do not actually manufacture the clothing. Rather they design it, purchase textiles, arrange production, and sell the finished goods to retailers. Only seventeen percent of manufacturers reported doing any in-house sewing in one recent survey (Bonacich and Appelbaum 2000). Manufacturers typically hire contractors to carry out production. Of the manufacturers who do use at least some outside contractors for sewing, sixty-two percent rely exclusively on domestic contractors, thirty percent on offshore production, and the remaining seven percent on both. Among those who contracted locally, manufacturers used an average of nineteen sewing contractors. Large manufacturers dominate the market: Los Angeles’ 184 largest manufacturers account for close to 3,000 overlapping sewing contracts. According to industry insiders, as few as fifteen manufacturing firms may control four-fifths of the contractor base in Southern
California, which gives them enormous control over the factories that provide contracted labor (Bonacich and Appelbaum 2000).

Contractors are typically small; owners as well as workers are often recent immigrants. Out of 6,000 registered contractor shops in California, forty-five percent employ less than five workers (Burgel et al. 2002). In fact, about ninety percent of garment workers in Southern California work for small, independent contractors with fewer than fifty employees (Torres 1995). About a third of all contractors are Latino, approximately half are from Asia, and half of these are Korean. Because Korean factories are on average twice the size of other contractor factories, Korean contractors probably account for half the total employment in the industry (Appelbaum 1999).

Workers

In Los Angeles, workers are mostly Latina immigrants. Many are undocumented. Nationally, about seventy percent of garment workers are women (BLS 2002), and in Los Angeles, about three quarters of sewing machine operators are women (Bonacich and Appelbaum 2000). Based on data from the U.S. Census, the Los Angeles Jewish Commission on Sweatshops estimates that seventy-five percent of all garment workers are Latino, with the large majority of these coming from Mexico, while thirteen percent are from Asia (Appelbaum 1999).

According to a recent report from the Economic Roundtable, about half the total apparel employment of Los Angeles County is comprised of unauthorized Latinos (Joassart-Marcelli and Flaming 2002). In a hearing for the Los Angeles Jewish Commission on Sweatshops in 1997, Gerald Hall, Department of Labor District Director, estimated that 60 percent of all garment workers were undocumented (Appelbaum 1999).

In the past two decades, the garment workforce has become predominantly Latino. In 1979, it was forty-three percent Korean, but by 1993, this number had dropped to five percent. On the other hand, the proportion of Latino workers in Korean-owned factories has grown from fifty-six percent to ninety-five percent (Bonacich and Appelbaum 2000). A large proportion of Latino workers are undocumented, heightening their sense of vulnerability vis-à-vis their employers. Since such a large percentage of the employees of Korean garment factories are Hispanic (Lee 1992), there are often language, cultural and ethnic tensions at work.

Working conditions

What is a sweatshop.

The classification of sweatshops is given to shops that violate wage and hour as well as health and safety regulations. A large part of the garment industry qualifies. In July 2001, the California Assembly Committee on Labor and Employment held an oversight hearing in Los Angeles to examine labor law enforcement in the garment and janitorial industries.
Testimonies of garment workers reflected the following problems: piece rates so low that workers do not earn the minimum wage; workers not paid overtime; workers afraid to speak out because of employer threats of termination or deportation; workers not having health care benefits; factories that are unsanitary and dangerous; workers given work to do at home (ACLE 2001).

Wage and hour violations.
A U.S. Department of Labor investigation of sixty-seven garment shops, primarily in Los Angeles and New York, found violations in wage and hour laws in about half of them (U.S. DOL, 2000a). The rate for Los Angeles may be even higher. The Department of Labor’s investigation of 101 firms in 2000 found that two out of three garment shops were not in compliance with federal minimum wage and overtime laws (U.S. DOL 2000b). Over $80 million in unpaid wages may be lost by garment workers each year. (Sweatshop Watch December 2001).

Health and safety violations.
Not only are wage and hour violations common, but health and safety violations are rampant. According to a 2000 Department of Labor survey of registered garment factories in Los Angeles, ninety-eight percent violated health and safety laws. The most recent garment survey by the Department of Industrial Relations resulted in an average of seven health and safety citations per firm inspected. Frequent citations included: electrical, mechanical, blood-borne pathogens, no permits, and no Injury, Illness, and Prevention Programs (DIR 2000). During 2001 Cal-OSHA inspected 312 garment industry workplaces; ninety-five percent of these had health and safety violations; ten percent of these were serious, willful, or repeated incidences (Lopez 2002).

In order to address labor law issues in the agriculture and garment industry, the Targeted Industries Partnership Program (TIPP) was formed in 1992, as a partnership of the Division of Labor Standards Enforcement, Cal-OSHA, the Employment Development Department, and the U.S. Department of Labor, as well as other state and local agencies. A 1997 TIPP investigation of seventy-six firms in Southern California found that ninety-six percent violated health and safety standards, and seventy-two percent had serious OSHA violations, up from about thirty-five percent in 1994 (California DIR 1997). Some of the serious workplace health and safety problems included: blocked exits, exposed electrical parts, and a lack of safety guards on sewing and cutting equipment. The 1997 TIPP study found that firms with workers’ compensation violations, firms not registered with the state, and firms with illegal home work showed significantly higher levels of violation of health and safety laws (California DIR 1997).

The number of violators may be even higher than these inspections indicate, given the number of underground operators, which according to the Union of Needletrades, Industrial and Textile Employees (UNITE), could constitute twenty percent or more of the entire industry (Silverstein 1996). In addition, some garment shops ask workers to sew in their own homes. Because this is illegal and unregulated, there is no oversight regarding wage and hour or health and safety regulations.
Injuries and Illnesses.
Due to the poor working conditions and the piece-rate system, many garment workers develop work-related illnesses and injuries. Since many workers are only paid for the pieces they sew, this practice encourages workers to work intensely in a way that is often detrimental to their health and safety. According to the California Department of Industrial Relations, there are 2.6 cases per 100 workers of injuries and illnesses in the apparel industry (California DIR 2000). Westgaard et al. reported that ninety-five percent of 210 sewing machine operators experienced pain or discomfort at work (Westgaard et al. 1992). Anderson and Gaardboe found that, compared to a control group, a group of 107 sewing machine operators had significantly elevated rates of neck and shoulder problems (Andersen and Gaardboe 1993).

Similarly, Lashuay et al. collected data on the first 100 garment workers who attended the Asian Immigrant Women Workers’ Clinic in Oakland, California in April 2000. Their findings illustrate the range of health and safety issues faced by garment workers. They found that: ninety-nine percent of AIWWC patients had one or more diagnosed work-related conditions, including back, neck, or shoulder sprains/strains; ninety-four percent experienced pain severe enough to interfere with their daily activities; ninety-four percent reported one or more problems with their work stations, including inadequate seating, and the consequent need to do awkward bending and twisting; breathing problems due to fabric dust; inadequate or no rest breaks; and stress from yelling by their bosses.

These problems are exacerbated by the fact that most workers have inadequate or no access to medical care. Even though a total of sixty-six percent of the AIWWC garment workers reported poor or fair health, nearly one-third had never been seen by a health care provider for their musculoskeletal problems. Even though ninety-seven percent were eligible to file for workers’ compensation for their injuries, they did not, primarily due to lack of knowledge about the system, or because they feared reprisals on the job (Lashuay et al. 2002).
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2. DEMOGRAPHICS OF THE SAMPLE

We interviewed a total of twelve garment workers, most of whom were seamstresses. All were contacted through the Garment Worker Center (GWC). Their ages ranged from twenty-one to forty-nine years of age. Their average age was thirty-nine, and eight of them were between forty and fifty. Seven were female and five were male. Eleven were Latinos and one was from China. Latinos were distributed as follows: five from Mexico, three from El Salvador and three from Guatemala. They had been in the garment industry from one to twenty-five years. Four had been in the garment industry from one to three years; five had been working there from four to ten and three had been doing garment work from eleven to twenty-five years.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

These garment workers talked about their and their co-workers’ perceptions of injury experiences. They included: needle punctures; as well as kidney, respiratory, and other problems.

*Jesus*
“It is very common. It is very common that one gets sick. Imagine if you have to support three children. You have to pay all the bills here, and you see all that injustice.”

*Socorro*
“Just my friend from school, she got a needle in one of her fingernails. And her finger got very sick. She says that when she puts it like this, it hurts a lot. But she didn’t go to the doctor.”

*Sen*
“Safety in the garment factory? [There’s] no safety in the garment industry, no safety. Since you mentioned safety, one worker got a needle through the nail. She told the owner. The owner only ignored her.”

*Ana*
“I worked in a place where a young lady, from sitting for so long sewing...she used to tell me that she had been in that factory for two years, and now her back hurts a lot; but she hadn’t said anything to the employer. She went to a clinic, and they told her that it was her kidneys, that they hurt from sitting down so long...And I had told her to talk to the employer. She talked to him, and he said he couldn’t do anything. And my friend stayed like that. She kept on working; she kept on sewing and having that pain.”

*Carlos*
“Yes, I’ve known several people who’ve been affected, including a man that I know who’s from the same town that we used to live in. He also lived there and was
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working here. He worked in the garment industry. He told us when he’d already gotten sick—he had kidney problems. He says, ‘I’ve already got really bad kidney problems that I cannot recover from.’ So he went on getting worse and worse and just recently he died, about six months ago. And he used to tell me and my brothers, ‘Get out of that line of work because nothing good will come out of it. Look at me. Look at how messed up my kidneys are. Leave that job.’”

Milagros
“I’ve noticed that since there’s so much dust around us, people get sick often. They come down with things like bronchitis, coughs – things like that…. [the workers] make a mask made of cloth to wear when the material sheds lots of dust…it’s the material to block the fabric…. One woman told me that they had to take her daughter to the hospital. She had lots in her lungs, lots of filth from having worked so many years sewing. She was really damaged.”

Mateo
“I think more than anything it’s the dust that you inhale all of the time…the place is always full of dusts…With the passage of time, I believe it affects people’s breathing.”

4. WORKERS’ CONCERNS AND FEARS REGARDING INJURIES AND ILLNESSES

Virtually all those interviewed worried about the possibility that they, or their co-workers, would experience illnesses from the fabric dust or injuries. But they were resigned to the fact that their employers and supervisors would do nothing to help. Some also acknowledged that exposure to toxics could have a long-term effect.

Ana
“I’d tell them [co-workers], ‘Over time that could be harmful because when you clean the dresses with that strong chemical it gets in your system…and that stuff makes some people dizzy.

“That day, I let some go…I let a little bit go down the drain and it broke—it broke the pipe. And it made a hole—it inflated it and made a hole. So there….that liquid is so dangerous!”

Socorro
“Oh yes, I worry a lot, because….my back is affected by sitting down for too long.”

The respondents raised concerns about unsanitary restrooms and meal tables.
Milagros
“See in the majority of the sewing plants that I’ve worked, almost all of them have the same problems…for example, the bathrooms aren’t sanitary…they’re dirty. And they clean every fifteen days. So they’re contaminated…there’s also the danger of the unsanitary conditions of the meal tables…that they never clean them. There are rats, cockroaches, lots of bad things in the factories.”

Consuelo
“No, nobody is concerned because of the same reason. If one gets hurt with a needle or something, the [boss] doesn’t care. And perhaps because one is afraid of being fired one doesn’t say anything. One just figures out what to do and how to go to a drugstore… But if something happened to me I do not know what I would do because the bosses, if you report anything to them they go, ‘Go! Do not come back!’ And they fire you and never pay you back…they want you to have to come to ask for your payment.”

Yadira
“Lots of times you’re walking and you step on paper and slip…and there are times when the worker falls down…and who will take responsibility for us? No one. No one takes responsibility for us.”

5. THE REPORTING OF INJURIES AND ILLNESSES

Some did not report injuries for fear of being fired or reported to the INS.

Yadira
“Well, more than anything…no one says anything out of the same fear of being let go. If someone gets hurt, there’s the fear that they’ll be fired. That’s why we all keep quiet.”

Ana
“Because I told myself, ‘If it had been more serious I would have said something…and if it goes away [the injury],’ I told myself, ‘If I get over it, I won’t say anything…to continue work.’ Because you know that once you make a complaint, the employer won’t like that and will need to dismiss that person. But yes, my back hurt a lot because of hanging up the dresses and all. I was in a lot of pain, because they’re heavy.”

Milagros
“But they are scared to speak in this case. The majority of the workers are afraid to speak, because they're scared that the employer will tell them, ‘O.K., if you do not like it, go!’ Because that happens all the time in all of the shops.”
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**Juan**
“But if you tell your boss that you are sick, what he does is fire you because he doesn’t... allow for you to complain that you are sick so that they do not have to deal with insurance, or because they are afraid you will sue.”

**Socorro**
“I think that people are afraid of being threatened with *la migra*, because a lot of people do not have proper documentation. That’s why they are afraid and they leave like that...I have heard of some people who have done that because they haven’t been able to report it because the employers threatened them with that to avoid paying them what’s right...”

One male worker talks about the need to look out for yourself.

**Mateo**
“They do not have insurance. They do not have any. So you need to look out for yourself... They do not pay attention to you, because they do not have enough insurance to cover us.... If a person’s finger gets pierced you’re taken to the doctor...When you injure a finger, yes they take you...whether they pay depends on how you claim it. Because really, if you do not claim it, you won’t get paid anything—not even your days that you stopped working—because, well it’s impossible for you to work with an injured finger. But if you demand it, maybe they’ll pay. I, at least, was one of the people who did demand it. But you always run into problems, always, always.”

Many felt also it was a waste of time to report.

**Consuelo**
“Well no, it’s like afterwards you say, ‘What am I going to report it for if they do not pay attention to me?’ It’s a waste of time.”

6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

The workers described various precautions they took: having regular checkups in order to detect health problems before they got serious; bringing in their own PPE, or in rare cases using PPE the employer has provided; refusing to do unsafe work; utilizing safe work practices – working slowly to avoid accidents; not using the bathroom because it was so dirty.

One respondent explained that one reason workers did not take these issues to the employers was because the employers were not interested in hearing about them.

**Yadira**
“When workers tried to talk to the manager about health and safety concerns, she was unavailable or unreceptive.”

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Personal Protective Equipment.

*Mateo* (wearing a mask to protect himself from the dust)
“Well, but the bad thing about it is that you need to buy them [the masks], because they do not give them to you there.”

*Jesus*
“I didn’t wear them because it’s too hot. When it’s too hot it’s very uncomfortable having the masks on. I haven’t worn them… The problem is that if one asks the employer for masks or ventilation he doesn’t like it. And then they think one is against them, you see? They do not like that we demand anything.”

*Socorro*
“I protect myself from the dust from the machines; I bring my mask because that’s harmful for one…they do not give us any protection equipment…there is not even a first aid kit, nothing like that.”

*Sen*
“Workers bring or sew a cloth facemask that covers their nose and mouth made out of left over fabric from the factory. The facemask is not very clean, but it’s better than breathing the cloth residue. Owners are supposed to buy cloth masks, but do not. I also wear this to help my back…bought it myself…very cheap [showing the interviewer a back belt].”

*Magdalena*
“They do not give us any masks; they do not give us any here…there are some who make a small one from that same cloth; it won’t do much because it is cloth…they do not demand that the employer provides them.”

*Ana*
“Pickering. It’s used for cleaning dresses. There it says that if you use it you need to wear gloves, a mask, and something to cover your eyes. And there are people who do not use all that. There are people who say, ‘No, it’s faster this way.’”

*Milagros*
“I buy a mask for myself and I wear it occasionally. But well, it’s the employer’s obligation to give you one, right? But they do not, they do not give it to you…the other workers, they make…like a mask of cloth to wear when the material sheds lots of dust…but I do not like it that way…I use a mask, you know.”

*Octavio*
“Everyone is all uncovered. Sometimes they tie something to the nose to block out the dust.”
Refusal to do unsafe work.

**Consuelo**
Well, I have learned how to be a little more careful and less obedient to my employers. Because if they tell me to do something, and I know I cannot do it, I do not do it. That’s what I have learned during all these years. I have learned that even if they command me to do something, if I tell them I cannot, I do not care if they get mad at me, and if they want to fire me, I let them fire me because I have learned to be more careful.”

Safe work practices.

**Ana**
“I shouldn’t carry heavy things because if I hurt my back, I’ll be like that for my whole life. I won’t be able to move…so on the one hand, I need to take lots of precautions...”

They didn’t use the bathroom.

**Milagros**
“Really, I go to the bathroom out of necessity only. I hold it. Because I prefer to wait and not go to those bathrooms. In the long-term, I know that it could damage my kidneys, right?”

They called the Department of Health.

**Milagros**
“So I called the Department of Health…and they came. They came two days later, and they were looking. Everything they saw was bad. So what happened? The boss would rather pay a fine than to pay for an employee [to clean].”

7. REPORTS ON WHAT THE EMPLOYERS PROVIDE

Overwhelmingly, respondents said that garment industry employers did not make health and safety changes or improvements in the workplace. In one rare case, the employer adopted a “more hygienic” practice in response to a health inspection. She changed to using disposable cups instead of mugs that had to be washed. However, the fact that these factories often closed down and re-opened under different names, combined with high worker turnover, kept off the pressure to make changes.

**Ana**
“On one occasion we smelled something awful like a dead rat….no one knows what it was, but she [co-worker] called the health department. The health official told [the manager], ‘Do you use those cups here, because this is a store, not a restaurant. Do not use cups that you need to be washing; you need to use disposable cups.’ That’s
when she started to buy them because before she didn’t want to spend money to buy them….”

Exceptions.

**Yadira**
“Well there’s a factory….[the manager] did keep tabs on what was going on. Because in the [other] factories there were no meal tables. You’d eat at your work table. And you breathe all that. And there are germs that could affect us the next day. And in that factory it wasn’t like that. That factory had meal tables, two bathrooms…there were a lot of safety measures – they had fire extinguishers, they had medicine. There they had masks…there were really too few.”

**Juan**
“This is the only factory where I found a machine that, before you put the fabric into the machine it had a protector [a guard], so that even if you put in your finger, the needle couldn’t get to it. This doesn’t exist in factories; it should exist! These things should exist to protect the worker, his hands! But they do not care! That’s the problem.”

**Mateo**
“No…they weren’t interested in that [prevention of accidents, illnesses]…It’s very rare when it’s [the workplace] inspected or just for a lawsuit or something like that….they do not do that. There are factories that aren’t even registered [with the state].”

**Magdalena**
“They do not want to [protect the workers]…they say it’s too expensive, that they’d just be throwing too much money down the drain.”

Language Issues.

**Octavio**
“She well, doesn’t…she understands a little Spanish, not a lot. She didn’t know [what] you’d say. Or sometimes you’d tell her that you needed things and she didn’t understand what it was. They pretended not to know what they were. She’d say, ‘I do not even know what you’re talking about.’ And you wouldn’t even know how to express yourself.”

8. **WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY**

Most of the garment workers thought the employer should be responsible for making sure there were healthful and safe working conditions at the workplace. However, others saw
the issue as a shared responsibility between the worker and the employer, and others included government officials and agencies to complete a triad of responsible actors.

The employer is responsible.

_Yadira_
“Yes, there have been various attempts at talking with her [the employer]. I mean all of the operators, would meet and try to talk with her. But the only thing that she would do is lock herself up in her office. She would slam the door and lock herself up in her office and wouldn’t come out. You could not talk with the manager either because he would avoid you. He would say, ‘Well tell her, tell her.’ And well, we tried to talk with her and she’d say no. No one took responsibility…”

_Mateo_
“The employers because well, they’re the owners of the company. They’re the ones who…make money there. So they should have a good, healthy factory in which people work, but they do not. What they want is to earn, earn, and only earn,, and they do not care about people getting hurt. That’s what they do.”

_Socorro_
“First of all, I say, the company is responsible. And secondly, the employers, I mean, the managers because they are there as our bosses. And the company is the one that gives these people [contractors] jobs to place us [workers], so they are responsible. And since they [the contractors] have an agreement with the company, they have to be informed about health and all that.”

_Consuelo_
“There were windows in that factory. Yes, but there was no toilet paper in the bathroom, no water. And this year the weather was hot so they [the employer] forced us to pay $1.50 for a bottle of water. And they didn’t even have water there, and I guess that it was their obligation to have water there. The bathroom was all dirty, I do not know if it was their fault or the building owner’s fault, but they didn’t maintain the bathrooms. But inside the factory, I think it’s their responsibility to provide water.

“Well, if it happens at the workplace, and it was because of work I think the employer is responsible because one is working for them. One is giving her life away to them there. And they are only getting money for themselves. If it happened on the street, well, I think that maybe the worker is responsible, but inside, at the workplace, I think it’s their responsibility.”

_Ana_
“The employer because it’s in the employer’s best interests, right?—that people do not get hurt. Because it turns out to be expensive for him. So he is the one who needs to have ALL the necessary tools so that the workers do not wind up getting hurt. In other words, he also needs to look out for those around him, not just himself.”
There is a shared responsibility between the employer and the worker.

*Jesus*

“I think it’s everybody should be responsible, the employers as well as the workers. The workers could demand. And the employers could get in touch with their conscience, but I think that’s not going to be possible. And if we achieve that, it will be after we are very sick from the lungs.”

*Sen*

“The worker, yourself. There’s no one else. Hope the government will get involved, but it’s very hard. Generally, most of the factories are unsafe. Unless some factories have good supervisors. The supervisor can control the work environment and keep it cleaner. The employers should say, ‘Be careful, take your foot off the pedal before changing the needle or the thread. Be careful.’ But they do not say anything. Workers have to help themselves.”

There should be a government organization and the employer is also responsible.

*Consuelo*

“Well, in this country, I do not know much about local laws, but I think that… there would have to be a good organization, and with the president, the city council, and all those people who have to create an organization, and someone has to tell them, ‘Worry about those people.’ Every once in a while the Health Department has to come and check if they have water, the conditions of the bathroom... But it would have to be that people who are powerful I think; it depends on them, the mayor, and the city council. The employers are responsible too, because when you have a business you know that you have to be responsible of your employees, and if they know they cannot, then they shouldn’t have a business, I think. But despite that, they do what they do with one because of their ambition for money.”

*Carlos*

“I think that the government should be responsible because in Mexico everyone has medical insurance. That is to say if you start a job in any place, always, the first thing that you get is medical insurance. Here it’s not like that. Here, people work…in any job, and the medical services aren’t there. All of the employers should guarantee medical coverage. But in these factories, in these jobs, no one has offered me medical coverage. Also, that the government organizations be more devoted to visiting the factories, to see if they’re doing what they’re supposed to be doing. But I’ve never seen anyone come to make inspections.”

*Milagros*

“I’ll tell you my opinion. I do not know if it’s correct or not. I think that the government should focus more on the garment workers and see what’s going on inside there…and not just go ahead and believe an employer who says, ‘Everything’s all right here,’ when it may not be the case. For example there’s the Department of Labor and…the… Labor Commissioner. So I think that they should put more of an
emphasis and GO to the factories. It’s the workers’ responsibility too. We need to
unite and not be afraid…to have…a good working environment. That’s the workers’
responsibility—to unite, because the employer doesn’t want that responsibility. But
we need to unite and DEMAND it from the employer. And the employer could do a
lot if he wanted to. Like keeping the work area sanitary and safe for us workers. But
to repeat myself, I do not know when that will happen. Because if there’s no force to
obligate them, I think that that will never happen. Now I’ve been in garment work
many years, and now it’s worse than before. It’s worse now because now, the
employers do not care if one or two workers leave because they didn’t like something
about the factory. That it’s dirty, that the wages are low…. The employer doesn’t
care because there is a lot of demand for that kind of work.”

According to the garment workers interviewed, the employer was the entity responsible
for covering medical expenses in case of an accident. However, they reported that in
practice, employers refused to pay and that an effective way to get medical expenses
covered was through health insurance, which most of them did not have. The main
reasons mentioned for holding the employer responsible for covering medical expenses in
case of an accident were because they made a profit from the workers’ labor and because
the accident happened in the employer’s workplace.

9. IDENTIFIED RECURSES

Cal-OSHA.
It is interesting to note that only one out of twelve garment workers had heard of Cal-
OSHA, and the one who had, had very little to say about it.

Employer provided health and safety training.

Ana
“Sometimes well…they have it there at some jobs…they post some of those things on
the wall—where it says, ‘employee safety.’ And also sometimes, like at least there,
where the [job placement] agency was, while you’re getting interviewed to be sent to
another job they show you a…tape. And there they show you how to take care of
yourself, the shoes that you need to wear …sneakers …to work because other types
of shoes aren’t appropriate. To [avoid] twisting [your ankle] it’s best to use those
shoes.”

Ignorance/Lack of information.

Mateo
“There’s no information. No, there’s no information. As far as I know, no, there isn’t
any.”
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Jesus
“No, I do not know any agency from the government that helps or gives out information.’

Socorro
“Oh, nothing. There aren’t places at work where you could get information about how to protect yourself at the workplace. They do not have fliers or posters or anything. Just sometimes, outside of the building, but just for protection from smoking.’

Consuelo
“No, there isn’t a place to get information at the factories regarding safety and health, like how to protect yourself from the liquids, the dust, etc. Nothing, because they would be fools if they told us, ‘Look, this is for your protection or here are these telephone numbers.’ No, contrarily, they avoid one talking to anyone who can give him/her advice, someone who knows. They avoid letting us have that information because it’s not convenient for them. I think that in that place where I was working, if I called someone and reported it, I think they would be fined and that’s not convenient for them. That’s why I am telling you they do not let us get any information. They probably do not even know that information. Because when you open a business you have to ask for permission from the city, have documentation. I wouldn’t know where to go. I wouldn’t even know who can give me that information.’

Milagros
“Well …no, no there aren’t really lots of options.’

Other Sources of Information
The media, including TV, the radio and advertisements on both, were other sources of information for garment workers. In addition, the Labor Commission was recognized as an important agency that they could call to have their factory inspected.

Mateo
“For example through TV. I was already under a lot of pressure there in the factory. I was fed up with how I was treated there—so I got the phone number to the Garment Worker Center. I saw it on TV. And that time I took courage and I called them. Yes, I called them. And then they explained how I could take risks of being treated badly for making a claim. Those were the cons. But I already wanted to get out of there. It’s very hard. And lately I’ve seen more articles in the newspaper and the radio too. So that opens people’s eyes more.’

Sen
“Only the Labor Commissioner has been to the factory before. They’re supposed to translate information from the Labor Commissioner’s office into Chinese or Spanish, but they do not. The [Garment Worker] Center has better language capabilities. I heard about the Labor Commissioner from one nonprofit—do not know the name, but
they speak Chinese, and they told me the number to call. And very few people read
the newspaper. Most of the workers go in early to work, so information on TV is too
late—there are only a few hours where they could watch TV before they go back to
work.”

Milagros
“Well, right now we’re going to a seminar. I’m going to the seminars here at the
Garment Worker Center. And there was a health seminar about a little over a month
ago. Health experts came. They came to tell us...Because a group of us goes, right.
It’s a group of people who already know that we can count on the Garment Worker
Center. So one of the options that I’ve had is to go to the seminars. But there aren’t
really lots of options. I know more about the Department of Health. I’ve called them
over the phone for them to go to ‘X factory,’ you know.”

Self-taught on health and safety.

Socorro
“Well, based on my studies, I protect myself, because nobody else does. For example,
regarding the machine’s dust that I was telling you about, well, I have bought my
mask to protect myself from it. And, regarding the ventilation, that’s fine because
there are windows there. And to protect myself from an accident with the machine,
well, all my years of experience have helped me a lot. Because all these years that I
have been sewing nothing has happened to me, thanks to God. You can get many
important things from the news too, for example the information about this Center.
The rest, I got it from working experience, studying and reading.”

Talks with other co-workers.
Talking amongst co-workers was an important source of information for most workers.
The knowledge that some workers received from official agencies, the media, or the
GWC was shared in some cases with their co-workers.

Sen
“Her friend had a back brace, so she bought one too. Her friend’s neighbor sells them.
It helps a lot with back support.”

Carlos
“I’ve heard of the older men who have worked in textiles, and dust is always
something that affects people. And I feel that I have good vision. But, yeah, I’ve
known of older women who cannot see anymore. They’ve lost their sight because of
always looking at the lines or sewing. Or sometimes the glare from the really
scratched-up cloth gets in your eyes. I’ve seen older people who they say that their
vision is damaged. I’ve known several people who’ve been affected, including, a man
that I know who’s from the same town that we used to live in. He also live there and
was working here. He worked in the garment industry. He told us when he’d already
gotten sick. He had kidney problems.”
Octavio
“The GWC teaches us to train/empower others who do the same things we do, to be able to talk with them. That’s why they make these meetings. They teach us like that. They give us lessons. And we keep on passing the information along to other people who work in the sewing shops. I talk with my compañeros about why they pay him less. Sometimes I am not able to interview someone who has problems. And for example, we can, take that case to the Center and they can accept it. There are government agencies that protect the workers, such as the Labor Commissioner. That’s the only one. I know of that from the others, the other garment workers.”

Medical care options.
Because of lack of health benefits, garment workers did not have many options when it came to medical care. They usually resorted to free clinics, county hospitals, and more frequently, homemade remedies. Several respondents mentioned that most factories did not have basic first aid supplies like cotton, alcohol, clean rags, or bandages. Employees did not usually have enough money for a private clinic or doctor; the medical care they did seek, they had to pay for directly. Many respondents described having to go to work sick, and most had never had the employer pay for any medical care.

Mateo
“Sometimes a factory won’t even have a first aid kit. Sometimes it’s not there. It’s hard to find a company that has one there. Or…the factories aren’t really as clean as they should be. Sometimes…you know…a rat…So bad for your health! I have been worrying about my health for about three years now. I’ve been getting checked at least every six months… Whenever I feel any symptom, I go to the doctor to have it checked to see if I have something. But I always pay out of my own pocket because there’s no insurance there. Unless…I do not know if now in the job where I work… I do not know if there really is an insurance that covers something…if you get sick. I’ve been working there for two months.

“I got sick once…. I didn’t work for about a week due to the dust. Yes, all of that affected me. And I had to go to the doctor. He [the doctor] didn’t let me work for one week because I was very sick…

“Some of my co-workers have gotten injured, a punctured finger. They’ve always taken them to the doctor, always. I do not know if they [employers] have paid for it. Later, recently a compañero who I was working with, I knew that he punctured his finger, and they took him to the doctor. But it seems to me that the young man’s father told me that they didn’t want to pay him. And so…I told him. I gave him the Garment Worker Center’s telephone number, but they referred him to another office. Yes, because it was…an injury—something that cannot be claimed here.”

Jesus
“In that case, the employer came and he… grabbed the needle on this side—by the tip. But I checked, that the tip didn’t stay in. So, I checked to make sure that the tip was…like this, together, right? And that’s how my fear went away, right? But yes, I
just threw that needle away. It was ugly, the half that stayed here [in her finger]. And then they didn’t do anything else. What they do is stick your finger in the hot oil of the machine. And sometimes they do not even have alcohol, or cotton balls. They fix you with the dirty rags that are all over the place… I didn’t even go to the doctor. But my finger was numb, and I still sometimes feel it, like, numb. Sometimes they say that they are going to take you to the hospital and sometimes… well, one just stays there. It is very common. It is very common that one gets sick. Imagine if you have to support three children… you have to pay all the bills here and you see all that injustice. I am healing now… I am taking valerian pills and everything to recover my system… what is it called? My nervous system. Yes, it’s hard.”

Consuelo
“Like I told you, one gets hurt, one cuts him/herself with the scissors. Even if it’s a serious wound they do not do anything, they do not even say, ‘Come here, I have alcohol.’ Not even a bandage, nothing, they just leave us there. One has to figure out what to do; one ties a rag around or goes home and gets upset. They get angry. There is no protection equipment.

“I have never had an accident. In my first job, that one where they recycled cloth, they use big cutting machines, electric machines, I cut myself once with that machine. But it wasn’t serious, because I was fast enough to pull out my hand. Otherwise, it would have probably taken my hand off, or my finger, but I was fast enough, and it only hurt me a little bit. I told the manager because I was bleeding. I told her and she told me that in that place each person brought his or her own bandage box.”

Magdalena
“I got my finger caught with the machine. The foot of the machine caught me, and the needle came out here. Yes, and I still went and told the employer that I got my finger caught. And I went, and since I couldn’t stop the blood that was coming out, I went and I told the missy, ‘Missy, I hurt my finger on the machine.’ So then what she did was…She took out a little alcohol and dabbed my finger with it. She didn’t even have cotton. She had a little bit of gauze, and with that she just covered the wound. She wrapped it here. But do you know what she used to wrap my finger so that it would stay on? With tape, that tape that I use on the sewing machine, with that. Sometimes we just use home remedies.”

Ana
“Once I told her [the employer] that I felt sick from so much stress. And the food I ate was making me sick since I ate in a hurry. So I told her, and she told me, ‘You better lay down for a little while,’ some two hours upstairs by the tables where I sewed. She told me, ‘It’ll pass soon.’ But I told her, ‘I want to see a doctor.’ She refused. ‘No,’ she told me, ‘you need to be here because you’re needed here at work.’ So…the woman was very…I do not even know how to explain…I felt stressed out from all the pressure, and I felt sick. I was going to the doctor. They were just treating my gall bladder…they’re still treating me. But I didn’t have a doctor. I’m going to the general hospital. They are treating me there until I have an operation. But no they [the
employer and manager] never told me to go to a doctor either. She never paid for my expenses, and she saw that I worked hard. She never paid for me.”

Milagros
“When I hurt my finger I took care of that myself—I put some alcohol on it. But on that occasion I didn’t bleed. But there are other times when I’ve gotten nailed with a needle. And then… I’ve bled. So then I say, ‘I need alcohol, right, or something…and a bandage,’ right, to be able to keep working, right? A bandage, you know? So I go there to the office and they do have that, a little bottle of alcohol and bandages. Those are the things they generally have for any injury…and they give those to you, right.

“There was a time when my throat was really bothering me, you know, and my nose too, from so much dust that you swallow at work. I got very sick, for nearly a month, and I had to go to the…. general hospital to have the doctor examine me because I said, ‘I’ve got something in my lungs.’…I had something really serious and I almost got bronchitis. So I look out for myself, right. And he gave me…an herb for my throat, and that did help me get better. And….I NEEDED to pay for it myself, right. When I get sick, I turn to the medicine—I buy it myself. That’s what I do to protect myself.”

Carlos
“Well, I’ve never gone to the doctor—here, never. I do not have medical insurance. We’ve never had medical insurance.”

Octavio
“When I need medical attention I go to a doctor. More or less I do not know how much he charges for a visit—$20 or $30…it depends on what he says. Well, you can bring your paycheck stubs…so they check if you can make payments short term or long term …Without these, you wouldn’t be able to go to the doctor.”

Juan
“The factories have alcohol. They have something like that. They put alcohol on you and wrap it up and send you to work again. What I do is I call my daughters over there [El Salvador], and they send me some pills and I take them. That’s what I do, because I do not go to the hospitals because they charge you, and with what you earn… How am I going to pay?

Health Insurance.

By and large, workers in the garment industry didn’t have health insurance. Respondents also pointed out that the shops did not have insurance. In cases of serious injury, however, they sometimes were taken to the doctor.
Carlos
“No. I do not have medical insurance, any. We’ve never had medical insurance. When my children have needed to get their teeth checked, people from the school sent us to a clinic where they charged less than other places.”

Consuelo
“No, there is no medical security there, nothing, nothing.”

Mateo
“At least in the last factory that I was working in, they didn’t have any medical insurance. They do not have insurance. They do not have any. So you need to look out for yourself …. At least for me, lots of times I went to my doctor because well, I didn’t have any other alternative…yes…to pay my own expenses, or qualify for low-income.”

Milagros
“Those who do not have medical coverage go to the general hospital, the general hospital, and there they pay how they can because no matter what they’ll always charge you, or if you cannot, if you qualify, you get Medi-Cal.”

Sen
“No, the owner said they deduct health insurance costs out of the paycheck, but I do not get any of the services of health insurance. I have never seen a doctor in the U.S. I understand that they deduct for health insurance and taxes. I think the owner wants to deduct from the worker, and the worker has no voice to complain. If I get injured, I would take care of it myself—no one comes to see about my health, so I have to take care of myself.”

Legal recourse.
When it came to exerting their rights, the Department of Labor, the Labor Commissioner, the Department of Health and the Garment Worker Center were the institutions mentioned as the places where they would go when they decided to use legal recourses.

Milagros
“For example there’s the Department of Labor and…the …Labor Commissioner. So I think that they should put more of an emphasis and GO to the factories. But here it’s different…lots of times they won’t even pay attention to the people, you know? Because in the case of one compañero at work, that was in another factory, well he went and looked for help in the Department of…the Labor Commission, and he got it, but it didn’t work out in his favor, but rather…la señora came out winning. And I knew that he should have won.

“That day…came that man, and he went around to each machine and asked if everything was all right, if we were paid by the hour, if we were paid overtime, or if we were paid…if we were given mealtimes and all that. Practically, they do not give us mealtimes because…if you take a half an hour, but you add it up with ALL of the
hours that you work there, and the fact that they do not pay you well… Well then it occurred to me to tell him, ‘Give me your card, I’ll see if I call you,” I said. So one day I decided to talk to him. And I spoke to him, right, and well…they investigated and I told him everything that was happening there. They investigated.”

Workers’ compensation.

Several interviewees said they tolerated pain and injuries for fear of losing their jobs or because they did not think the employer would do anything to help them. These garment workers were very skeptical about what their employers were willing to do. There was a general sense that employers did not take responsibility because they did not even have health insurance. There was also a sense that employers would only take workers to the doctor in serious cases.

_Yadira_

“I went to the clinic on my own…it’s close to my work. In fact, I took my receipts to her [to the employer]. I wrote a letter where I told her that I couldn’t go [to work] because I was sick. She gave me three days of disability, but she didn’t pay me for them. That is, it wasn’t even enough to cover seventy percent of what I spent. In other words, I told her that I’d gotten sick. In fact I showed up. I got sick on a Wednesday. Thursday, Friday, and Saturday I didn’t go to work. I showed up on Monday and the manager still wanted me to stay and work more than ten hours, but the doctor had told me that I could only work eight hours for the time being. I needed to eat my regular meals, and the manager told me that I was acting like a fool and that I wasn’t sick. So I talked to my employer. I said, ‘You know what missy? I cannot work anymore.’ She told me, ‘No, we need this work. See what we have left.’ I could stay one extra hour, but they wanted me to stay longer. I said, ‘No.’ And well they were angry with me. They told me that if I didn’t stay they were going to…let me go. And that was my fear, you know? That they’d fire me if I didn’t stay and then, what would I do? It’ll be even harder for me to find another job. I’d already worked for her two years and three months.”

_Mateo_

“They do not have insurance. They do not have any. So you need to look out for yourself and see how…. At least for me, lots of times I went to my doctor because well, I didn’t have any other alternative…yes…to pay my own expenses, or qualify for low-income. Well I do not make enough to go to a clinic.”

_Conuelo_

“Well, if it’s a serious accident, if you get hurt really bad, well you just tell them. But they send him/her to the hospital, and let’s suppose it’s something very serious, then one doesn’t win. One loses, because one will not work and they do not pay him/her those days, those are not paid days. When one comes back, if one comes back, if they give you your job back, they mistreat you and … they do not take care, they do not worry about us.”
Ana
“At least with that woman, everyone knew, she also knew that she’d gone to the doctor. I think that she was paying for her insurance. But she never paid mine, and she saw that I worked hard. She never paid for me.”

Milagros
“Those who do not have medical coverage go to the general hospital. And there they pay how they can because no matter what, they’ll always charge you. Or if you cannot, if you qualify, you get Medi-Cal. When I hurt my finger the employer never paid the medical expenses never, no. There in the sewing shops, there aren’t those benefits. It’s rare to find a company that can have those benefits. It’s really unusual. Maybe some fifteen percent, but it’s hard to find. I’ve never worked in places where there are benefits. I’ve tried to look and apply. You just apply, but they do not call you. It’s very difficult to find work in those places.”

Respondents mentioned the organizations of CHIRLA and the GWC as important sources of information regarding health and safety issues. Eight of the twelve workers knew about the Garment Worker Center; ten had medium involvement in the Center. They saw the GWC as a legal advocate for them, an information provider about workplace and health and safety rights, and a place to go for social support.

Some of their “testimonials” about the Center follow.

Yadira
“Well I’ve known about a lot of things in the Garment Worker Center because they give us training. They teach us what our rights are. They’ve also given us many talks, and through them I’ve come to know many things that I really didn’t know before. And it’s like we’ve come to realize how when we were in that plant we were lacking many things. There’s also CHIRLA. I do not know their names, but I know that there are several organizations. KIWA [Korean Immigrant Worker Advocates]—I think that’s also around.

“Well, I really think they’ve done a lot. At least in my case, they’ve done everything possible because they’ve helped me get paid fairly. We’ve gone to the radio stations. We’ve had interviews at universities and high schools. We’ve come out in the newspapers. Right now that Center is very good. They know how to bring everyone out. Lots of people come to your case. Lots of people are waiting. They support the people…More than anything, it’s the confidence that they offer us and the ability with which they speak to us. I mean, I feel that that has been the most important thing to help people take the initiative and take action, because… I think that if they hadn’t supported us, and we hadn’t felt we had rights, I think that nothing would have been done.”
Mateo
“Saturday we’re going to have a meeting to talk about immigration. It’s good to get to know lots of things because sometimes you do not know. To tell you the truth, there were lots of things that I didn’t know, and now I’m finding out that one has rights.

“It seems to me that they’re now paying overtime— thanks to having brought our employer here [GWC]. Yes, we made a claim—three co-workers from there. I know that they are now treated better. Yes, the manager was fired and now the employer is the one who’s now there. At least something was accomplished. But I tell you…if the garment workers gather more people together and people do not let themselves get taken advantage of…there will be lots of changes, not today or tomorrow, maybe not in a month or in a year, but yes, you’ll see changes.”

Magdalena
“The GWC gives us pamphlets, booklets, and there we are like… ‘Look here and this’.”

Milagros
“When I had that problem, I said, ‘I’m going to see if I can find someone who can support me.’ And I started talking with some lawyers, but it’s very difficult to get them to take a case, for discrimination or unfair dismissal. It’s very difficult to prove, according to what they told me. I also went to community organizations like CHIRLA. Because I already know CHIRLA. It’s on T.V. and radio, that they help immigrants. So CHIRLA told me that they recently opened the Garment Worker Center in January. Right now I’m going to the seminars here at the Garment Worker Center. There was a health seminar. A little over a month ago health experts came. We already know that we can count on the Garment Worker Center.”

Carlos
“The GWC gives us information there. I am interested in knowing about the rights that we have as workers, here in this country. We do not know, we’re ignorant about that. And sometimes they’ve also told us about organizations that also help, like CHIRLA. And they offer information about medical services and lots of other services…legal services, and other things.”

Octavio
“I have only heard about the GWC and CHIRLA. They [CHIRLA] were the ones that up ‘till now …they’re giving me instruction about my rights, rights to healthy conditions. They teach us how to defend yourself against the employer, how to be able to claim a fair wage, health rights, how to be able to make a claim that the restroom is not good, that the water is no good. And they teach us to train the others and to be able to help others, to be able to talk with them. They train us like that. They give us lessons, and we keep on passing the information along to other people who work in the sewing shops. Sometimes I talk with my compañeros. Sometimes I am not able to interview someone who has problems, and they do the interview here and take that case.”
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Jesus
“I never got my payment per hour. And in that organization [GWC], the young lady is very efficient. After twelve months I got my compensation…it was because the center intervened…it was because of them; they work really hard to achieve that.”

Sen
“Only the Labor Commissioner has been to the [factory] before. They’re [the Labor Commissioner] supposed to translate information into Chinese or Spanish, but they do not. The center has better language capabilities.”

10. LEGAL DOCUMENTS

Respondents acknowledged that those without legal documents such as Green Cards were at risk of being fired or reported to the Immigration and Naturalization Service. There was one exception, a factory where the owners and all the workers were Mexican. In that factory, the owner only hired people with papers.

Some said owners liked to hire those without documents.

Milagros
“…. the owners of the factory, they just like to have undocumented people…because they pay them whatever they want…For example, if you’ve been working in a factory for three months, and you say something to the boss like, ‘Go away!’ or something, then you [are] asking to get fired or something. So it’s not in their best interest to have people with papers working because they can demand their rights…so that’s what happened in that factory… [the owner] thought that I could talk to some people from the government, from the state, or for example, the Labor Commission…and tell them what was happening in that factory…”

Octavio
“Because sometimes lots of people come and they do not know anything. They do not know if it’s good or bad that the boss exploits them because they’re immigrants or just because they do not have papers, he [the boss] can treat him like a slave…”

Some owners threatened the workers who didn’t have documents.

Juan
“In some places, yes, they threaten them when they do not have their papers.”

Magdalena
“…. They’d tell us that they’d call immigration to take us away. They’d say, ‘I’ll call immigration…so that they’ll take you away.’ And later we’d tell him, ‘No, you cannot do that.’ He’d say, ‘Yes, I can.’ But no, he never did…maybe because he
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needed…a lot of people to turn out the work and…two or three people had papers but not all of us had papers.”

One worker compared his experience here with that in Mexico.

*Mateo*
“…Well I think that the treatment is worse here because …people who just arrive here are, well, undocumented. So there in our own countries…like if you’re from Mexico, well…there you have all your rights. Even though you make a little, you have your rights, but here you do not.”

Some expressed concern that they would be discriminated against because they didn’t have their documents.

*Yadira*
“I found about the Garment Worker Center on Channel 32… Well, it took me a long time to call because I was afraid, you know? At least about…being undocumented, that they’ll report you to la migra. …I waited about a month and a half and I talked to the Center and went. That is, they made an appointment for me and I went. I brought all of my documents, all of them.”

*Magdalena*
“Some are less willing to speak up and make demands than others. Well, because some say, ‘It’s that I do not have papers. I’m afraid that they’ll kick us out.’ If that person is from Guatemala [she’ll say], ‘Who knows where they’ll end up tossing me?’ Others say, ‘No way, how will I ever be able to come back?’ They’re very scared about having to find a way of coming back. That’s why lots of people do not speak up.”

One mentioned not being threatened by his boss even though he didn’t have his papers.

*Octavio*
“They haven’t threatened me for not having papers…no, right now, no. The people who I work with are from Mexico…yes, everyone there is from Mexico.”

One worker said that there were some factories where they only hired people with papers and then others found out about that.

*Magdalena*
“But, in some… they tell us, ‘Well in this factory they’re hiring people but they only want people with papers.’ And that’s when people do not go anymore. Some say, ‘Well, why am I going to go there? They’ll only take people with papers.’ One goes to find work somewhere else where maybe they won’t ask for papers. Or maybe at the beginning they’ll take you without papers, but then later—two weeks later—they’ll ask you to show them your social security card.”
11. LANGUAGE BARRIERS/EDUCATION

A few of those interviewed received training in other occupations prior to coming to the US; others expressed interest in learning another trade. Learning the English language was something that was often cited as what they needed in order to move on to other jobs.

Training in other occupations.

Socorro
“I went to school to study fashion, and yes, I got a degree in fashion in my country….I studied many things in my country…I almost graduated as an accountant…I graduated as an auxiliary nurse. Yes, thanks to God. I also graduated as an adult teacher.”

Consuelo
“Oh, in Guatemala, my parents were never rich, but thanks to God, I went to school and received a degree in commercial secretary; and I used to work in a place where they give out birth certificates.”

Juan
“…so then I got my high school diploma and studied one and a half years to be a paralegal. And I started working with lawyers…A lawyer paid for me to just study math because he wanted me to work with notarial matters. I couldn’t continue my studies because of my financial situation…because I would have liked to have kept on studying.”

Carlos
“Lots of times I feel like studying another trade, but there’s never enough time, or sometimes taking care of my children… They’d be at too much risk and get involved in gangs…And many times I have been attending school and when I see that my kids are wanting to go out and hang out on the street…It’s better that I leave school and stay and focus on my children. I’ve gone many times to register for classes, and when I see that something bad might happen, I feel it’s better to drop the classes… I heard on the radio where they were talking about a school where they would help…to know or learn hospital jobs. And I was thinking that one day I’d call to see what types of jobs I could learn in that field.”

Learning the language.

Socorro
“I’m taking English because I have liked that a lot too, but I do not know if it’s because I haven’t put too much effort in it. But it’s really hard for me to speak English. It’s not so hard to write it, but...”
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Consuelo
“Yes, I’m interested in learning English. But me, I have been here for so long, and I haven’t done the effort to study. That’s also why I am going through this situation at work, because if I knew English I think I would have a better job. But that’s what happens to me….”

Magdalena
“We want to study. We want to go to school. First, learn English. Afterwards, it would be a better job. Not sewing, you know? A better job… Something that would give me time to get out at three [in the afternoon]. A little more at ease and relaxed so that we wouldn’t be thinking, ‘We need to go!’ Running to have to take care of things over there….”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK

Here are general statements the workers made about their job frustrations.

Juan
“…If you make a pair of pants, a dress, the boss sells it to the factory, to the manufacturer, and from the manufacturer to the store, and the store sells it to the consumer. So, who really does the work? The one who does the work is the…operator of the machine. You are the one who gets exploited. You are the one who should be treated better, but you are the one who gets treated badly, by the boss, the manager, and the [quality control] inspectors. It shouldn’t be that way. It’s unfortunate…but the bosses do not see that. Most bosses pretend not to see the garment workers.”

Milagros
“Well the employer could do a lot if he wanted to…like keeping the work area sanitary and safe for us workers. But…I do not know when that will happen. Because if there’s no force to obligate them, I think that will never happen. Now I’ve been in garment work many years, and…now it’s worse than before. It’s worse now because…the employers do not care if one or two workers leave because they didn’t like something in the factory…that it’s dirty, that the wages are low. The employer doesn’t care because there is a lot of demand for that kind of work.”

Information
Most of the workers wanted to know about their workplace rights, including health and safety rights. They didn’t know where to go for this, or whom to call. Some wanted referrals for medical care.

Yadira
“Well, yes, [I’d like to learn] about everything. I mean that they’d give us…that they’d go to the factories and that everyone would learn about their rights, about health measures, about the conditions that the factory should be in. So that you can
work in peace, right? Because many times because of cables, or because of tables, you can slip and fall.”

Carlos
“Well…more than anything, about the rights that we have as workers, here in this country. We’re ignorant about that and when we’ve gone sometimes they’ve [GWC] told us about organizations that also help like CHIRLA, and they offer information about medical services and lots of other services, legal services, and other things.”

Jesus
“Yes, I think that…regarding rights, I think I want to know more about rights and health.”

Milagros
“Well…I’d like to know more about health…Who we can turn to, right, so that there is health awareness in the workplace.”

Mateo
“…How to take care of yourself at work. How, for example, to…protect yourself from a fall…when…doing heavy lifting [so as to] not hurt a part of your body. Yes. All that information would be nice to get a hold of…How to avoid puncturing your finger…how to protect yourself from the dust…how to protect yourself from all the surroundings there in the factory.”

Ana
“Well, that [information] about protecting your back, shoes, not smelling strong chemicals….”

Sen
“Just more information on how to protect yourself, and how to be more healthy and safe on the job in general.”

They wanted to know whom they could call for help getting their wages paid.

Consuelo
“There is some information I want to ask you. Do you know about a telephone number of a workplace inspector? Because I have been in many factories where I have felt that I need to call them…because in many factories they have been reluctant to pay me…and so far I have given away a week, two days, and I say, ‘Where can I call? I do not even know where?’”
Some had very specific recommendations.

**Socorro**
“…They should put posters [up]…I know many things already because of my studies, but many people do not know. It is important that there are posters for those who do not know or have studied less. At least they can guide themselves through a poster…and protection equipment for our health…and the managers should give us the masks, because one has to spend his own money, everything is on us.”

And some were quite vocal about the kinds of changes that were needed in their workplaces. This included such issues as being shown respect by their bosses, compensation, and health and safety. Overall, they had a lot to say.

**Jesus**
“Well, I think that the change that would have to be done is that we all were treated in a dignified way…cleanliness and hygiene is very important…and also order to that people are paid [adequately] per hour…”

**Carlos**
“That people start to demand a fair wage, right? Imagine if everyone did that!”

**Octavio**
“Well to tell you the truth, [I’d like] that they raise…the wages, right?

**Magdalena**
“Better wages…cleaner factories; have a first aid kit; there was none. Well [make it] cleaner and have fans because they didn’t have anything. Nothing…not even a fan. Nothing.”

**Mateo**
“Well, in the first place, that there be more hygiene there…and lots of ventilation…for example the extractors that collect the dust. Instead of having dust blowing there in the air, the extractors would take it out…so, that would be a good thing to improve people’s health. More ventilation…that heat is really bad for you…people suffer there. It’s all closed-up. It’s rare to have a factory that has windows, ventilation.”

**Consuelo**
“I would like that inspectors came every four months…they would come to check the water, the fabric dust, the bathrooms. And I would like to see a law that forced them to pay a fair wage to the workers… I would like that they eliminated the piece system, because that way one never gets minimum wage… I would like to see trained people that came to all the factories... And I would like them to talk to the owners, and that they made them see that’s the law and that’s an obligation to pay us per hour, and whoever doesn’t comply will be fined. But all those are only dreams…I would
love that. I would like inspectors to go and see…bathrooms that you would rather tolerate a stomachache than using those bathrooms because they are so dirty. It’s better to wait than get an infection…I would like them to see the dust that’s making us sick in our throats…”

Sen
“…More people like the organizer at the Garment Worker Center who can help Asian workers, because most workers do not understand English….more Chinese people are needed as organizers and to support workers.”

Carlos
“Yes, I’d like it if there were a garment industry organization – a union – since they’re called unions here, right? …That would support us garment workers, but no, I do not think there is one.”

Magdalena
“I’d like to know how to have medical insurance, even at a lower price or for the four of us.”

Juan
“I think that it all starts with the workplaces, because if there were health plans for the workers, if there were plans that covered them for these circumstances that you suffer…Then you wouldn’t suffer this, or the boss would be more careful with the worker, would watch out for the worker…”
1. BACKGROUND: HOMECARE WORKERS INDUSTRY

*Elisa*

“You do not want to be treated like dirt, just because you’re doing that kind of job. No. I said, lady, you cannot be yelling at me. You be nice, and I’ll be nice. If you think you cannot be nice, and you cannot say things in a nice way, I have to leave. I cannot stand this kind of treatment. Nobody should endure that kind of thing. That’s why people think low of caregivers because they think that, well that’s a domestic job. This is taking care of people. And this is a kind of service where you are being rewarded for the way you treat people. Somebody has to do it. Somebody has to do it, dear. It’s a humane job. Who else will do it? It’s a rewarding job when you see some people that appreciate you.

“Most of this care giving is done in private. See? Like, you go to a private home, one to one. This is the first time I have been in this company. I usually do private, like in a retirement home, or somebody asks for you. Like, somebody heard of you, somebody referred you, somebody recommended you. And most of these people who are private, they do not want to be involved with any government or anything. They’ll do it privately. They even sometimes give you the money under the table. There’s no record. There are more jobs now, so you can move around. You can see in the newspaper, there are lots of people needing care in their homes. Not in nursing homes. The nursing homes are not very popular these days. It’s more a private thing now. More people are staying in their homes. And they are calling caregivers to help.

“This job has stress. Even though, this kind of job for me is not stressful, and I hope she [consumer] lives longer. To me, it’s okay, and I do not live very far away. Sometimes there are jobs that you get that are good. Sometimes it’s not good. But I never tell people that this is an easy job. Because they might think that it’s an easy job. Yeah. It’s a big responsibility. You cannot just be lying down and sleeping there the whole night. You have to stay awake like you have a baby. Even though you think you’re not responsible for her, see, if she falls, like last night. Boom. Hey, what did you do?”

The above quote exposes some of the realities of homecare work: (a) the human factors that play an important role in the job; (b) the fact that most homecare workers work privately, so that their work-related injuries and illnesses are not captured in the statistics; and (c) the fact that many receive payment “under the table” so there are no records kept nor taxes paid.
Size of the industry

The Bureau of Labor Statistics has estimated that 646,300 persons were employed in homecare agencies in June 2002 (U.S. Department of Labor 2002). And according to the U.S. Census Bureau, in 1997, there were more than 20,000 homecare agencies in the U.S (U.S. Bureau of the Census 1997). Most homecare workers in California are hired through the Division of In-Home Supportive Services (IHSS), a state agency created in 1973 within the Department of Public Social Services (DPSS). Approximately 230,000 elderly and disabled consumers receive services in California from IHSS homecare workers (Doty et al. 1999). There are more than 200,000 homecare workers statewide, and 83,252 (CDSS, 2001) of those are in Los Angeles County providing the service to 90,000 clients (Cousineau 2000). According to the California Department of Social Services, forty-two percent of the caseload for the state of California is in Los Angeles County (CDSS 2000).

The homecare industry is particularly important today in the United States because, while the elderly population is increasing, the number of homecare workers is not increasing at the same pace. In California, projections indicate that the elderly population will grow more than twice as fast as the total population (Benjamin 2001). The current ratio of recipients to providers in the state is roughly 1.2:1. The California Department of Social Services (2001) estimates that by the year 2020, the ratio will likely increase to 1.4:1, and by 2040, it will be 1.8:1, given the current trend.

Description of the homecare industry

Many homecare programs in the U.S. were established in the 1970s, as a result of lobbying efforts by senior citizens’ movements. The idea was to provide “social services designed to assist elderly and disabled people in daily activities, including cleaning, cooking, and bathing. By living at home instead of in a nursing home or an institution, those served could maintain their independence and connection to their communities” (Cobb 1999). In California, it was primarily lobbyists for disability rights organizations that were responsible for seeing that homecare programs were established.

Homecare workers provide personal and domestic care for the elderly, children and disabled in their homes. Their duties range from bathing the clients, dressing them, cooking, housekeeping, and administering medications. Nancy Folbre, in her book The Invisible Heart (2001) argues that society does not value the work homecare workers do because of the domestic, female-inherent values associated with the job of giving care and love to a person. Being a homecare worker can be a very stressful job. Homecare workers have to deal with heavy work, such as lifting and carrying the client, tolerating assaults or rough language, dealing with contagious illnesses, worrying about the client’s health, dealing with difficult relatives, and coping with death when the client dies (Delp and Quan 2002).
There are numerous agency definitions and methods of categorizing different kinds of workers who provide care in the home. For example, at the national level, homecare workers are classified according to whether they are informal or formal caregivers. Informal caregivers are those who care for a relative, spouse or other person at home and do not get paid for it. Formal caregivers, on the other hand, include professional and paraprofessionals that provide homecare services and are compensated for them. There are also non-professional home health care workers who provide non-skilled health care. At the state level, the California Employment Development Department (2001) classifies homecare workers in three main categories: (a) nurse aides, orderlies and attendants; (b) home health aides; and (c) personal and homecare aides. All of these kinds of workers are also often called paraprofessionals.

Nurse Aides, Orderlies and Attendants are those who “work under the direction of nursing or medical staff to provide auxiliary services in the care of patients.” (CEDD 2001). Home health aides “care for elderly, convalescent or disabled persons in the home of the patient. They perform such duties as changing bed linens; preparing meals; assisting clients in and out of bed; bathing, dressing and grooming; administering oral medications under doctors’ orders or the direction of a nurse.” (CEDD 2001). Personal and Homecare aides are also called “In-home support service” workers and they “perform a variety of tasks at a place of residence, such as bathing, cooking, feeding, shopping and housekeeping” (CEDD 2001). In this study we interviewed workers who primarily fit into this third category, personal and homecare aides.

Besides the different classifications of homecare workers, there are three different models to describe approaches to delivering homecare services. These are the consumer-directed model and the professional management model. Both of these models are publicly funded, the main difference being who controls the delivery of services. The consumer-directed approach allows the client to hire the homecare worker directly. The professional agency model “requires that the individual workers who deliver services to clients be employed by organizations, typically home health or home care agencies, whose characteristics and structure are defined and regulated by licensing or other laws and by contractual arrangements with one or more public financing programs” (Doty et al. 1999). There are twelve counties in California that offer this alternative agency model; Los Angeles is not one of them. It should be noted that there is a third service delivery model: a consumer-directed approach in which homecare workers are paid privately by the client.

More than ninety percent of consumers in the IHSS statewide program receive services through the consumer-directed model, which means that the client directly hires and supervises the homecare worker. County social service workers determine eligibility of clients for services, and the state IHSS office issues the paychecks. Thus, homecare workers are considered part of the public sector (Delp and Quan 2002).

The establishment of a Public Authority in Los Angeles County was an important development. The Los Angeles County Board of Supervisors established this authority in 1997, officially called the Personal Assistance Services Council (PASC). This serves as
“an employer of record with whom IHSS providers can collectively bargain for better
wages and benefits” (Cousineau 2000). Public Authorities take over the employer role
from IHSS and provide training and resources to homecare workers. In Los Angeles, the
PASC and the Service Employees International Union (SEIU) have joined forces in order
to provide training for the workers. Currently, eight of California’s fifty-eight counties
have public authorities. The struggle to unionize homecare workers has been underway
since the 1980s. In 1994, 74,000 homecare workers in Los Angeles County joined the
Service Employees International Union (SEIU #434B). This was the largest successful
union election in the United States since auto workers organized in the 1940s (Chang
2000). Now the SEIU represents more than 100,000 such workers in the State. The
American Federation of State, County and Municipal Workers Union (AFSCME) is also
organizing such workers in California.

It is important to highlight that there is an informal, or “gray-market,” workforce of
homecare workers. These workers are hired privately and often paid “under the table” by
their clients. Unfortunately it is still not known how many of this kind of homecare
worker there are. However, they do make up a significant portion of the homecare
workforce (Benjamin 2001).

**Homecare workers**

**Sex.**
According to the California Department of Social Services (2001), seventy-eight percent
of IHSS homecare workers are female, twenty percent are male, and two percent is of
unknown gender. In Los Angeles County the number of female homecare workers is
higher. Based on a 1999 Los Angeles County IHSS Provider Health Survey that consisted
of telephone interviews of 1,244 IHSS workers in November and December of 1999,
eighty-three percent were women and seventeen percent were men (Cousineau 2000).

**Age.**
According to the California Department of Social Services (2001) more than fifty percent
of all providers are between forty-one and sixty years old. In Los Angeles County more
than half the homecare workers were over forty-five, and one in ten were over sixty-five
(Cousineau 2000).

**Race/Ethnicity.**
Homecare workers are racially and ethnically diverse. In Los Angeles County alone it
has been estimated that homecare workers speak more than 100 languages (Delp and
Quan 2002). Moreover, one study found that thirty-nine percent of the homecare workers
in Los Angeles County are Latino, twenty-five percent are African-American, and
fourteen percent are of Armenian and Russian descent (Cousineau 2000). However,
another study found that the percentage of African-American homecare workers in Los
Angeles County is higher: forty-five percent. The remainder are: thirty percent Latino,
twenty percent white and about five percent of Asian origin (Cobb, 1999). The
differences in these data could be because either (a) the racial distribution changed
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between 1998 and 1999 or (b) one of the samples was more random (representative of the population) than the other. In either case, it is useful to conclude for the purpose of this study that the majority of homecare workers in Los Angeles County are distributed between Latinos and African-Americans.

Relationship with recipient.
In 2001, the California Department of Social Services (2001) estimated that almost forty-three percent of IHSS homecare workers provide care for a relative (which may include a spouse, a sibling, or a child). The numbers in Los Angeles County are higher. The percentage of homecare workers that provide service for a relative increases to sixty-seven percent (Cousineau 2000).

**Working Conditions**

Wages and salaries.
California homecare workers who are not unionized are usually paid the state minimum wage and do not receive any kinds of benefits such as medical insurance, sick leave, pension or holiday pay (Delp and Quan 2002). For In-Home Supportive Services the average wage is $6.85 per hour (Rickles et al. 2001). Entry-level homecare workers earn less, with wages in the 35th to 45th percentile of the group. IHSS Homecare workers are not allowed overtime pay. The California Department of Social Services estimates that sixty percent of providers work twenty-three hours, or fewer, per week through the IHSS Program.

The wages earned by homecare workers in California hardly raise homecare workers above Federal poverty levels. For example, seventy-five percent “whose only source of earnings is IHSS wages, earn between $200 and $600 per month—based on part time hours. And three-quarters of providers who have earnings in addition to their IHSS wages earn between $1,000 and $4,000 per month” (CDSS 2001). In fact, one in three providers (thirty-four percent) maintains one or more jobs, in addition to their homecare work (Cousineau 2000).

Turnover Rates.
Due to low pay, lack of benefits, and sometimes the death of a consumer, the annual turnover rate among homecare workers in California is estimated at forty percent. Other studies estimate that the turnover rate can range from forty-two percent, to nearly sixty-eight percent, depending on the source. This is important to keep in mind when analyzing the industry, because the high turnover level in caregiver occupations suggests that workers find something about the job or working conditions stressful enough to leave. Not surprisingly, the lower income workers experience the higher rates of turnover.

Health and Safety.
Because of the scarcity of health and safety studies of homecare workers, it is necessary to look at studies of other health service workers to infer risks for this population. In
2000, there were 45.3 illness cases per 10,000 full-time health service workers at the national level (BLS 2000). Homecare workers are a subcategory of health service workers. But because they are primarily a “hidden” workforce (i.e., many work in homes where the client is the employer), their injuries seldom get included in statistics. In Northern California, a study found that nearly two-thirds of the injuries experienced by homecare workers were musculoskeletal, and more than forty-five percent of the fifty-one agencies surveyed reported workers who had back injuries (Smith and White 1993). The homecare industry is among the industries with the highest number of nonfatal occupational injuries and illnesses with days away from work involving musculoskeletal disorders. In fact, in 2000 there were 5,199 cases of such injuries in the industry (US DOL, BLS 2000). Other injuries reported by homecare workers in epidemiological studies are upper body musculoskeletal complaints, such as neck and shoulder disorders, particularly the latter. In 1999, it was estimated that homecare workers had an incidence of fifty-two injuries per 1,000 workers per year (Meyer and Meyer 1999). A 1998 study of 618 California providers found that 6.9% who worked under the professional agency model, and 11.1% who worked under the client-directed model, were injured while working during the six months prior to the study (Benjamin, A.E., Matthias, R.E. 1998).

The most common type of injuries experienced by health care workers, in general, are back injuries (U.S. Department of Labor 2000). Back injuries in this case result from the continuous twisting, bending or heavy lifting—to transfer the client to and from wheelchairs, bed, etc.—without assistance or the proper devices.

However, it is estimated that the most common injury in the case of homecare workers are work-related automobile accidents (President’s Advisory Commission on Consumer Protection and Quality in the Health Care Industry 1998; U.S. Department of Labor 1997). Surprisingly, “It is unknown to what extent caregiver occupations are perceived as a risky occupation among potential applicant groups or how aware those applicants are of the limitations a back injury places on future employment options. The adverse influence on recruitment would probably not be great because of low public awareness. The effect on worker retention, however, could be significant. When caregivers see their co-workers suffering back injuries, and reduced job opportunities, it could motivate them to find a less risky job before they, too, have limiting injuries” (CEDD 2001).

There are also important stress factors in their jobs. Stress in homecare work can be caused by: (a) mismatch between the worker’s physical or mental characteristics and the job’s requirements; or (b) stress induced by working conditions. Some of the stressful situations are: being exposed to diseases, dealing with physically aggressive clients, being responsible for the health and safety of others, and being sure care is done well to avoid errors that can be harmful to the client (CEDD 2001). Additionally, needlestick injuries are another common risk factor. There are numerous fatal infections that can result from the direct contact with blood-borne pathogens such as hepatitis B, C or HIV (NIOSH 1999).
Benefits.
In California, few IHSS providers receive Medicaid, Social Security insurance, or welfare. In fact, seventy-nine percent (173,613) of providers are not receiving Medi-Cal (CDSS 2001). In Los Angeles in 2000, forty-five percent of homecare workers did not have medical insurance; thirty-three percent had private health insurance, two-thirds of whom received their benefits through a spouse’s or family member’s plan, and one-third through their other job or in the individual market. Public programs covered the others (Cousineau 2000).
Bibliography


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2. DEMOGRAPHICS OF THE SAMPLE

Thirteen workers were interviewed. All were thirty-eight or older. Twelve were female. Ten of the homecare workers worked for the In-Home Supportive Services Agency and were represented by the union (SEIU 434B). Two respondents were involved with the union in leadership positions, three were active participants in union activities, and five had low involvement with the union. Three worked for private clients in a retirement hotel and were not in the union. Four had been working in the industry for one to five years, four for six to ten years, three for eleven to fifteen years, one for nineteen years, and one for twenty-three years. Five respondents were from Latin America, two were from the Philippines, one from Russia, one from Korea, and three from the U.S. One respondent did not provide a country of origin.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

The most common complaint was back injuries, followed by falls or client falling on them, and then being hit by abusive clients. Several of those interviewed said they and their co-workers had not suffered any injuries; the quote that follows implies they are “immune” from such injuries.

Chang
“Since we work at home, accidents do not occur….I do not think this is a tough job. We can work safely due to the US social security system, which provides benefits for the people above sixty-two years old.”

Some who reported back injuries and falls said this.

Elaine
“I have picked up my grandmother. My grandmother weighed 250 pounds. And… she had a hospital bed. So the hospital bed you can put it down to my level where I can slide her off and put her in a wheelchair….and I was putting her in a wheelchair. Instead of picking her up with my body, bringing her towards me, I just picked her up with my arms. And when I did that, my shoulders went up, and I slipped a disk in my back. So I was unable to put her in the wheelchair. But I realized that I couldn’t walk. So, what did I do? When I started rolling her out to the living room…I couldn’t move my legs. I told my mom, ‘We need to call a doctor.’ She goes, ‘For your grandma?’ I said, ‘No, for me, ‘cause I just slipped a disk or something.’ I go, ‘cause the pain is so bad!’ It was going all the way up my neck and all the way down to my legs.”

Alcira
“I hurt myself with her mop…I pulled my sciatic nerve, and so it happens that I was sick…the spine was getting pulled. It was like an elastic band that you pull and pull,”
and there is a time when it cannot go back to its original place...that's how I ended up all bent over.

“There was this co-worker who got hurt by raising and lowering her patient; she never took care of it, and she developed a hernia in two disks. Her legs are numb now...and I told her to go to a union. There is a lawyer. And now they are helping her a lot. She is suing the County. That is, she is suing the IHSS program, and I think in the future they will be more careful.”

Nelly
“Oh yeah, I have gotten injured...One of the clients had windows like this, and she’d ask me to climb the step stools to wash them. Well, I missed a step, and I fell....but you know, come to think of it, I do not think my back has ever been the same since that fall. I think that’s when the problems really started...lower back problems.”

Tania
“I work here I told you seven years. And I got backache from this job....My pain was terrible. I was, one day I started to do my laundry in my house, and the next step, I just bended and I couldn’t stand myself. I crawled, I couldn’t even go outside. And for ten days I stayed home because I couldn’t make it—pain was terrible!”

Elisa
“She also took care of a lady that often times, she would hurt her back. She would hurt her everything. Her body, ‘cause she has to grab this lady.”

Some were hit by abusive clients. Benjamin and Matthias found in their 1998 report to the U.S. Department of Health and Human Services that clients pushed, shoved or hurt providers (1.1% of professional agency employees and 1.6% of client direct employees) some time within the previous six months.

Tania
“When I give her shower, she used to scratch me all over. You know, she was even dangerous...I just have to be patient and leave her alone for a few minutes, and she’ll kind of come back...So that’s why it’s difficult. It’s not an easy job, you know?”

Lilia
“When they hired me she hit me with her cane. Even this one [points to pinky finger of right hand]. I was fixing all her things, you know. All of a sudden, and she pushed the drawer, and this finger was between the drawer and the cane...I got this one here [her knuckles that were hit with a client’s cane]. I didn’t sue the family...I’m not after money. I just want peace of mind...I do not like to cause trouble. If possible, I want to keep my mouth shut.”

Alcira
“I learned about another worker who had a client with a wheelchair who was going on the sidewalk to the bank. And then, so that the wheelchair wouldn’t roll, what she
did was hold the chair. But she couldn’t, and the chair and woman fell on top of her. And one of her ribs was pushing the skin from underneath, and that’s how she stayed with the rib like that, because she didn’t have the resources. She couldn’t go to the doctor. She didn’t have time to go, so you could touch her and feel the rib.”

4. WORKERS’ CONCERNS AND FEARS REGARDING INJURIES AND ILLNESSES

Many of those interviewed worried about getting injured and not having medical insurance to deal with it. They didn’t seem to know that workers’ compensation was available. They also recognized that many of them were older, fifty years or more, and were, consequently, at higher risk for injuries and illnesses.

Rosalinda
“Further, most homecare workers are not healthy, as they are also kind of old. I have never seen homecare workers younger than fifty years old. They are at the age in which they can easily fall ill.”

Alcira
“Well workers worry about accidents at work, of diseases that we may catch, of not having medical benefits because we do not really have anywhere to go. Let’s say you pull your sciatic nerve. Where are you going to go? If you go to a public health clinic you are practically losing a day’s work; nobody is going to compensate you for that.”

They had concerns about bacteria/diseases.

Matilde
“I hear people say it’s dangerous because some people they have diseases. Some people they have…they are very sick. Maybe I gonna get bacterias or who knows? You know, working for older persons…”

Alcira
“I have a concern about contagious diseases. Look, there are co-workers that for a lot of years have not showed it; they have been tested for tuberculosis and they have been negative. If they test them after having worked for a long time…let’s say one year or two years, it is going to be positive…and then you cannot take the test anymore; you have to get treatment…..We have patients who have asthma, some other ones who are coughing all the time, people who have multiple diseases…we can catch practically anything.”

Fear of back injuries, sometimes when asked to do work they shouldn’t have been doing, was very prevalent.
Matilde
“There was a lady…she’s worried about her back because the consumer that she worked for…she’s very, very heavy. And every time she cannot even walk. So she has to help the lady walking, and put her in bed, and she’s very heavy so that’s what she said, ‘I’m so afraid I’m going to hurt my back!’”

Rosalinda
“When we have to lift them…we get home very tired...we have to help them in almost everything. We have to move them, bring them back and forth...they are a little bit heavy. We worry if the client is too demanding...if they want us to lift heavy things like in the case...where they wanted her to shampoo the carpets...and it was a heavy machine, and she had gotten an operation about a year and a half ago...she cannot lift heavy things.

“Well, if they make us do things we shouldn’t be doing…Like for example, this man wanted me to lift the lady’s bed. I lifted it once, but then I told him, ‘You know what?’ I told him, ‘when I want you to help me, can you please lift the bed to vacuum the carpet, because this is too heavy for me.’”

One worker expressed concern about her security working in a home where she did not know the people who would be entering.

Elisa
“Not knowing whether people who identified themselves as relatives really were relatives. Fear of letting people in the house who could potentially know that the house only contained me and my client; fear that the people might take advantage of our isolation and try to rob us.”

They experienced stress when working with clients who had dementia and regressed to infantile behavior.

Rosalinda
“When my friend arrived at the house she would find her clients. They were two; one of the ladies was on the bed and the other was standing up. And everything, I mean, they didn’t go to the bathroom to relieve themselves. They used a bed pan, and when my friend got there she used to find them very dirty. Their skin, their feet were covered with excrement...and it always smelled like urine…and even on the carpet, on the beds. She used to clean everything up, and the next day when she came back it was the same situation, as if there was nobody to clean them.”

There was fear of client abuse.

Lilia
“Oh, yes like you know…they will hit you all of a sudden...so you just have to be sure that you know…”
5. THE REPORTING OF INJURIES AND ILLNESSES

These workers said that homecare workers usually did not report work-related injuries for a number of reasons: fear of job loss, not getting paid while they were not working, fear that the client would hire a permanent replacement, not aware they had a right to report the injury and get compensation, language barriers, employers doubting their veracity, and a belief that the injuries were not serious enough to report.

*Elaine*

“You know, a lot of homecare workers get hurt on the job. But they won’t say anything because they do not want to lose their jobs. A lot of them are afraid to… because what happens is that if you slip and fell…or in the case of a lot of homecare workers…you pull a disk or something…if another homecare worker comes and takes that job, then you’re out of a job. And most likely if the consumer likes that person they will keep the person. So, it’s a risk.”

*Marianela*

“The reason why I think they do not report it is because they’re not aware of what they’re entitled to…their rights. They do not report it also because there’s a language barrier. And, because they won’t get paid. Basically, it’s because they won’t get paid….or, you know, they might think they’re lying. They probably feel like they have to be dying in bed in order to report it.”

6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

A number of the homecare workers said they used personal protective equipment such as back belts or gloves; most of them provided their own. (The union was trying to buy back belts for its members.) Several said they had refused to do what they considered dangerous work; some said they were just “being careful” in order to avoid disorders. Some said they ask clients to get less toxic cleaners to use in their homes. Some used “psychology” or communication skills to defuse abusive clients or relatives of clients. Some had left or said they would leave the job in order to protect themselves from hazards.

Here’s an overall sense of what they confronted.

*Scott*

“So the safety actually comes from the person they hire. Because they [IHSS] do not even give you instructions on safety or nothing like that, or do not tell you about safety. I sit down and talk to the lady about the sanitation and that type of thing. I looked at the house; I figured she didn’t need somethings there…one of them was ammonia, and I didn’t feel like she needed that ‘cause she had Clorox too. And if you make a mistake and put ammonia in a toilet and then put Clorox in it, then the whole house is set up with methane gas or something like that, you know. It’s a toxin and it could kill you.”
**Alcira**

“We buy the gloves ourselves. I am telling you, the County [IHSS] gives you nothing, nothing. Like with the woman I used to clean everything, she was given gloves. They sent a box with her diapers, gloves... But if the gloves ran out in the time they calculated, like 100 gloves per month, and if they ran out before the nurse visits or doctor visits, then I had to buy more gloves...their resources are limited. Then you have to buy them because ...you cannot clean feces with your bare hands...then you have to buy them.”

Regarding personal protective equipment, they (or their union) usually provided these when they were used.

**Elaine**

“No, whenever I pick up...we have a back brace on now. It’s like a jacket; and it’s just to support the back and it does help a lot...a great deal. And now, we [union] recommend it to our homecare workers. You know, if you’re going to lift something, wear this brace; it’s the only thing that’s going to help you.”

**Rita**

“I always wear my gloves for safety reasons, because sometimes she says, ‘Look what I have.’ Sometimes she says she gets something here like lumps. I saw the other day, ‘I think it’s cancer.’ She had lumps like this, and I asked her, ‘What is that you have there?’ And she says, ‘I do not know, look!’ But I do not have to touch her, but since she tells me, ‘Look at this!’ I look. Always before starting to work, I put on my gloves.”

**Nidia**

“The man that died, the big one. I used to use my gloves. I used to give him shots...the nurses, they come in and they taught me how to do it, which I wasn’t supposed to do, but he doesn’t have anybody else...he needs it in the morning so I have to do it.”

Some refused to do what they considered dangerous work that could hurt them.

**Lilia**

“And this lady...she said to me, ‘Can you push me up?’ And I said, ‘No...okay, you place one feet apart, and try to slowly put your feet down.’ You know, her bed is up to my waist. Every time she goes up, she climbs, she gets a stool, and she goes down. It’s so dangerous. I keep on telling her, I keep telling the nurse, I keep telling the physical therapist, the family...”

**Nidia**

“Take for instance, she wants me to stand up and clean the windows. I cannot do that. She wants me to take the stove down entirely, take out everything and clean it.
And I tell her, ‘Oh, no, I’m not going to do it; that’s not…I’m not supposed to do it.’ And when I tell her that, she gets mad.”

_Elisa_

“Yeah, at the end of the day, you go home tired. Sometimes the only thing that I will never accept in my life is to lift somebody up and down. You have to lift people there…transferring, it’s too hard. I won’t do that. So I have to do it slowly. I have to be sure that it’s my legs and not my back to pick her up….No, I will not just rush; I have another lady who works with me here. I said, ‘Never rush to pick her up when she falls. You only have one back, you only have to tell her, you only have one back. Do not break your back!’”

_Marianela_

“But if I was like, to lose a job, or we no longer had this service and I had to look for a job, something like this….that would be the first thing I would say; My name is such and such. I live in such and such place. These are the hours I can work here, and I won’t do this, and I will do this. And I’ll meet you half way.’ It has to be half way. I have certain boundaries.

“I try to be more careful. I’m the type of person that, I do not just do it. I’m like, okay, let me think how I’m going to do it. Then I’ll do it.”

The homecare workers’ union and Cal-OSHA provided some health and safety training for them.

_Elaine_

“I think, we’ve [union] educated our homecare workers, and now they are following through on that. And they’re trying to…ah…pass it on to other homecare workers. So it’s by word of mouth. You know, it’s not the best, but it’s better than nothing.”

_Scott_

“And I took a lot of extensive training from Cal-OSHA, and on safety, health and safety—and how to prevent certain toxics from getting into your skin and that type of thing, and what kind of apparel to wear, gloves or whatever to keep things from getting into your flesh by going into your pores….”

With abusive clients, homecare workers used “communication, psychological skills” to talk to the family and the client.

_Lilia_

“I have to explain to her and the family… to communicate with the family…what triggers her? Is she doing this to you before or what? I took about thirty units of psychology at Los Angeles City College, and that helps me. You know, this transition of aging from being independent to having someone around you for twelve or eight hours…it’s something weird to them, see? Since she shows this kind of aggressive or assaultive behavior, I told her, ‘You do not do that. Look I am here to
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help you. If you do not like my help, I’ll just go out.’ So for a time, I got out, and then after that I came back, ‘Oh, [client’s name], how are you?’ You know, this way…see when they are in that aggressive situation, do not be aggressive. You just have to get out as long as they are safe.”

As in the case above, sometimes the homecare workers left in order to protect themselves, and never returned to the job.

_Alcira_

‘….she took a blouse, tore it in two, and said, ‘Here, you clean this way.’ Then she raised the lid of the stove with such anger, that I do not know if she realized that I was behind her, or if she did it on purpose, or if she did it out of desperation because of the pain, I couldn’t tell you. What I did, I automatically lowered my head, and I told her, ‘You know what, I am leaving.’ Then she told me, ‘No, no,’ and stood there in front of the door. Then I told her, ‘I do not want to hurt you,’ and I asked her, ‘Please let me through.’ Then she said, ‘No, because you are the last one, and they are going to punish me. They are going to kick me out of the program [IHSS].’ When workers cannot stay with a person…the moment comes when, yes, they punish them because the situation is not sustainable…”

_Nelly_

‘…After that, I didn’t work for her anymore because I didn’t like the idea for her to ask me to climb those, you know, the unstable..because it was not stable, rickety. She wanted to insist that I wash windows. And I’m thinking, maybe that’s not quite, you know the high windows, in my classification of what I really wanted to do…”

_Rosalinda_

‘..and I had to quit, mainly because there was too much, how can I say? Bad smells, excrements, urine and everything. Sometimes, yes, we get these clients, right?”

7. REPORTS ON WHAT EMPLOYERS PROVIDE

The respondents cited some cases where the clients suggested some safety precautions or were responsive to their requests for safety items. However, many felt that the employer, whether that was the actual client or the county public authority, did not do enough to ensure safe working conditions; they often had suggestions on how the employer could be more proactive. One respondent mentioned a coalition forming between consumers and providers to improve conditions for the workers.

_Alcira_

‘….a coalition was formed between consumers and providers. That is to say, the clients and the homecare workers. What the client could do for the working conditions to be better would be request more hours [from IHSS], also to request access…to have a ramp for wheelchairs and good bathroom accessories like handle bars…to get the County to provide patients modern moving equipment, since there
are many old pieces of equipment that require a lot of effort. So the clients have a lot of power…to improve the working conditions. And if we unite our efforts, like us asking for more hours and for better pay, with them asking to be assigned more hours, then we both benefit. We are asking to be given more time…that way, we can do our work better.”

An example of a proactive client follows.

*Nelly*

“…Oh, yeah, they do some things like that. For instance, the lady told me today, she says, ‘I need you to do some particular things for me, so tell me what I need to make it easier for you. Do you need gloves, do you need this, do you need that?’ That kind of thing….I’m very cautious anyway, though. Most of the stuff they ask me if I need, it’s in the trunk of my car…."

There was one instance cited where a homecare worker’s place of employment provided some training.

*Elisa*

“….they [retirement hotel] held a class on body mechanics, I think…Now and then they give you trainings, for CNA’s (certified nurses aides). There are nurses that will give you lectures on a certain case, like body mechanics or dealing with people who are crazy.”

The homecare workers’ union was cited several times as a source for health and safety information.

*Chang*

“And we also get information and education on this job from the union.”

Those who said they didn’t get any health and safety consideration from the County or client noted the following.

*Scott*

“No..the person I was taking care of for the County [IHSS] hasn’t done anything to make it a better working environment for me… it has nothing hazardous in the places that I worked. I mean, there was always a possibility of something…slipping off a step or something like that. But…I do not have handrails on the step or nothing like that; there are only two steps down. But as far as providing that type of…security, it’s not there. I do not think it’s needed, but then, in some instances…I think people do need the handrails to hold on…."

*Matilde*

“Well, the consumers, they’re not helping too much because, you know, they’re an old person. That’s over sixty-five years old, so they cannot help us that much…we are there to help them, (laughs) ….”
8. WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY

Many respondents felt that the state has not done its job of enforcing health and safety regulations or providing training. Others also pointed out that social workers who worked for IHSS often did not look out for homecare workers, and that clients and their families were unwilling or unable to meet workers’ needs. Some felt the union could help by clarifying who was the employer and by providing medical insurance.

When institutions for the elderly accept clients that they are not equipped for, such as senior hotels, homecare workers cover the gap. But the institution is not legally responsible for them. Home owners are not required to comply with health and safety regulations for homecare work. As a result, workers often conclude that they have to look out for themselves.

Government: “Our taxes also go into the system.”

Chang
“I think it's the job of the government to make workplaces safe and workers healthy. Isn't it the purpose of the social security system? Our tax also goes into the system. So, the government is in charge of those things.”

Nelly
“I think that the County should see about it. They should see that all the workers are in a safe environment.”

Lilia
“Well, there is licensing that is supposed to be in charge. You know why? Because most of these ladies are getting their SSI and Medicare from the government, and they are supposed to be in charge of all these facilities [hotels] for elderly people. There is that “ombudsman.” There is this American Association for Retired Persons (AARP) that should look into these kinds of places…make sure they’re running properly. The staffing should be looked into. The people there should see to it that they [homecare workers] have the proper training. Not just get anybody. They should have at least training, if not in the school, right here. They could have in-service training for the staff.”

Client, social worker: “they have to be aware.”

Matilde
“Who can I talk to, to keep my workplace a safe place? To the [IHSS] social worker and my consumer. Both. They have to be aware, both. Because the consumer, what I'm doing is a job to give the best safety for the consumer. At the same time, the
social worker is in charge of the consumer, and she has to be aware for everything what's going on, too.”

Nidia
“I would think the client should be responsible…if she's going to ask me to do that kind of work, she should give me a sturdy stepping chair or something like that…She would even suggest a chair, you know, a swivel chair, or, you know, something like that, and I'm saying you wouldn't get up there, you know.”

Retirement hotels: the hotel is separated from that legal responsibility but sometimes makes safety changes.

Tania
“If it's a nursing home or someplace for sick people, maybe they have to have something more, to make life easy. But here [retirement hotel], I do not think so because this [facility] is for healthy people, for healthy, retired, active, people… We have nothing to do with the facility, so whenever, this lady you're working with, or the man hits you, it's only the family. And then, when it gets to the point where other residents are affected, you've got to tell the office, because there are many times when she would just stand up and raise her cane, and try to hit.”

Elisa
“I used to work in a private thing. It's a hospice also, but she was in a retirement home. She was accepted into a retirement home because she had only one or two months to live. So they accepted it… You are not supposed to accept those kinds of things here. You know retirement homes are only for actively retired. They have that permit. Most retirement homes are like this. They cheat. They accept people who are not active and what happens is, sometimes they have lived there for a long time. And they become inactive. And if this person has money to have somebody help that person, in order for them not to be responsible for any falls, or anything. They fall or they get injured. They have to ask the relative if you can provide somebody to take care of her, so she doesn't get injured, or so she can eat, we will take you in here.

“So if anything happens, it's all on me and the family. See, the home is separated from that responsibility. Any injury. You dealt with the relatives. That you will take care of her. If I get injured, the company, [the retirement hotel] is not responsible for me. It's the family that's responsible. So, you have to talk. The retirement hotel has nothing to do with your injury. Not unless it happened like you slipped on the floor—it's slippery, it's watery. But if it's in the hotel room, and you're taking care of the lady like you broke your back, [then] they have nothing to do with you. You have to go to the relatives and [say], ‘Hey, I got injured.”

Nelly
“Retirement hotels are constantly upgrading those places to make them more safe for our clients with wheelchairs, making wheelchairs accessible to them, and elevators, and a lot of precautionary signs, you know, in the building. Yeah, I've noticed a lot of
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stuff...things that weren't there, ten years ago, on elevators, they're putting signs, they're putting, precautionary signs if they're going to have a drill for fire, and all that kind of stuff. They're making them very visible for them AND us, so we know what's going on from day to day, even sometimes from week to week. And if they have drills, you know, for all of us to get our clients out, they've shown us how to get our clients out in case of emergency. And a lot of things that weren't there, I think, even ten years ago…. Not...in our private homes. They do not make any changes, I guess they're not required to. They're in their own homes, you know.”

Who is responsible for medical expenses.

Most respondents felt that the government [IHSS], as the employer, should pay medical expenses when injuries and illnesses are work-related, though some also looked to their clients. The government’s role is particularly important since workers know most of their clients cannot afford to help them financially, and many workers do not have health insurance.

They state: “I want to be sure I’m covered.”

Nelly
“Well, to tell the truth, I think I’d like for the state to pay for it, because I'm more likely to get it [laughs]. Most of our clients, or at least some of them are on fixed incomes. That lady could not have afforded to pay for the therapy treatment that I had, and the driving way to Wilshire, and the doctors.... So if I hadn't found a doctor that would have found a way for it to get paid for, I wouldn't have gotten any interventions. The state is more stable when you're in trouble, you ought to be sure you're covered ... that's why I have car insurance, and house insurance, because I want to be sure I'm covered.

“Now, if the client has the money, and I'm sure they have it, I'd just as soon have them pay for it. I'm always concerned on who's actually going to be the responsible person. Isn't that why we have insurance?”

Rita
“The employer should be responsible. Well, let's say, for example in a factory, or any other business, right? Because one is hired to work for them. One has the accident at their workplace. I think they are responsible...In my case, as a homecare worker, the client I guess, maybe yes, maybe not. Maybe not because she doesn't have enough to give me, ‘Look, I am going to pay you because you are hurt.’ So that's why I am telling you, for me it's the employer.”

Elisa
“Before you ever accepted a job, you should have talked with that relative, because whatever happens to you, are they responsible for you?... You have to have a guideline. Like, you fell, helping [their] mom, or you broke your back helping [their] mom. Are they going to answer for your hospitalization or everything? Unless the
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relatives will answer for you. But I have never heard of anything like that, you will be taken care of by the family if you get hurt. That is still in my mind. If I get injured, you will answer for me? You will sign a paper…You have to see to it that if I ever get hurt, especially, if you know that the relative that you're taking care of is difficult. You will be doing the transferring, the lifting. If whatever happens to me, lifting your mom and everything, will you take care of me?”

Scott
“I think they should provide some sort of health insurance for the peoples that do not have health insurance, the County, or the state, whoever's in charge of paying homecare workers. Either in conjunction with the union dues. Maybe you could set up a program with Aetna or one of these insurances, Blue Cross, or Kaiser. Whereas, they could get a, if they had x number of employees to join, they could get a rate that could be feasible to deal with…It should be a combination of things, because, you know you're putting a lot…the government got a lot of stress on it anyway for bills and stuff like that, and the employee should pay, have to pay some of it, I think. It should be a small amount, because they're not making minimum wage so…they should have some sort of responsibility for themselves, too, I think.”

Marianela
“I know the social worker [from IHSS] did tell me that they did have workers’ compensation. As long as you get hurt on the job, because then he needs to speak to the consumer to verify exactly what happened. And it has to be, say, if I was on a ladder. And I was cleaning the walls and I fell back. I do not know if I would get paid, or like, disability or something like that because you're not supposed to be up on the ladder…So, now, if I was mopping and I slipped and I fell and I dislocated my back. That, well, because I was mopping, and it's like arm level. But if you're way up here on a ladder and you lose balance, then that's your fault.”

The union: ‘This is where your money goes.’

Marianela
“Well, I think the union should be responsible because they take money from our paycheck to pay our union dues. So I mean, that's bound to go somewhere. I know that there's other unions that have like retirement plans. When you have sick leave, the union pays for this. I'm not too much aware what this union does. I should be more aware, I mean. But I think every person who is in the union, they should get some kind of pamphlet to say, ‘Well, this is what we do, this is where your money goes.’ I know where it goes because they have told us while we're in class. But there's a lot of other members who do work, that doesn't even know, ‘Well, the union takes money out of me, but I do not know where that money goes.’”
Looking out for yourself: “Nobody will answer for you, you have to do it yourself.”

**Elisa**

“You are responsible. It's you. Because, if you have insurance, it's fine. But if you have no insurance, dear, what will you do? As I said, if I have no insurance and I will be asked to work in a certain job...I will not get that job. When I know that job is risky and hard, and lifting and everything. No. Most people who work privately do not have insurance. The relatives will never take care of you. It's your own prerogative, to leave the lady. If you are hurting, leave it. I know the daughter will never take care of it. The family will never answer for you, never...So, that is your prerogative. No government agency [will help you], I think, not unless you sue.”

**Tania**

“I cannot tell anybody. You know, my lady [the person she takes care of] has to be responsible, or her daughter or her family. ...You do your job, I do my job. And it's different, you know. That's why, who? It's hard to know who you would tell. It can happen in your house. Who will be responsible for this, you know? It just like, happened. If you go out and fall down, it's just like an accident happened.”

**Marianela**

“I told the [IHSS] social worker, in the beginning—that's why they sit down and they talk. And if you keep your mouth quiet, well, they're gonna take advantage of you [the clients]. It's supposed to be fifty-fifty but they've been doing that as long as they've been in the program. And if they can get away with it, they're gonna get away with it. So...you need to just say, ‘You have to buy this. If you cannot afford this, well, we'll go to the ninety-nine cent store.’ We'll look at the back of the detergent box and see what you clean. Whatever's convenient for them [the consumer], but at the same time convenience that you're not gonna hurt yourself. You know, like the chemicals, how you mix and all that stuff. But there's a lot of people who are quiet and they do not say nothing. Oh me, I'm not quiet. I sit down and I talk with them.”

**Scott**

“Health and safety basically is the primary thing. When you talk to the [IHSS] social workers, when they come out, they basically tell you have to do what they want you to do. But... as far as putting emphasis on safety and stuff like that, they do not really do a lot. It's something you have to adapt on your own, because, you're dealing with an elderly person and sometimes, the bones are fragile, and if they fall or something like that, it takes a while for them to heal and that type of thing. But it's just something you have to adapt yourself to...”
9. IDENTIFIED RESOURCES

Sources of information
Sources of information about health and safety mentioned most frequently by respondents included the union (SEIU), co-workers, and personal experience. Though a majority of these respondents had not heard of Cal-OSHA, a few had knowledge of the agency. In some cases, the facility where they worked provided training, and some respondents had taken formal Certified Nursing Assistant and other courses. However, the union was the most common and accessible source of information and training. The union also gave workers an opportunity to exchange information. Many respondents were eager to learn more, and they proactively sought out resources and learning opportunities. However, some felt constrained in their lack of ability to take time off for classes or to seek out other sources.

Multiple sources: “If I’m going to help….I need to be informed.”

_Elaine_

“Well, I read a lot. I read everything. If I'm going to help a fellow homecare worker, or a consumer, I need to be informed about what's going on. And I have to make sure that I'm giving them the right information. I cannot give them anything, if you will excuse the expression, half-assed, okay? You want to be on top of things. You have to make sure that you're informing them correctly. Yes, everyone should know who Cal-OSHA is and why they're there. And I think they're a very important group of people, for all of homecare workers. …Where do I get information on health and safety? A lot through SEIU, through our website. We have a website in Washington DC, where they have material on safety issues for homecare workers. The union’s done a lot. The last ten years they've been asking us the same type of questions. And they want to know how to improve it better. And there are a lot of places we can go. We can also go to the County. I can go to the Red Cross. I can call Cal-OSHA. They can send me information. So, this is stuff that I've been doing for myself, and trying to share it with other homecare workers yourself.”

_Nelly_

“All that stuff, the videos, the posters, the classes that we have here [SEIU], and just general common sense. And talking with other people. Also our training here, and then, of course what they do in the senior citizens' complexes, through signs and posters, that kind of thing, to be careful, be aware, be cautious … In the classes that they give us here, they're very thorough. All of our precautionary measures, all the stuff that will help us to be safe on the job. In fact, we're very thorough, so, outside of knowing any medical or nursing procedures that would help me, they've trained us. I'm very grateful for it.”
Union programs: “They give us good training.”

Elaine
“When it comes to safety, we haven't really seen anything where I could say it's been a great deal of improvement. I think we've [union] educated our homecare workers, and now they are following through on that. And they’re trying to pass it on. To other homecare workers. So, it's by word of mouth. You know. It's not the best, but it's better than nothing, you know?...

“…We [SEIU] have an agreement with the Red Cross to come give us a basic CPR training, for anyone who wants to qualify for CPR. We're also in the process of getting a training program where we're teaching our homecare workers how to prevent accidents. By the shoes that they wear, you know, if you wear slippers that slip in and out of your feet…You may very well have an accident…Right now it's helping the person who's doing the work. We do not know any other options that we have. We're looking into them. That's why we share so much with other homecare workers.”

Nidia
“They [SEIU] do extensive training in every area, and that is really good, from computer classes, to Spanish classes, to protection classes, how to go in and deal with people and still be very safe, not only for our clients, but for ourselves. Yeah, that's really a pull. They give us good training…We also have socials, and we have outings and we have rally meetings and stuff like that… The class last fall was a very informative class on how to keep ourselves protected and safe on the job.”

Matilde
“I been watching videos in this class, you know, about … when people is dying, what we can do, because working for seniors is hard, especially, when they are really sick. And if you get attached with the consumer, we get depressed too. So, we watch video, what we can do. And a video on how when they cannot walk, how we can take care of them. We watch video about nutrition, what they can eat, what is good for them.”

Scott
“They do not provide us with no training posters, videos, as far as the.. in home service [IHSS] is concerned. So you just have to play it by ear, and do what you could, because I have never been asked… the last two and a half to three years, to even look at a video, and that's a long time. I think the union had something here, last year. They had the thing about AIDS. I went to one of those seminars; they had the people out from D.C.”

Marianela
“I would say homecare workers get information from their peers…Other homecare workers, you know when they have the strikes, and they're out there walking around. Because I notice that the majority of people here, they all know one another. I know
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that once a month, the union has meetings in different districts. When I started school, they took down my name and all that, because they know that in my area, there are a lot of homecare workers.

“If I need to know anymore, I know that I can ask the union. Or go to the library. Right now, at this moment, I think that I'm pretty up-to-date. And I've learned a lot more because of the class I'm taking. And, also I took another class on how to protect yourself from HIV and other blood transferring diseases, and hepatitis and things like that. A precaution class, how to protect yourself and the consumer. Or, you know, like in any other predicament that you're in. I've learned a lot. But later, in the future, say, if I was to take care of somebody that was bedridden and had one of…. where you have like a tube in their throat…Before I would take on a job like that, I would try to find out as much as I possibly can, in case I forgot. I know it'll be in my memory and in my mind, but just to refresh it. So I won't be all nervous….

“As long as they offer classes here on homecare, we're supposed to have a CPR class, and also for certified nurses’ assistants, I'll be coming. 'Cause I'm eager, I like to learn. Like they say, you learn something new everyday. 'Cause you never know. You might be in a predicament, and you might be at work, and somebody might need that kind of help. Or you might be on a bus, you never know. So, it helps. You can help somebody, 'cause it's true—nowadays, nobody helps nobody. And, you know, all it takes is one person. And if one person sees another person doing something. Then they'll do it, and so on and so on.”

Alcira

“Then I started to read books about how to take care of people at home, like the CNAs, they train them and all that. You go to the library and you can find them [the books] under, for example, personal care or something. Then I started going to workshops that they give close to my house. I would get pamphlets that said, ‘Would you like to become a homecare giver? The human services’ office offers workshops on this and that…..’ It includes all the cities of Bell, Bell Gardens, Cudahy, and I think, also part of Downey, free, in English and in Spanish. But it [the pamphlet] did not say it is only for the members of, but it said for people that want to know, people who have parents with Alzheimer’s or those who have parents that are diabetic and so on and so forth. Then that’s the way I began to investigate about diseases.”

Nurses and other workers.

Marianela

“When I took care of my father-in-law, he had the hospice. So they would have nurses come in, give him his medicine. They had other nurses that would come in and bathe him. And change … the catheter… so, I would watch 'em. So, then, they kind of like taught me how to turn him to the left side, how to move the seat, how to sit him up, how to feed him, how to help bathe him, how to put him in the wheelchair without hurting him. What side to stand on, and like that. So I kind of learned. Basically, it's just things that I've learned from other people, or, I've seen, like, in a
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Rosalinda
“In the case of a colostomy that they put here, a little bag for the excrements, when they cannot use their rectum, I learned a lot about that from my son. How to do a dialysis also. I learned how to do that in the hospital, because that was like home for me. I used to stay there night and day, so I learned a lot of things, how to give shots, how to help them clean… the gadgets they had in their bodies.

“My co-worker, we have talked about this before when we get here, ‘How was your day with L., or how did you do today with R.? ’ What we did today, and the classes are very helpful. And we learn a lot, because we cannot say, ‘Oh, no, I know everything!’ No, every day we learn something new, because not even a nurse can say, ‘I already know how to do this, I know how to do that’…”

Nelly
“We [homecare workers] talked about being cautious with wearing our gloves, and I'm not really a glove wearer. Look like I need to get done faster, but we do talk about that and, if we're working with clients that are ill for whatever reason, we like to share that so the next person that's going in, they know what to be aware of.”

Rosalinda
“And I have known a lot of people who have disabled people in the family and they do not know about this resource [the union], and they do not know how to get in here. Every time I meet someone in this situation, I tell them about it, the same way as I was informed, because… why not help them in this way? Right?”

Employer-provided health and safety training.

Elisa
“I learned through experience. I took care of a person who is psychotic. And I took homecare by correspondence so they give me all of these papers. I want precautions, yeah, everything. I know how to do it. The class is free. For the correspondence class, it's your availability to attend it for your own good.

“But this is the only company [senior residence] that has all these privileges. They give you training. I'm telling you, this man who has a Ph.D. is being paid high to train you. Five days… training. What to do, what not to do. Recently they held a class on body mechanics, I think. Now and then, they give you training. For CNA's. Like, body mechanics, or dealing with people who are crazy.”
Nidia
“It was a useful training. They covered many things. There were many things that I thought I was doing right, because… I like to use my gloves. And, they explained it’s not everything that you could catch disease. But there are some. Say, for instance, when I'm dusting I like to use my gloves. Everything, I use my gloves. Washing the dishes, I use my gloves. I cannot stand it. And I use a lot of hot water.”

Self-initiated learning through books, classes, etc: “Give me a chance to…learn more.”

Nidia
“You see, when I first came here, I took a CNA class. And I was taught in the class that we workers have our rights, too.”

Marianela
“When the nurses were going to take care of my father-in-law, they would tell me, ‘Go to the library, get this book, read up this.’ Or, any book on health. Or even out of an encyclopedia, to do with the body, things like that. Or the dictionary. If I didn't understand this word…So that's what I do…or I'll ask the librarian, or the nurse, or my teacher. We have a bunch of pamphlets or modules here [union], and so whatever we do not understand, we can ask her, and she'll help us after class. Or during class [classes taken at community college]—basically it's during class.”

Lilia
“I get information from the teachers [classes taken at community college], not from co-workers. Oh no, they do not speak up. Like, when I'm in school, I'm the most talkative student there. I keep on asking questions, especially when I took up my masters’ in how to run places like this [retirement hotel]. I said, okay, here we are in school, spending eight hours talking about this. Why not go to the field where the real battle is, like in these facilities. You know, I mentioned some facilities, and the teacher, she said, oh yeah, we know places like this…I took about thirty units of psychology at LACC, and that helps me. You know, this transition of aging from being independent to having someone around with you for twelve or eight hours, that you do not know. It's something weird to them, see?…We went to take our CNA’s. Certified Nurses Assistant. And I took up my home healthcare. I took up the Red Cross. I took up this and this. Anything that I can handle, you know.”

Rita
“I learned by myself. We hear so much about it in the news, ‘Hepatitis, how to protect yourself…’ Nobody has told me, I just thought, ‘I am going to protect myself because what if I get contaminated with this?’ I have always protected myself. It’s not necessary to use masks with them because that's in case the patient were very sick. But, I protect myself. They do not give training, at least here for the homecare workers, no. They just give us training regarding the diet for the elderly, what they should eat, what they should not eat, when the patient has diabetes what he/she should eat. But not regarding health and safety.
“But we can learn about that because we hear about it. In the package, when you buy a product it says the precautions you must take. What it can cause you if you touch it…There are English classes, but that's different from the safety and health measures. The lady that teaches homecare is not trained to teach us that. She is trained to explain to us everything related to how to take care of the patient. I think that's fine.”

Learning from patients.

*Rita*
“I get some information from the news and some other from talking to the patients. They tell me, ‘Look, I have this, and this.’ And that's how. I tell them, ‘And is that too dangerous?’ ‘Yes, sometimes it is, sometimes it's not’. …Also I go to the library and get books. I get books that are interesting, about the diseases they have, about what they must and must not eat, I go to the library, borrow books, I read them.”

*Matilde*
“You know, the things I learn is to make sure that the consumer is happy, and the thing is to be there to help the consumer, and make sure that the work I doing for her is very well done, and make sure the life is keep going, you know. Because a lot of people at that age, they feel so depressed. So I try to be there like a family, somebody who they can trust, who they can say something is bothering them, you know? I'm happy what I'm doing, and I learning from them a lot of things that I never thought before. Because they have so much experience…. so I learning from them too! Even though, you know, I'm there to work, I learning from them…about life. Things can happen to me, because I’m getting old too. I going, you know, [laughs] the same way they going too.”

*Cal-OSHA.*

*Nelly*
“I heard about OSHA because we had a class about health and safety, what….you should do when you attend to the patient. How you should go about it. Lifting, using the gloves, preventing disease. And, they teach you about… this hepatitis. And like the blood and the feces, keeping sterile.”

*Scott*
“When I started, I was concerned about what was in the house that was going to be hazardous as far as health was concerned. And I took a lot of extensive training then from Cal-OSHA on health and safety, and how to prevent certain toxics from getting into your skin, and what kind of apparel to wear, gloves or whatever, to wear to keep things from getting into your flesh by going into your pores, and that type of thing….”
10. LEGAL DOCUMENTS

Homecare workers did not talk about this to any great extent, but one spoke openly about her concerns.

_Alcira_

“…..working in any place, they exploit you, first, because you are undocumented, because you are an immigrant, you do not know the language. Then there is a time when you are distrustful of everybody, and what makes you sadder is that your own people, your own culture, starts exploiting you just for the fact that they know more, or because they arrived ahead of us.”

11. LANGUAGE BARRIERS/EDUCATION

Some of the homecare workers were studying English because they saw it as necessary for their work, or as a way to get other jobs.

_Rita_

“..The thing is that I also stay four hours with her because sometimes I’m done in three hours; I finish everything I have to do, but I stay a little while with her chatting…because I am going to school. Well, I am taking English classes, because, look, I have been there for so much time, but it has been difficult for me to learn how to speak English. I know how to write English. I can understand it; I can read it, but to hold a conversation is difficult for me…..”

_Matilde_

“Well…I just went to high school in Ecuador. When I came here I was seventeen years old. I went to Los Angeles City College, going to school, when the time have available to us..learning the language. Because without English, it’s hard to live in this country….I am going back to LACC to get my English improved, so I can get a better job, yeah…”

_Rosalinda_

“….the first thing I have to do is to learn English; I have to take English classes..And I hope they keep on teaching these classes here, because they help us. Because we need them, right? I can take computer classes instead of English classes, but what do I need computer classes for now? First I want to know English, right? I already took this class, and I passed…..”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK

It was clear that workers took their jobs seriously and felt that they could benefit from more training, both to do their job better and to be better aware of their rights. Most respondents emphasized the role of government agencies in providing adequate
orientation, training, and equipment, as well as conducting inspections. Those that worked in facilities pointed out problems with their regulations and practices. Many workers felt that more attention and consideration from social workers and clients would directly improve their working conditions. For others, access to health insurance was crucial. One respondent proposed a revamping of the entire system.

Training on health and safety; information about workers’ rights: “to give better homecare.”

*Elaine*

“It has been very difficult, and there are still a lot of issues we have to face—a lot of it is money related. We [union] need to know where we can have training programs for our homecare workers. You know, a lot of homecare workers get hurt on the job, but they won’t say anything because they do not want to lose their jobs. Okay, a lot of them are afraid to.

“A lot of back injuries, that’s the number one. They do not lift the person correctly in order to protect your back. We’ve noticed that, and the trainings that we have here in our own local—and we open it up to all the locals or any other organization that wants to come. The proper way of lifting a body, in order to protect yourself...How to administer shots if you’re going to be giving insulin or something. So we need more trainings than that, but of course we need money to cover these trainings as well.”

*Alcira*

“Well what I would like to learn is, as I gave my opinion to the union, that there are many workers that would like to learn first aid, so you can get certified so if you think of changing jobs you can get recognition. People can tell that you have completed those training courses. The certificate would show that we have taken courses, that it is not only, come, work, clean up and all that, but that we also have a certificate, something that shows that we have been trained and that we know what we are doing.

“At the same time, I would like to try to get more education for the workers in regard to their rights, that is to know what the rules and regulations are. What are the rights of the workers, what holidays they have. I would also like to get more flexibility as far as the working hours go. That will definitely help us. To provide training for instance, a social worker [from IHSS] that would instruct us about our rights and about the rights of the clients.

“Oh yes, you can report them because now we [union] have a lawyer that gives you a free orientation, he is there and you can ask him what to do. There was this co-worker who got hurt by raising and lowering her patient. She never took care of it, and she developed a hernia in two disks. Her legs are numb now, and I told her to, ‘Go to the union, there is a lawyer at this particular time.’ And now they are helping her a lot. She is suing the County; she is suing the IHSS program. And I think in the future they will be more careful. That is what we need now, for all our members to be aware
of what is happening, to try for homecare workers, whether or not they are members of the union, we have rights. Many workers that are not members do not know yet what is in our favor.”

Government responsibilities: “Have people out there to see what the problem really is.”

Elaine:
“I think the County should take more responsibility…I mean, these are constituent people who put them in office. They need to have people out there to see what the problem really is. They only hear it from hearsay. When we [union] started a program where we have legislators take care of a consumer for a day…so they know what it's all about. And, a couple of them, they're the ones who say, 'I did not know you did this.' And neither does the Board of Supervisors, the City Council of Los Angeles, and neither do the people in Sacramento. They do now, because their own people have told them, ‘Hey, there's a problem here. We gotta do something about it.’ But they do not realize that we need more equipment, more better wheelchairs. We need things for our consumers and homecare workers to protect them on the job. That's why we lobby, that's why we're at the Board of Supervisors. That's why we are constantly in their face, because that's the only way they'll listen. So, we have to find other options. We go to the Ford Foundation. We go to other communities, where they have….”

Lilia
“These people [government] are supposed to be in charge of the licensing…Yeah, what are they doing? Department of Building and Safety? Building and Safety, they should inspect…That's another funny thing. Fire. Why they do not come here [retirement hotel]? Everything here is just fantasy world. Whenever there is a fire drill. Suppose the fire drill is at 10 o'clock in the morning. They get everyone out at 9:30. So what's the use? Right? So you are working with the public safety…They should [give information] to their workers. They should do an in-service training at least once a month. ..See, like I'm working here as a private contractor. I can only do the best that I can with the person that I am with. I am there, but I am not involved with whatever they are doing there. It's not only the safety, it's the immorality….”

Scott
“I think [responsibility] should be a combination…I think the employer should have guidelines for the employee to follow and a health and safety program. I think they should have something wrote up and give the employees kind of a little test on what's safe, and what's not safe. Where they have a lot of problems in California, I think, is back injuries and stuff like that, and give 'em how to lift people. Or if they didn't have a class where they could teach 'em or have a proper orientation where they could explain what they should be using, as far as the toxic stuff. They should have classes on that to ensure that the employees do not get injured. ..I think they should provide a training program, especially lifting techniques, and advise them on certain chemicals that's in the house, and you know, just do a search and see if you find certain things that you think would be hazardous to the person's or to your health….”
think it's a combination for the safety of the person at the house, it's a combination of the house, the County, and the person that's doing the providing for. I'm providing for you, I should be concerned enough to keep you healthy. I would like to see if I could write up a proposal for them to make sure that the people that is hired know these particular things, and for safety reasons, and for health reasons.”

Role of [IHSS] social workers: “She doesn’t talk to me about my work.”

_Nidia_

“The social workers come in once a year...Every November they come in. They come to my work. Once a year. ...That's it! All they do...they ask for her medication. And get my number, my social security, and I sign, and that is all. She sits right at the table. I just stand there, and she just writes....She doesn’t talk to me about my work...I feel that they should, I feel like if they have more rules for... the patients, and we want some more rules. I think that it would be better... The County should let them [the clients] know that they are not to... antagonize the provider. They shouldn't scream at them. Curse them. That's not right...tell them that you're not supposed to do windows, and you're not supposed to clean the oven with sprays.”

_Marianela_

“I think [adressing health and safety of the worker] is something they should add when they have the consumer's social worker come out [yearly]. And they should have something that the social worker should talk to the provider. And say, you know what, you need to show at least a piece of paper to show that you've had your yearly exam. And, without that paper, you cannot come back to work. You know, like, when you go to school, for a teacher’s aid, or to work as a volunteer, you need to have a tetanus shot, and then a physical, and you need to show that.

“...When you go for a job, and the person has a certain kind of illness. I'm pretty sure that they would let you know and if they do not, or say like the person has HIV, or has hepatitis, or some kind of really bad disease where they need a lot of blood transfusion, I'm pretty sure that they should tell you, so that way you know what you're getting into, so you can go in, you know.”

Insurance.

_Rosalinda_

“I would say that in the case we get hurt, whether it's because we make a mistake or... we should have insurance, a medical insurance right! We can trip on the stairway. Because we didn't stop on time, we can even slip when we are cleaning up. And I think, I wouldn't blame the relatives or the client, right? It's just something that happened, right? But if you have medical insurance from the union...”

Institutional change: “Revamp the whole system.”
Elaine

“The In-Home Supportive Services was started back in the late 60's, early 70's. The program was already obsolete five years out. We're still using the same system. It has not changed. Even though we have, a public authority, and they're… [a group of] consumers and homecare workers, okay? And they're supposed to distribute that money. Even though, In-Home Supportive Services still has control of how many hours, what the assessment is—do you see what I'm saying? You still cannot get around that. What needs to be changed, drastically, is the In-Home Supportive Services. Because it's not really helping.

“You know, whatever money they get, they'll distribute it where they feel is more needed….Without consulting…the public authority. They will tell them that. We have the disabled community on our side as well. They know how important it is for us, because whatever affects us affects them. So, In-Home Supportive Services has to be revamped…We still have a lot of the old school there. But, we know we cannot wait for them to retire or die off. We need to get people in there who understand. A lot of homecare workers who've gone back to school, me included, would like to…better this program.

“Change things at the institutional level. That's what we want to do. And more and more homecare workers are seeing that, and they want to be involved in that. We just need an opportunity. But as politics goes, and that's where it gets tricky… I've had doors slammed in my face. I've had people actually tell me to leave. I've had guards escort me out of a room. But, the fact is, they do not want us there, because they know that once changes occur, they're no longer going to have control, you know, or power. I do not want control or power, I just want things to change, that’s all. That’s all I want.”
HOTEL WORKERS INDUSTRY

1. BACKGROUND: HOTEL WORKERS INDUSTRY

Benita

“There are many new people…let’s see, there are about…five or six people who have been working there for twenty, twenty-five years. But the rest are like me, they have been working there for two, three years… There is a lady, poor lady, she is Mexican…she is sick; she got hurt from lifting the corners of the mattress…she has received several operations…now she is home… It’s okay that one does well her job, but it’s not necessary to be too hard on ourselves because you see now that you are sick they do not even call you from the hotel to see how you are doing. And you left all your youth there. Look how sick she is; they didn’t even want to reduce her load [number of rooms to clean], and she was sick from there. She is still sick, she is still sick. They have done an operation…they put in her some little plastic things. And she is going to go back to work again because the doctor from the company didn’t give her any more rest time. She has to go to work in that condition… That's not right, they put her to work and…for example, the cart we have to push with sheets, towels, everything. It weighs about 100 pounds, and we have to push it, and the carpet…is very thick. We get very tired from pushing the cart; our arms and legs hurt a lot… They have been very unfair with the workers.

“And when one tells them one is going to take a break, they do not want you to, ‘If you are going to take a break, do not leave a room without cleaning [it]. If you leave a room without cleaning I will give you a warning.’ And you cannot go downstairs five minutes…can you imagine? You have to clean the rooms, no matter what you do to accomplish it!”

The above quote reflects some of the health and safety issues hotel guest room attendants and housekeepers face on the job: (a) disabilities from doing heavy, repetitive work; (b) pressure to return to work before one is completely recovered from an injury or illness; (c) and inflexible daily room quotas that must be completed (typically, these can range anywhere from eight to eighteen rooms). In this case, because the worker referred to in the quote saw a “doctor from the company,” this injury/health condition was probably recorded by the employer, unlike many such injuries that go unrecorded for a variety of reasons.

Size of the industry

It is estimated that this is a $75 billion industry that provides full and part-time jobs at 47,000 establishments nationwide (American Hotel and Motel Association 1997). In 2000, there were approximately 1,824,930 hotel/motel workers in the United States, and
more specifically 398,320 maids/housekeepers (Bureau of Labor Statistics 2000). Currently in California, there are 193,200 people working in hotels/motels, with an estimated 42,504 working as maids/housekeepers (California EDD 2002). In the Los Angeles/Long Beach Metropolitan Statistical Area there are approximately 38,600 hotel and other lodging workers, with an estimated 8,492 maids/housekeepers (California EDD 2002). In 1998, the Los Angeles/Long Beach Hospitality Market was the third largest in the nation, after Las Vegas and Orlando, respectively, with 653 hotels and 80,800 rooms (Smith Travel Research 1998). In December 2000, a well-known hospital consulting firm estimated there were 94,341 such rooms in the Los Angeles/Long Beach market (PKF Consultants 2000). According to the California Employment Development Department (2002), there has been a 7.2% reduction in the Los Angeles/Long Beach workforce of hotel and other lodging workers since June 2001. This reduction is most likely caused by a drop off in tourism as a result of the terrorist attacks on September 11.

After September 11, Los Angeles hotel employee unions reported that forty percent of their members experienced job losses. Downtown hotels reported room occupancy rate drops of thirty-three percent (L.A. Economic Impact Task Force 2001). The Milken Institute, in a pessimistic scenario, predicted hotel and motel employment might drop by 4.95 percent in 2002. In fact, according to the state Employment Development Department, it has dropped by 7.2% as of May, 2002, compared with a year earlier.

Even before September 11, the hospitality industry, of which hotels are core, has restructured, consolidated and instituted new practices to cut costs—such as leaner staffing and increased productivity demands. Workers in luxury hotels, in particular, have had to push heavier carts with more amenities, put more sheets on beds (i.e., add another sheet that goes between the blanket and the bedspread), clean more Jacuzzis, clean more glass, chrome and marble, etc.

As a result of these layoffs, the hotel workers who still have jobs oftentimes are working harder, and are consequently under more stress because of time pressures. Although only two epidemiologic studies of the U.S. hotel workforce have been conducted to date, it is well known that hotel workers suffer back injuries from lifting heavy linens, mattresses, and pushing heavy linen carts, along with other repetitive strain injuries. They also suffer skin irritations and other problems from exposure to chemical products, and are injured because of trips, falls and cuts. They are at risk of exposure to blood-borne pathogens when they handle bloodied linens or customers’ discarded needles, and they may be at risk for respiratory disorders because of exposure to cigarette smoke on those floors where smoking is allowed and windows do not open.

**Workforce**

In Los Angeles County the vast majority of guestroom attendants/housekeepers (GRAs/HKs) are female and are recent immigrants who were born in Mexico, Central American countries such as El Salvador, Guatemala and Honduras; or in the Philippines. It is estimated that ninety-five percent of these are immigrants, and that twenty-five to
Voices from the Margins: Immigrant Workers’ Perceptions of Health and Safety in the Workplace

fifty percent of these GRA/HK workers are without legal working documents, according to a representative from the Hotel Employees and Restaurant Employees (HERE) Union (Rothstein 2002), which organizes these workers. A recent Economic Roundtable report estimated that for all kinds of Hotel and Lodging Place workers in Los Angeles County, twenty-two percent are unauthorized Latino immigrants (Joassart-Marcelli, et al. 2002). A recent survey of ten Los Angeles hotel employers found that managers preferred such immigrant workers because this kind of work does not include language or numerical skills. Latino immigrants have what these employers called “people skills.” They are perceived as working well with co-workers (provided they are of the same ethnic group) and with customers. They are also preferred because they are more likely to use “exit” (i.e., quitting a job) as a means of expressing discontent at work, rather than using their “voice” to express such discontent (Waldinger 1996).

Health and safety

In a study of 258 housekeeping workers conducted in San Francisco by researchers at the University of California at Berkeley’s School of Public Health in 1999, “More than three quarters of room cleaners reported work-related pain or discomfort that was severe enough to prompt a doctor’s visit and to result in time off from work in fifty-three percent of all cases. Only fifty percent of these workers reported the pain to their supervisor or management, and only twenty-three percent formally reported a work-related injury during the past year,” (Krause, et al. 1999).

A more recent study of 941 hotel guestroom attendants/housekeepers (GRAs) in five Las Vegas hotels found that seventy-eight percent of their sample reported work-related pain during the last year. Only thirty-two percent of these workers reported this pain to their supervisors or management, and only twenty-one percent formally reported their work-related injury. Furthermore, sixty-two percent of these workers experienced pain severe enough to visit a doctor, and fifty-seven percent missed days of work because of the pain. These workers gave several reasons for not reporting their potentially compensable work-related disorders: (1) fear of punitive action by the employer, (2) discouragement by medical providers, and (3) the need to pay medical bills.

In focus groups, the GRAs frequently reported punitive experiences after reporting a work-related injury including: having to take drug tests before receiving medical care, or the minimization of their pain and medical needs by their direct supervisors or medical care providers. With respect to work load and self reported health status, those who cleaned more than fourteen rooms per day were thirty percent more likely to report that they suffered from poor or fair health, compared with those who cleaned fourteen rooms or less. And, forty-three percent of those who made more than eighteen beds per day reported fair or poor health status, compared with those who cleaned fourteen rooms or less. Those who cleaned more than fourteen rooms per day reported severe muscular pain, twenty-five percent more than those who cleaned fewer rooms, although the association was not statistically significant (Krause, et al. 2002).
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2. DEMOGRAPHICS OF THE SAMPLE

Between January and October 2001, we interviewed twelve hotel workers. Of these, nine were guestroom attendants/housekeepers, one worked as a runner who carried things to the guestrooms, one worked in the hotel restaurant as a bus boy, and one worked in the kitchen/pantry as a cook’s assistant. Half were interviewed after September 11. On the average, they had worked in this industry thirteen years, ranging from one person who had worked eleven months to one who had worked thirty-eight years. The age range spanned from twenty-two to fifty-eight years, with the average at 43.6 years. Eight were females and four were males. Six were born in Mexico, two in Guatemala, two in the Philippines, one in El Salvador, and one interview was in Spanish but we did not learn the country of origin. Six had high involvement in the union, HERE, two had medium, and six had low involvement.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

One worker spoke of a chronic work-related back condition and how she dealt with it.

Selena

“What I did have was discomfort in my back. In the hotels you have to bend over to reach underneath the beds… you have to do so many beds. Sometimes I would get home, and I would sit on the sofa, and I couldn’t get up anymore. I couldn’t get up. And I do not know if it’s good or bad, but my reaction was to laugh. Instead of crying or getting worried, I laugh. And the guy from the union used to argue with me. He used to say, ‘You make me angry. Why, if you see they are being unfair with you and your co-workers, instead of fighting, you laugh?’ And I would tell him, ‘But how can you think that I am going to get angry at everything? Otherwise, I wouldn’t look like this at my age; I would be very old.’ Because I would get back home from work and sit on the sofa. And if I wanted to go get something in the kitchen I had to grab the edges of the sofa in order to get up, and I would laugh and laugh. And since my brother used to live with me, he used to tell me, ‘What’s wrong with you? Why are you laughing?’ And I would say, ‘Because my back hurts.’ And he would reply, ‘Instead of crying, you laugh?’ ‘Well what do I gain with crying?’ Then the supervisor… She used to tell me, ‘You know what? I have heard that many people end up in a wheelchair because of backache…’ We were friends; she would tell me, ‘I do not know if I am advising you the wrong thing, but why do not you say you fell down so they send you to therapy because that’s very harmful. You can end up in a wheelchair.’ She would scare me, and I would tell her, ‘Do you think that could really happen to me?’ ‘Yes, I have heard of those cases.’ But I never, never, what happens is that I do not like to go to the doctor, so I do not…”
Burns and cuts were frequent, especially in hotel restaurants.

_Selena_

“Well, one thinks that it is a very mild thing. One doesn’t report it…I cut myself once with a glass; I broke a glass, and I cut myself. I went to the office and I asked, ‘Do you have band aids?’ There was a first aid kit in the office. She says, ‘Why?’ ‘I cut myself.’ ‘I’m sending you to the hospital!’ ‘Ay, because of a wound? No, do not exaggerate!’ And I put on the band-aid and I went back to work. But they say that whatever happens, they are afraid of being sued."

Back disorders were a concern of many.

_Morelia_

“No. I haven’t gotten sick because of my work. More than anything it’s the allergy, only the allergy and the backache when we have lots of work, too much work.”

_David_

“My back hurts…sometimes when I have carried…when there is a lot of work, yes. Because there is an excess of trays and those are big trays, which the [labor] contract says they should weigh forty-five pounds. But…we have to put more things on top, a pile of dishes here or there. It’s pottery; it’s as heavy as a rock. And you have to know how to carry it because you have to know how to walk across the room with all that… Yes, my back has hurt sometimes when we have to move tables…Housemen are the ones who are in the banquets department. They are the persons directly in charge of bringing us the supplies…you have to unload fifty or 100 pound flour sacks. It’s like fifty kilos, and one is sweating. When I was there I hurt my back. That one is very serious, and they do not give them equipment…because, well, it’s expensive for the company.

“…A friend of mine, he was the one who had an accident, he slipped, and we had to lift him up and everything. He hurt his back, and I think he talked to the employer, and the employer got a little aggressive. But he didn’t want to be responsible. My friend filed a lawsuit, and I think he won it…time will tell…”

_Mercedes_

“…You know, they lift something. And some people, if you are doing the bed sometimes, your back is really hurt. But you know if you work straight, sometimes five days straight, of course, everyday if you are going to do like sixteen rooms, your back is going to get hurt. Most of the ladies complain their backs hurt.”

_Abel_

“Because it’s like recently, like I said, it’s an extra load for us. You know, less people work…on that day, so mostly back aches…When we do cleaning, you know, it’s too heavy. So there is less housemen working that day; you are putting more weight on your cart than you used to have. It’s extra weight, you know.”
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**Benita**

“Oh, what I have, it was because of overworking. Because when they remodeled the hotel—when they brought in the beds and everything—the housemen put the mattresses and everything. But they didn’t put on the bed skirts. So one had to lift the mattresses, throw them over to the wall, and then put on the bed skirt and then fix everything back. That was very heavy…yes, that’s how I started having that pain, and I didn’t know…I got deformed.

“…But I cannot bend over; I cannot. I cannot sit down for so long either. I cannot be standing either because my left leg hurts too much; then I do not know what I will be able to do…

“…But they didn’t want to have me in light duty. And I am suffering from my back ….it’s always the same …when I got hurt, there were two other persons who, ‘I have this, too,’ and they didn’t, because the doctor examined them and everything, and they didn’t have anything…So they sent me to the doctor. I arrived to the hospital as an emergency, and after that they said I couldn’t work. If I hadn’t had anything they would have given me medicine, and that’s it. But yes, I came back. I showed them the paper. Yes, I kept on working, but I didn’t clean up rooms anymore, but I cleaned the bathrooms, and it was still heavy work. But there wasn’t anything lighter to do.”

Stress caused by a work speed up, especially since Sept. 11, when the number of staff was reduced, was also a common theme.

**Alfonzo**

“Well it’s so much pres[ure]… I was so mad…my gall bladder got infected…..I just felt a stomach ache. I had stomach aches for a long time until I couldn’t stand it anymore, and I went to the doctor. My gall bladder was just about to burst. All this was from working under so much pressure…I mean, from the anger one gets….I didn’t have the courage to say anything….Well, I was afraid they would fire me, right? And I needed my job because I have my family in Mexico. I have to support them, and I have to support myself here….”

Some expressed concern that although they weren’t sick now, their work would affect their health later.

**Selena**

“Like this lady I was telling you about, from working so much at the laundry room, the dryer machine, the washing machines…so many hot machines…that’s how you get arthritis and everything. I wanted to stay in the laundry room, and a co-worker told me, ‘No, that’s bad for you. I know a lady who used to work at the laundry room, and all her bones were affected with arthritis.’ That means that yes, in the long run it affects you.”
Some worked with machines that were dangerous and caused injuries.

*Mireya*
“…Sometimes when we use the machine, it’s not really open, but sometimes we do not pay attention. And sometimes we put a finger in the processor, or something like that. It’s not really usual, but sometimes that happens…They lose blood, maybe the nail or something like that…So we have to report with the security, and they send us to the doctor.

“Like one time a lady cut the meat, and she tried to pick something on the floor at the same time, and she never stopped the machine. She cut like…just the tip of her finger…and the second one, the lady put the finger in the processor…”

*David*
“Because I have heard about others who have cut themselves. When it’s a deep wound, ‘You cannot work today, so I am going to pay you your day as I wish.’ Some employers treat us well, and some others do not.”

Musculoskeletal disorders was a common theme.

*Carlota*
“…There are a lot of people who have had accidents who have pain in their shoulders…their back; there’s one woman whose hands are not well.

“For example, there was a woman, she had an accident when one of the carts we push turned over on her. Those carts are heavy! And in steering the cart like this, she twisted her back, and the doctor told her that she was injured for life.”

*Selena*
“Several workers in that hotel, this woman is the sister of the woman who hurt her hand. There is another woman who hurt her back, too.”

*Linda*
“I have many co-workers who have quit working because their hands have been deformed…One woman has had two operations on her fingers, and she is out of…Why? Because of the repetition of doing the same thing everyday. It causes deformation.”

*Mercedes*
“…You know they lift something, and some people…if you are doing the bed sometimes your back is really hurt. But you know if you work straight, sometimes five days straight…”

*Benita*
“There are many…of them have their arms affected from applying polish; their arms get warm…and they have been doing that for too long. They are hurt…they are very
hurt. There is a lady who, poor lady, her arms is like, all her tendons are like this. And there she is. She is not cleaning rooms, but she is very hurt, very hurt.”

Slips/falls were common.

**Alfonzo**

“Yes, a lot of them have fallen down…many have fallen down, many, many, many. I got to see how a co-worker fell down. There was a hallway in that building… The hallway was long, and it was covered by cement. There was water and like oil spilled all over the place. They were going to their break, and when they passed by she slipped and fell down… She couldn’t work for a couple of months.

“For example, a co-worker many years ago fell down on the stairs when he was going to change the uniforms. He only had a floor left, but it was very high, and he slipped on the stairs. He slipped and fell down. I just knew that, right? I do not know if he lived; I didn’t know anything else….”

**David**

“Several co-workers have fallen down and have gotten hurt. But they have just been…minor injuries. But another problem, which constitutes a danger for us, is that they never close the place. We arrive there at 2:00 P.M., the morning waiters are leaving. Others arrive, and around 4:30 P.M. they have to sweep and clean a little. But they do not want to close for fifteen or twenty minutes. So they clean up while one is working. A boy fell down two years ago. He broke his foot twice, and he had to file a lawsuit.”

**Romina**

“One fell, and from there they started to do tests and everything. They put her back to work for another month, I think. And from then on they saw how her body reacted. The doctor saw her legs—it was in her legs—and then they did an operation, and now she cannot work anymore.”

**Benita**

“…A lot of people, a lot of them have fallen down. I mean, when one cleans the bathroom floors, one slips, and gets hit and everything… Many workers have fallen down since they are short. Maybe they step on some bucket or something to be able to reach the rail in order to hang the towels. In the shower, in the front, it’s very high, and they cannot reach. Some of them are very short, and they had to hang towels and everything. Some of them used the trash cans to step on; and many of them fell down several times.”

Exposure to cleaning liquids also caused health problems.

**Selena**

“…but I have heard of some co-workers who cannot tolerate one of the soaps they get…Their hands or eyes get affected. The day I went to do the interview in that
hotel there was a young lady arguing with the manager because her eyes were irritated, and they had sent her to the doctor. I think that the doctor had put her on disability, but they called her to work...She was arguing that she didn’t have to work because she wasn’t fine yet, but there she was, working....”

*Linda*

“...There was a co-worker who used to get a lot of allergies. She would get like an eczema on her face. But it was because sometimes she liked to mix the liquids, and we shouldn’t do that. And she used to suffer a lot with her allergies...”

*David*

“Yes, to clean the oven, and that’s dangerous for them. It’s serious, ‘Does your eye hurt?’ ‘Yes, my eyes hurt.’ He was kind of blind like this. What they did was that they fired him, to avoid healing him...”

*Mercedes*

“...The chemicals are strong... Not only to me, to some of the ladies too. It does something to their hands... do not know. It’s like burned...even only one chemical...it’s allergic like that....”

*Benita*

“Yes, the chemicals were harmful to me. I think they make you cough, or ...my eyes were irritated for awhile. But it was because of the type of soap we were using to clean the bathrooms, because...we sprayed the bathrooms like this. Then I stopped doing that because that chemical was making us....I had many headaches....there are many harmful things there.

“I know two persons...one, she cannot use the polish, because that spray is too strong, the one we use to make wood bright. She cannot use that, but she has to use it. And there is another one we used, but now I do not know what chemicals they are using...

“Allergies in my nose. I think from the liquids. One of my workmates bleeds from her nose with some of the liquids.”

High temperatures at work also caused problems.

*Selena*

“...She was having arthritis since it was very hot in the laundry room, and she had been working there for fifteen years already; she had arthritis and everything.

“Like this lady I was telling you about, from working so much at the laundry room, the dryer machine, the washing machines, so many hot machines. That’s how you get arthritis and everything. I wanted to stay in the laundry room, and a co-worker told me, ‘No, that’s bad for you. I know a lady who used to work at the laundry room,
and all her bones were affected with arthritis.’ That means that, yes, in the long run it affects you.”

Injured extremities.

Selena
“…a co-worker bent her hand once. I do not know what she did to it, but it was swollen. She went to the doctor, and they gave her disability and the appropriate papers….“

Linda
“I have a co-worker now, she broke a foot. She climbed up to hang the curtain, and when she was getting down she hurt her foot.”

David
“… He only broke his foot, right here. I do not know, but the doctor said he had three fractures. Did they cause those fractures there? He had some aluminum nails, or I do not know what metal, and he couldn’t walk…That’s one of the risks they do not understand… I fell down too, a long time ago, and I broke my elbow, here. I fell down on the cement, and they took me quickly to the clinic. I had an X-ray of my back and here where I was hurt. They asked me if I wanted to file a lawsuit, and I said, ‘No, man, it’s okay, I can work.’ They sent me home; they paid the day, and I was fine. But immediately when I fell down, they all ran and put safety cones and took pictures of men when they came to the scene. They said, ‘It was your fault. The cones were there, didn’t you see them?’ ‘No, when I fell down there were no cones there.’ They were cleaning; they didn’t put a sign; they didn’t put anything, and that’s why I passed, but they covered it immediately. They said, ‘He fell down because he didn’t pay attention because the cones were there.’ There are a lot of cases like that one.”

Romina
“… Since I’ve been here I only know two that have had accidents, because one of them sued…They made her do something she didn’t want to do…a bone from her arm came out right here. Because it was heavy, I do not know if it was trash or linen that she had, I do not know what, and she hurt her arm.”

4. WORKERS’ CONCERNS AND FEARS REGARDING INJURIES AND ILLNESSES

Fear of self injury.

David
“Yes, I worry [about my health and safety], because if we do not take care of ourselves, who else is going to do it?”
“Well, yes, one can have an accident and something...and they want you to do it in a
certain time. ‘You are going to finish this at this time and then you are going to do
this and this.’ That’s when they put pressure on and one can have an accident.”

*Linda*
“Well, sometimes I do not think about it, because if I worry I get stressed out; that
stresses you out... Each person takes his/her own risk.”

*Selena*
“Well, of course we have to worry about it. But one doesn’t really think about it until
something happens to her. And I think that in all jobs there are health and safety
problems. For example, we work with chemicals a lot, and I think that in the long run
that affects your health. So many smells, so many chemicals that one doesn’t even
know what they contain—chemicals that they even forbid you to mix because they
are harmful. They are harmful among themselves; imagine how bad that is for one’s
health.

“I think it [her job] could affect my health. At the end it could. Like I told you, from
using the same things. For example, the chemicals, or from doing so many beds and
bending over so many times, maybe that affects your back. In the long run it is going
to have consequences.

“Well I would say the conditions are bad...because one is not very informed about
the diseases or about what can happen. In none of the three hotels in which I have
worked they have told me, for example, ‘This or that can happen to you.’ No, I have
worked in three different places, and I do not recall anyone explaining that to me.”

*Abel*
“I think I could get injured. Yeah, if they keep cutting down people to work, you
know... Other people are worried Big Time!... They keep complaining about, ‘Oh,
what’s going on? It’s like...a lot of work, you know.’ It’s an extra weight for us.
And you know, we are not getting extra money...they complain about their body
aches, because like I said, it’s extra weight.”

*Alfonzo*
“There are worries in the hotel about health and safety, but sometimes they do not
provide the equipment, right?”

*Nestor*
“Yes, I do worry about my health at work, but I try to help myself. Yes, yes, I
worry....”
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Fear of co-worker injury.

Alfonzo
“Yes, there are dangerous things. We work with tools. They are the most difficult jobs, the hardest ones, and the dirtiest ones. The jobs we do are the ones that no other race wants to do, the most despised and hardest jobs—very susceptible to serious accidents.”

David
“Well, no, I do not think they worry. Because if one is sick, say a cold or fever, sometimes we have to work with water a lot, that makes you feel worse. But they have no mercy with us. They tell you, ‘Go to rest,’ and you go home. But they will take that day off from your salary. They know that we get sick from doing the job, but they won’t pay you if you get sick.”

Some brought their own personal protective equipment because they were afraid of hazards.

Benita
“Yes, the chemicals are affecting their throats...And they do not provide masks...sometimes we do not even have gloves...Sometimes they bring their own gloves. Let’s say, when there are no gloves...they also bring sponges to clean, and soap, yes.”

Alfonzo
“At the beginning there were some workers who had to throw out the garbage, and they were using belts. But now I do not see they are wearing belts. They say, ‘No, what happens is that we go to the department where they give us the equipment and there isn’t any,’ that means there aren’t any…”

There was a certain fatalistic theme that pervaded their responses.

Linda
“Well, sometimes I do not think about it, because if I worry I get stressed out. That stresses you out....it’s not that we talk about it. It’s like I told you, each person takes her own risk.”

Alfonzo
“...When we get home we do not have any body aches or pains because we are used to this. The body gets used to the work, right?... It depends on what we are doing, but a serious accident is possible. Climbing up on something, a fall... Anything can happen... Once in a while we talk about it. But mostly we ignore it. We do not pay attention, as if it didn’t matter to us. In part it’s because in our countries we have become accustomed to not being heard and also partly due to our idiosyncrasies of being reserved, to be private and not complain.”
David
“…people talk about it, complain, worry about it very little, because usually the people who work in those departments are very humble and ignorant to some extent. They are scared. When they keep quiet, or sometimes they just do not know how to do anything else…they are afraid. Even though one tells them, ‘Look, those are your rights; you do not have to accept this. Make them put something there, a fan to direct the air towards the other side.’ ‘No, because the guy on the other side gets mad because the air is bothering him.’ ‘Well, then pull up the fan; do something!’ But they refuse…”

Some worried about the chemicals’ effects, but they acknowledged that the boss was trying to protect them by ensuring that the containers had adequate warning labels.

Mercedes
“…Yeah, it’s dangerous if you are going to mix the chemicals. Sometimes you are going to burn your hands if you mix the chemicals…they have like a label, we have to put a label. We are not going to do work if there is no label. The boss will not let us take out the bottle…the boss says do not use it if no label.”

Some did talk with their co-workers about their fears.

Selena
“Oh, yes, when something happens to someone, we comment on it, since we are like a family there. They are like one’s second family at work…We learn from what happens to others. When I had just started working there a young lady had hit her head with a door, and she was there in the cafeteria with a headache. She went home, and she never came back.”

David
“They worry about the same things, the pressure, or they worry about having an accident, or about lifting heavy things.”

Some were concerned about exposure to blood-borne pathogens in bloodied linens.

Abel
“…You know housekeepers, when they strip the rooms sometimes they are not really paying attention. And you know, the linens…I know it’s a mistake sometimes when accidentally we do not wear our gloves, our safety gloves, sometimes we get the blood from the linens. It’s too late to find out if we have already touched it, or something like that…”

Exposure to environmental tobacco smoke was another concern.

Abel
“…Actually, you know, most of the areas in Los Angeles County banned smoking, right? I am concerned about that, I and people working as housekeepers. See,
because our rooms, we do not have windows. I have noticed that they put all the
guests who smoke on one floor. So when the guest smokes, it really stays there in the
room. And once the housekeepers start cleaning, all the smoke, you know…I am
afraid the housekeepers may get sick from that smoke… And they do not have, like,
protection for us. You know, because that mask that one wears is not going to help;
it’s only for dust, right? But this is smoke!”

Workers had to deal with linen dust and bacteria.

David
“…the linen sheds a lot of fluff, a lot of dust. And also, people blow their noses with
the napkins and leave them there. Can you imagine how many diseases are here? One
shakes people’s hands sometimes and one doesn’t know what disease they might
have. Most people look healthy and you do not know.

Some talked about stress and increased insecurity in the workplace caused by “Mystery
Shoppers.” Mystery Shoppers are hired by the restaurant and hotel industries to critique
customer service. Firms such as the Mystery Shopping Providers Association in Dallas
hire people who pose as shoppers, but actually only observe the quality of service
provided by workers in the service industry (Ballon 2002).

Nestor
“… And especially when the “Mystery Shoppers” came. They come and we do not
know who they are. Then, since we do not know who they are…instead of feeling
comfortable, one would feel scared, intimidated. Because instead of the bosses being
your friends, they were like your enemies because they didn’t say anything to
us…The hotel hires him to see what one does, if one steals things, if one gives things
away to the client, if one overcharges or undercharges. He studies each movement of
yours…if you scratch your head, if you scratch your nose, if you touch your eyes, if
you walk in that direction, if you are chatting with the clients…or with your co-
workers, if your hands are dirty, if your fingernails are dirty…if you are neatly
dressed, if you have your name tag here. Since he comes in, he stands at the door. He
notes what time we got in, who welcomes him, what’s the name of the person who
welcomes him, what time it was, and where did they seat him, how did they seat him,
how did they treat him, how did they give him the menu, whether the menu was clean
or dirty, how was the glass of water when they brought it to him, how much water it
had, whether it had ice or not, what time it was when one took the order, how did one
take the order, what time it was when one brought him the order. And they record
everything. When he leaves, he writes down the check number, the amount, and he
leaves. Then he sends a letter in which he writes who served him, the number. He
reports everything…how many minutes they took to bring the food he ordered…”
5. THE REPORTING OF INJURIES AND ILLNESSES

Hotel policy explicitly called upon workers to report injuries/illnesses but often they did not.

*Nestor*

“If you get burned...one reports it, and you get involved in a hassle... One has to fill out 20,000 papers, and at the end they send you to a doctor. And the doctor sends you back to work. I fell down once, and I got hurt. I couldn’t even walk from here to there...and the pain grew and grew. And the nerve twisted, and I couldn’t even walk, and I said I wanted to go home because it hurt so much.

“My supervisor and I reported it to security. When I reported it they got mad. They asked me, why was I doing that? And told me to go home, so I would feel better. But I insisted, ‘No, I am going to report it.’ Other stuff had happened to me before, but I had never reported them before. And when I went to report it I had to fill out a huge amount of papers...papers about my life history...a lot of things that didn’t have anything to do...when I finished reporting everything they sent me to a clinic. They just put me hot water towels; they gave me some drugs to numb the nerve. I had to go to therapy for several days, but it didn’t work...And the doctor told me to go back to work. I told him, ‘I cannot walk.’ And he said, ‘I cannot give you anything else...’ He belongs to the hotel...They paid the medical expenses. And since I didn’t feel better, I went to see a guy who gives massages. And he told me it was the sciatic nerve that had twisted. He gave a massage twice, and I healed, because they [the hotel] didn’t do anything. I paid him with my money...He gave me a massage, and he told me from the moment he touched me, he said, ‘You are hurt...your sciatic nerve is twisted.’

“Well, I got hurt several times, but I never reported it. I didn’t report because sometimes I was too busy... and you have to spend too much time doing all the paperwork... one is afraid of losing the job. One is afraid of complicating things...several workers have gotten hurt there. One of the bosses yelled at one of them so bad...the boss insulted him so bad in front of people...yes, a boss.”

*Selena:*

“...They had fired a co-worker who reported it [an injury] I do not know how many days later. They fired her because they didn’t believe her. They do not believe the worker because they say that, ‘If you got hurt, and it hurt at the moment, why didn’t you come to the office or to security to report it?’ No, they do not report it, and then...they say, ‘No, she got hurt at home, and now she wants to file a complaint or a suit.’... Maybe they do not report because they have seen how the doctor is....

*David:*

“...Most people do not report it because they are afraid of being fired. They would rather shut up and suffer than...Yes, I think most workers do not report it, most workers.”
“[After an injury]... I didn’t have the courage to say anything... Because I was afraid... Well, I was afraid they would fire me, right? And I needed my job because I have my family in Mexico. I have to support them, and I have to support myself here.

...Others are afraid of losing their job. They think that if they report that they are going to take their job away because they are not cautious enough. For example, a co-worker who is a dishwasher went to the kitchen, and I do not know why, the cook took a pan and hit him on the head. And he never said anything; he never reported it.”

Some perceived the safety incentive games that hotels run as actually serving as a disincentive to report.

Alfonzo:
“...So the department that has more accidents is the department that will be less likely to win. They just, to make their department look good, they do not report it. And I tell them, ‘You report it.’ ‘No, we are going to look bad.’ ‘It doesn’t matter. That’s not going to make you be in the last place. Everything that happens to you, you have to report it because it’s a way of preventing. They are not doing this to fire us or to tell you are a bad or careless person.’ I think they do it as a way to prevent accidents from happening. If in that place there are many accidents, they are going to find out why there are so many accidents. And if there aren’t, they will say, ‘Well, there are no accidents so we do not need to do anything. We do not need to invest in anything here; everything is fine.’ Even though, everything is wrong.”

Benita
“...Yes, we have a system where if during the whole month... This is kind of new. We didn’t have this before, but lately they were giving a $30 bonus that... If a worker didn’t complain about any pain, or didn’t miss a workday, or if there were no accidents, they would give us that bonus. Sometimes they get hurt, and they do not say anything for the sake of getting the $30. But I think that’s not loving herself... How can I get hurt, or fall down, and not report it? Just to receive that? No, that’s not right. Yes, it did happen. Or if someone missed one workday, they would say, ‘No, now they won’t give you anything because you missed that day.’ Because there were little groups. For example, in my group there were about eight to ten people. And there was the orange group, too; the green one; this, that, different colors. And we would always try not to miss one day, but the manager always misses a day. And he is in this person’s group; they wouldn’t get anything. If one person missed one day, the other workers wouldn’t get anything...

“It’s very unfair because if one person from that group missed one day, or got hit, the rest of the group will not receive anything even though the rest work very hard. I mean, that’s not right. And they also have a person who gives them more salary because she is the ‘star’ of, I do not know what, and they say they have even given
them a uniform...Those are crazy things they come up with. I do not know how many workers have gotten that... They are supposed to supervise their own rooms, but if a supervisor comes later and sees that the room is not well done, and if the worker is one of those 'stars,' they take away her uniform and the twenty five cents increase they had given her... I think they are acting as if they were dealing with children, winning prizes as if one were in school...You win little stars or something...”

**Morelia**

“...We have safety games...I do not remember, but right now it’s by groups. Everyone is divided in groups, by alphabetical order. And the group that doesn’t have any accidents participates for the three months in a bingo, if the accident wasn’t serious. But, if it was serious, then the group is disqualified. Not one person, but the whole group, totally, completely...and there are about ...thirty people per group...there are some people that do not report [injuries] because of the game...”

**Mireya**

“Because you know what...for example, in this requirement we have a point. The department they do not have any accident in this month, or two months, they give prizes to us. I know sometimes we win our department. They do not have any accidents for two or three months, not even nothing, nobody cut. So they want to make our group excited. Like this department do not have no accidents you know, we offer tickets to go to the Dodgers, or whatever, to motivate us to be more careful...Maybe the motivation helps for the room attendants, but not really for the kitchen...”

**Selena**

“Yes, in the first hotel where I worked we didn’t have that. But the one that had a union, they did that. They organized us in teams, in groups. There were twenty people in each team. And it was different. The people of the team didn’t have to be only housekeepers, or security, or housemen, or cooks. We were all mixed. So in that hotel...if one person from that team had an accident, that team was out of the game. And if no one had accidents, they would hold raffles with those twenty people...I mean, we were 240 employees, they made ten teams. And that team was out if one of them got hurt, or reported something like that. It’s like...to keep us quiet. Maybe they do it because of that, because many people get mad at the people who had an accident, ‘Ah, because of you, I am not going to be in the raffle, because you had an accident.’ And...they raffled TV. Once they raffled certificates to buy in Ralph’s or Food for Less. In this hotel where I work now, they say they give bonuses...

“So, I went to ask the manager [here], ‘Listen, I have heard that in this hotel you give bonuses; why haven’t you given them?’ They told me it’s because we do not qualify for bonuses because of...many reasons. On one hand, we are not having a lot of work, and on the other hand, there have been accidents. If there are no accidents, you get bonus. But if there are, then you do not. Because that money that they are going
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to give us they use to pay for the doctor of the person who had the accident. So one, as an employee, is affected anyway.”

6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

Many reported taking actions to avoid falls in the workplace.

Mireya
“In the kitchen we haven’t had any [accidents]. Because in the place they trying to have the floor very dry, and sometimes when we drop oil or something we put salt right away.”

Selena
“I have learned to try being a little more organized with my job…to avoid spilling things because one can have an accident if one leaves things in the way. For example, you can slip on a wet floor. You must use signs and things like that. One learns with time. For example, many people…take off the comforters, the pillows, and they throw them on the floor. And one can trip and fall down… And to be more organized, because you have to take them off and put them on the sofa or up there so you do not trip with anything on the floor. I have learned how to use the vacuum cleaner properly, because if the cord is tangled, you can fall down, too…”

Linda
“...I try to protect myself. I try to be a little cautious in what I do, but since accidents happen in a matter of seconds, one doesn’t know when it’s going to be your turn… For example, I try to make sure that the edge of the bathtub is dry when I stand on it to hang the curtain, because my shoes can slip when I get down, right? After hanging the curtain, I try to do it slowly to avoid falling or bending a foot…”

Romina
“Well, like I told you, you have to take precautions on how to do it …so you do not have an accident. Let’s say, if you’re cleaning the bathroom and you know it’s wet, throw a rag – a piece of an old towel—to step on…so you do not slip… And you step on it. And then you also use it to dry. Because if not, you are provoking the accident. You, yourself, have to take care that it doesn’t happen…but you always have to be conscious that that’s the way it should be.”

Nestor
“...Because when I see I am cautious as I told you awhile ago…I have to try to be careful whenever I see things like that. I have to walk carefully because I know that thing is there. But when other workers are in a rush they can fall down and get hurt… And several people have already fallen down. When there is a lot of work they have fallen down.”
Being careful with tools was another way respondents took precautions.

*Mireya*

“But I think that’s our fault, because sometimes we’re talking, you know. We do not try to be careful with what we do. It’s not really often. It’s sometimes...because our knives are really sharp. I do not want to use another knife from another person because I cut myself. You know, I better use mine because I know mine. That’s the only time I cut myself. Because when I use my supervisor’s knife or another one…”

They followed the hotel’s procedure for needle disposal.

*Linda*

“...but to take the bed sheets off, you know that’s another problem. There is a lot of contamination sometimes when diabetics stay, and they extract their blood...or they get shots of insulin...they leave the needles there. And if one is not cautious with that...Imagine one of those people, we do not really know if they are diabetics or what. So in the hotel we have the supervisor pick it up, because the soap company put a box to dispose all that.”

Some hotels provided gloves as one element of Personal Protective Equipment (PPE) but not masks. Sometimes they provided PPE only at the time of a hotel inspection.

*David*

“...the liquids can be harmful, so I am going to wear gloves. Maybe I will buy them myself, but I am going to use them to avoid getting hurt.

“No they do not give us gloves, any of that. And they do not give us anything...not even masks, nothing. They do not give us anything for protection, no.”

*Benita*

“Sometimes...they [co-workers] bring their own. Let’s say, when there are no gloves, they bring their gloves. They also bring sponges to clean, and soap, yes...But the only thing is that when they run out of gloves, that’s it. One has to take care of one pair they give her. It has to last long, and sometimes they smell bad, and one has to throw them away because sometimes they go moldy...Because one has to stick them in the toilet, right? And sometimes they get water inside or something. And the glove stays wet, and then the next day one has to use it again.”
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Morelia
“Oh yes, they give us gloves, not masks. They give us gloves…only gloves…I use them only to clean the bathroom. But there are people who do not use them because they think they lose time putting on gloves and all that.”

Carlota
“They give us gloves…The majority wear them, and other people do not use them so their hands get damaged…but this is the only thing they gave…”

Linda
“…the gloves, the hotel provides the gloves. The only thing we do not have is, imagine! Masks….the only things we have are the gloves. And that’s each person’s risk if you do not use them.”

Alfonzo
“…sometimes they do not provide the equipment, right?…When inspection came, they gave them goggles and masks; I do not know if they gave gloves and everything….they do it when inspection shows up. They do it for some period of time.”

Romina
“…If you do not bring your special shoes you can slip, and that’s the first thing, falling… But they tell us to buy shoes there, with the company. They have special soles. Other people buy them outside, and the soles aren’t appropriate for the water. And then they tell you ‘You know what? Those shoes that you have are not from the company. You bought them outside!’ And they give you…for example, if what these shoes cost you were $80, $70, and they give you $20, then you pay the rest. They start taking it out of your check, $10 at a time.”

Abel
“Oh yeah, we use gloves, yeah. Sometimes there is a time when you have too many things to do and you forget, to put on your gloves....”

Some worked slower in order to work more safely.

David
“Like for example, today I am going to get there…I am going to take it easy. I am not going to work too hard.”

Some concentrated on lifting in a safe manner.

Alfonzo
“Sometimes they have to move furniture and take them down. And then when we have to take them back up again…my back, right? Although I try, I am always careful. I do not bend over, but I lift them up straight. And then I almost let them fall. I do not care if they make noise, right? Because it’s for one’s protection.....”
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Mercedes
“Yeah, if you are going to lift something, you have to call somebody to help you…I learned it because if I do it myself my back will hurt.”

Many taught themselves how to work more safely.

Mercedes
“I learned from myself, of course. If you are going to do something, if something happens to you, nobody is going to get hurt, only yourself…Yeah, I learn by myself…”

Romina
“Windex, for example, that you use in your house to clean. It’s strong, right? The mirrors. I pour it. I do not spray it. So I do not smell it. If they’re not looking, you can do it your own way so you’re not smelling it. And that’s what I do, and I imagine that many others do too, for their own good.”

7. REPORTS ON WHAT EMPLOYERS PROVIDE

Some hotels did not provide health and safety training.

Alfonzo
“Well, they have gotten better in the sense that they provide frequent orientations to prevent accidents. We have…I do not remember how to say it in English, but one fills out a form and one writes…it’s like an evaluation about how is the hotel situation, how the bosses behave.”

Mireya
“I think we have the chef sometimes…or sometimes we have safety training, because you know I find out a lot of good things…”

Selena
“Well, they tell us to be more cautious…They tell us not to throw things on the floor, that we can fall down…To be careful with glasses because we can cut ourselves if they break, and things like that…That’s why they have those meetings, to tell us to be more careful with that kind of thing…Because if one gets hurt that’s going to be more expensive. Maybe that’s why they hold those meetings, to explain to us how to use the appliances to prevent accidents.”

Mercedes
“We receive fire training…Yeah, we have health and safety training…I think every year one of the persons, she comes to give the training to the employees…like the blood, what are you going to do if you saw blood, if you saw a needle like that…”
Some respondents were cynical about the training that was provided.

_Nestor_
‘They always have programs about that. They do announce that at work, that we have to pay attention to safety. Sometimes there are meetings, and they announce that we have to be cautious… But it’s just that, they just talk, but they do not do anything because there is a lot of water spilled all over the place. They do not wipe it off. There are broken things and they do not fix them, and one can get hurt. One can slip and fall down, and there are things in the middle. And every day it’s worse.”

One respondent thought that her hotel was trying to comply with the Hazard Communication Standard regarding labeling of chemicals.

_Selena_
‘That’s why I think they are always looking after us. For example, with the chemicals, they make sure the bottles have the label with the content. Because, otherwise imagine, if you do not know what chemicals are in there…the chemicals have to be used appropriately.”

Sometimes the employers helped the workers with their work.

_David_
‘…They help you move a sack from here to there. They help each other because they acknowledge you are working. Some others do not. If they see there are a lot of customers, they go, ‘Keep on working!’

Some employers added safety measures.

_Alfonzo_
“I just knew that a worker fell down…After that, they put another rail on the stairs to avoid workers falling down from the stairs.

“Well, they put signs. If there is a wet floor, they put the signs out. They recommend everyone that if they see a broken glass, to report it. Move it aside and take out the sign, and put it on the site to avoid an accident.”

_Mercedes_
‘The boss said, ‘If you guys have to carry a heavy thing, you have to call somebody, and help you.’ ”

_Romina_
“…Like this workmate who was going up the stairs, right? To go up to another floor…although that’s also prohibited. You have to go up the elevator, precisely to avoid accidents. That’s what they tell us.”
More cynicism about the employers’ motives was expressed.

Abel
“Like my immediate supervisor, she is not really bothered…the areas we are working on, you know, the cleanliness. So it’s like, mostly they really focus on their office where the people work.

“Yeah. And they do not have protection for us. It’s something like, you cannot wear a mask all the time, like you know the one we need because that mask is not really going to help…it’s only for dust, right? But this is cigarette smoke…

“…That gave us labels….that these materials can lead to a health problem, or this is a hazardous material. So if this is a hazardous material, how come they let us deal with it without wearing protective gear? So we ask for it, but they never provide it.”

8. WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY

Most of the hotel workers said the hotel should be responsible for making sure the workplace was healthful and safe. However, there seemed to be some difference of opinion regarding who specifically within the hotel bears that responsibility. The following is some of what the workers said about this.

Benita
“Well, I think it’s the…hotel is responsible – right? I mean, the manager. He is not the only responsible, but at least he should say sometimes, ‘Be careful with this, and this, and this.’ But sometimes they do not give many instructions like that. Lately they have been saying, ‘Be careful, do not fall down…’”

Carlota
“The hotel, the managers, because they are the ones managing the hotel…yes, them.”

Alfonzo
“The boss of course, because the boss is the one making money…because it’s his business, his work.”

Romina
“The companies…well, it must be the companies, no? Well, I think that because they have to assure that there are fewer accidents…to find a way for…workers to have less accidents. Or that they give the supervisor that takes care of all the employees, advice about how to avoid accidents, I think, no? What do you think?”
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David
“The employers are…well for the safety of the persone1, right? They are better off making the workplace safe to prevent the workers from having accidents, either Latino workers or workers of his same race…

“Well, some employers are by themselves, and some others have managers. One of them has to make sure everything is fine with the people, take care of them. Because they are the owners of the place…and it’s like they should be responsible. One has to do his share too, but they have more responsibility.”

Abel
“…The immediate supervisor should be responsible for making the place healthy and safe. And when somebody gets hurt and they go to the clinic or doctor, the company should pay the medical expense, the hotel… Because you are working …at their premises. So I think they are responsible.”

Morelia
“The supervisor and the general manager. But they want things for themselves, do you understand? They want to be okay with their bosses and not with the workers. They say that they care about us and all, but I do not think so.”

Alfonzo
“…security, they are the ones who must…because that’s their job. That’s why they are called security. They are ones who are always reviewing to check what’s in stock and what’s not. If there is something that can cause an accident they report it to the appropriate department to be moved or taken away or cleaned up, or whatever. The employer, the one who is hiring the worker, should be responsible of covering the expenses if a worker gets hurt, or has an accident, or gets sick at the workplace. Because it was at the workplace and at working hours…Since they have to have an insurance policy …..if one has an accident while on the premises, the business has to vouch for the person who has an accident, I think.”

Mireya
“The chef, I think….and the sous-chef also.”

Mercedes
“Sometimes the employee, because they do not follow the instructions…Sometimes the people working, they do something that their boss do not know…If there is an injury, the hotel should pay for the medical care…Yeah, because it’s an accident that has happened when she is working in the hotel.”

9. IDENTIFIED RECOURSES

Eight said they had never heard of Cal-OSHA; one said he had heard of it, and three did not indicate whether they had heard of Cal-OSHA or not.
Some “sued” their employer when they were hurt, others received workers’ compensation, and some paid for work-related injuries out of their union-provided medical insurance or their own pockets. One worker talked about getting safety training provided by the hotel, but usually it was training to protect the consumer, such as kitchen sanitation rules. Others received training on how to work more safely. Workers sometimes turned to co-workers for safety information. When there was a union, it provided some information about worker rights, but not necessarily health and safety rights.

**Mercedes**

“...But now it’s getting better. Yeah, because there are a lot of lawsuits already...a lot of people already are...suing the bosses.”

**Benita**

“...Because there have been around five lawsuits...Mine is in the process because the truth is, I didn’t want to do this, but... somehow they forced me to. Because the doctor told me, ‘You are going to lose your job sooner or later.’ And he said, ‘You won’t recover your health with money, but at the same time they won’t get away with it.’ And I asked the lawyer, ‘You know what? If I am going to lose my job, I am not doing this.’ He said, ‘You will lose it.’...There have been a lot of people who have slipped. For example, we are talking about housekeeping, right? But some of the guys who work in the kitchen...they have slipped with pans full of hot water, and they have gotten burned. And things like that, because there isn’t very good protection for us here.”

**David**

“The guy who hurt his back, he was paying at the beginning because the employer didn’t want to help him. But after he filed the lawsuit...and he showed the doctor’s certification and everything, which is when the employers started to help him. But in the meanwhile he was paying for everything... They know we can get sick from doing the job, but they won’t pay you if you get sick.

“A boy fell down about two years ago. He broke his foot twice, and he had to file a lawsuit...they gave him... security people arrive immediately. They take the information; they write a report, and immediately they put safety cones and then they close everything...personnel comes...the hotel covered the medical expense... the hotel paid for the time he was hurt.”

**Nestor**

“When somebody falls down? Sometimes they report it and go to the hospital and help them. And I do not know what process they follow because I haven’t talked about it with them. I think the hospital pays for the medical expense. I do not know if they pay the worker for the days he has to rest, but I think they have paid them, yes. They have paid them when they stay home. They have offered them money to stop
them from filing a lawsuit and everything, but I do not know how much, because the workers haven’t told me anything…”

Morelia
“Yes, the doctor pays [for work-related injuries]. But they are doctors from the same work. And, you know, even if you are hurt, they say you are okay and you can work. Because one workmate got hurt; she was out of work for some time, and they didn’t pay her. She had vacation, and she had to use her vacation time because she needed the money, but the doctor said, ‘You’re fine,’ but she didn’t feel well. I do not know how…they can work like that.”

Linda
“But I am talking about the insurance that all jobs have, right? The insurance that protects you when one has to go to their clinics in case of an accident, right? You know that they are not going to pay one, even though one gets hurt there. The only thing they do is they tell you, ‘You know what? You are fine, go to work.’

“And sometimes one is not okay. Since I used to travel by bus, one has more communication with co-workers of different hotels. And I have heard of many of them who get hurt, and then they come back to work two to three months later, and they get kicked out, why? Because you have gotten hurt, so they do not want you anymore at the hotel, uhu. That’s the way they find to kick one out, because they know that you got hurt there, and if you come back it’s going to happen again. Complaints arise, and you know that they do not like to pay; they call a bunch of lawyers just to avoid paying you.”

Alfonzo
“We want more information about how to protect and take care of ourselves at the workplace…that’s one of my questions. Because we do not know…we do not know…how can we say, ‘This is happening, what can we do?’ We do not know; the only thing we can do is to tell the boss. That’s it…because we do not know if there is a place or a person exclusively for… Because there used to be one…they used to tell me about him, but I do not know whether he is there anymore. Sometimes he was in Human Resources.

“I have heard of Cal-OSHA…it is where you can complain about accidents on the job, or if working conditions are bad on the job. You call there so that someone will come and do an inspection… I was a coordinator at a day labor site in Hollywood, and when I was coordinating there we were given ‘talks.’ And an OSHA representative came to speak about what OSHA does.”

Romina
“…for information about what can I do to protect myself from this liquid or from this? I do not know, I never…no.”
Employer training on health and safety.

*Mireya*
“…Sometimes we have a training class. We can, how say, about sanitation rules, like, for example, you know when we working, you know, we have to use work gloves, lots of gloves. And when we use the cutting board we have to clean…They put posters close to where we keep all the solutions. We have posters there. Yeah, like clean our hands every time we cut and clean our cutboards. And we have different colors, you know the chopping boards, we have different colors. When we cut meat, we have to use one color. When we cut fish, we have to use another color. When we cut vegetables, we have to use another color.”

*Alfonzo*
“…There have been safety programs, right? And they have….I have learned through that…I haven’t learned a lot because mostly it’s just ‘stuffing’—do you know what I mean? It’s just a routine; they just do this…just to impress us….I guess, though, bosses come and go since they have everything filed, they just base themselves on what others have said before them and go on….Then there isn’t really much change.”

*Abel*
“Well…from time to have you have…what do you call it? Like a…meeting, like a safety meeting…a training…you know prevention…how to use the chemicals…how to make sure all the chemicals we use are labeled for safety… They told us not to mix any chemicals because there can be some reactions…and the MSDSs [Material Safety Data Sheets]…yeah, and proper lifting. I learned it from my new job, because they are really aware of safety.”

*Carlota*
“They give you information in the meetings they have…in the hotel…there’s no other place or organization…they have these meetings, and they tell us how to…protect all that and ourselves.”

Co-workers were an important source of information among hotel workers. If one saw someone doing something dangerous, they warned them; they also learned from each others’ accidents.

*David*
“No there isn’t a place to get information…well some of them [co-workers], since they have been working here, too. There are some of them who have worked doing cleaning jobs. So one tells them, ‘Do it like this or do it like that.’

“…It’s a good support we give each other to avoid harming ourselves. Yes, one burns himself, and if one keeps on doing it the same way, one keeps on burning himself. And that’s how we, ‘No, let’s try to do it this way.’ Yes, among ourselves, I mean, we support our co-workers and everything… Well, to prevent falls, it’s good to try not spilling water on the floor, or oil—to mop wherever we spill oil or something
else. Wipe off very well, and dry up to protect ourselves from falls or something...We protect each other.

“…At the beginning, in the restaurants, some of us used to clean with liquids. But they wanted us to clean with towels and everything, but they didn’t give you gloves or anything, so one used to burn his hands. But nowadays...we rinse with water. That way we do not touch the liquids or anything like that. It’s a good support we give each other to avoid harming ourselves because all of that is irritating.

“…Well some of them, since they have been working here too, there are some of them who have worked doing cleaning jobs. So one tells them, ‘Do it like this, or do it like that.’ But information from co-workers or something...only from the ones who know...

“‘Yes, most co-workers have gone through that, ‘Look, this or that happened to me.’ I mean, situations with the liquids, or lifting things…

“Yeah, share with the co-workers...we are sharing about health and safety…”

*Mireya*

“…Sometimes the chefs told us about this, but most of the time we’re learning like one to the other...people talk to each other...so if you see somebody doing something dangerous I tell them.”

*Selena*

“Oh yes, when something happens to someone, we comment on it, since we are like a family there. They are like one’s second family at work. Whatever happens, we comment about it, ‘This is what happened to me,’ and sometimes it’s nice, because if one is used to do what the co-worker did when she fell, you stop doing that way to avoid having an accident...we learn from what happens to others.”

The union, in those hotels that were unionized, was recognized as a place to turn to for information on workplace and immigrant rights.

*Benita*

“Well, I haven’t looked for information about health and safety...with the union—that’s why I was going there, to get familiar with...to see what are our rights. And that’s why many workers were against the union, but I think maybe it’s something good that we are getting one [a union], right?”

*Morelia*

“…Ah, they have helped us a lot. The union has helped a lot. For example, I didn’t know that if we wash our uniforms they [employer] have to pay for it; I didn’t know that. But I, for example, I took it home. But I didn’t know that they had to pay me, and the union told me. There are a lot of things that the union has helped us to know that we didn’t know...”
Some just relied on themselves; they were self reliant when it came to health and safety.

Alfonzo
“Well, the truth is…I have learned to be cautious… I have learned to always pay attention to my protection…If I am going to lift something, I try to have the right posture and to lean on my knees, right? In order to protect my back. Every time I use the stairs I check first to make sure they are not wet. I always watch my step…”

Most of those interviewed felt that the union could help them in the areas of empowerment, networking, and securing benefits.

Linda
“And despite there is a union, there are always injustices. The union doesn’t mean that there will never be injustices. All life long, whether there is union or there isn’t, it’s going to be the same. The only thing is that there are rights that one can claim and that protect us, right?”

Abel
“…no, there is no union. So it’s like they can do whatever they want. They can fire you any time for no reason, or because we do not have a union; nobody is going to back us up.”

Benita
“Because they [other workers] say that…it doesn’t make any difference [having a union]. I say, ‘No! It means more benefits for us because maybe we can get them to give us the breaks…it will be included in the eight hours we work.’ Tell them things like that…They will give us fewer rooms; they are going to teach us how to defend ourselves, how to not let them humiliate us…and that’s maybe going to help us.”

Morelia
“I started, and I liked it, personally, because I do not like for them to treat us bad. We do not like for them to give us too much work. Even though we do not know the language here, even though we are not from here, they should treat us all equally. And I see the difference in working in a job where there is a union and in one where there isn’t a union…I know some people that worked in a place with a union. And the work is completely different; the pressure is completely different. They do not have any pressure; they do their work in peace without being pressured or anything. While we do not have anything [a union]… it’s too much pressure we’re feeling.”
Empowerment.

Carlota
“I started coming to the meetings here; they invited me…and I stay with them because with them, I feel good. I have a lot of support with them. That’s why I go to unions, since I realized that unionizing was good. I haven’t stopped frequenting them…”

Nestor
“Yes, I participate in marches, I do… Sometimes it’s helpful for me to help. I help, and that helps me to see and learn from others, what they do and what they do not… I have learned that they have done good things… They motivate me to keep moving ahead….”

Benefits.

Linda
“They told me, ‘There is a union here,’ and I said, ‘Good! Let’s see!’ Because I would hear all my co-workers saying, ‘Let’s go to the union; let’s complain with the union.’”

Benita
“That’s why we are doing this. The union is going to get involved, right? We want the union to support us a little, at least to make them give us the two breaks, because we do not have breaks.”

Carlota
“In other hotels….I was very happy because there I had a union. And there with the union I could help myself a lot, because when my children got sick I could take them to any doctor. I didn’t pay for medicines or for the consultation with the doctor… The hotel paid. The insurance that the hotel had, and that’s why I like to work with a union.”

Selena
“Whereas, in the hotel that had a union, I used to do twelve or thirteen [rooms]. Some work load was lighter, less tough, and I didn’t have any more pains…”

10. LEGAL DOCUMENTS

Some of the workers spoke of feeling vulnerable if they did not have legal documents.

David
“…Two days after I started working there the employer yelled at me, and I told him, ‘You know what? You are not going to yell at me. I might not have legal documents and everything, but I have been working in restaurants for six years, and nobody has
“yelled at me. In fact, I already have enough experience in this kind of job to not stand your yelling at me. Do you want me to work? Fine, if you do not want it, here is your apron and pay me… I am leaving.’ And suddenly he goes, ‘No, look, I apologize. I won’t yell at you anymore.’ ‘If you yell at me again, I will leave, I will throw you the apron…’

“And when you are immigrant, you do not have legal papers. You have nothing. It’s like, ‘We have to abuse him; he cannot do anything.’ It’s like some people say, they place themselves above one.”

Romina
“…Well, really the first thing I did…I went into garment work, because I didn’t have papers. I didn’t have anything, and well, I stayed twelve years…but garment work, it’s a very sad thing. There’s really no kind of benefits. Hotel work is a little [better], right? Even though they do not do what they should…that happens everywhere.”

Benita
“…I think they received an order after a year of me working there. I do not know if it was in 1999, that there was an order that made the hotels remove all the undocumented workers. And they did that…There were some poor ladies who had been working there for years, but they had to remove them. Because immigration would come, or I do not know what, but yes, now they do not have undocumented workers. Everybody is legal there….”

11. LANGUAGE BARRIERS/EDUCATION

Those without English proficiency felt vulnerable also.

Carlota
“…As I told you, my arms hurt because of the work. They hurt a lot, and only recently, that we left [were laid off], they gave us a paper …to sign that we had left the hotel…that we didn’t have an accident. The manager gave it to us to sign, but since we often do not know how to read English, I think that they only say what’s in their interest and leave it to us to interpret. Many signed it, many, the majority…people that really did have injuries! For example, there was a woman who had an accident when one of the carts…turned over on her. Those carts are very heavy! And in steering the cart like this, she twisted her back. And the doctor told her she was injured for life…And, for example, she signed the paper that day…that they brought to the meeting. Because she was on light duty, and another one was on light duty. And…they signed the paper; they washed their hands of it…they do not speak English, and they’re not sure how it works… There was a woman who spoke English. And when we asked the woman what the paper said after we had already signed it, she told us that it was a paper that said that…the hotel was giving it to assure that no one had come out injured. That’s what the woman told us.”
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Morelia
“Yes, there are many of us that do not understand English. We understand a little…and for this reason sometimes when we want to ask for a change of position, they won’t give it to us because they say, ‘No, you do not understand English very well. You do not speak English.’ But these are preferences…more than anything, these are preferences they have…”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK

There were a variety of things the hotel workers believe they needed: more information about their rights on the job; rights as immigrant workers; information about repetitive strain injuries and other work-related health problems; English language skills; personal protective equipment; more workers with whom to share the work; fewer rooms to clean; medical insurance and exams; more communication with management; safety precautions and safety signs; and a person in the workplace who would have been responsible for safety. Here are their “voices.”

Carlota
“Well, right now what interests me is knowing my rights… To know my rights, because really I feel that they were exploiting us…they were going to take away all the benefits we have there.”

David
“…And I think things could get better. The situation would be better for us if we could organize everything as a group…yes, an association that focused on immigrant workers’ rights…and I think it would be possible.”

Information about risks/symptoms.

Selena
“…Yes, I would like to know, for example, what disease is caused by moving your hips, your back, too much. Also, about the [cleaning] chemicals; that’s very wrong; I am concerned about that. For example, I would like to know what disease you can get from using the chemicals…from moving your back so much…that’s what is more affected in this job.”

Language.

Linda
“…If we went to school, if we learned the language, if we could also talk to them, just like they talk to us, none of this would be happening…I think that the only solution is to go to school, and, how do you say? And learn to avoid being discriminated…Well, information in Spanish, more than anything. That’s one of the problems that we have, since we do not speak English.”
Personal protective equipment.

*Alfonzo*

“At the beginning there were some workers who had to throw out the garbage, and they were using [back] belts. But now I do not see they are wearing belts. They say, ‘No, what happens is that we go to the department where they give us the equipment and there isn’t any.’

*David*

“For example, if I were a restaurant worker, I want them to give me gloves, boots. I want something to protect my back.”

More staff needed.

*David*

“It would be nice to have a person who could help one to unload heavy stuff. There is less chance of getting hurt if we lift everything between two persons… Or sometimes there are restaurants in which there is only one Latino worker, only one Mexican, and they do not help one. No, one has to unload everything on his own…alone.”

Medical insurance/exams.

*Morelia*

“In the first place, that they give us free insurance, because family insurance costs. I do not know how much, but it costs too much…that they give us free insurance…that they treat us better….”

*David*

“…If they truly wanted their workers to be fine, if they really do it, it would depend on the day they gave us to rest. Every month they would say, ‘You know what? You are coming with me. You are going to rest. You are coming with me; I am going to take you to the doctor; I am going to have you checked.’”

Reduced workload.

*Carlota*

“The changes I’d like to see in the hotel is that we didn’t have the pressure that we have…when they give us less rooms.”
More communication with management.

Selena
“…And I have told him, ‘There is lack of communication here,’ because one as employee is supposed to go to the manager, any doubt that one has, any problem, one is supposed to talk to him. And since he is new, too, he doesn’t know how to give an answer or an explanation.”

Safety precautions/signs.

David
“No, when I fell down, there were no cones there. It was clean; they were cleaning. They didn’t put a sign; they didn’t put anything, and that’s why I passed. But they covered it immediately….

“It’s going to cost you more than if you prevent this. If you put an extractor [ventilation system] that absorbs all the steam…give them work equipment!”

Person responsible for safety.

Alfonzo
“I do not know, maybe, like if there were a person responsible for safety on every job, which is nearly impossible, but it would be ideal….but almost impossible, because you couldn’t pay a person to be responsible for worker safety if you only had a small number of workers.”
1. BACKGROUND: RESTAURANT WORKERS INDUSTRY

Chucho
“…Well, the truth is that I like to work in restaurants a lot…I am a [food] preparer, a dishwasher…. But, well…the schedule…it’s too many hours and everything. One gets tired also…Ultimately, they give us twenty minutes to eat…That’s it, no breaks, no nothing, just twenty minutes. Even when the law says there has to be a break and all that. They do not give us any of that. [If I told the employer about that] I think he would get angry or something because we are working by contract, well by quincena [fortnight, semimonthly pay]…it’s not even the minimum…They pay us about four and a half to five dollars an hour. That’s not even the minimum….And after forty hours, it is supposed to be overtime and everything. But no, they do not even take that into consideration….after an eleven or twelve hour workday…I am tired. I get all these pains in my back, so I rest…The most common one is in the back, because one is running from one place to another working very hard, and lifting heavy stuff and all that. Washing dishes and all of that is heavy…Always at work and elsewhere. They distance themselves. They always push us aside because one is not the same race as they are. And when you are immigrant you do not have legal papers. You have nothing. Then it’s like, ‘We have to abuse him. He cannot do anything.’ It’s like some people say, they place themselves above one.”

The twenty-seven year old male from Mexico quoted above has worked in the restaurant industry in the Koreatown area of Los Angeles for the past four years. He has described several aspects of the job: (a) no breaks, (b) little time to eat, (c) non-compliance with the minimum wage law, (d) no overtime compensation, (e) back problems, (f) inter-ethnic tensions, and (g) potential for abuse of those without legal working papers.

Size of the Industry

The United States Bureau of Labor Statistics estimated there were approximately 8,270,000 people working in Eating and Drinking Places in May 2001. The California Employment Development Department estimated that in June of that year there were 965,000 working in such establishments in California, and approximately 249,300 were working in the Los Angeles/Long Beach Metropolitan Statistical Area.

In Los Angeles County it is estimated that as many as twenty-eight percent of those working in Eating and Drinking Places may, in fact, be unauthorized Latino immigrants (Joassart-Marcelli et al. 2002), working as part of the informal economy. “Informal economy” refers to that which produces legal goods and services that are not effectively regulated. By definition, “informal economy” is hidden, “under the table” and “off the
books.” It can be characterized as one where the employer often pays in cash, doesn’t pay payroll taxes, doesn’t have workers’ compensation insurance, and is unlikely to be visited by a labor law inspector.

**Workforce**

In the segment of the restaurant (Eating and Drinking Places) industry we studied, i.e., restaurants in the Koreatown section of Los Angeles, one study found that few of its employees had health insurance or access to workers’ compensation (McDonnell 2000). In this sector, the workforce, which is almost entirely non-union, often worked overtime without receiving overtime pay. Its workers often were paid less than the minimum wage, and sometimes the workers were laid off without receiving their last pay check. Because the wages were so low, restaurant workers often wanted to work as many hours as possible. For example, in another, more upscale city in Los Angeles County, Beverly Hills, Rafael Lopez Hernandez worked long days as a salad chef. He wanted to work twelve to fourteen hours per day for about two years. He planned to save his money and “go back to Oaxaca, to seek other opportunities, to do something different” (Winton, Richard, et al. 2002). In Korean-owned restaurants those who work in the “back of the house” preparing food and washing dishes are usually Latino males, and those “in the front of the house” waiting tables and cashiering are Korean women.

**Health and Safety**

The reported 2000 injury and illness rates for the Eating and Drinking Places industry at the national and state levels were less than the average for all industries, 5.3 versus 6.1 cases per 100 equivalent full time worker, respectively. And in California the rate was a little over four percent for that year. However, these statistics are not necessarily accurate. There are many unsafe conditions which these workers face, and our findings and others show that restaurant workers are at risk. There is evidence that many injuries and illnesses in this industry go unreported. A 1995 study of 100 low-wage immigrant workers in Koreatown found that about fifty-seven percent had experienced at least one lost workday and medical treatment because of a work-related injury. Seventy-six percent had no health insurance and up to seventy-five percent of their workplaces may have been without workers’ compensation (thirty-five percent said workers’ compensation was not provided; an additional forty percent were unsure whether such insurance was available to them).

Thirty-one percent had experienced work-related musculoskeletal pain severe enough that they sought medical treatment and/or lost work days. Lower back pain was the most common musculoskeletal pain experienced. Hazardous substances encountered included: particulate matter such as dust and smoke, liquids such as cleaning compounds, vapors from solvents and paints, carcinogens such as asbestos, and potentially infectious agents. The two most common types of accidents involved slipping or falling, and burns. Eighty-nine percent said they had never received health and safety training on the job. Ninety-
seven percent said that there was nobody in charge of health and safety at their workplaces (Seung, et al. 1995).

A study five years later of 100 Latino (fifty-two percent) and Korean (forty-eight percent) workers in the Koreatown restaurant industry found that about forty-one percent reported they had suffered back aches (nineteen percent), burns (about fourteen percent), and other injuries from falls (seven and a half percent), of which a little over fifteen percent required medical treatment. Fifty-one percent reported working more than forty hours per week; 26.5 percent worked more than sixty hours per week. Almost ninety percent of those surveyed had no medical insurance; only 8.5 percent reported that health information and seminars were available at their place of employment (Chung, et al. 2000).

In the summer of 1998, the United States Department of Labor conducted a random sweep of Koreatown restaurants. Forty-one out of the forty-three investigated were in violation of one or more labor laws. For example, eighty percent were not carrying workers’ compensation insurance.
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California Department of Industrial Relations. 2000. Division of Labor Statistics and Research. Table 1. Incidence rates of nonfatal occupational injuries and illnesses by selected industries and case types.


2. DEMOGRAPHICS OF THE SAMPLE

Between January and May 2001, we interviewed fourteen Latino and Korean restaurant workers who were working in Korean-owned restaurants in the Koreatown section of Los Angeles. (There are approximately 300 such restaurants with roughly 3,000 such workers. It is estimated that about eighty-five percent of the Korean and Latino restaurant workers in Koreatown are undocumented [MIWON 2002]). Ten of our sample were male and four were female. They had worked on an average of 3.8 years, the range ran from one who had worked less than a year, ten who had worked one to five years, two who had worked six to ten years and one who had worked eleven years in this industry. Ages of the interviewees ranged from nineteen to fifty, with the average being thirty-three years of age. Eight were from Mexico, one from Guatemala, and five from Korea. Five had high involvement in the organization Korean Immigrant Worker Advocates, six had medium involvement, and three had low involvement.

3. EXPERIENCES REGARDING INJURIES AND ILLNESSES

Most of the restaurant workers had themselves experienced or known of co-workers who had experienced cuts, burns, skin disorders, injuries from slips/falls, injuries from violence of co-workers or customers, or back problems.

Here are some typical quotes.

**Ruben**

“Yes, they’ve had back injuries and burns on their hands, back pains from falls, also from lifting heavy pots and heavy boxes of dinnerware. At the Korean restaurants several of the boys have been hurt...”

**Sam**

“Once I slipped down to the floor with my legs split. I spilled out a little bit of warm water on the floor while moving it from a bucket to the other. I slipped down on it...My ankle aches from time to time, as I got sprained. The employer just told me to be careful, and showed no other concerns.”

**Fabio**

“I fell down...I was the cook. The boys from the bar were there. But I slipped, we had just finished cleaning the floor, and I fell down. I twisted my ankle, but...it went away...in about four days...I went to the back, my leg hurt all the afternoon. It was numb from the blow...I didn’t say anything, she [the employer] knew that I had fallen down, but she didn’t know I got hurt....they do not care!”

**Ruben**

“As a restaurant worker, it is possible to get hurt helping the cooks to carry large pots filled with food. Also, when the floors are being cleaned, you can slip on a wet floor...
and hurt your back. Some of the workers have slipped and fallen…The only thing the bosses do is to fire the worker. The worker then seeks to get paid for the days he has worked. Some do not even do that because they do not know…”

\textit{Jang}

“In Koreatown there are some restaurants that have a room other than the hall. And to go to the room, we have to take off our shoes. And the level of the room is higher than the floor. So she took off her shoes, and then she went to the room, and then she cleaned the room….And then when she was trying to wear her shoes, again the floor was slippery. So she fell…Yeah, one of her legs was almost paralyzed because of the injury. But until she was not able to work anymore she continued to work for the restaurant.”

\textit{Hung}

“…I have always backache…”

\textit{Jen}

“There was a time where this used to hurt…Yes, like a pinch. I got a little bit scared. I didn’t want to go back to that restaurant because I had to go into the freezer too much. So there was a time when I had to lift many heavy things. I never paid much attention to that. So what I did is that I tied a piece of rag here, and I felt better after that…the employer didn’t even notice…”

\textit{Li}

“She was a cook. One day she sprained her lower back lifting a very heavy jar of kimchi alone because assistants in the kitchen were very neglectful…Then the owner got very angry, rather than concerned, about her injury…The owner neither took her to a doctor’s office nor let her be off for some days. So, she went back to the work after just a simple chiropractic therapy.”

Cuts and burns.

\textit{Sam}

“We always warn customers that it’s heavy and very hot. And we can put it on the table safely if customers do not try to handle it. But we get burnt in trying to protect customers who fidget with the hot bowl.

“A waitress is a safer job than the cook. For example, a cook often cuts his or her hand on the knife…”

\textit{Jang}

“Yeah, so, I got injured on my back severely, and on my hands. And I got a burn on it…after I got the injury, the burn, a co-worker at the time showed her own injury on her foot…”
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Efraín
“I have cut myself. And in my first job when I arrived here I burned several times….Yes, I have cut myself sometimes…But it’s not a big deal!”

Alberto
“Yes, I actually got hurt. I got hurt. Well, with the knife. I was cutting meat, and since the meat was slippery, the knife slipped. And I cut myself on the finger. It still hurts. I mean, it is still sensitive…..”

Hung
“Of course, I have gotten injured…I got burned on my arm four years ago. It took a month for the recovery. It took long since my job forced me to keep wet hand and arm. But the owner didn’t even know about my injury…

“A Latino worker cut his tip of finger on the meat-cutting machine. Although the cut bled much, the owner hesitated to take him to hospital. He just tried stopgap folk remedies such as stanching by attaching a cigar on the cut. When the cut kept bleeding despite these makeshifts…then he was frightened and took him to hospital. How dangerous it was!”

Salomon
“….in the bar where I used to work, there was a young guy who cut his fingers twice. As I told you, the knife is very sharp. It cut the tip of his fingers both times, and he still works there. But it’s not the same…”

Jairo
“….Yes, a guy burned his back with hot water. He was lifting a pan full of shrimps and he got burned. They took him to a hospital, and the employer took care of everything.”

Skin problems related to their work.

Jen
“….for example, when there isn’t a lot of work they order us to clean. And they use a liquid that produces itching. Yes, once I used it, and I got some rash here. And it was itchy. And I told them, ‘Do not you think that’s because of the liquid?’

“And…the bones of the fish are bad. Once I got a bone here, and I couldn’t remove it. And I tried to do this. ‘It hurts,’ I said. So I called my brother, and he said, ‘You know what? It’s an infection from the fish.’

“The Latino workers who work in the kitchen…and if their job is dishwashing…they have all the time…dry hands problem, and red spots on their hands, and also rheumatism or arthritis, yeah…”
Fabio
“Yes, a friend of mine who had gone to work for three days—he got rashes all over because of the chlorine. And he didn’t want to go back there, but he was more allergic than me.”

Customer/co-worker violence.

Yi
“This is my wound [points to lesion on face]. A customer hit me. It was a month and a half ago. They did not compensate for this. They paid only for my wage claim. They didn’t even say sorry. This is why I am not working now. In fact, I cannot work with this face…”

Jairo
“…I have a friend. He used to work in a restaurant, and I do not know what the cook told him. But he didn’t hear him, so the cook hit him on the head…”

4. WORKERS’ CONCERNS AND FEARS REGARDING INJURIES AND ILLNESSES

Most of the workers worried about the possibility of getting injured on the job. Some were aware that they might not have experienced health problems so far, but that what they did at work could affect their health in the long run. They were also concerned about what they would do if they got hurt, since the employers often did not provide medical insurance or workers’ compensation. And they did not know who would take care of them if they got hurt.

Some sent money back to their families in their home countries, which would not be possible if they got hurt. Those in entry level positions, the dishwashers, felt particularly vulnerable because they held low-skilled jobs and were usually the most recent immigrants, and often undocumented; if they got hurt on the job, they worried that they would be fired.

Alberto
“…almost all kind of jobs can harm your health…I mean, because it is heavy-duty work, and it affects one when time passes by. Of course, it will not affect us right away. But in the long run, yes, it will affect us…I mean, in the long run, it’s going to affect us…in many different ways. It can give us a disease from working too hard. It could be on the head, the feet, the shoulders…..”

Sam
“I’m okay so far. But, I heard that we cannot do this job for a long time since it gives pains on the shoulder or arms…Only the daughter of owner has been working for about one or two years. All other workers have been working for several months…
“People are much worried about this…Since the size of the restaurant is generally small, the absence of one employee due to any injury can be critical in the operation of the restaurant. So they are worried that they might be fired if they get injured.”

Hung
“The probability of getting an injury is high…We might cut our hands on knife, might get burnt as we handle very hot things, might get aches in the back moving heavy things, and might slip as the floor is wet.”

Fabio
“Well, yes…I worry, I mean, I am concerned about getting hurt…But the one thing that worries me more is my family. I mean, I am not worried about myself, no. I worry about my family because if I get hurt and because I am the one who sends them money….”

Jairo
“Yes, sometimes it concerns me because I have relatives…But they are not like brothers, or parents…Because it’s very different if you live with your parents and you get hurt. You at least have a place to stay. But, well, it’s a little like that when you do not have very close relatives, but at the same time you get used to being on your own…”

5. THE REPORTING OF INJURIES AND ILLNESSES

As in the other industries reported here, there was a fear of losing the job if one reported an injury or illness. Respondents also feared being reported to the Immigration and Naturalization Service. Many felt the employer did not care if they got hurt and would not assist them in treatment of injuries, that it was up to them to care for themselves. They felt they could be easily replaced, although there was an understanding that if one had more valuable skills, then one would be less at risk. So workers with more experience felt they could report an injury or illness. Also, some Koreans said that their culture did not consider certain injuries serious.

Those who did not report had this to say.

Fabio
“I just told the cook. I mean, he picked me up. Because at the beginning I couldn’t get up, and I asked him to help me to get up. He lifted me, and he asked me what had happened. ‘No, I slipped.’ I went to the back. My leg hurt all the afternoon. It was numb from the blow. I didn’t say anything to him. I mean, since I am supposed to not be an…I didn’t say anything [to the employer]. She just knew that I had fallen down. But she didn’t know I got hurt. They do not care! That’s the only accident I have had. I fell down in the kitchen.”
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Ruben
“I think that if accidents were reported to the state… but this is a risk to the workers, because the first thing they do is fire the worker. Any report or claims made to the bosses means a loss of your job.”

Alberto
“People do not say anything to the employer because they are afraid of losing their job. I mean, because they are afraid, because a lot of people need it [the job], and a lot of people do not have legal papers to get jobs…. They have told me about it [someone gets hurt and reports it to the employer]. I haven’t seen it. But yes, it always happens. Or sometimes, the employer stops liking the worker, and at the end of the month he refuses to pay him. And what he does is that he threatens him with the INS, and that’s it. People cannot do anything else because they are illegal here in this country.”

Jen
“In those restaurants, one is sick and one is working. A lot of people work because they are afraid they are going to lose the job. Because the employers are not aware of our situation. There they treat us mostly as if we were ignorant.”

Hung
“I got burned on my arm four years ago. It took a month for the recovery. It took long since my job forced me to keep wet my hand and arm. But the owner didn’t even know about my injury….I couldn’t talk to him. The owner would be uncomfortable with the injury of an employee. That may hinder the work. Further, it was probable that he might fire me for the hindrance to work. I think it was the case at that time. They might fire an employee on the very day of the accident.”

Many expressed the feeling that their employers did not care if they got injured.

Jang
“Although the owners looked at my injury, and owners knew about it, they didn’t mention that I had to take a break, or I had to take some time to take care of my injury and then come back. He never said that… employers do not like to have injured workers…”

Some said cultural factors kept them from reporting.

Sam
“They do not say if it’s not that serious. I do not understand the mentality of Korean workers in the US. If I say I got a very bad flu, other people worry that I might be off the next day, resulting in more weeks for them. So we do not usually talk to others that we’re sick, if it’s not so serious that we need to go to hospital…. “
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Yi
“Korean workers do not say when they are wounded a little. I was like that, too. When I get a cut or something, I do not tell them. It is because I do not want to be seen as somebody who begs money for everything…Sometimes waitress help kitchen workers with garlic. Preparing garlic, we may get cuts and bleed. However, we just treat it with band aids. I guess other workers would do the same thing.”

Some say they just did not know their reporting rights.

Jairo
“Well, I think that the one who knows the California law is more likely to report it to the employer. But some people do not know anything. And well, if you do not know, if you just arrived and you have an accident, and the employer knows you just arrived, he is going to scare you, and you refrain from reporting it.”

6. REPORTS ON EMPLOYEE-INITIATED PRECAUTIONS

Some workers had given thought to safer ways to do things, others had purchased personal protective equipment and brought it in to use on the job, while others had been vigilant about working safely. Self-initiated precautions were the main ways people kept safe. Some had filed lawsuits in an effort to get the employer to change his practices.

Here is what one worker who had been thinking about safety said.

Salomon
“…one makes sure the gas valves are locked. I am very cautious, even at home. I always make sure to lock the gas valves. I always bring boots so that in case I fall down or something while one washes the dishes, which we continuously do, that way one doesn’t get his feet wet also. If one uses a sharp tool or something, one has to be cautious, too. You can cut yourself or something. Many things can happen to you. Check the roof [ceiling], everything, to avoid something from falling on you. To clean glasses, one has to make sure the glass is safely placed to prevent it from slipping….not to spill water. The floor is sometimes very smooth, and people sometimes are not paying attention, or even one can slip…”

Fabio
“Oh, oh yes! I mean, only in the space where I stand a little, I mean, is wet. But since I am the only one who is washing there, I already know how it is. I know how to step on there…

“I wash with hot water, but at a normal temperature. Just as hot as my hands can stand it.

“At the beginning…to wash some rags, towels, we used to wash them like this. I hurt my hands a little. Yes, they were eaten away by the chlorine because we used a lot of
chlorine. But I have gotten used to all that...Here I do not even use chlorine, just for the water to clean it. But in the other restaurant we had to wash a lot of rags...”

Li
“We use carts only when we clean the tables. We just think that there’s no other way, but just to be always watchful. I have thought of using the cart while serving...I think it’s dangerous to use a tray because it may shake hot soups. And it’s not easy to move carts or trays because of narrow space. Further, owners would not allow us to use carts. But, if we were allowed to use them, we would use even if it slows down our work. Another way to mitigate the danger of being burnt is to use a somewhat bigger bowl for the soup...”

Jen
“It has gotten better because people is letting them to take advantage of them...there are many suits filed, that’s why it has gotten better. I have seen it because...there is a restaurant sued by $150. And awhile ago there was a vacant position, and how much did they offer me? $300, the same employer, so what? He has been sued and he is not going to change?”

Jairo
“...to avoid slipping, you need to make sure that the floor is dry, that it’s not wet or damp, nothing. Because if it’s damp you can slip. And well, you will always have to make sure the floor is not wet. And the workers must be careful too to avoid getting injured.”

Personal protective equipment.

Chucho
“Sometimes I use a back belt...Yes, sometimes the employer lends it to me, but not any more. I have mine...and I have asked the employer, ‘Listen I need gloves or something else to do that job.’ And they have done it...”

Fabio
“...and since we had to work so fast, I felt like the gloves were more like an obstacle. I mean, there are some gloves there, but...they were uncomfortable to me...Just to clean the plugholes and everything, the sinks, we wore gloves only for that...”

Sam
“It’s not easy to work with hands in gloves. In most cases, we get burnt in trying to protect customers. We always warn customers that it’s heavy and very hot, and we can put it on the table safely if customers do not try to handle it. But we get burnt in trying to protect customers who fidget with the hot bowl.”
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Efrain
“Sometimes we use those fabric gloves to cut fish because it’s very cold. It’s frozen, so we have to use gloves, but that’s just one day, Fridays for example.”

Salomon
“They give us everything…gloves, soap, fibers, everything, the tools you need.”

Alberto
“Oh, because I already know what kind of material I am going to use, or how I am to protect myself. One just protects himself more in the back…..how have I learned? Well, because it was already starting to affect me in that restaurant where I used to work…It was affecting my back. It was starting to hurt. I bought a back belt to protect myself, and that’s how I stopped feeling..pain..I didn’t feel it very….

“Like if we are going to clean the floor, to wear boots, to protect our feet, right? Because you can get your shoes wet, and then everything starts hurting…But they never gave us anything…no gloves to protect from burns or hot water…”

Jen
“Well, I have seen that some give body belts. They give body belts. …I have seen that in some other places they give them protection. They give them everything. And I admire myself because one buys his own stuff. I buy my own stuff that I use, from my pocket. Other employers buy protections…some employers who give us gloves like the ones that nurses use, some restaurants give that to workers, some others do not. The inspectors [county public health inspectors] force them to have them, they have to….

“Once the gas was spilling out, and it was strong; The cook had a headache from so much gas….I was smelling the gas, and what did I do? I went to the pharmacy, bought a mask from my pocket. It hasn’t gotten better….And what did the cook say, ‘Where did you buy that?’ He went to buy one for himself, from his pocket too, with his money.”

Jen
“I put on two shirts to protect myself when they send me to the fridge. I go very quickly. I protect myself.”

Li
“We do talk to the owner. I just convey our requests implicitly through jokes. Then he takes those just as jokes. Actually, the best we can do by ourselves for our own safety is just to prepare a first-aid kit, including bandages and ointments for the cut or burn. That’s all. But this is actually what the owner is supposed to do. So, I insist that we should ask him to do it. But our waitresses never ask him.”
Salomon
“I quit, because I worked for her for a long time, and there was an occasion when I asked her to raise my salary because I was picking tables up and everything. She told me, ‘Wait, wait,’ and the type of job I did there was too much. I worked for her for a long time until I told her, ‘You know what? I work for you only until this quincena [fortnight]. I am leaving.’ But that was because I decided it. She didn’t tell me to go. And I found another job.”

Alberto
“…my ideal job would be…If I am going to work in a restaurant, I want them to give me gloves. I want them to give me boots. I want them to give me masks. I want them to pay me. I want them to give me an hour to eat. I want them to teach me how to use the knife. Do you know what I am saying? If I am boss, and if I am going to work every day at the same place, that’s how I want it. And how do you want it to be? Now you are the boss, like, ‘I do not want to get back home with discomforts in your back, your hips…”

Salomon
“Do the workers tell the employers those recommendations? Not much, because one is afraid that they will tell you, ‘There is no more job for you.’ And many times, one doesn’t demand anything for that reason. One is afraid of telling the employer, ‘Buy me a pair of boots.’ One thinks to himself, ‘No, he’s going to kick me out. No more job.’ That’s how they defend themselves. They tell us, ‘There are more people who want to work and who will not complain so much.’ But it would be good if we demanded that. I mean, according to the type of job, we should demand the appropriate tool to work and take safety measures.”

7. REPORTS ON WHAT EMPLOYERS PROVIDE

Respondents mostly felt that their employers were not concerned about, and not willing to make, health and safety changes in the restaurants.

Alberto
“The employer did nothing…nothing to make the workplace safe and healthy…no. It’s still the same…we used to clean the floor almost every day in the restaurant, but they never gave us anything…”

Jairo
“I do not think so, because when you start working in a restaurant it is the same thing as when you leave. You start working, and when you quit it’s the same. I do not think there is a difference. When something is broke, they change it. But when it breaks…they do not do anything, ‘son bien codas.’” [They are stingy, cheap.]

Several workers felt their employer did give some safety guidance and was open to suggestions.
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Fabio
“And the truth is that they used to tell me...there were some boards that to finish faster I used to lift the three of them. That was like for the three of them, about fifty kilos, equivalent to 100 pounds. I used to lift them. They used to tell me not to do it, because I was going to get hurt. But I wanted to finish early because I wanted to leave. I wanted to finish faster. They used to tell me I was going to get hurt; and I did it. I mean they were right...they used to tell me that. And why wouldn’t I pay attention to them? Yes, they used to tell me, and then I said, ‘Okay,’ and grabbed one or two tables only.”

Efraín
“They usually recommend us not to use hot water so much. That helps us, and it helps the employer...on inspection day [when county public health inspectors arrive] the hot water has to be at a certain degree, a certain temperature.”

Salomon
“...for example, in this place where I work now there are some ...that are very heavy. The lady tells me, ‘Easy!’ She says, ‘Just fill it up half way because it gets heavy. This is going to hurt you!’ I told her, ‘Do not worry, lady, it’s okay.’”

Hung
“Usually, the owner accepts our suggestions and corrects problems associated with our safety, before inspectors visit the restaurant....Owners immediately replace old and worn-out tools because they lower the efficiency of work.”

One respondent recommended that more workers be hired so everyone could work more slowly and safely.

Ruben
“To have a few more workers, as there are one or two workers who are continuously rushing to get things done. This causes accidents. They hire a Latino who has to unload and place merchandise, washing dishes at the same time, always running, causing accidents and injuries. The bosses should hire more help to maintain the safety of his own businesses. But he doesn’t do it.”

8. WHO WORKERS BELIEVE IS RESPONSIBLE FOR HEALTH AND SAFETY

Most restaurant workers answered that the employer is responsible for making sure there are safe and healthful working conditions. Some thought it was a shared responsibility between either the employer and the worker, or the employer and the government.
Employer responsibility.

**Jairo**
“The employer should be... the business owner... because he is the business owner. He must protect his workers very well. He must make sure nothing happens to them. Well, maybe not immediately. Yes.”

**Alberto**
“Well, the employer... why? Because he wouldn’t want to have a hurt worker.”

**Yi**
“Of course, the owner is responsible.”

**Hung**
“It’s the employer... We just work for the given work hours and do not have a financial capacity to improve the work environment. Once a fan in the kitchen was out of order. But, the owner deferred fixing it for quite a long time on the pretext that he couldn’t afford to do that. He didn’t fix it until I complained of my headache.”

**Salomon**
“The employer. I think the employer should be responsible because that’s what inspection exists for... inspectors that come each month. Sometimes they do not give notice. They are responsible to have everything in order. Of course, one supports them, too, right? Putting everything away, cleaning, where the extinguishers go... The most important thing is the cleaning, the bathrooms, everything. The inspectors come and they give you a letter. They verify everything. They verify that there is hand soap. Everything must be in place.

“The employers should supply the worker with boots to start with, right? Or to give them goggles if they are going to clean, or to cut onions... Because we have to cut sacks and sacks of onions... Then they should give one protection equipment. They should watch the worker to make sure what he’s doing. For example, the ladder should be properly set to avoid the worker from falling down. Or many details, they should demand that from us, right? And I think there should be joint efforts from the workers and the employer because they are responsible of, well, anything, not just of the workers, but of the people who come and go, yes…”

The theme of shared responsibility between employer and worker was also evident.

**Sam**
“I think both the employer and employees are responsible for it. Workers should suggest to the employer that the safety problems be eliminated from the workplace. But some owners never respond to the suggestions from workers. The slip-proof mat had to be spread out on the floor of the kitchen in the workplace where I sprained my ankle. A Latino worker told me that health inspectors had indicated
that problem whenever they came. But the owner never corrected the problem. Rather, he was just expecting that a new inspector would come in the next inspection, since a new inspector doesn’t talk about the previous inspection….”

*Fabio*
“The employer, he must look after…one. Because we are there, because we need it. We have to do our share, but he also has the responsibility of supporting us…..I mean he should try to see if one is really sick or not…Or he should see what’s going to be done. I mean, he is the one who has to see that…”

*Efrain*
“Well, I think that the worker and the employer are [responsible]. The worker can be…more cautious, or, I do not know the right answer…The worker can stop using so many liquids, hot water. I do not know, many things. The employer should be aware of what the worker is doing, ‘How are you doing? Are you okay?’ I think that…”

And some thought the employer and government should be jointly responsible.

*Ruben*
“The owner is directly responsible…Because the owner does business and has business.. and well, it is the business of the state to make sure. They need to check to make sure the owner is in compliance with the rights of the workers. And I do not think the state checks. They actually do not check on any of that. Well, then the state is also partly responsible…They would have secondary responsibility, and the owner would have primary responsibility…They are the two that are responsible for that.”

*Jang*
“First of all, I think that the government [is responsible]. If the employers…when they like to open their place, government has to inspect the papers like workers’ compensation, something like that. If the documents are not ready, they shouldn’t be allowed to open their place.”

*Jen*
“I have heard there are laws in California and everything. But, if there were really laws they would be checking, wouldn’t they? They would go to see the workers to check if they are treated well, if they are getting paid what they should. But there isn’t! I worked for seven years in a restaurant, and I never saw…I think that since they do not check on the employer, the employer feels in a higher status. He takes advantage of the situation. …The law is not being enforced.”

And one spoke very forcefully about the importance of workers taking on the responsibility of speaking up.
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Li
“I think waitresses are responsible for it [making the workplace safer and healthier], because they do not want to argue against owners. I’ve talked about it often, and even quarreled with other waitresses. Of course it’s the money that we’re the most sensitive to. I insisted that we should request the owner to pay [for medical services]. I tried to persuade other waitresses that we should not pay this. Other waitresses all agreed to my opinion. They said that I was right, and they also knew it. But they said that they could not tell the owner because they do not want to lose a job.”

9. IDENTIFIED RECOURSES

Of the fourteen workers interviewed, only one had heard of Cal-OSHA as a resource to turn to if there were job-related health and safety problems. Eleven had never heard of Cal-OSHA, and two did not say whether they had or not. A few knew that if they got hurt the employer was supposed to provide coverage under workers’ compensation, but most said that this did not happen. Their main source of information on health and safety was through co-workers and friends. Employers did not generally provide health and safety training for them and were not identified as someone they could go to if they had a health and safety problem.

Regarding Cal-OSHA.

Ruben
“Is it the state that makes the laws? Yes, I’d be interested in knowing where that is, and is it state or federal? Yes, I’d be interested so I could possibly go pay them a visit…yes, to take more information back to the group…”

Li
“Because my status is not legal I cannot request any benefit as well as the inspection. And it’s not easy for us to live in areas outside Koreatown. We cannot disregard the connection or networks since we need to live and work here. So, we do not like to get in trouble with employers. We may get help from that kind of agency, if we have a big accident like getting legs broken. But, another problem is that it’s very difficult for many Koreans to visit this kind of public entity because of language barrier.”

Regarding legal recourses if there is an injury, many of the restaurant workers interviewed relied on the worker center Korean Immigrant Worker Advocates for this assistance.

Ruben
“Well, one should make a claim to the owner…to see if there is coverage or not. Then, one needs to check it out or see a lawyer to get a claim going. There should be business insurance. The owner needs to be responsible for what happens to me.”
Most said the employers did not have, or did not want to pay out, workers’ compensation insurance if a worker was injured on the job.

Sam
‘I do not know about it [if the employer has workers’ compensation insurance]. But he must have bragged of it, if he had insured us. When I worked at the other restaurant, I was informed of the detail on the insurance. The employers who have the insurance must brag that their policy is so generous. But I have never been told about it here…..

“….health and safety are important things. I’d like the authority to issue a business license only when the restaurant insures employees. For example, fire insurance or earthquake insurance is mandatory when selling and buying a house. I think the insurance should be mandatory also for the restaurant business. Otherwise, Korean owners never do it. There is even a funnier case. Only one worker is insured just for the demonstration in some restaurant with as many as seven or eight workers. So, the insurance is provided merely because of displaying. Even if they insured employees against accidents, they hardly use insurance money because it raises premium later….Further, many employers had not even paid for the medical treatment as recently as five years ago. That’s why many employees are concerned about getting insured.”

Ruben
“Well, if one gets sick continually, or at least those of us who wash dishes, because usually as Latino when we get here the first thing we do is wash dishes because we do not know how to do anything else at that time. So we’re the ones who get sick, or sometimes the cooks, because they’re near the heat all day and then for a moment go to the refrigerator and get chilled. Then later, they wind up with pneumonia or a cough or a cold or something, and no one takes responsibility in those cases besides the worker himself who has to pay his own expenses.”

Li
“….Many Koreans run restaurants in the malls owned by American citizens, and they employ both Koreans and Americans. I heard that they pay for overtime work of American workers, while they never pay to Korean workers. Further, they do not get angry with American workers and cannot fire American workers easily. But, they do to Korean workers. It’s ridiculous. I’m not sure…They might have accident insurance providing against big incidences without our knowing that. They may have it if it’s mandatory here in the U.S. But I do not know who gets benefits from the insurance. I do not know if the owner would use the insurance for us or fire us not to raise the insurance premium when we want to use the insurance…”

Hung
“I learned that there is an accident insurance for employees through the labor consultation office. I had not known about it before. I had thought that we had to
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take care of our injury on our expenses. Now all laborers know that they get medical services provided by the insurance when they get injured. But, we also know that the insurance is just perfunctory. Employers insure employees against an accident just to avoid fine, but not for the sake of employees.”

_Jang_
“…she made an appointment with the nurse in the health center. And the appointment was in the morning, but she had to wait until late afternoon. And...that happens many times because she didn’t realize the reason why she had to wait so long, although the person who came later than her was treated first. And one day she listened to the conversation between Korean workers. Probably they didn’t know that she can understand Korean, but she heard that the two nurses working in the hospital said, ‘What do we have to do for the workers who do not have workers’ compensation? What do we do? What do we do? Do we have to take care of them?’ Something like that, so she was really disappointed at that time. And she realized that the reason why she was ‘on hold.’ But the center was a government center. If workers have...workers’ compensation they can collect the money fast. But they also know that the workers who do not have workers’ compensation, it does take around five years to collect the money for getting the treatment….”

_Efrain_
“…and what happens when you get hurt at the workplace is the cooks, or the waitresses, support you. They give you a bandage or they let the employer know. The employer doesn’t do anything...they do not cover the medical expenses…”

_Yi_
“…the customer threw a dish. A cook was hit by that on her toe. She went to the hospital. I do not know if my boss is aware of that. And there is a vegetable cutter. A Mexican employee put his hand in it. His hand was completely ruined, I heard...The owner paid for his medical treatment, but did not compensate for the days that he could not work. He did not take care of him to the end…”

_Li_
“There should be an accident insurance for employees. I think waitress job is very tough. We always suffer some pains because we work standing all day. But, if there were insurance, we would feel much more relieved. And we are always in danger of being burnt because almost all Korean restaurants have the dishes contained in very hot pots….”

_Jen_
“...several times I have gone to the hospital. And sometimes, since I do not have enough time, I go there, and they tell me, ‘You have to go the clinic close to where you live.’ I replied, ‘But, it’s an emergency, young lady!’ ...It’s a rare case that the employers pay. The next day I went to work, and he said, ‘How did you get that? Why aren’t you careful?’ As if that wasn’t enough, they also yell at you. I do not say anything. If I cannot work what I do, because I know how they are, I tell them, ‘You
know what? I will send you a list telling you until when I cannot work.’ Because I want them to be witnesses. Then if they know I cannot work for a week…they know it’s because I got hurt at the workplace, and they won’t pay me those days….No, they never paid me those days.”

Hung
“When I got injured a few days ago, he provided me with medical service in the hospital. Then, I asked the owner if the service was paid by the employee insurance against an accident. As far as I know, he paid it from his own pocket. He just is nominally insured and doesn’t use it even in an accident because it doubles the premium.”

Some turned to the media to get information about health and safety and their rights as workers.

Fabio
“I have seen ads on TV about organizations that can help one. But…they just show them very fast…”

Jen
“…the few things that I have learned, I learned them from the TV, that one should not let others abuse him/her…that one has their rights and everything…How to protect yourself from liquids and things…Because there was a time that the meat, I do not know what disease they transmitted…I got scared, because I saw it in the news. So from there I handled the meat with care.”

Yi
“I enjoy reading the newspaper. In a newspaper they always talk about illegal immigrants…or how to get a Green Card…there is no useful information about Korean community. I know that I should put effort to get information. But it would be better if that kind of information were easily available…Newspaper companies are making their living with the money they receive from Korean business owners so they do not want to irritate Korean business owners. That’s the problem…”

They turned to co-workers or friends to assist them.

Alberto
“Well I was going to a clinic…I ran into a friend and he told me that they were giving free vaccinations there…If I wanted to know how to not burn myself I’d go to co-workers or other people…the employer? I doubt it…”

Chucho
“When I have a question how to protect myself or how to be healthier I get that from friends…here we talk about work-related issues…I mean about what this center [KIWA] is all about.”
Sam
“We talk to the workers with whom we used to work together before, rather than companies in the present workplace. We meet personally outside the workplace as friends and sometimes talk on these issues. We do not talk to the owner or co-workers in the present restaurant on these issues.”

Jairo
“I have asked many of my friends, ‘If you have an accident, what do you do first? What would you do if you have an accident?’ …They say, ‘I rest for one or two months.’ And I have told them, ‘If you have an accident, wouldn’t you get help or go to an organization that can help you…or get a lawyer?’ ‘No, because the first thing the employer is going to do is to investigate your legal status and everything. And when they find out that I am illegal in this country, maybe…I do not know…they can call immigration or something.’ That’s what they are afraid of. But if you are in an organization, and you have lawyers to represent you, and the case is not so serious, I do not think the employer would do that.”

Jen
“Yes, they talk among them. Sometimes they even say, ‘Uhhmm, do not do that! You are going to get sick!’ But if one doesn’t do that, the employers are going to say, ‘He doesn’t want to work.’”

Hung
“It is not the employer, but senior workers that train a new employee. Since each restaurant has its own rules or practices, a new worker has to learn those things, even if he or she has experiences as a cook in other restaurants. It usually takes about a week.”

Occasionally, they relied on the employer for guidance on health and safety.

Sam
“…if the senior worker quit the job because of some troubles with the employer, and the replacement is in a hurry, the employer himself teaches a new worker the job….But there wasn’t any guidance on safety and health issues. Once, I was almost dead by an electric shock when I started my job as a cook…I was struck by electricity when I touched a refrigerator while workers were cleaning the floor with water. I found later that an electric wire was exposed on the floor…Even this kind of thing happened…”

Alberto
“…the employer didn’t give us any training on how to handle the knife or anything…”
Some turned to KIWA for information and assistance.

_Jairo_
“….one day a friend of mine told me, ‘You know what? I am inviting you to a talk.’ He gave directions and everything…they used to hold meetings here on Sundays. I came here, and they told me that if you have problems at the workplace, the organization can help you. Or, if you get hurt or something, they can get you a lawyer who can take your case as a work injury. And I know a little bit, not a lot. But if one day something happens to me, and the employer doesn’t want to pay my medical expenses I can come here to get some help.”

The organization that the restaurant worker above was referring to was the Restaurant Worker Association of the Korean Immigrant Worker Advocates Organization. RWA/KIWA provides workers legal advice about their work, such as advice regarding overtime and minimum wage pay; educates workers about other workplace rights; provides a space for workers to exchange information about their work; and sometimes “convinces” the employers to comply with the law. Here is what some workers had to say about the organization in general.

_Fabio_
“…I am planning to support them. And if they support me, if I see I have their support without me having to come to meetings all the time, I support them, too. If I do not have to work, I come the day I do not have to work. They call me. If they are going to have a meeting, I come. Sometimes I come right from work. I come by to see what they are doing. I mean that.”

_Hung_
“Most restaurant workers came to know what’s the function of KIWA just during the past two or three years. Workers couldn’t even think about consulting labor consultation center before that time because employers used to fire laborers who just contacted that organization. So, we visit there secretly and do not give personal information to them when we need their help. This is because we are afraid of being fired, which threatens our livelihood immediately. We are in this poor situation.

“I used to know the existence of KIWA when they visited the restaurant where I used to work, distributing printed materials publicizing some seminar. I had often thought there should be some organizations for laborer[s] in Koreatown before their visit. I used to wish it, because I was in a very tough situation. I used to work for twelve or thirteen hours per day, and use to take care of my injuries on my expenses. In that situation, I wondered if there is a labor law in the U.S. at all and why there is no consultation office for laborer[s]. I used to wish that I had one in Koreatown. Now, I know the existence of KIWA, thanks to their publicity activities.”
RWA/KIWA provided legal advice/assistance.

Jairo
“The organization can help you. Or if you get hurt or something, they can get you a lawyer who can take your case as a work injury. And I know…a little bit, not a lot. But if one day something happens to me and the employer doesn’t want to pay my medical expenses I can come here to get some help.”

Jang
“So based on the research…KIWA executed four years ago, less than one percent employers had workers’ compensation, but ninety-nine percent of all restaurants did not have workers’ compensation…During the restaurant workers’ campaign, about forty percent of restaurants now have workers’ compensation, but still sixty percent do not.. But the problem is that the forty percent who now have workers’ compensation, they manipulate the legal policies, so they actually do not use the workers’ compensation….”

Yi
“With the support from this association….this association was such a great help to me. Thanks to their help, I could wrap up everything in one and half months after I made claim. I mean, this association helped me to complete everything before I actually got into the court….”

Li
“One of my fellow workers was involved with KIWA. Her case was not the income thing. She sued the owner for sexual harassment, and she asked me to be a witness. While I hesitated to be involved with it, I came to know about KIWA at that time. So I visited KIWA for my case. I was half-minded if I could get the money or not. But I decided to ask KIWA to help me get an apology from the employer, because he insulted and even threatened me. And the people in KIWA taught me how to confront the employer.”

Hung
“I was fired unfairly from a restaurant whose main customers were group customers [tour groups]. The restaurant missed the group customers due to the economic crisis in Korea, and the revenue dropped by a half. Then the employer tried to convert my wages from salary to hourly-based pay, which means the decrease of my income from $1,800 to under $1,500, and only two days off per month. Although I tried to resist it, they finally fired me…Then I consulted KIWA. In the end, I got paid about $3,000 from the overtime work that I had done.”

The KIWA Center also taught workers some basic skills and knowledge.

Jen
“That’s why I came here. Then I realized many people come here to sue, and many come to support. I say that if I had to put up with that employer, I am going to
support the people here at the meetings. Because there are many people like me who
do not know how to write…and here I came to learn how to write and everything.”

Hung
“…the KIWA also held some seminars on labor law. We became aware of labor
issues through these processes..”

Fabio
“I go there to listen. I mean, to see what they say, to hear their comments about work,
what they can do for us to help us. I just come to hear them. I do not say anything, I
just listen.”

It was a place where workers could exchange information about work.

Chucho
“Here we talk about work-related issues, I mean, about what this Center is all about.
And in the street, there, we talk socially, about personal issues…”

10. LEGAL DOCUMENTS

Some of those interviewed said that most workers did not report injuries or accidents for
fear of getting fired and not being able to get another job. This was particularly true for
those workers who did not have legal papers. Several said that employers threatened to
call in the INS if undocumented workers brought up health and safety and other workers’
rights issues.

Ruben
“Yes, we are afraid to make a claim or say we’ve been hurt, as we may be fired and
left without a job. It is hard to get a job due to the lack of documents. We are afraid
to make a claim, as we think how can I make a claim when I do not have proper
papers? This is the mentality they have…

“…one is obliged to work in whatever work is offered to pay the price of getting here.
Because coming to this country we all pay a price like for passage, immigration.
Then we have the price to continue paying the person who got our passage. Then we
look for a way to work anywhere where offered…where there is any…that’s where
we go. But sometimes, not because we want to, but because we have to, we have to
pay the price. And that’s why we came…most of us…that’s why we came—to work
to have a better family there. We came to have a situation where we are equal and
just like other immigrants.”

Alberto
“[people do not say anything to the employer] because they are afraid of losing their
job…I mean because they are afraid…because a lot of people need it [the job]. And a
lot of people do not have legal papers to get jobs…Or sometimes the employer stop
liking the worker, and at the end of the month he refuses to pay him. And what he
does is that he threatens him with the INS, and that’s it. People cannot do anything
else because they are illegal here in this country.”

_Jairo_

“...I think that the one who knows the California law is more likely to report it to the
employer. But some people do not know anything. And, well, if you do not know, if
you just arrived and you have an accident, and the employer knows you just arrived,
he is going to scare you out, and you refrain from reporting it. Because you are afraid
that they are going to investigate your legal status and things like that. They scare the
worker, and he abstains from reporting anything. But people who know how things
work know that the worker has the right to, if he gets hurt or something happens to
him, he has the right to report it...

“The first thing the employer is going to do is to investigate my legal status and
everything. And when they find out that I am illegal in this country maybe...I do not
know...they can call immigration or something. That’s what they are afraid of. But
if you are in an organization and you have lawyers to represent you, and the case is
not so serious, I do not think the employer would do that.”

_Li_

“...one of the most nagging problems is that many peoples in Koreatown do not have
the Green Card. I was very much worried about my status when I came here. I
worried that I might be reported to INS because my status is not legal. I cannot
request any benefit as well as the inspection...and it’s not easy for us to live in areas
outside Koreatown....We may get help from that kind of agency [Cal-OSHA] if we
have a big accident like getting legs broken.

“...such organizations as Cal-OSHA and KIWA do help restaurant workers resolve
income troubles. But the problem is that many Korean workers cannot speak English
well. And those kind of public entities should be within Koreatown to allow workers
a good access. Another problem is the visa status of many Korean workers. Even
though they’d like to visit those organizations, it’s not easy because they [are] always
worried that they may be deported to Korea...

“I’ve worked at many restaurants because I do not have a Green Card...I’ve worked
at about four or five places.....I am always daunted because of my visa status. They
never take care of each worker because there is too big labor pool in Koreatown,
especially big reserve waitresses.”

_Salomon_

“No, one doesn’t have anything…one doesn’t have legal documents. And one arrives
to this country just to work. That’s it!”
“They just start their new life in this country. And then, almost their first job is the job in restaurants. So seventy percent of the workers are undocumented workers.”

11. LANGUAGE BARRIERS/EDUCATION

Only a couple of the workers had received an education—whether in the United States or their country of origin—that would have prepared them for other types of employment besides restaurant work.

“I was well educated when I was in Korea… I was well educated about governmental policies, health and safety issues in general…. I was white color and bourgeois.”

“As for me, I finished junior college. Other people who did not have this much education know even less than I do.”

A number of the workers talked about being disadvantaged by not knowing English, or not knowing it well enough to get a better job.

“Yes, a different job, I have tried… I also know computer stuff and everything… So I need, I mean, it’s hard because of the language. I have to study English, and now I do not have time because I just got here and I have to do a lot of things.”

“Because there are many people like me who do not know how to write. And here [KIWA office] I came to learn how to write and everything. And people like me come, too.”

12. WHAT THEY NEEDED IN ORDER TO BE SAFER AT WORK

They would have liked to receive information about health and safety, whether that was through training or other means. None seemed to have employer-provided medical insurance, but it was something they wanted. One mentioned he would like the employer to offer medical tests to be sure that they were not sick. They wanted those employers who did not offer workers’ compensation insurance to acquire it and let workers know that they do have it. They wanted the employer to provide personal protective equipment. Other issues they wanted addressed were: how to get a Green Card, the introduction of more reasonable work hours and the hiring of more workers so they would not have to work so hard. Some very bluntly said that they wanted the employer’s attitude toward them and their co-workers to change.
Jang
“Getting insurance. This is the first thing, educate the workers about the working conditions, the safety and health issues—educational sessions for kitchen—what we have to know about the health and safety issue and many other health issues related to working conditions, and then getting insurance….”

Alberto
“Information regarding how can one protect from each type of work one is going to do…..”

Regarding personal protective equipment.

Alberto
“If I am going to work in a restaurant, I want them to give me gloves. I want them to give me boots. I want them to give me masks. I want them to pay me. I want them to give me an hour to eat. I want them to teach me how to use the knife. Do you know what I am saying? If I am the boss, and if I am going to work every day in the same place, that’s how I want it…..”

Jairo
“Yes, I would like to get some information. I would like some orientation about how to protect myself at work and everything. Yes, I would like someone to tell me how to…….protect myself.”

Chucho
“First the employer has…to offer, how do you say? I forgot what I was going to say!.......I mean, yes, he has to provide the…to cover the mouth, the eyes and gloves…”

Jen
“Well I have seen that some give ‘body belts.’ I would find a way that they are happy, too…Because I have seen that in some other places they give them protection. They give them everything. And I admire myself, because one buys his own stuff. I buy all the stuff that I use, from my pocket…..”

Medical tests.

Efrain
“Oh yes! It’s important to know about that [your health and safety, your well being]. Uhmmm, for example, about my body. I do not know about…everything…a test or something….”
Workers’ compensation.

Yi
“…I heard [through KIWA] that my face could be treated from the state government’s fund. In fact, I found that out after I made a phone call. Koreans do not try to be compensated when they are injured…”

Li
“There should be an accident insurance for employees. I think waitress job is very tough. We always suffer pains because we work standing all day. But if there were insurance, we would feel much more relieved. And we are always in danger of being burnt….”

Increase staffing levels.

Ruben
“To have a few more workers, as there are one or two workers who are continuously rushing to get things done. This causes accidents…..The bosses should hire more help to maintain the safety of his own business, but doesn’t do it…”

Information on how to legalize status.

Yi
“….or how to get a Green Card…I know that I should put effort to get information, but it would be better if that kind of information were easily available.”

Change in employers’ attitude.

Jang
“So what I really want is the changed attitude of the employers and, yeah, and their respect for the workers…”

Hung
“I think employers have to change their mentality. The relationship between employers and employees is an interdependent one since they cannot do business without us. But, since they’re concerned only about their immediate profits and do not respect the situation of employees who work for their profits, they might violate even human rights of employees. Actually, their personalities should be changed. But, I know this is very difficult…..”