



THE WORKER CENTER ECOSYSTEM IN CALIFORNIA

Organizing
to Transform
Low-Wage
Industries

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Murals at the offices of the Koreatown Immigrant Workers Alliance and Garment Worker Center in Los Angeles.

Executive Summary

Across many sectors of the California economy, workers' access to economic opportunity and basic dignity on the job are hindered severely by illegal employer practices. Too many Californians are employed in industries that have high rates of workplace violations, in part because the enforcement of labor standards has failed to keep pace with rapid changes in business strategies and employment practices. As a result, economic insecurity is on the rise.

Worker centers are confronting these conditions by mobilizing impacted workers and communities to contest substandard working conditions and expand economic opportunity. California's worker center ecosystem stands out nationally for its vitality and the innovations it has made to safeguard workers' rights.

This report presents a scan of California's worker center ecosystem to assess key strategies, identify challenges and opportunities, and offer recommendations for strengthening the capacity of this vital workers' rights infrastructure. In California, there are more than 30 worker centers that intervene in low-wage industries. These are nonprofit organizations whose principal mission is to organize workers for the purpose of transforming the industry practices that lead to low pay, employment instability, demeaning treatment on the job, economic insecurity, poverty and widening inequality. The state is home to a robust worker center field that includes some of the strongest and most innovative organizations in the broader labor movement.

Processes of economic restructuring and the manifest failures of an enforcement regime have given rise to rampant violations of labor standards. In response, worker centers have developed a range of interventions into high-violation industries. The worker center field has developed a distinct theory of change, consisting of five core components:

1. Transforming industry practices;
2. Modernizing labor standards;
3. Strengthening enforcement of employment and labor laws;
4. Improving job quality and expanding employment opportunities; and
5. Changing public discourse on low-wage work and inequality.

Worker centers' economic action organizing posits a model of worker power based in the mobilization of a relatively small, empowered and often-fluid membership whose capacities to analyze and act individually and collectively have been fostered through leadership development. In designing interventions into high-violation industries, members provide industry expertise, identify workplace problems and organize for collective action. In pursuing public policy reforms, they frame moral demands, provide firsthand testimony concerning workplace abuses, participate in public deliberations and shift policy debates through moral suasion. Within their organizations, they engage in deliberation, democratic decision making and mutual support, and in building their organizations they help to institutionalize pro-worker labor market interventions and policy priorities. Finally, in the communities of which they are a part, members become active in a range of civic engagement activities.

Worker centers engage in a mode of transformational organizing rooted in worker leadership. For this reason, their impact should not necessarily be evaluated based on the size of their membership, as one might judge a labor union or social movement. Instead, the efficacy of these organizations should be judged by their ability to shape public policy, develop leaders in workplace and community struggles, and raise the floor on working conditions—all accomplished, in many cases, in the absence of large active membership bases or high levels of worker density.

In the activities they undertake, worker centers help improve workplace standards by contesting wage theft, employee misclassification, racial and gender discrimination, and other illegal employer practices. They have developed an innovative, evolving model of strategic enforcement, in partnership with government agencies and legal aid providers, that targets high-violation industries and improves economic outcomes for workers.

The California Division of Labor Standards Enforcement, the principal enforcement agency charged with ensuring employer compliance with employment and labor laws, has made significant strides in transitioning to a model of

strategic enforcement that holds the promise of raising levels of compliance. This set of next-wave compliance activities is a response to the sweeping changes occurring in the structure of growing industries. They include:

- Focusing on the top of industry structures and the businesses that most greatly impact the terms of competition in a sector;
- Enhancing deterrence within high-violation industries and in targeted geographical areas through partnerships with workers' rights organizations; and
- Integrating complaint-driven investigatory practices with proactive enforcement efforts targeted to high-violation industries in which vulnerable workers may be reluctant to file complaints with enforcement agencies.

In moving toward a model of strategic enforcement, the DLSE has partnered with worker centers to undertake industry-focused monitoring and deterrence. Worker centers' roles in these partnerships include:

- Providing analysis of industry structures and patterns of violations;
- Identifying workplaces that may be out of compliance with employment laws;
- Assisting the DLSE in responding to worker complaints;
- Securing the trust of impacted workers so they fully participate in investigations;
- Publicizing the outcomes of investigations to workers and communities through media outlets, membership meetings and other means; and
- Devising new arrangements for the ongoing monitoring of labor standards.

By coordinating investigations with worker centers, the DLSE has enhanced the deterrence effects of enforcement activities while also reaching groups of workers who might otherwise not receive the benefits of compliance monitoring and enforcement. The deep trust worker centers have established with vulnerable workers is key to this strategy. But their importance to compliance extends well beyond their community connections. Through their members, worker centers have developed extensive expertise on supply chain networks, the rhythms of production in volatile industries, employer workforce systems, employee exposure to retaliation and other risks, the involvement of labor market intermediaries in firms' staffing arrangements, and health and safety hazards in the workplace.

In addition to enforcement activities, worker centers have sought to raise the floor on wages and working conditions

by engaging in public policy debates. They have been leaders in calling for policy reforms that would modernize labor standards and expand protections to a larger share of the labor force. Worker centers and their allies play a critical role in these campaigns by documenting labor market problems, designing policy proposals, mobilizing their members and reaching out to allies in support of policy reforms, and monitoring the implementation of new laws.

Finally, the report offers a set of recommendations to both philanthropy and the field for ways to strengthen California's worker center ecosystem:

- **Ensure long-term protections on the job.** The ecosystem must continue to develop new, durable approaches for protecting labor standards and ensuring workers' voices are heard.
- **Support under-resourced regions.** The infrastructure needed to serve low-wage workers requires targeted resources, including expansion into regions outside of the state's main metropolitan areas.
- **Support for the development of new membership models.** Worker centers should continue to explore approaches to expanding their base building that balance breadth and depth, with attention to the increasing geographical dispersion of their members.
- **Address resource constraints.** Worker centers require significant, flexible, long-term funding to enable them to react quickly and strategically to opportunities that arise.
- **Strengthen state and local networks.** Worker centers and their allies should consider creating a formalized structure for joint strategizing, coordinating trainings and campaigns, and convening workers, which could hold the potential for building power and deepening civic engagement.
- **Establish an organizer institute.** The field would benefit from the creation of an organizer institute as a shared infrastructure that could train organizers and provide worker leaders with a venue through which to exchange industry analyses and organizing strategies.
- **Encourage union-worker center collaboration.** While union-worker center relationships sometimes are fraught, there are important opportunities for unions and worker centers to mutually strengthen each others' work.

Section 1:

The Growth of High-Violation Labor Markets

In the gleaming, casual-chic campus of a high-tech firm, workers face computer screens, building algorithms to better predict the purchasing habits of high-income consumers. Though it may seem worlds away, the lives of these tech workers have crossed paths many times with low-wage workers as they travel to and from their jobs in Silicon Valley. The contractor who rehabbed their San Francisco apartment hired day laborers, their toothpaste was pulled from the warehouse shelf by a temp worker in the Inland Empire, their tomatoes were picked by migrant workers in the Central Valley and then assembled into a gourmet burger by a restaurant worker in Palo Alto. Low-wage work forms an essential infrastructure for the entire California economy, yet across these sectors, workers' access to economic opportunity and basic dignity are severely hindered by their position in the labor market. They are employed in industries that have high rates of workplace violations, in part because the enforcement of labor standards has failed to keep pace with rapid changes in business strategies and employment practices. As a result, economic insecurity is on the rise. For many Californians, the economy simply is not working.

Economic anxiety is having deep reverberations on the political system. Jobs and the economy emerged as central themes in the 2016 election, but the angst stretches back much further. The “future of work” has become a popular theme for conferences and newspaper articles, often focused on speculation about the effects technology is having on firms and workers. At the same time, there has been a re-emergence and expansion of the “past of work”—age-old employment arrangements, like piece work and day labor, as well as such pernicious problems as racial and gender discrimination, wage theft and the disregard for job safety. Many workers have experienced degradation in their employment conditions, raising the specter of downward economic mobility over workers' careers and reversing a longstanding trend toward improving standards of living from one generation to the next.

These economic challenges are not distributed evenly across industries or occupations. A set of trends that is especially pronounced in low-wage sectors has converged to stunt employment prospects, particularly among immigrants, African Americans and women. In the years after the Great Recession, there has been substantial job growth in low-wage occupations. To make matters worse, the burgeoning low-wage workforce is exposed to widespread violations of labor standards and employment laws in highly competitive, low-wage industries that rely on workers whose labor market standing increases their vulnerability. Further, although there seems to be renewed awareness of income inequality, the divisive political climate is hindering the development of a policy agenda capable of reducing that inequality.

What stands out in this moment of political and economic turmoil, though, is that we are witnessing some of the most innovative, effective organizing and policy work to confront the ghosts of the “past of work.” Led by worker centers, these efforts leverage relationships with allies and mobilize affected workers and communities to contest substandard working conditions and expand economic opportunity. California's worker center ecosystem stands out nationally for its vitality and the innovations it has made to safeguard workers' rights. This is especially important because of the gridlock in Washington, D.C.; all eyes are now on the state and local levels as laboratories of innovation.

This report presents a scan of the California worker center ecosystem, based largely on interviews with key leaders of organizations engaged in raising labor standards for workers in low-wage, high-violation industries.

The remainder of this Introduction briefly considers the problems borne of the persistence of high-violation labor markets and the widespread flouting of labor standards that occurs in low-wage industries. Section 2 examines how worker centers seek to rebalance power relations in low-wage industries. Section 3 considers the types of

labor market interventions that are being implemented by worker centers, and Section 4 assesses the worker center ecosystem. Finally, Section 5 presents recommendations for strengthening the capacity of worker centers and the broader ecosystem of which they are a part.

High-Violation Labor Markets

By many measures, the U.S. economy finally appears to have recovered from the calamitous Great Recession. Stock markets have rebounded and valuations regularly are reaching new heights. The inflation rate is low, and many economic sectors, including construction, manufacturing and retail trade, report strong sales. Robust job growth and low unemployment rates of 4% nationally and 4.2% in California (January 2019) seem to signal a healthy job market. Despite the strength of these economic indicators, however, signs of labor market uncertainty abound. A large number of workers find themselves in part-time and temporary jobs, even though they would prefer full-time employment. Many workers are holding two or three jobs because the wages they earn or the number of hours they are offered are too low for them to make ends meet. And there is the much-heralded rise of the “gig economy,” where short-term, project-based work carries few, if any, guarantees of future employment. Given these developments, it is no wonder that workers’ sense of economic insecurity also is on the rise.¹

More concerning is the fact that, over the last several decades, wage inequality is widening. The growth in inequality has been, in part, attributed to the decoupling of the historic link between labor productivity and wages. From the end of World War II until the early 1970s, productivity and wage increases virtually went hand in hand. In contrast, between 1973 and 2013, though worker productivity rose by 74.4%, hourly compensation increased by just 9.2%.² Two of the leading drivers of inequality are the spread of low-wage work and the existence of widespread violations of labor standards, such as laws that are meant to guarantee minimum wages and overtime pay.³ Not only is the number of low-paying jobs increasing, large segments of the low-wage workforce are not even receiving the wages they are entitled to under the law.

Though the floor for the labor market—that is, the minimum standards that firms must abide by in their employment relationships—is set extremely low, in many industries, violations of these minimal standards is rampant.⁴ A study of workplace violations in low-wage industries found that,

in a given workweek in Los Angeles, more than 29% of workers experienced a minimum wage violation, 80% did not receive a complete meal break as required by law and 19% had their tips stolen.⁵ Some 7% of workers in low-wage industries reported that, in the previous year, they were not paid at all for work completed. Similar problems exist in the realm of workplace health and safety. Among Los Angelenos who were injured on the job in the previous three years while employed in a low-wage industry, an astounding 90% experienced a violation of workers’ compensation insurance laws.⁶ These forms of wage theft and the flagrant disregard for labor standards rob families and communities of millions of dollars of income and spending each week. It is estimated that low-wage workers in California lose nearly \$2 billion per year due to wage theft.⁷

The sheer scale of the problem of labor standards violations is a clear indication that the enforcement regime governing low-wage industries is failing. The government agencies tasked with enforcing labor protections are woefully under-resourced relative to the magnitude of the problem. As a result, too often employers are able to violate employment and labor laws with impunity. And even when employers are found to be in violation, the penalties they face are too meager to adequately deter unlawful practices.

To make matters worse, the task of enforcing the nation’s employment and labor laws is becoming more challenging. Changes in the organization of industries have shifted the terrain upon which firms compete and have created new opportunities—and new incentives—to violate labor standards. The most prominent change is the widespread fragmentation that has occurred across industries. Known as “workplace fissuring,” this trend refers to the breakup of the vertically integrated firm through subcontracting, and the formation of extended supply chains.⁸ Fissuring is associated with increasing pressures to reduce operating margins, which often is achieved by lowering labor costs. Firms have responded by pursuing a variety of cost-containment measures. Key among these is the outsourcing of lower value-added functions to other firms, hiring independent contractors to perform work previously undertaken by employees, and turning hiring over to labor market intermediaries as a way for worksite employers to distance themselves from their legal and ethical responsibilities to employees. While not all fissuring results in degraded working conditions, these developments have tended to make holding employers accountable for labor standards in low-wage industries more difficult,

both because employment relationships often are obscured by fissuring and because there has been an increase in the number of worksites that must be monitored. In low-wage sectors in particular, there has been a proliferation of small businesses, which makes monitoring labor intensive and costly.

It is not only the labor market that is changing. Rising housing costs are displacing low-wage workers from their places of residence, causing the rupture of long-established working-class and immigrant neighborhoods. In search of affordable housing, low- and moderate-income households are moving away from city centers, pulling them further from their worksites and from established workers' rights organizations. Businesses are relocating as well, moving to outlying areas where costs are lower, though not necessarily co-locating in the same areas as their labor forces. These twin processes of decentralization of residences and businesses pose serious challenges to organizations trying to make interventions in low-wage labor markets, and they contribute to the difficulties enforcement agencies face in monitoring low-wage industries.

Working people are not entirely bereft of organizations working on their behalf. Through their bargaining, contract and grievance procedures, labor unions provide a means for monitoring employment practices in workplaces covered by collective bargaining agreements. However,

union density in low-wage industries has been extremely low, rendering this approach inconsequential except in a few industries. While there have been some notable organizing victories recently in California, most low-wage workers do not have the benefit of union representation, nor are they likely to receive it in the near future.

Finally, in addition to these longer-term trends, emergent new technologies are shaping patterns of low-wage employment, such as scheduling software that leads to greater shift volatility and digital platforms that act as employment intermediaries. These developments likely will continue to complicate efforts to raise the floor under wages and working conditions, even as new technologies also are being marshaled to connect workers to one other and to workers' rights organizations and allies.

Taken together, this constellation of forces poses new threats to workers' economic security and new challenges for expanding economic opportunity, reducing inequality and strengthening worker voice. Worker centers and their allies, in collaboration with government enforcement agencies, are developing strategic interventions to tackle these multifaceted problems in the economy. California is home to some of the most well-established worker centers in the country, though like other workers' rights groups, all must confront the same fundamental problem: declining employment standards across the low-wage labor market.



Section 2:

Organizing and Leadership Development in Low-Wage Industries

The growth of low-wage jobs and the widespread violations of worker protections that beset many segments of the U.S. economy have prompted a fundamental rethinking of strategies to improve employment conditions. Given the long decline in union membership and the increasing restrictions placed on workers when exercising their rights to organize into labor unions, much of this rethinking has focused on approaches to building worker power outside of the traditional union model. Foremost among these efforts has been the creation of worker centers as key sites of innovation in labor organizing, policy development and labor standards enforcement.

Worker centers are community-based organizations whose primary purpose is to organize workers so they can be a more potent force in improving employment conditions. The first worker centers were established in the South during the late 1970s by African American workers and labor activists who were contesting discrimination, inadequate employment opportunities and economic inequality.⁹ By the early 1980s, activists committed to challenging the widespread exploitation of immigrant workers in several U.S. cities were adopting similar strategies.

Over the last 20 years, worker center models have evolved considerably, and the number of organizations nationwide has increased to more than 200.¹⁰ Worker centers now are found throughout the country: in urban, suburban and rural areas; in industries ranging from construction to restaurants, and from domestic work to food processing; and among a range of demographic groups, including workers of all races and ages, as well as members of various immigrant groups.

In addition to labor organizing, worker centers collectively have begun to shift public perceptions about low-wage work and income inequality, and they have propelled workers' rights issues into national, state and local policy debates. In California, there are more than 30 worker centers that

intervene in low-wage industries. These are nonprofit organizations whose principal mission is to organize workers for the purpose of transforming industry practices that lead to low wages, employment instability, demeaning treatment on the job, economic insecurity, poverty and widening inequality. California is home to a robust worker center field that includes some of the strongest and most innovative organizations in the broader labor movement.

The activities undertaken by worker centers are well suited to addressing conditions in contemporary low-wage labor markets. First, because they do not necessarily rely on organizing large numbers of workers at a given worksite or firm, worker centers are able to impact conditions in decentralized industries where workplace fissuring is most advanced. Second, because their grassroots approach to worker organizing helps develop trust, leadership and commitment among their members, many have developed sophisticated industry strategies based on workers' in-depth knowledge of employer practices. Third, because of their flexible organizational structures, they are able to organize workers for whom union membership has been unattainable. Fourth, and most important, because worker centers have developed theories of change that are attuned to the power imbalances that exist in low-wage industries, they are dedicated to devising strategies for increasing workers' leverage in the job market so that labor standards are raised. The focus of this section is on the worker center theory of change and how worker center strategies seek to rebalance power relations in low-wage industries.

The Worker Center Theory of Change

California's worker center field is diverse, and organizational priorities, tactics and approaches vary from organization to organization. With this said, it is possible to identify commonalities that constitute a coherent theory of change through which worker power can be strengthened so that conditions in low-wage labor markets can be improved (Figure 1).

Figure 1. Worker Center Logic Model

Goals	Strategies	Short-Term Outcomes	Long-Term Outcomes
Transform low-road industry practices	<ul style="list-style-type: none"> Organize workers in high-violation industries Reduce the supply of labor to low-road employers Launch consumer campaigns that highlight abusive practices and mobilize consumers on behalf of workers Eliminate means of unfair competition (e.g., employee misclassification) Engage in supply-chain organizing to hold lead firms accountable for labor standards violations Monitor temp agencies, recruitment firms and other labor-only subcontractors Support labor unions' efforts to bring workers into collective bargaining agreements Promote high-road modes of competition Develop alternative business models (e.g., co-ops) 	<ul style="list-style-type: none"> Illegal business practices are exposed Labor shortages occur in high-violation industries Consumer education shrinks market share 	<ul style="list-style-type: none"> Industry norms are raised and modes of competition no longer are based on low pay, wage theft and restrictions on workers' voice Increases in forms of worker voice
Modernize labor standards	<ul style="list-style-type: none"> Advocate for the elimination of exclusions from employment and labor laws Design policies for improving standards in low-wage industries (e.g., wage theft laws, minimum wage ordinances) Support policies that provide sick leave, strengthen health and safety regulations, and enable workers to better exercise their right to organize Advocate for comprehensive immigration reform 	<ul style="list-style-type: none"> Minimum wages are increased Immigration laws are reformed in ways that strengthen worker protections 	<ul style="list-style-type: none"> Labor standards address recent changes in business practices and contemporary labor markets Labor protections are extended to all workers, regardless of occupation and immigration status Workers' right to organize is safeguarded Balance of power is tilted toward workers
Strengthen enforcement	<ul style="list-style-type: none"> Develop partnerships with government enforcement agencies to target high-violation employers and industries Conduct outreach to hard-to-reach populations employed in high-violation industries Identify high-violation employers Recover unpaid wages Advocate for increased funding for government enforcement agencies Develop models of worker-led enforcement 	<ul style="list-style-type: none"> Targeted enforcement begins to change conditions in high-violation industries Government enforcement of labor standards becomes more strategic and effective Workers' rights education covers a greater share of the labor force 	<ul style="list-style-type: none"> Government enforcement of employment and labor laws effectively regulates low-wage industries Workers are able to promptly redress violations of employment laws and have a voice in their workplaces Industry norms and business practice reflect a new high-enforcement regime
Improve job quality and employment opportunities	<ul style="list-style-type: none"> Highlight occupational segregation, implicit bias and other barriers to employment and advancement Incentivize employers to pay living wages Professionalization of devalued occupations through certification and increased skill recognition Improve worker skills through job training 	<ul style="list-style-type: none"> Workers who previously had little access to training are able to access workforce development programs Rising skill levels in key industries Placement in living-wage jobs 	<ul style="list-style-type: none"> Improved job and career ladders Increased mobility out of low-wage industries Skills in devalued occupations increasingly are recognized
Change the public discourse around low-wage work and inequality	<ul style="list-style-type: none"> Highlight the systemic problems of wage theft, discrimination and substandard conditions Demand recognition of the societal importance of devalued work Identify growing income inequality as a social problem 	<ul style="list-style-type: none"> Growing public awareness of labor market problems Increased calls for government action to redress problems associated with low-wage work 	<ul style="list-style-type: none"> New social norms around pay, access to opportunity and inequality are developed Levels of inequality and discrimination are reduced

The worker center theory of change has five core components:

1. Transforming industry practices;
2. Modernizing labor standards;
3. Strengthening enforcement of employment and labor laws;
4. Improving job quality and expanding employment opportunities; and
5. Changing the public discourse on low-wage work and inequality.

Each of these core components is summarized below.

Transforming low-road industry practices to reduce wage theft and other violations of labor standards, eliminate discriminatory employment practices, counteract employer retaliation against workers who attempt to exercise their rights in the workplace and increase worker voice. Key strategies include:

- Organizing workers in high-violation industries so they more effectively can contest workplace violations;
- Reducing the supply of labor to low-road employers;
- Launching consumer campaigns that highlight illegal and abusive employer practices;
- Pursuing public policies to eliminate employee misclassification and other means of unfair competition;
- Engaging in supply-chain organizing to hold lead firms accountable for labor standards violations;
- Monitoring temp agencies, recruitment firms and other labor-only subcontractors to identify violations of employment laws;
- Supporting efforts to raise wages and improve working conditions; and
- Promoting high-road modes of competition.

Modernizing labor standards so worker protections more effectively cover workers in sectors of the economy where industry restructuring has transformed employment relationships and eroded workers' economic security. Key strategies include:

- Advocating for the elimination of historic exclusions from employment and labor laws, such as those that exclude domestic workers from some federal and state employment laws;
- Designing policies for improving standards in low-wage industries, including laws that increase penalties on employers that engage in wage theft and laws that increase minimum wages;
- Supporting policies that expand the provision of sick leave, strengthen health and safety regulations,

and enable workers to better exercise their right to organize; and

- Advocating for comprehensive immigration reform.

Strengthening enforcement of employment and labor laws in sectors of the economy where violations of labor standards are common. Key strategies include:

- Conducting outreach to hard-to-reach populations employed in high-violation industries;
- Forming strategic partnerships with government enforcement agencies to target enforcement actions and employer education toward high-violation industries;
- Helping recover unpaid wages; and
- Developing new models of worker-led enforcement to raise standards in fragmented industries and at the outer reaches of supply chains.

Improving job quality and expanding employment opportunities so opportunities and conditions in workers' existing jobs are improved. Low-wage jobs are not inherently "bad" jobs. While they are created in the context of competitive constraints on firms, how employers respond to those constraints, and whether or not they exploit worker vulnerabilities, comes down to employer choice and industry norms. Two goals of worker centers are to improve low-wage work that has been devalued so that these jobs pay livable wages and workers are treated legally and ethically, and to encourage the development of career pathways that facilitate occupational mobility. Key strategies include:

- Highlighting occupational segregation, implicit bias and other barriers to employment and advancement;
- Incentivizing employers to pay living wages;
- Professionalizing devalued occupations through certification and increased recognition of skills;
- Improving worker skills through job training; and
- Working with high-road businesses to improve employment trajectories.

Changing the public discourse on low-wage work and inequality by bringing to light problems that exist in low-wage industries affecting millions of workers in California. Key strategies include:

- Highlighting systemic wage theft, discrimination and substandard conditions in growing sectors of the economy;
- Demanding recognition of the societal importance of devalued work; and
- Identifying growing income inequality as a social problem.

In the short run, the targeted outcomes of worker centers and their underlying theory of change focus on achieving industry reforms that raise worker pay, strengthen workplace protections, amplify worker voice, reduce the effects of structural racism on pay and employment opportunities, and improve the enforcement of labor standards. In the process, they seek to assist government enforcement agencies in being more strategic and efficient, expand access to workforce development programs, support worker-friendly public policies, and shift the public debate around employment issues so that low-wage workers are respected and treated fairly. Over the long run, worker centers aim to catalyze change in industry norms by safeguarding workplace standards and leveling the playing field for businesses in sectors where competition relies on low pay and violations of employment laws.

Without question, this is a tall order. The spread of low-wage work has created tremendous economic uncertainty, and workers typically are reluctant to risk employer retaliation for contesting workplace violations and low pay. Employment and labor laws are outdated, and funding for government enforcement is inadequate. As a result, even where labor standards are in place, employers too often are able to evade the law. Competitive dynamics have

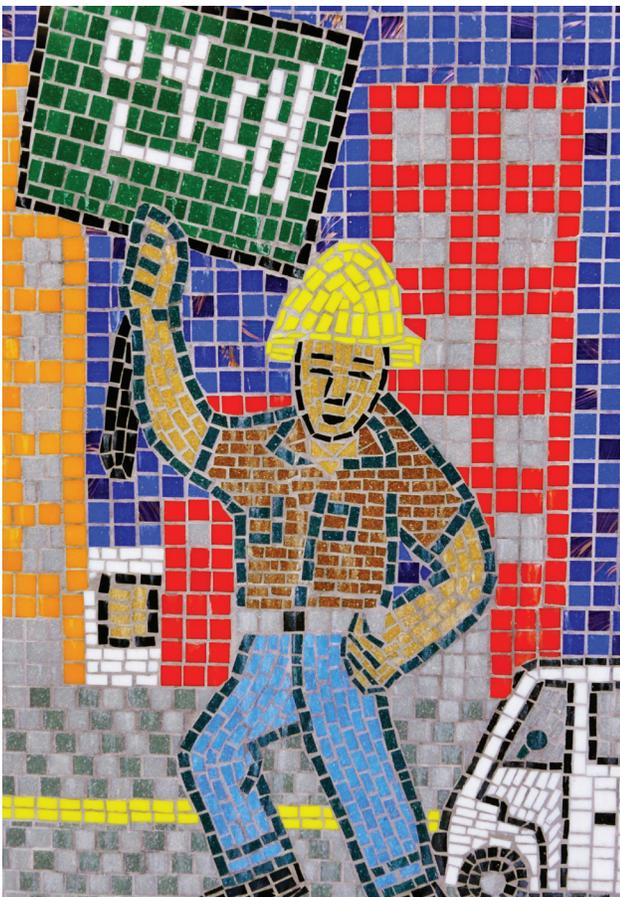
shifted as a result, and low-road employers are now the standard-setters in many industries, leading to a vicious cycle of cost-cutting and worker exploitation. These conditions are well known in such industries as apparel manufacturing, but they are far more widespread than is usually acknowledged, impacting such diverse industries as construction, restaurants and food services, home health care, retail and warehousing, along with segments of the manufacturing and transportation sectors.¹¹

Crucially, the worker center theory of change proposes a different model of worker power. In fact, given the multiple forces that have led to the proliferation of substandard work, including the decline in unionization, the rapid advance of workplace fissuring and the spread of worker insecurity, it is likely that transforming practices in low-wage industries *requires* a different model of power. The next section considers how models of worker power are changing.

Raising Standards in Low-Wage Industries: Toward a New Model of Worker Power?

How should the nature of the power that worker centers seek to exercise be understood? Is it the power of advocacy to persuade powerful elites in government and industry to support pro-worker policies and practices? Is it the power of mass mobilization to instigate social change through direct action? Is it a power that simply lies in the flexibility and adaptability of worker centers that enables them to opportunistically seize upon moments of conflict and uncertainty to press for changes in public policy or industry practices? Understanding the nature of worker centers' power is not an idle pursuit, because the answers to these questions help to clarify the scope of worker centers' interventions in low-wage labor markets.

Questions of power inevitably lead to questions of membership. And perhaps it is because worker centers have similarities to two other social formations from which they have derived inspiration—labor unions and social movements—the assumption made by many observers is that in order to reach their potential, worker centers should “scale up” and become mass movement organizations that enroll an ever-growing membership. After all, the mission statements of most, if not all, worker centers place worker organizing at the forefront of the organizations' purposes and strategies. As Jane McAlevey succinctly put it, “[s]ince organizing's primary purpose is to change the power structure...majorities are always the goal: the more people, the more power.”¹²



On the one hand, it is hard to argue with such a statement; there are understandable benefits that come with increasing membership and the growing influence it can bring. For this reason, worker centers devote considerable energies to recruiting and developing membership and leadership. But there is a danger of a misplaced emphasis on ever-greater scale, especially if it is based in models of power and theories of change that do not directly apply to worker centers. While it may be a truism that “more people leads to more power,” how much emphasis should worker centers place on increasing membership versus developing the capabilities of a relatively small number of workers? Because there is an inherent tradeoff between the depth and breadth of the membership base, are comparisons to models of power exercised by unions and social movements productive or inapposite?

The traditional union model of worker power has changed little in the past 80 years. It is based on securing collective bargaining agreements with employers so that workers, through their representatives, can protect members’ interests. In labor union parlance, this involves achieving union density and “controlling the supply of labor” so that workers can negotiate with employers to raise and maintain employment standards; identify shop-floor innovations that improve productivity, workplace safety and firm competitiveness; and otherwise ensure fair and effective treatment on the job. This model depends on developing a large, stable and centralized membership base, usually with a single employer. Because key decisions made by unions, such as forming a collective bargaining unit or agreeing on the terms of a contract, occur through voting, identifiable majorities are required. Furthermore, as large membership organizations, unions rely on dues-paying members for support, so there is a direct relationship between scale and the resources unions have to undertake activities on behalf of their members. This model of worker power contributes to organizational stability, which in turn solidifies unions’ position in workplaces, in the economy and in the political arena.

Social movements pursue social-change objectives through mass mobilization and sustained campaigns that make claims on powerful actors and on society. Because they rely on mobilization, the successes and legitimacy of social movements are attributable, in large part, to the scale they achieve and this, in turn, depends on how well movements construct a shared identity among group members. Organizers may be able to achieve scale by glossing over differences among members, avoiding risky

tactics and balancing multiple social-change agendas in an effort to keep a large number of participants engaged.¹³ Therefore, a tradeoff is implied between the scale of social movement membership and the depth of unity among members of the movement.

The worker center theory of change bears some resemblances to the approaches taken by unions and some progressive social movements. All seek to engage “ordinary people” in social change; in other words, to engage nonelite actors who are most impacted by inequities and injustice. All also seek to shift societal norms. In the case of workers’ rights activism, this includes tackling issues regarding income inequality, as well as social inequities based on race, gender, sexuality and citizenship. And all seek to codify and institutionalize social change through various means, whether through contracts, legislation or court rulings. But these similarities aside, the worker center theory of change—and the worker center model of power—differs qualitatively from those of labor unions and social movements. As a result, “getting to scale” has a different meaning for most worker centers, and a much greater emphasis has been placed on the *quality* of the membership that is developed than on the *quantity* of that membership.

While labor union models of power depend on achieving majorities, and their organizing efforts privilege increasing the number of workers who are organized into collective bargaining units, the power worker centers exercise has a different relationship to group membership. Although the worker center theory of change is based on the mobilization of highly engaged workers, the membership bases of these organizations often are small, fluid and decentralized. Worker centers tend to organize across industries and in multiple, geographically dispersed worksites. Workers’ residences also can be highly decentralized. With the sharply rising costs of living that are found in many California cities, low-wage workers are facing high levels of residential displacement, and they increasingly are relocating to areas further and further away from the city centers where most worker centers and employers are located.¹⁴ In addition, the workforces in these industries often have high rates of turnover, and there are ever-present risks of employer retaliation against workers who are organizing to contest substandard conditions. High levels of employee turnover are a challenge to traditional models of workplace organizing because they require the continual replenishment of majorities in turbulent workplaces.

In contrast, worker center organizing models more often seek to enroll a critical mass of workers, not necessarily a majority. The fluidity of membership poses its own challenges to maintaining an engaged base but, as will be explained below, these are addressed through leadership development and the cultivation of solidarity. Worker centers do devote considerable energies to their membership bases, but in most cases it is the quality of that membership, not the absolute number of members, that is prioritized. Through sustained programs of leadership development, worker centers are committed to developing members' capacities and, in turn, members are expected to be active in the organizations' governance, planning and actions, despite the time demands and resource constraints facing low-wage workers.

Economic Action Organizing: Developing Worker Leaders

Worker centers engage in what Janice Fine has termed “economic action organizing” by “bringing direct economic pressure to bear on employers and industries” through a repertoire of activities that includes supporting workers as they engage in “pickets, actions, boycotts, and more rarely, strikes and slowdowns.”¹⁵ Ruth Milkman elaborates the components of this approach to organizing:¹⁶

- Strategic research on organizing targets to identify vulnerabilities and to extract politically valuable information;
- Grassroots organizing focused on low-wage workers and leadership development efforts to empower those workers;
- Legal initiatives, including filing claims with government regulatory agencies as well as lawsuits on behalf of low-wage workers subjected to illegal employment practices;
- Building alliances with key actors in the local community—ranging from consumers to faith-based groups to ethnic and political leaders and organizations—to gain material and moral leverage over employers and government officials;
- Producing compelling narratives that include the stories and voices of low-wage workers themselves, and framing claims in the moral language of social justice;
- Using such narratives to stage “public dramas”¹⁷ to attract media attention;
- Shaming employers into making concessions; and
- Generating public pressure on lawmakers to support pro-worker legislative and regulatory reforms.

Worker centers have adapted their membership models in ways that enable them to undertake these activities. Looking across California's worker center sector it is not possible to identify a single, or perhaps even a predominant, membership model. This is because, in most cases, membership has been developed organically through experimentation with base building and in conjunction with shifting employer practices and patterns of workplace abuse. Still, it is possible to identify a few commonalities that shed light on the base-building approaches and underlying strategies pursued by worker centers.

First, worker centers seek to be highly responsive to workers' needs and the opportunities that arise to support organizing in industries and workplaces where there are labor standards violations and worker unrest. For example, in a landmark campaign against the Yank Sing restaurant in San Francisco that awarded \$4 million in back pay and led to substantial increases in wages, the Chinese Progressive Association assisted workers in coming together to press their employer for restitution. The campaign began with a small number of employees who conducted outreach to their co-workers. CPA organizers provided workers' rights education and nurtured the campaign, and after a year and a half of organizing, a group of employees overcame fears of retaliation and confronted management. The workers made their case and a settlement was reached that brought the restaurant into compliance with employment laws and led to other improvements in wages and working conditions.

Most wage theft campaigns are shorter and result in much smaller awards to workers. For example, the Garment Worker Center identifies wage theft “hotspots” through its legal clinic and wage-theft recovery activities. Organizers and members then conduct outreach to employees at these workplaces to learn more about employer abuses and to enroll new members in workplace campaigns. In the construction industry, the nonpayment of wages is common. Day laborers may work without pay for a day or two, but also for weeks at a time. In some cases, workers complete a day of work and employers refuse to pay them. In other cases, workers may receive a portion of their pay with the promise of receiving full compensation in the near future. Workers stay on the job with the expectation of future payments, but full payment is never given. That is one way wage theft amounts can soar from hundreds to thousands of dollars. To recover unpaid wages, day labor worker centers in California convene wage theft committees, through which groups of members pressure employers using direct action tactics. Because wage

recovery is being undertaken by an established organization with community standing and connections with government enforcement agencies, such tactics usually are effective.

Second, worker center members engage in mutual support activities that strengthen bonds between workers and help compensate for the limited financial resources available to most organizations. In the cases just highlighted, members of GWC and of day labor worker centers support one another through organizing and volunteer service. This counteracts the isolation experienced by most low-wage workers and is a powerful means for overcoming fears of employer retaliation that might prevent workers from recovering unpaid wages. The Garment Worker Center frequently sends member delegations to engage in direct action to resolve wage claims, including “members [going] together to support fellow members to make their first demands on the factory floor.” Such practices are common across California’s worker center sector, and they are an example of how small groups of organization members can deliver a modicum of justice to low-wage workers who have had their employment rights violated.

Third, worker centers build their membership bases through interlinked activities that include worker outreach, service delivery, workplace campaigns and policy advocacy. In terms of outreach, organizers and worker-leaders conduct recruitment at worksites and in such public spaces as parks and bus stops. Worker centers also recruit members through various services, such as wage recovery, job training, legal services, tax preparation, human trafficking case support, immigration services and workers’ rights education.¹⁸ Though service delivery sometimes is regarded as incompatible with labor organizing, worker centers have utilized service provision as a means of recruiting and retaining members, as well as a way to meet the immediate needs of the community.

The Koreatown Immigrant Workers Alliance, for example, has operated its worker empowerment clinic since the early 1990s. The organization has an open-door policy, and anyone needing services can access them. And although this work largely has been unfunded, and organization leaders recognize it is not possible to end wage theft on a case-by-case basis, wage recovery has helped ground the organization in the community. “We never saw it as *just* a service,” Executive Director Alexandra Suh explains, “but a service that also would lead to and inform our organizing and advocacy.”

Other worker centers adopt a similar approach to base building. The Garment Worker Center does not receive funding for filing wage claims through its legal services program. Yet this work, though time intensive, is critical for building membership and for developing workers’ rights campaigns. According to Director Marissa Nuncio, “we have to do it. This is direct reciprocity for members who are coming and saying, ‘I want to organize, but I haven’t been paid in six weeks.’ We have to do that work, and frankly, it’s our intelligence mechanism; it’s what tells us what’s going on in the industry. That’s how we know who’s producing, what the patterns of theft are. It’s really important to our work, but nobody will directly fund that, nobody. So, we figure out a way to do it.” In this way, service provision is directly linked to the recruitment of new members, the identification of campaign targets and the development of an industry analysis.

The Pilipino Workers Center has “always used a foundation of services—urgently needed services—to be able to meet people where they’re at and be relevant to them on an ongoing basis,” says Executive Director Aquilina Soriano Versoza. “That actually provides a foundation for us to be able to build and organize, to build relationships and trust.”¹⁹ Like other worker centers, PWC is engaged in what has been termed “whole worker organizing,”²⁰ responding to the needs of workers inside and beyond the workplace. This can include taking on issues as diverse as immigration, education, health care, transit, housing and child care.²¹ PWC’s tax preparation services not only meet a community need, they provide a window into industries where employee misclassification and other labor standards violations are common, and they have helped reveal violations involving labor brokers and recruitment agencies. The organization’s work to combat human trafficking includes “comprehensive case management for trafficking survivors, which fits very well into the organizing work [...] because there’s a significant number of trafficking survivors [employed] in domestic work. [PWC is] the only organization that provides culturally appropriate, language-appropriate services to them.”²² In the area of housing, PWC has partnered with the Little Tokyo Service Center to build affordable housing units where a number of members, caregivers, trafficking survivors and domestic violence survivors reside.

Fourth, worker centers are continually experimenting with new membership models in an effort to balance the tradeoffs that exist between the breadth and depth of the member base, as well as the organizing challenges

brought on by the disaggregation of worksites and the decentralization of low-wage workers' places of residence. Aquilina Soriano Versoza, executive director of PWC, explains how the organization has been exploring alternative approaches to engaging members, especially those who live in areas like Orange County, San Diego and the San Gabriel Valley where the workers' rights infrastructure is underdeveloped:

“Over the years we’ve been experimenting with how we are decentralizing and building more spaces for democratic leadership in our organization, but also just figuring out ways that people can be involved, even if they can’t come here physically [due to complicated work schedules or limited access to transportation]. We have created a new membership structure where we have smaller circles with three to eight individuals per circle, along with a circle leader. Then we set them up with texting circles, so it’s like an ongoing conversation. So even though they’re alone working as a home health aide, they also can be in conversation with their other circle members.”

PWC augments these conversations with conference calls scheduled throughout the week so that opportunities for engagement are increased. Decisions taken on the conference calls then are relayed to the member circles, and the conversation continues. Furthermore, in the absence of funding to open worker centers in under-resourced areas, PWC can extend its geographic reach through digital technologies while also laying the groundwork for more organizing and perhaps also the creation of new worker centers. However, Soriano Versoza cautions that these new technologies have limitations, and worker centers cannot rely solely on digital platforms to foster member engagement. But when combined with participation in actions and member assemblies, new technologies have been useful for advancing discussions regarding strategy, and maintaining connections between members and the organization.

Fifth, most worker centers embrace a pedagogical approach to developing worker leaders that combines popular education and critical analysis to facilitate worker-led social change. Leadership development lies at the core of the worker center theory of change, and this marks a key difference between worker centers and other community organizations and labor groups. Their approach draws upon the everyday experiences of the people most affected by workplace violations

and elevates these experiences as important sources of knowledge. Worker centers create spaces of trust among members so they collectively can analyze their experiences and the wider context within which these experiences occur. Leadership development is an ongoing and time-consuming process, because it involves recurrent deliberation in problem analysis, identification of intervention targets and formulation of strategies. It also requires that members confront whatever biases they may hold that inhibit solidarity with others in the pursuit of social justice, including racism, sexism, homophobia and xenophobia. It is from this vantage point that strategies for social change are developed, and members take lead roles in worker center decision making, policy design and plans for system changes that address the root causes of labor market exploitation.

“The theory of social change,” Lola Smallwood Cuevas, director of the Los Angeles Black Worker Center explains, “is putting workers at the core. It’s giving them the skills and the confidence and the backing to make demands that are right, that are smart, and holding [government] agencies accountable to those strategies that we believe make a difference.” The worker center theory of change depends on an organized base of workers whose leadership skills have been nurtured and whose ability to act has been catalyzed. As GWC’s Nuncio puts it, “It’s really about empowering workers to understand and engage in collective action.”

Leadership development not only plays a prominent role in identifying campaign targets and formulating strategies, but also in the governance of worker centers. Though worker centers have paid staff, efforts are made to ensure the activities undertaken are worker-directed. Worker centers place great value in democratic decision making, and they provide members with one of the rare arenas where worker leadership can be nurtured and exercised.

The empowerment fostered by worker centers creates a cadre of community members who know how to organize and are prepared to apply the knowledge they have acquired through participation in workers' rights campaigns. The challenges posed by the decentralization of housing and workplaces, combined with the high levels of turnover that exist in low-wage industries, have led some to question whether worker centers are “losing” leaders as they cycle through the organizations' somewhat fluid membership models. This underestimates, first, the

frequency with which worker leaders return to participate in worker center activities after periods of absence, and second, the extent to which the leadership that has been developed by worker centers contributes to an increase in community activism and civic engagement overall as leaders leave worker centers but apply what they have learned in other settings.

Flor Rodriguez, executive director of the Community Labor Environmental Action Network, notes, “It’s beyond just the workplace. It’s really the workers’ life. [...] Once a worker builds that leadership and knows how to organize in their workplace, they’re going to take that knowledge and apply it to their apartment complex, to where they do their grocery shopping,” and to other community issues. In other words, once worker leadership has been developed, they progress from a focused interest in improving workplace conditions to the pursuit of justice in other aspects of their lives. Tony Bernabe of the Coalition for Humane Immigrant Rights of Los Angeles has a similar perspective: “They know how organizing works to change things, to move politicians, to pass laws that benefit the community, to defend workers. So wherever they go they see things differently. When they see a problem...they know they can make a difference.”

For some worker centers, creating such a ripple effect by developing leaders and encouraging them to start their own formal or informal grassroots associations is core to their mission. Done in part out of necessity, because the organizations have limited resources or because the structure of nonprofit organizations can be limiting in terms of the types of activism that can be undertaken, this approach explicitly aims to decentralize power while also expanding the number of entry points for civic participation. For example, the Filipino Migrant Center has supported the formation of three informal associations of health care workers, domestic workers and survivors of human trafficking. These organizations elect their own leadership and run their own programs and campaigns. FMC supports them by providing various types of technical assistance, including training for developing leadership, implementing policy campaigns, lobbying elected officials and conducting community outreach. For FMC, like other worker centers, enhancing opportunities for civic participation and for the exercise of grassroots leadership is an end in itself because, through these very activities, leadership skills are developed and a more politically aware, democratically engaged and socially active community is fostered.

Conclusion

Worker centers’ economic action organizing posits a model of worker power based in the mobilization of a small, empowered and often-fluid membership base whose capacities to analyze and act have been fostered through leadership development. In designing interventions into high-violation industries, worker center members provide industry expertise, identify workplace problems and organize for collective action. In pursuing public policy reforms, they frame moral demands, provide firsthand testimony concerning workplace abuses, participate in public deliberations and shift policy debates through moral suasion. Within their organizations, members engage in deliberation, democratic decision making and mutual support, and in building their organizations they help to institutionalize pro-worker labor market interventions and policy priorities. Finally, members become active in a range of civic engagement activities in their communities.

The holistic approach to organizing that worker centers undertake, “seeing every aspect of the human being,”²³ is a distinctive feature of these organizations. The overall goal of this kind of worker engagement is to cultivate a small but active membership, versus larger-scale but more passive forms of participation. As Joanna Concepcion, executive director of the FMC, puts it, “if we only have 200 members, but if those 200 members are really solid, they’re politically conscious and they know how to run their campaign, that’s a lot of people. [...] And so, it may be small, but in terms of quality of the leaders, it means so much more.”

The size of organizations’ membership typically reflects a tradeoff between the number of members and the depth of the engagement members have with the organization. Worker centers’ impact should not be evaluated mainly based on the size of their membership, as one might judge a labor union or social movement. Instead, the efficacy of these organizations should be judged by their ability to shape public policy, develop leaders in workplace and community struggles, and raise the floor on working conditions—all accomplished, in many cases, in the absence of large active membership bases or high levels of worker density. To be clear, though, this is not to suggest this model of membership is necessarily better than mass mobilization or that the two are mutually exclusive. It also should not be taken to imply that worker centers are not increasing, or should not increase, their membership bases. Rather, it is to suggest that the model of power embraced by worker centers is defined by a coherent theory of change that qualitatively differs from that of allied forms of organization.

Section 3:

Intervening in Substandard Labor Markets

The worker center theory of change prioritizes the need to transform employer practices in low-wage, high-violation industries. The cultivation of worker leadership is central to achieving change, both through organizing high-violation industries and by modernizing labor standards through public policy reforms. This section focuses on worker center organizing and other interventions in industries where low-road practices prevail; policy change is addressed in the following section. The short-term objectives of worker centers' interventions in the labor market are to expose illegal business practices, reduce the supply of labor to high-violation industries, and shrink the market share of low-road firms through worker and consumer education. Over the long run, the aims are to raise industry norms and shift modes of competition away from low wages, violations of labor standards and the silencing of workers' voices.

The strategies pursued by worker centers to improve conditions in low-wage industries can be categorized into three broad groups:

- Addressing violations of labor standards;
- Holding firms accountable for employment practices; and
- Directly shaping the supply of labor.

Some worker centers engage in economic action organizing within specific industries, such as construction, garment manufacturing and restaurants, and they develop an in-depth understanding of the structure, competitive practices and driving logics of particular sectors. Others organize more broadly across the low-wage labor market by addressing wage theft and other violations but without a specific industry focus. These organizations seek to respond rapidly to the problems faced by low-wage workers by launching direct-action campaigns to shame abusive employers and to create pressure for change. Still other worker centers pursue civic engagement and electoral work to bolster their organizing efforts. Taken as a whole, this set of activities is unique to the worker center sector, and critical to shifting the dynamics of low-wage work.

Addressing Labor Violations

Employment violations like wage theft, misclassification of employees as independent contractors, racial and gender discrimination, and employer retaliation against workers who advocate for their rights are widespread in low-wage industries.²⁴ Compounding these problems, public resources for labor standards enforcement have failed to keep pace with increases in the number of worksites that have occurred as a result of workplace fissuring, creating a regulatory void in low-wage industries. Worker centers have intervened to help ensure fair workplace standards and to sanction employers that violate labor laws, often in partnership with government enforcement agencies and legal aid providers.

Wage Theft

Worker centers' interventions in the labor market often begin with recovering unpaid wages. Wage theft frequently is the most pressing problem workers face, and staff, volunteers and worker leaders assist those who have had wages stolen to file claims and usher them through the process of collecting their back pay. In addition to meeting the immediate needs of workers, it is also a way for worker centers to gather information on current industry practices as they continuously develop their knowledge bases. Effective wage theft enforcement often depends on partnerships with other actors, most centrally government enforcement agencies, a topic covered in the next section on the worker center ecosystem in California.

Misclassification

Misclassification occurs when an employer classifies an employee as an independent contractor, thereby avoiding tax withholding, workers' compensation insurance, unemployment insurance and other costs associated with being the employer of record. The practice is more pronounced in certain industries, and worker centers in California have focused on holding firms in the trucking and home care industries accountable for properly classifying employees by filing lawsuits and raising awareness around the problem of misclassification.

Discrimination

Low-wage workers often face multiple barriers to economic opportunity, not least of which is discrimination based on race, gender and disability. In their efforts to combat discrimination, worker centers focus on important gatekeepers of employment opportunities, such as employers and labor unions, and on public policy. Moreover, worker centers occupy a unique position within the communities they serve. For example, in Los Angeles' African American neighborhoods, there are a number of organizations doing important place-based economic development work, or addressing other issues that affect workers. But, as Lola Smallwood Cuevas of the Los Angeles Black Worker Center notes, these groups are not organizing African Americans, and they are "not rooted in the ways in which [African American workers] are impacted by the economy. [As a result, they are] not necessarily drilling down on solutions that address those very unique and intentional ways that the economy impacts [African American] workers."

The Los Angeles Black Worker Center identified the root problem of the lack of access for African Americans to construction jobs not as one of a lack of skills and training, as some have suggested, but of racial discrimination. In response, the organization created a two-pronged strategy focusing on (1) developing relationships with building trades unions to increase access for African Americans and to secure commitments by unions to improve retention of African American members, and (2) organizing workers, whether unionized or not, to advocate for public policies that substantially expand African Americans' access to work on publicly funded projects. As evidence of the efficacy of this approach, U.S. Rep. Karen Bass (D-Calif.) has said, "I think the greatest victory of the Black Worker Center from these last five years is that you've normalized the question, Where are black workers?"²⁵ The shift this represents should not be underestimated in the narrative about income inequality or in the resultant increase in the number of African American workers employed on publicly funded construction projects.

Some worker centers are engaging directly with employers to address discrimination. After identifying occupational segregation as a major barrier to advancement for restaurant workers of color, Restaurant Opportunities Centers United has recruited celebrity chefs and

restaurant employers to take part in implicit-bias training, which helps participants recognize the ways in which they may be involved in discriminatory practices. This is coupled with a program of consumer education, as well as consumer organizing in the form of a "campaign to support the restaurants that desegregate, put pressure on those that don't, and do implicit-bias training and testing with consumers themselves."²⁶

Retaliation

Workers in low-wage industries face the prospect of employer retaliation when they report workplace violations. Worker center staff universally stressed how difficult it is to prove employer retaliation because punitive measures can come in many forms, some more overt and others less so, combined with the ready justification for employer reductions in wages and hours: business has slowed and changes must be made.

In the garment industry, for example, "if workers file a wage claim and they are still working there, it's very likely they're going to lose their job. Or if they just ask [about the] piece rate or try to push for a higher piece rate, it's usually just loss of your job." But worker centers have few tools at their disposal for effectively responding to retaliation. GWC's Marissa Nuncio explains, "It's really, really challenging—we're [rarely] successful in directly negotiating the return of a job. And frankly, a lot of our members don't necessarily want that, because another part of working in these factories is...a lot of mistreatment. And so, they [say] 'I'm just going to cut my losses, I'm going to move on.'"

Worker centers also report high levels of employer retaliation in the restaurant industry when employees seek to exercise their workplace rights. ROC United President Saru Jayaraman explains: "A lot of it is people getting their hours cut, people getting their days moved around, or getting told to take the day off—and a lot of threats around immigration. People are being fired for asking for paid sick days [under a new San Francisco law]."²⁷ Because of the difficulty of proving that employer actions are, in fact, forms of retaliation, Young Workers United intervenes at the front end by offering know your rights and wage and hour law trainings through partnerships with local colleges and universities, where many students are working in high-violation industries like retail and restaurants.

Holding Employers and Brands Accountable

Worker center efforts to hold employers and brands accountable for labor standards include shaming bad actors and promoting high-road alternatives. Efforts to shame firms for unlawful employment practices usually focus on customer-facing businesses, such as designer brands, large retailers and supermarket chains, and other enterprises that have strong name recognition and depend on customer loyalty. Shaming is a means of direct action that targets firms' reputations and market share. It often is the only way that workers' rights groups can secure corporate acknowledgement of workers' claims, so it typically is a prelude to negotiations. Other types of campaigns that target low-road businesses seek to penalize forms of competition that rely on violations of labor standards to reduce labor costs. These include picketing and customer awareness campaigns that impact firms' revenues in the short run as a way to encourage changes in business practices. In addition, by promoting high-road businesses, accountability campaigns offer examples of alternative management models centered on maintaining standards, improving employee morale and reducing turnover. In all cases, the focus is on reasserting the responsibility of firms' decision making in shaping working conditions.

Corporate Campaigns and Supply Chain Organizing

A classic strategy for addressing substandard working conditions is to identify bad actors and deploy a range of tactics to pressure them to alter their practices. Where there is a clear corporate target and/or high-profile brand that is vulnerable to reputational risk, worker centers sometimes undertake firm-specific campaigns to raise customer awareness of egregious labor conditions. CPA, ROC, KIWA, CLEAN, Pasadena Community Job Center and GWC have used corporate campaigns, often leveraging public opinion and consumer solidarity, to hold businesses accountable and send a signal to other low-road actors that firms engaging in unlawful practices will be targeted through direct-action campaigns.

Changes in the organization of industries have led to the disaggregation of production systems and the formation of longer and more complex supply chains. In some industries, supply chains have become key sites of leverage for workers' rights groups, because even small businesses along the chain can hold a special relationship to other nodes of production or distribution. For example, while much of garment manufacturing is done outside the

United States, the fast fashion segment requires some local production in order to quickly deliver new styles to store shelves. For this reason, fast fashion production is more difficult to offshore, though cost pressures still can be intense and firms may struggle to meet the exacting demands of retailers and brands. Although increased subcontracting has distanced lead firms from the working conditions in their supply chains in some ways, these firms still occupy a position of economic power, and their demands can strongly influence the workplace conditions within supplier firms. Corporate campaigns seek to hold a recognizable lead firm or brand responsible for the unlawful behaviors of its contractors. Warehouse Worker Resource Center and the ports campaign in Los Angeles and Long Beach have used supply chain organizing to intervene this way, as has the Garment Worker Center. As Marissa Nuncio of GWC succinctly put it, "We've really revamped our emphasis on holding the brands accountable. If we don't have that from the top, we're just not going to be able to tackle [workplace violations in] this industry."

High-Road Business Practices

High-road businesses, which are seen as exemplars in their fields, are those that value workers, pay livable wages, provide employment benefits, minimize environmental impacts and exceed the minimum workplace standards set out by law. They achieve a competitive position in their industries by lowering the costs associated with turnover and new employee training, low employee morale, high levels of absenteeism, and other inefficiencies that increase costs and contribute to low customer satisfaction. Despite the benefits of high-road practices, however, lifting up such practices in low-wage industries has proven difficult because firms' business models, workforce systems and routes to competitiveness typically center on holding down labor costs.

A few worker centers have taken a lead role in supporting the development of high-road businesses. ROC United has established COLORS, worker-owned restaurants that model fair and ethical treatment of workers. Hand in Hand, a network of employers of nannies, house cleaners and home attendants, is backed by the National Domestic Workers Alliance and seeks to "support employers to improve their employment practices, and to collaborate with workers to change cultural norms and public policies that bring dignity and respect to domestic workers."²⁸ The California Domestic Workers Coalition also engaged employers to support the California Domestic Worker Bill of Rights.

Shaping Labor Supply

Partnerships with Labor Unions

Worker centers have had mixed results in their partnerships with labor unions, though successful examples do exist. These partnerships tend to be in industries that already have some union density, such as warehousing and distribution and some building trades. The CLEAN Carwash Campaign, the Garment Worker Center, the Los Angeles Black Worker Center, the National Day Laborer Organizing Network, Pilipino Workers Center, Warehouse Worker Resource Center and several day laborer worker centers have established or are developing partnerships with unions. For worker centers, the benefits of union relationships include being able to tap unions' corporate campaign expertise and having the opportunity to broaden interventions in low-wage industries. For unions, because worker centers have built trust with vulnerable workers in industries with low union density, partnerships provide a means of reaching supporters. In some cases, the partnerships are more transactional and more narrowly focusing on winning union representation (there are few cases of joint membership between unions and worker centers). In other cases, partnerships have evolved into longer-standing relationships. To be clear, worker centers play roles that are entirely distinct from those of unions, given that they are not legally recognized to represent workers in collective bargaining agreements with employers. Therefore, worker center strategies do not supplant union strategies, but instead complement them.

Worker Dispatch and Worker Cooperatives

Another way worker centers intervene in low-wage labor markets is by monitoring the supply of labor through worker dispatch operations and cooperatives. Worker dispatch has been widely used by day laborers who are employed in the construction sector and landscaping industry, and to a lesser extent by domestic workers. Dispatching workers to worksites regularizes employment in segments of the economy with high levels of informality and where violations of labor standards are common. These procedures inject a needed degree of transparency into employment arrangements, and most dispatch systems safeguard the minimum wage rates set by workers (often by occupation and the skill level of the work to be performed). In California, dispatch systems are operated by the Central American Resource Center (CARECEN), the Day Worker Center of Mountain View, the Day Worker Center of Santa Cruz County, the Graton Day Labor Center, Instituto de Educación Popular del Sur

de California (IDEPSCA), the Malibu Community Labor Exchange, Monument Impact, Pasadena Community Job Center, Pomona Economic Opportunity Center and the San Francisco Day Labor Program. In addition, the city of Laguna Beach operates the Laguna Day Worker Site, which facilitates the matching of employers and workers for construction, landscaping, moving and housecleaning jobs.

The wage rates at day laborer worker centers are set through regularly held worker assemblies. This wage setting is a way to develop worker unity and power in industries where small employers are numerous. Some worker dispatch rules also have minimum-hours requirements to ensure that when workers are hired, the jobs they accept offer adequate earnings for the day. Furthermore, when there is a dispute over pay or safety on the job, there is an avenue through which recourse can be taken because employers have registered with worker center staff. On the employer side of this arrangement, worker centers hold workers accountable for their performance on the job.²⁹

A second means of shaping the labor supply is through the formation of worker cooperatives, an emerging strategy among domestic workers. These organizations provide mechanisms to maintain minimum wage rates, institute minimum-hours requirements and promote nontoxic cleaning techniques. La Colectiva, a worker-run cooperative that is part of Dolores Street Community Services in San Francisco, helps members secure employment in a safe and dignified manner while also maintaining labor standards and providing workplace-safety training.

Monitoring Labor Market Intermediaries

The fissuring of workplaces, often through extended subcontracting chains, has led to the emergence of new intermediaries that supply workers to firms in the highly price-competitive segments of several industries. Intermediaries include temporary staffing agencies that employ workers on behalf of warehouses, labor brokers that match workers and employers in the restaurant industry, recruitment agencies that place in-home care workers, and labor contractors that supply farmworkers to growers. The activities of these labor market intermediaries create an arm's-length relationship between workers and the worksite employer, and employees often do not know for whom they are working. Labor market intermediaries are most common in low-margin, highly competitive segments of the economy, where

making high-volume placements is the primary route to profitability. These dynamics have been contested by the Central Coast Alliance United for a Sustainable Economy (CAUSE) in farm work, the Warehouse Worker Resource Center in warehousing and distribution, and GWC in the garment industry. Worker center strategies that hold intermediaries accountable for labor standards violations also tend to engage client firms (the worksite employer), recognizing that intermediaries mostly are price takers, not price setters, and therefore the primary power in the employment relationship resides with the contracting firm.

Professionalization

Professionalization programs fulfill multiple objectives for workers in low-wage industries. Workforce training benefits participants by increasing their skills and employability, but it also serves to shift public perceptions of low-wage work. Poorly paid work often is seen as synonymous with low-skilled work, though such characterizations frequently overlook the skills required. Worker centers in a range of industries have responded by developing their own workforce training programs, while others have created programs with partner institutions. These programs usually are designed for workers who otherwise would not have access to training, and their curricula reflects such factors as language access, cultural sensitivities, immigration status, low-literacy levels, lack of formal educational credentials and flexible scheduling that go unaddressed by traditional workforce development providers. Popular education methodologies may be integrated into these programs, increasing their effectiveness.

Worker center skills training programs have emerged from an analysis of the employment barriers faced by members and an assessment of career pathways, employer needs and emerging industry trends. The National Domestic Workers Alliance has developed home care programs that provide training on the essentials of home care work, including safe transfer techniques, communication skills, emergency measures, how to address chronic medical conditions, activities for daily living, and procedures for providing proper nutrition and personal care to clients. CLEAN offers training in carwash detailing that, once completed, can substantially improve workers' employability and earnings.

In terms of developing partnerships with more-established training providers, PWC has collaborated with United Domestic Workers of America (AFSCME Local 3930)

to access the California Independent Provider Training Center, which provides a range of programs for in-home care workers. NDLO has partnered with Los Angeles Trade Technical College to provide Spanish-language classes in such topics as construction, automotive mechanics and computing.

ROC United and the Ella Baker Center for Human Rights have launched a multifaceted initiative, Restore Oakland, which includes training programs for workers in the restaurant industry; COLORS Co-op Academy, a cooperative food-enterprise incubator; a COLORS restaurant; and restorative justice programs. Job training will be delivered through the COLORS Hospitality Opportunities for Workers (CHOW) Institute and will focus on fine dining and bartending occupations. The initiative is designed to help deal with a pipeline problem, which has been cited by some restaurant managers as a key reason for the under-representation of African Americans in higher-paying, front-of-the-house restaurant jobs.

In addition to developing skills and improving employability, training programs are being used to build the membership bases of worker centers. Because these programs reach workers who have few alternatives for acquiring training, they also serve as effective recruitment mechanisms. In some cases, recruitment through training programs has helped to diversify the organizations' membership base, as in the case of PWC, whose home care curriculum was developed with Filipino workers in mind, but has ended up also drawing Chinese workers to the center for the opportunity to participate in trainings.

Conclusion

Tackling the multifaceted causes of low-wage work clearly is no small undertaking, and worker centers have developed innovative strategies and tactics that address unique circumstances in particular communities, industries and segments of the population. The various interventions employed by worker centers are indicative of the magnitude of problems workers face in low-wage industries. One reason that the sector has focused on policy change in addition to the important interventions described above is because, through public policy reforms, large numbers of workers can benefit from improvements in employment standards. Many of the policy campaigns highlighted in the following section complement the targeted labor market interventions that worker centers undertake.

Section 4:

Toward a Policy Agenda and Model of Strategic Enforcement

Worker centers in California are embedded in a broader workers' rights ecosystem that includes government enforcement agencies, legal assistance organizations, labor unions, policy think tanks and universities, workforce development providers and worker center networks. This ecosystem has evolved in response to the prevalence of workplace violations in low-wage industries, which is indicative of a labor market with very weak institutional protections. The absence of a strong labor standards enforcement regime has significantly eroded the economic security of low-income Californians and undermined the state's prosperity.

The ecosystem is a set of governance arrangements for monitoring and intervening in high-violation labor markets, and its effectiveness depends on the activities of multiple entities working individually and in collaboration with one another:

- Government enforcement agencies are responsible for investigating alleged violations of labor laws, levying penalties against offenders, and contracting with community groups and worker centers to conduct worker outreach.
- Legal assistance organizations are involved in providing expertise on labor law, as well as helping workers collect wage judgments.
- Labor unions do some organizing in low-wage industries; advocate for pro-worker policies at the federal, state and local levels; and provide financial support to worker centers.
- Policy think tanks and academic institutions evaluate programs operated by worker centers and workforce development providers, conduct research documenting labor standards violations and their impacts, and offer policy prescriptions for raising labor standards.
- Workforce development providers offer training to improve job skills.
- Worker center networks share information and strategies with affiliates; design workforce development and occupational safety programs; and engage policy makers, the private sector and the media on workers' rights issues.
- Worker centers organize low-wage workers, undertake direct action and public policy campaigns, and conduct linguistically and culturally relevant workers' rights education and outreach.

This section examines the collaborative relationships between worker centers and the other entities that compose the ecosystem, with a focus on how collective activities are coalescing to advance a pro-worker policy agenda as well as an approach to strategic enforcement of labor standards in high-violation industries.

Advocating for Effective Public Policies

Given the scale of the problems in low-wage labor markets, worker centers have sought to raise the floor on wages and working conditions, as well as improve the enforcement of worker protections, by engaging in debates over public policy. They have been leaders in calling for policy reforms that would modernize labor standards and expand protections to a larger share of the labor force. The enactment of public policies has the potential to impact a far larger number of workers than do campaigns focused on individual employers and industries. But while the impact may be greater, in many ways so is the effort required to carefully craft policy proposals and see them through the legislative process. While the details of each campaign differ, the policy development activities undertaken by worker centers include:

- Documentation of labor market problems;
- Design of policy proposals;
- Mobilization to secure passage of policy reforms;
- Outreach and education to publicize policy change; and
- Monitoring policy implementation.

Documentation of labor market problems begins with conducting research and collecting workers' testimonies about conditions in an industry. While official data sets can be useful in shedding light on conditions in low-wage industries, the picture they provide often is incomplete. In the case of the warehousing and distribution sector, for example, Bureau of Labor Statistics data for the warehousing industry do not include temporary workers, who compose a substantial share of employees, and whose wages are significantly lower than employees hired directly by warehouse operators. Domestic workers who work in an employer's home are similarly undercounted or misrepresented in government data sets, as are other workers in sectors where informal employment arrangements are common. Furthermore, issues of immigration status complicate data collection, because workers may be reluctant to participate in government surveys, making an accurate assessment of employment conditions difficult.

Research on hard-to-reach populations and in industries with the "faulty data" problem often is undertaken in collaboration with academic and think tank partners, who apply their technical expertise to studies of working conditions and employment practices. These have taken the form of major, first-of-their-kind surveys, such as those implemented by the National Day Laborer Organizing

Network,³⁰ ROC United,³¹ the National Domestic Workers Alliance,³² Day Worker Center of Santa Cruz County,³³ CLEAN Carwash Campaign,³⁴ Garment Worker Center,³⁵ Pilipino Workers Center³⁶ and the Los Angeles Black Worker Center.³⁷

Policy design is often a multistage process involving worker centers, partners from think tanks and research organizations such as NELP and the UCLA Labor Center (Downtown Office), in what can be called "worker-led policy development." Workers are involved in defining the problem as participants and informants in the research process, and policy is drafted based on this intelligence. Worker centers then hold assemblies and other meetings with worker leaders to "workshop" the policy and identify potential problems and pitfalls. Flor Rodriguez of CLEAN provides an example from a campaign to strengthen laws regulating employment in carwashes, where it is not uncommon to work 50 hours or more in a week, sometimes earning only customer tips, a violation of several wage laws. In addition, workers are routinely expected to perform off-the-clock work before their shift begins and after it ends, and they are exposed to hazardous chemicals, with little or no safety equipment or training. The CLEAN campaign has used a combination of targeted litigation, consumer boycotts, direct action and public education to pressure carwash owners into



abiding by employment and labor laws. The Carwash Worker Leadership Brigade places worker governance at the core of CLEAN's organizing, regulatory and policy campaigns, and worker-leaders make strategic campaign decisions, meet with employers and regulatory agencies, and conduct worker outreach and organizing. Rodriguez describes the process of vetting and refining a recent policy proposal that ultimately was enacted by the California legislature and signed into law:

"The policy was drafted, and then it was brought back to the workers—and the workers basically tore it apart. I remember one of the [provisions] was you had to read the rules in the morning, but it didn't say you had to read the rules in the morning when the workers were present, so they were catching things like that. Unless you worked in the industry, you wouldn't know all the ways the employer could evade the policy."

The policy development process, like research, relies on worker centers' knowledge of industry dynamics and workers' own experiences to craft policy that meets the needs of workers. Furthermore, national worker center networks often play an important role in developing and supporting policy campaigns. For example, NDLO has led efforts to increase municipal minimum wages, advance affordable housing policies and push for sanctuary protections; NDWA has supported campaigns for state and local domestic worker bills of rights, including in California; and ROC United has helped push for minimum wage campaigns to include abolishing the tipped minimum wage.

Running campaigns to secure passage of policies at the state or local level requires significant resources and the mobilization of partners in the ecosystem. Two characteristics stand out across the campaigns worker centers have undertaken in California: the integration of organizing and leadership development into campaigns, and the coalitions that have been created. For worker centers, organizing and leadership development are key strategies for advancing policy initiatives. Through organizing, workers are engaged in various aspects of campaigns, from participating in direct actions to providing legislative testimony. The impact of a small number of worker leaders on the legislative process should not be underestimated. Through their testimony, workers are able to explain industry conditions to elected officials and suggest effective policy remedies. By coming forward to share their firsthand experiences, worker leaders are able

to make the type of moral and economic claims that sway public opinion and persuade policy makers.

By forming strategic coalitions, worker centers are able to increase their political reach and tackle issues that may be too large or complex for one organization to address. "The best coalitions emerge out of necessity, where the need is shared," says Pablo Alvarado of the National Day Laborer Organizing Network. Maricela Morales, executive director of CAUSE, elaborates on this point: "How [do coalitions] build the ecosystem, how [do they] build the broader progressive movement? We know that we can't do it alone." In other words, advancing pro-worker policy frequently calls for a critical mass of aligned allies.

Some worker centers have engaged in multiethnic coalitions to expand their political reach. For example, to galvanize support for local ordinances to raise the minimum wage and enforce the new law, the Pasadena Community Job Center joined a multiethnic coalition composed of key community stakeholders. As Alvarado explains, "The beautiful thing that happened in Pasadena is that they passed their minimum wage ordinance [and built] a multiethnic coalition [of] blacks, whites and Latinos. Now it is not just the worker center that demands the ordinance be enforced, it is the coalition that is putting pressure."

Clearly, advancing policy reforms requires drawing in as many potential beneficiaries as possible, and it also can include those who do not stand to directly benefit from a change in policy. Faith groups and unions often participate in state and local policy campaigns. Communications allies lend important support to campaigns, helping to shape the messaging and developing a cohesive narrative around the need for reform. Scholars from diverse disciplines weigh in on the merits of improving worker outcomes.

Worker center policy advocacy extends well beyond pressing for stronger employment protections to include other issues critical for low-wage workers. For example, the Day Worker Center of Mountain View was a leading proponent of the Community Stabilization and Fair Rent Act that was signed into law in 2017. Also known as Measure V, the ordinance aims to lower rates of resident displacement due to rapidly rising housing costs by requiring landlords to stabilize rents and follow just eviction protocols for some residential units in Mountain View.

Engaging in coalition work provides worker centers the space to identify ways that policy agendas can coalesce or expand. In Los Angeles, the Black Worker Center joined with allies to shift the very definition of “wage theft” into a local policy campaign. As Lola Smallwood Cuevas put it, “Black workers are surely impacted by wage theft, but it’s not the overarching workplace violation. For black workers, it’s exclusion, it’s the lack of access. So, we began a conversation with our allies at the Coalition to End Wage Theft about expand[ing] the definition of wage theft, because if you can’t get [access] to the job, that’s an ultimate form of wage theft.”

When asked about the importance of coalition building, Marissa Nuncio of the Garment Worker Center reflected on the experience allying with the Los Angeles Black Worker Center, saying, “We still have some room to grow [...] We could be more intersectional... [and] I think having the Black Worker Center in our coalition has helped push us to look at discrimination as a form of wage theft and say, ‘We have to include language in the ordinances on this.’ That’s been really important for us to say, ‘Yeah, you’re right.’ The black worker community experiences discrimination in a different way. We have not been as mindful of that as a coalition.” At their best, coalitions offer a space for organizations and individuals to cultivate relationships and develop a shared analysis of the challenges all parties face.

To publicize policy change, worker centers conduct **outreach and education** among diverse audiences. The successful passage of policy often is an organizing opportunity, and outreach efforts to workers allow for an initial conversation about the challenges they face at work and in their communities. Educating employers about how new regulatory measures will affect them sometimes is undertaken by worker centers, particularly those pursuing high-road strategies and those that have relationships with employers, though enforcement agencies are responsible for much of this activity.

Finally, **monitoring of policy implementation** entails innovation around enforcement mechanisms that, in some cases, has led to the creation of new enforcement agencies and/or closer relationships with existing agencies. All of the worker centers in California engage in wage theft enforcement, a testament to both the scale of the problem and the potential power of enforcement as a lever for change.

Multiple interviewees raised the tensions inherent in becoming essentially an arm of the state as the policy implementation process begins. According to Alexandra Suh, “It’s this new phase for KIWA and for a lot of our other partners because we’re used to clamoring from the sidelines against the state, right? But then suddenly now we’re part of it.”³⁸ Alex Tom, executive director of the Chinese Progressive Association, elaborates on the issue:

“Now that minimum wage is going to be enacted all across the country, we are going to need to learn how to be part of the governance [of wage laws]. I think that is a learning edge, but I think what we are trying to show is you can actually still do the inside-outside [strategy]. It’s not just [about becoming] embedded into enforcement. Our view is just a bit outside of that, [with] a movement building lens versus just seeing ourselves as enforcers of the law. We are really trying to build power in our community through organizing and [...] multiracial alliances.”

The policy advocacy summarized above reflects a maturation of grassroots organizing to redress wage theft and improve conditions in low-wage industries. Policy innovation has been spurred by the everyday organizing efforts of worker centers, as well as by their analysis of industry conditions and business practices. In partnership with labor unions, think tanks, lawmakers and other allies, worker centers have sought to move beyond resolving individual and company-specific wage theft cases by entering state and local policy arenas. The core principle of worker-led advocacy has remained central to these efforts, and the policy reforms that have been enacted are a testament to evolving worker leadership. This has set the stage for developing models with government enforcement agencies for monitoring employer compliance with labor standards.

Strategic Enforcement

The traditional model of labor standards enforcement focuses on targeting the specific establishments where violations have been identified, even if these establishments are located at the furthest reaches of supply chains or if they are franchises operating under terms largely determined by a parent company. Under this model, enforcement actions have two primary objectives. The first is to improve compliance among employers that are found to be in violation of employment laws. The second is to deter other employers from engaging in similar practices. The traditional model relies

on complaint-driven reporting of violations, and resources are devoted to investigating workplaces that have been identified by workers.

When applied to high-violation, low-wage industries, however, this model of enforcement has significant limitations.³⁹ Foremost among these is that it may misidentify the true source of the violations by ignoring the entities that wield the greatest economic power in an industry and dictate the competitive conditions within it. In sectors where workplace fissuring has remade production processes, lead firms at the top of supply chains structure and coordinate the activities of suppliers located further along the chain and, in large part, they specify the contract terms and cost constraints under which these suppliers operate. Workplace fissuring involves the outsourcing of a range of functions to suppliers, and these suppliers interact with lead firms and with other suppliers in a series of market transactions through which production inputs, services and final products are sold.

Supply chains imply an arm's-length relationship between lead firms and their suppliers. However, the connections between these actors often is closer than they initially may seem. For example, warehouse workers may be employed by a staffing agency, even though their work occurs onsite at the warehouse and is supervised by warehouse managers. In the apparel industry, garment workers may be employed by subcontractors, but the terms of their employment primarily are governed by the stringent demands clothing brands place on product costs and delivery speeds. To achieve more comprehensive compliance, enforcement must target a larger number of enterprises in an industry, particularly those that wield the greatest economic power. Government agencies also must move beyond a reliance on worker complaints as the primary trigger of enforcement actions, because too many workers are deterred from coming forward because they fear employer reprisals.⁴⁰ In short, increasing the effectiveness of enforcement requires a new model of enforcement.

Over the past five years, the California Division of Labor Standards Enforcement has made significant strides in transitioning to a model of strategic enforcement that holds the promise of raising levels of compliance. Strategic enforcement refers to a set of next-wave compliance activities designed to overcome weaknesses in the traditional enforcement model. Core components of strategic enforcement include:⁴¹

1. The development of “strategies that focus at the top of industry structures, on the companies that affect how markets operate [...] starts with having a clear ‘map’ of how priority industries operate and how that results in employer behavior. It then requires putting in place coordinated investigation procedures built around related business entities rather than individual workplaces and using those regulatory tools (from persuasion and education to the use of penalties, hot goods provisions and other legal tools) to craft comprehensive agreements.”⁴²
2. The enhancement of deterrence within high-violation industries and in targeted geographical areas through partnerships with workers’ rights organizations and widely publicizing the outcomes of investigations.
3. The integration of complaint-driven investigatory practices with proactive enforcement efforts targeted to high-violation industries where vulnerable workers may be reluctant to file complaints with enforcement agencies.

In moving toward a model of strategic enforcement, the DLSE has partnered with worker centers to undertake industry-focused monitoring and deterrence. Worker centers’ roles in these partnerships include:

- Providing analysis of industry structures and patterns of violations;
- Identifying workplaces that may be out of compliance with employment laws;
- Assisting the DLSE in responding strategically to worker complaints;
- Securing the trust of impacted workers so they fully participate in investigations;
- Publicizing the outcomes of investigations to workers and communities through media outlets, membership meetings and other means; and
- Devising new arrangements for the ongoing monitoring of labor standards.

By coordinating investigations with worker centers, the DLSE is able to enhance the deterrence effects of enforcement activities in high-violation industries while also reaching groups of workers who otherwise might not receive the benefits of compliance monitoring and enforcement. The deep trust worker centers have established with vulnerable workers is one key to this strategy. But their importance to compliance extends

well beyond their community connections. Through their members, a number of worker centers have developed extensive expertise on supply chain networks, the rhythms of production in volatile industries, employer workforce systems, employee exposure to retaliation and other risks, the involvement of labor market intermediaries in firms' staffing arrangements, and health and safety hazards in the workplace.

The adoption of a strategic enforcement approach to employment law compliance is not confined to the DLSE. At the local level, the San Francisco Office of Labor Standards Enforcement also has entered into formal partnerships with worker centers. These organizations receive funding to conduct worker outreach, collect documents pertinent to enforcement investigations and refer impacted workers to the city's OLSE.

As partnerships between government enforcement agencies mature and trust between the partners grows, the scope for worker center influence likewise will expand. These working relationships help secure worker center credibility with government agencies, which see the organizations as valued participants in the regulatory process. At the same time, as workers come to see they can rely on worker centers to help recover lost wages and achieve a measure of justice, the legitimacy of the organization is bolstered in the eyes of workers and their communities. This is especially important given that so many workers feel shut out of the regulatory system because of their immigration status or simply because they do not believe that low-wage workers will receive fair treatment at work or in regulatory investigations.

Through their connections to strategic enforcement initiatives, workers begin to understand that (1), the laws can work; (2), labor laws do indeed cover them; and (3), they can become advocates for other workers to come forward to contest substandard conditions. Furthermore, cases sometimes emerge that become emblematic of problems workers face in high-violation industries. Such cases can have impacts far beyond the recovery of unpaid wages. The Yank Sing case is one example of such a case, where the shocking sum of money owed to the workers—\$4 million—garnered significant attention from the media, consumers and lawmakers. Cases like these can be “a shot across the bow” for an entire industry, and a reminder of the costs of noncompliance.

Worker centers recognize the need for systemic change that couples organizing and policy reform with innovation in holding employers accountable; as Pablo Alvarado of NDLON advises, “The worst thing we can do is come up with ordinances and they are not implemented well.” And yet, even as important as enforcement has been to securing victories for workers, worker centers balance this focus with a broader vision. “We’re not just about enforcement,” Alex Tom of CPA stresses, “we see it as one tool, just as we see electoral work and organizing as a way to build our power and voice.”

Given the complex nature of the problems facing low-wage workers, raising labor standards and reforming industry practices cannot be accomplished by one party alone, nor through one strategy alone, but requires an ecosystem of organizations dynamically adapting to a changing landscape shaped by organizing and policy advocacy.

Section 5:

Strengthening Worker Centers in California

Workplace violations have become part of the economics of many low-wage industries and, as a result, workers are bearing the brunt of labor standards abuses and other low-road forms of competition. Worker centers have intervened in high-violation industries to organize workers and raise standards. Despite the accomplishments of worker centers and their partners, however, much remains to be done to improve conditions in low-wage industries. This section highlights some of the challenges facing worker centers as well as some areas where new opportunities may exist to increase their effectiveness. This is by no means an exhaustive list of challenges and opportunities, given the wide range of issues detailed in this report. Rather, it is meant to prompt a conversation about how worker centers can continue to build capacity, strengthen relationships with partners, increase their influence and ultimately help reshape the economy.

Key Challenges and Opportunities

Ensuring Long-Term Protection on the Job

The workers' rights ecosystem must continue developing new approaches for protecting labor standards. With workplace fissuring altering the structure of many low-wage industries, and large firms increasing their use of small suppliers, labor brokers and other subcontractors, employment insecurity and churning through substandard, unstable jobs is on the rise. The traditional union organizing model, based on securing collective bargaining agreements at a worksite, is simply not feasible in many segments of the 21st century economy, and yet collective bargaining agreements still offer one of the strongest forms of day-to-day protection against workplace violations. Worker centers are developing innovative approaches for strengthening worker voice and standard setting that could improve conditions and reduce churning in low-wage industries. This could be a promising area for collaboration between labor unions and worker centers, backed by resources for innovation and experimentation.

Supporting Under-resourced Regions

Although some regions of California have a relatively established infrastructure of workers' rights organizations, this infrastructure is woefully underdeveloped in most areas of the state. The capacity-building challenge here is twofold: investing in under-resourced regions, such as the Central Valley, Orange County and the San Diego metropolitan area, while at the same time maintaining investment in more established organizations located in relatively resource-rich areas, because workers' needs in these areas remain great and many of these organizations have been the locus of innovation for the California workers' rights ecosystem.

Some well-established worker centers have considered expanding their geographical reach to suburban and rural areas in order to serve under-represented workers and to enhance their potential for carrying out effective policy campaigns. However, most have struggled to find funding partners, despite the fact that "everyone agrees it is needed."⁴³ In under-resourced regions where there is at least some worker center presence, such as CAUSE along the Central Coast or the Warehouse Worker Resource Center and Pomona Economic Opportunity Center in the Inland Empire, organizations have attempted to fill the institutional void by becoming a "one-stop shop" that serves workers across vast areas and in multiple industries. Maricela Morales of CAUSE explains, "we found that we had no choice but to do it all, even while we are always looking for opportunities for others to take on certain pieces."

At the most general level, there are two ways to increase capacity in under-resourced areas. One is to fund existing organizations to expand their work in these areas, bringing their strategies and expertise to regions where needs are greatest. The other is to fund new startup organizations in these areas to meet local needs. The latter approach does pose certain risks, however; it usually takes new organizations considerable time to develop capacity, and there is a possibility of organizational failure. It might be possible to support collaborations that bring together well-

established organizations with new startups as a hybrid strategy, but such efforts would need to be carefully crafted.

Developing New Membership Models

Worker centers are exploring new approaches to base building while also trying to manage the inevitable tradeoff between depth and breadth of member engagement. Some of the tensions that arise in base building stem from models of power that emphasize organizations' ability to move elected officials (political power) versus their ability to shape industry practices (worker power). Of course, these forms of power can be complementary. But they also are distinctive, and it will require intentionality to unite them in ways that build on organizational strengths, particularly those arising from the extensive leadership development done by worker centers.

Industry practices seem to be in a permanent state of flux as a result of shifting competitive pressures, and low-wage workers are regularly confronting new insecurities. The growth of labor market intermediaries, such as temporary staffing agencies and various recruitment and placement firms, is complicating employment arrangements and introducing new parties with whom negotiations over working conditions must occur. In addition, the lengthening of supply chains in fissured industries is resulting in workers being employed in small firms that evade monitoring, while workers find themselves in highly casualized employment relations. These trends not only make workplace monitoring and enforcement more difficult and time intensive, they also pose challenges to base building through workplace decentralization and the lessening of concentration of workforces.

In expanding their bases, worker centers also must contend with changes that are occurring in housing markets. Low- and moderate-income households are being displaced from central cities due to escalating housing costs. As a result, members are becoming dispersed across vast urban and suburban areas. Here, too, worker centers will have to navigate tensions between their high-touch organizing models and the desire to broaden membership and engagement across local economies. Experiments under way by a number of worker centers look promising. For example, PWC and FMC have been developing "membership circles" using new technologies and digital platforms. These technologies are allowing organizations to maintain contact with members, and even engage in forms of decision making, when members are

not able to be physically present. These experiments are still in their early days, and although there is not a ready-made substitute for in-person organizing and deliberations, they provide a promising avenue for members' ongoing engagement with the organization.

Overcoming Resource Constraints

The resources flowing into the worker center ecosystem pale in comparison to the scale of the labor market problems it is trying to overcome. Government enforcement agencies remain overtasked and under-resourced, and this has pushed increasing responsibilities for monitoring high-violation industries onto civil society. Recent collaboration between worker centers and government agencies in California indicates that such partnerships can increase compliance through strategic enforcement. But relationships with the DLSE and municipal enforcement agencies need to develop further. For worker centers to be effective partners, and for their organizations to ramp up their organizing and outreach, far more resources will be needed.

Private philanthropy is a core source of resources for worker centers, and the progression of the work would not have been possible without this support. However, funder approaches to supporting the sector could use some modifications. For example, worker centers report the need for long-term, general operating support that would allow the more flexible use of funds. As nimble organizations, worker centers try to quickly react to opportunities, whether for organizing, collaboration with government agencies or other worker centers, or in the public policy arena. Since base building is, in part, facilitated by these organizations' responsiveness to workers' needs, flexibility is prized and campaign-based funding may be too constricting.

There also is a hope that foundations would adopt a greater openness to funding community organizing, since it is the foundation upon which worker center successes are built. And for those foundations that currently fund organizing, it is important that they also appreciate the role of services—such as wage recovery, immigration regularization and workforce development—in driving membership building. In addition, foundation metrics for measuring the effectiveness of worker centers need revision. While figures on membership, for example, are easy to understand, more accurate, though less tangible, indicators of worker center impact can be found by

assessing changes in workplace conditions, the impacts of direct-action campaigns, the capacities built through leadership development, and the types of policy reforms that are being adopted at the state and local levels.

State and Local Worker Center Networks

A number of worker center leaders have contemplated the merits of creating formal state or local worker center federations to facilitate collaboration and joint policy advocacy. Some collective infrastructure currently exists, such as the Progressive Workers Alliance and San Francisco Rising in the Bay Area. In Los Angeles, several immigrant rights and wage theft coalitions have formed, and the positive experiences from these efforts have led some to consider ways to institutionalize collaboration. In these parts of the state, worker centers are engaged in joint labor standards enforcement and deportation-defense activities, as well as coordinating know-your-rights trainings, sponsoring legal clinics and convening worker assemblies. Creating a more formal structure for these activities could hold the potential for power building and deeper civic engagement. In addition, some leaders suggest that a more cohesive formation could be useful when interacting with powerful groups. Some also see it as one way to scale the impact of worker centers.

There does not seem to be consensus among organizations about the utility of, or organizational capacity for, a California-wide network. Those worker centers that are part of national networks, such as NDLON, NDWA or ROC, already can access some of the benefits of being networked, like opportunities to participate in large grant proposals or to share practices and receive technical assistance. However, many worker centers are not affiliated with one of the national networks. A statewide network also might help those organizations strengthen their capacities. If a statewide federation was more narrowly dedicated to policy advocacy, it perhaps could be a cost-effective mechanism for coordinating legislative work in Sacramento.

Establishing an Organizer Institute

Many worker centers are facing a shortage of organizers who understand leadership development conducted in the context of labor campaigns. Because the need is so widespread, the opportunity may exist for worker centers to collaborate to create an organizing institute that would train new organizers and provide experienced organizers a venue through which to exchange tactics and strategies.

While there are shared spaces for organizers in several California cities to come together, this usually happens in the context of specific campaigns and collaborations. An organizer institute would provide an alternative venue focused on longer-term strategy development and the exchange of organizing methodologies.

Union-Worker Center Collaboration

Despite shared concerns, unions and worker centers have not always been the closest of allies. In recent years, however, relationships have been strengthened and there now are numerous examples of mutual support as well as of successful collaboration. Unions and worker centers have supported each other in a number of organizing campaigns, and they have engaged in joint efforts to reform employment policies. As larger, better-resourced and more politically connected organizations, labor unions have been especially helpful in the policy arena, and this joint work seems to have further strengthened ties across the broader labor movement.

However, it appears that resources from unions may be diminishing as they reassess their organizational priorities in the face of mounting attacks on organized labor. Worker centers are acutely aware of the challenges facing unions, and there is recognition that the fates of unions and worker centers are, in some ways, tied. “We can’t do it alone, and labor can’t do it alone,” says Flor Rodriguez of CLEAN, “especially the way things are right now, in this political climate.” There is a danger that recent victories could be rolled back as part of broader efforts to weaken labor. Maricela Morales of CAUSE concurs, noting that the aggressive attempts to slow union organizing “creates a need, and an opportunity, for other labor allies to step up or continue to be actively involved...in collaboration with labor” to defend workers’ rights.

Although relations have been improving between these labor movement actors, it remains unclear whether they share a well-defined theory of collaboration. For example, what types of divisions of responsibility make most sense when organizing sectors of the economy that have low union density? In the public policy arena, is there mutual respect for the types of access and influence both parties can bring to joint efforts? Should models of joint membership be created through which workers simultaneously maintain connections to unions and worker centers? These are among the questions that will need to be answered if union-worker center collaborations are to deepen.

Endnotes

- 1 Hacker, Jacob S., Gregory Huber, Austin Nichols, Philipp Rehm, Mark Schlesinger, Robert G. Valletta and Stuart Craig (2012), "The Economic Security Index: A New Measure for Research and Policy Analysis," San Francisco: Federal Reserve Bank of San Francisco.
- 2 Pitts, Steven (2015), "Low-Wage Work in the Black Community in the Age of Inequality," in Sean Thomas-Breitfeld, Linda Burnham, Steven Pitts, Marc Bayard and Algernon Austin, *#BlackWorkersMatter*, p. 30, Boston: Discount Foundation and Neighborhood Funders Group.
- 3 Dresser, Laura (2018), "Human Capital in the Context: Policies that Shape Urban Labor Markets," in Pagano, Michael, ed., *Jobs and the Labor Force of Tomorrow: Migration, Training, Education*, pp. 25-44, Urbana, Illinois: University of Illinois Press; Henry, Ben and Allyson Fredericksen (2015), *Low Wage Nation: Nearly half of the new jobs don't pay enough to make ends meet*, Seattle: Alliance for a Just Society.
- 4 Bernhardt, Annette, Ruth Milkman, Nik Theodore, Douglas Heckathorn, Mirabai Auer, James DeFilippis, Ana Luz Gonzalez, Victor Narro, Jason Perelshteyn, Diana Polson and Michael Spiller (2009), "Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in American Cities," New York: National Employment Law Project.
- 5 Milkman, Ruth, Ana Luz González and Peter Ikeler (2012), "Wage and hour violations in urban labour markets: a comparison of Los Angeles, New York and Chicago," *Industrial Relations Journal* 43(5): 378-398.
- 6 Ibid.
- 7 Cooper, David and Teresa Kroeger (2017), "Employers Steal Billions from Workers' Paychecks Each Year," Washington, D.C.: Economic Policy Institute.
- 8 Weil, David (2014), *The Fissured Workplace*, Cambridge, Massachusetts: Harvard University Press; Weil, David (2010), "Improving Workplace Conditions Through Strategic Enforcement," Washington D.C.: U.S. Department of Labor, Wage and Hour Division.
- 9 Fine, Janice (2006), *Worker Centers: Organizing Communities at the Edge of the Dream*, Ithaca, New York: Cornell University Press.
- 10 Fine, Janice and Nik Theodore (2012), "Worker Centers 2012: Community Based and Worker Led Organizations," map prepared for the Center for Faith-based and Community Partnerships, Washington, D.C.: U.S. Department of Labor.
- 11 Bernhardt, Annette, Michael W. Spiller and Nik Theodore (2013), "Employers Gone Rogue: Explaining Industry Variation in Violations of Workplace Laws," *Industrial and Labor Relations Review*, 66(4): 808-832.
- 12 McAlevey, Jane F. (2016), *No Shortcuts: Organizing for Power in the New Gilded Age*, pp. 12-13, Oxford, UK: Oxford University Press.
- 13 Tilly, Charles (1999), "From Interactions to Outcomes in Social Movements," in Giugni, Marco, Doug McAdam and Charles Tilly, eds., *How Social Movements Matter*, pp. 253-270, Minneapolis: University of Minnesota Press.
- 14 Interviews with KIWA, PWC and YWU.
- 15 Fine, Janice (2006), *Worker Centers: Organizing Communities at the Edge of the Dream*, p. 101, Ithaca, New York: Cornell University Press.
- 16 Milkman, Ruth (2010), "Introduction," in Milkman, Ruth, Joshua Bloom and Victor Narro, eds., *Working for Justice: The L.A. Model of Organizing and Advocacy*, pp. 10-11. Ithaca, New York: Cornell University Press.
- 17 Chun, Jennifer Jihye (2005), "Public Dramas and the Politics of Justice: Comparison of Janitors' Union Struggles in South Korea and the United States," *Work and Occupations*, 32(4): 486-503.
- 18 Interviews with Asian Immigrant Women Advocates, CLEAN, FMC, Graton Day Labor Center, GWC, Instituto de Educación Popular del Sur de California, NDLO, Pasadena Community Job Center, ROC Los Angeles and ROC United.
- 19 Interview with Aquilina Soriano Versoza.
- 20 McAlevey, Jane F. (2016), *No Shortcuts: Organizing for Power in the New Gilded Age*, Oxford, UK: Oxford University Press.
- 21 Interviews with CAUSE, Day Worker Center of Mountain View, Day Worker Center of Santa Cruz County, FMC and Graton Day Labor Center.
- 22 These services are funded through the federal Trafficking Victim Assistance Program.
- 23 Interview with Flor Rodriguez.
- 24 Bernhardt et al. (2009), "Broken Laws, Unprotected Workers"; Jayaraman, Saru (2013), *Behind the Kitchen Door*, Ithaca, New York: Cornell University Press.
- 25 Interview with Lola Smallwood Cuevas.
- 26 Interview with Saru Jayaraman.
- 27 Interview with Josué Argülles.
- 28 Hand in Hand, <http://domesticemployers.org/about/>.
- 29 Theodore, Nik, Abel Valenzuela Jr. and Edwin Meléndez (2009), "Worker Centers: Defending Labor Standards for Migrant Workers in the Informal Economy," *International Journal of Manpower* 30(5): 442-436.
- 30 Valenzuela Jr., Abel, Nik Theodore, Edwin Melendez and Ana Luz Gonzalez (2006), "On the Corner: Day Labor in the United States," Los Angeles: UCLA Center for the Study of Urban Poverty.
- 31 The Restaurant Opportunities Center of Los Angeles, Restaurant Opportunities Centers United and the Los Angeles Restaurant Industry Coalition (2011), "Behind the Kitchen Door: Inequality and Opportunity in Los Angeles, the Nation's Largest Restaurant Industry," Los Angeles: The Restaurant Opportunities Center of Los Angeles.
- 32 Burnham, Linda and Nik Theodore (2012), "Home Economics: The Invisible and Unregulated World of Domestic Work," New York: National Domestic Workers Alliance; Theodore, Nik, Beth Gutelius and Linda Burnham (2013), "Home Truths: Domestic Workers in California," New York: National Domestic Workers Alliance.
- 33 McKay, Steven (2015), "Working for Dignity: The Santa Cruz County Low-Wage Worker Study," Santa Cruz, California: University of California, Santa Cruz, Center for Labor Studies.
- 34 Erickson, Emily, Victor Narro, Janna Shadduck Hernández and Abel Valenzuela Jr. (2015), "Conveying Carwash Owners' Stories: Diversity, Competition and Growth in the Southern California Carwash Industry," Los Angeles: UCLA Center for Labor Research and Education.
- 35 Garcia, Natalia, Janna Shadduck-Hernández and Dario Valles (2015), "Hanging by a Thread! Los Angeles Garment Workers' Struggle to Access Quality Care for their Children," Los Angeles: UCLA Center for Labor Research and Education. See also Shadduck-Hernandez, Janna, Marissa Nuncio, Zacil Pech and Mar Martinez (2016), "Dirty Threads, Dangerous Factories: Health and Safety in Los Angeles' Fashion Industry," Los Angeles: UCLA Center for Labor Research and Education.
- 36 Herrera, Lucero, Saba Waheed, Jessica Lehman, Lindsay Imai Hong, Melissa Crisp-Cooper, Reyna Orellana and Aquilina Soriano Versoza (2017), "Struggles and Support: Homecare Employers in California," Los Angeles: UCLA Labor Center.
- 37 Waheed, Saba, Tamara Haywood, Lola Smallwood Cuevas, Psalm Brown and Reyna Orellana (2017), "Ready To Work, Uprooting Inequity: Black Workers in Los Angeles County," Los Angeles: UCLA Labor Center, Los Angeles Black Worker Center and UCLA Institute for Research on Labor and Employment.
- 38 Interview with Alexandra Suh.
- 39 Weil, David (2014), *The Fissured Workplace*. Cambridge, Massachusetts: Harvard University Press.

40 Weil, David (2008), "A strategic approach to labour inspection," *International Labour Review*, 147(4): 349–375.

41 Weil, David (2010), "Improving Workplace Conditions Through Strategic Enforcement," Washington, D.C.: U.S. Department of Labor, Wage and Hour Division; Fine, Janice and Jennifer Gordon (2010), "Strengthening labor standards enforcement through partnerships with workers' organizations," *Politics & Society* 38(4): 552–585; Fine, Janice (2017), "Enforcing labor standards in partnership with civil society: Can co-enforcement succeed where the state alone has failed?," *Politics & Society* 45(3): 359–388; Luce, Stephanie (2005), "The role of community involvement in implementing living wage ordinances," *Industrial Relations: A Journal of Economy and Society* 44(1): 32–58; Koonse, Tia, Miranda Dietz and Annette Bernhardt (2015), "Enforcing City Minimum Wage Laws in California: Best Practices and City-State Partnerships," Los Angeles and Berkeley, California: UCLA Labor Center and Berkeley Labor Center.

42 Weil, David (2010), "Improving Workplace Conditions Through Strategic Enforcement," p. 3, Washington, D.C.: U.S. Department of Labor, Wage and Hour Division.

43 Interview with Alexandra Suh.

