



Day Laborer Hiring Sites

**Constructive
Approaches
to
Community
Conflict**

**Los Angeles County
Human Relations Commission**

Robin Toma
Jill Esbenshade

DAY LABORER HIRING SITES

CONSTRUCTIVE APPROACHES TO COMMUNITY CONFLICT

ROBIN TOMA & JILL ESBENSHADE



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Day Laborer Hiring Sites ~ Constructive Approaches to Community Conflict

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COMMISSION ON HUMAN RELATIONS

LOS ANGELES COUNTY

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PREFACE

This manual strives to fill a gap in policymakers' knowledge regarding the best ways to approach complaints concerning day laborer hiring sites. This gap became undeniably apparent to us after responding to requests for assistance in different neighborhoods in Los Angeles, and communities beyond, both urban and suburban. In meeting after meeting with irritated business owners, angry homeowners, and frustrated police officials, we would discuss the all-too-familiar problems regarding day laborer hiring sites.

We saw the shortcomings of certain panaceas, such as the passage of laws to criminalize day laborers' efforts to get hired. Politically expedient responses, based on flawed assumptions and without the benefit of knowing what had succeeded and failed in other places, seemed to characterize many of the initial responses of local authorities. Not only did such responses fail to resolve the complaints, they often exacerbated inter-group conflict and contributed to the deterioration of human relations in those communities.

We also saw the successes of other efforts. What tended to work, and what didn't, seemed to be consistent even in different locales. We believed that by sharing the lessons learned by a wide array of individuals—from sheriff's captains to activists, from presidents of homeowner groups to immigrants' rights lawyers and commercial property managers—much of the strife in human relations in communities across the country could be avoided, or lessened.

Most importantly, complaints arising from day laborer issues could be meaningfully addressed.

Day Laborer Hiring Sites was the result of the contributions and hard work of many people. First, we would like to thank all of the people who took the time to meet with us, open their centers to us, share their experiences, send us photos and provide feedback and input on parts of the manual. They also deserve special recognition for making themselves available to readers, who will want to avail themselves of their wisdom in the future.

We also want to acknowledge Robert Bach and Barbara Huie of the Immigration and Naturalization Service, whose support brought this manual into being; Maria Haro, Marshall Wong and Joyce Smith of the LACCHR staff, for the innumerable ways in which they helped make this manual a reality; Connie Chung, for helping us survey the day laborer centers; Charlotte Hildebrand, our editor, who gave encouragement at the crucial moments; Jeff Tsuji, our graphic designer, for his talents; Pasquale Lombardo of the National Immigration Law Center for his assistance on the state of the law; Abel Valenzuela, UCLA Professor and fellow researcher on day laborers, for his valuable writing on the subject; Enrico Marcelli, who provided important economic perspective on the issue; and others. We apologize to those we have missed in our long list of individuals who have contributed in some way to *Day Laborer Hiring Sites*.

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GLOSSARY OF TERMS

Depending on what part of the U.S. you are in, there are uniquely regional terms for day laborers, for the place where they await employment, for the act of hiring day laborers, and for any formal hiring site created.

We set forth a glossary of such terminology as we use it in this manual, not intending to establish a definite universal language, but merely to avoid confusion for readers of this manual.

DAY LABORERS/WORKERS: Used interchangeably in this manual to refer to the subject of this manual: persons, (usually men) who offer themselves to be hired as labor for a day, or some other temporary basis. The term also refers to skilled and unskilled workers. "Laborers" is also used. In Spanish, the terms are *jornaleros, esquineros, trabajadores, and obreros*.

HIRING SITE/SITE: Refers to any place where day laborers gather to await employers to hire them. "Pick-up site" and "shape up" are also used in some parts of the country, though we do not use it in this manual.

CORNER/STREETS: Slang terms which refer to sidewalks, unimproved lots, or some other publicly visible areas (public or private property) where day laborers have traditionally or spontaneously waited to be hired for jobs. Often, these corners are near home improvement, building supply or paint stores.

PROJECT: Refers to any project addressing day laborers and community controversy, whether a day labor organizing project at a traditional corner, or a staffed or unstaffed designated hiring center.

CENTER: Refers to a formal project with a staff on a site which has been specifically developed for day laborer hiring.

Introduction

Day laborers have a long history in the world. In ancient Greece, part of the public marketplace was set aside for unemployed men to gather and be hired for day labor. In early 19th century London, construction workers would assemble at the marketplace on a daily basis with the hope of getting hired. In New York City in the early 1800s, unemployed men and women would gather on city streets to wait for work. Although day laborers have probably existed in California since the Great Depression of the 1930s, it wasn't until the late 1980s that a rise in urban day laborers, along with shifts in demographics, the economy and politics, made day labor sites the contentious issue that they are today.

This manual presents the results of the first national survey ever conducted of day laborer hiring projects. Based on in-depth interviews, it endeavors to distill the collective wisdom of practitioners throughout the country, some with more than a decade of experience, who have successfully managed community conflicts concerning day laborers. Anyone who cares about creating meaningful solutions to the problems that can arise when day laborers gather in public will be interested in reading this manual. Our intended audience includes police officers, local elected officials, city managers, local merchants, neighborhood residents, community activists and day laborers.

In preparing this manual, we carried out exhaustive research in various arenas. First, we conducted an archival search for newspaper, magazines and journal articles, as well as academic papers, on the subject of day laborers in the United States. Based on our findings, we carried out a telephone survey of 49 localities throughout the U.S. facing day laborer controversy, to learn how each community is coping. We then conducted site visits at ten day laborer projects located in different parts of the country. We selected these projects as good examples of different types of approaches, as well as for their geographical diversity. Finally, we held focus group meetings with some of the most experienced practitioners in the field, to find out what strategies and solutions they had devised to handle the most vexing

challenges in developing successful day laborer projects.

This manual is not an in-depth study of the characteristics of day laborers, nor is it a scholarly treatment of their history in the U.S. and their role in our market-driven economy. Rather, this manual is a user-friendly guide for practitioners, organizers and others, to learn about some of the best practices and most creative solutions developed in response to community controversy around day laborers.

We found that three basic types of solutions are employed across the nation: 1) Setting up a day laborer hiring center, with paid staff and programs; 2) Creating a designated day laborer hiring site with no staff; and 3) Organizing day laborers at the original site. Each option has benefits and pitfalls that have been experienced in communities around the country. There is also a wide range of strategies that communities have found useful in meeting their goal of renewed collaboration between the community at large and day laborers.

This manual is divided into five chapters:

1) The Basics: The basic information you should know about the people and issues related to day laborers.

2) Nuts & Bolts: The “nuts and bolts” of working towards long-lasting solutions: A step-by-step, issue-by-issue roadmap for addressing day laborer conflicts that may arise in your community.

3) Creative Solutions: The impressive stories of several communities that have been innovative and resourceful in effectively addressing community controversy around day laborers. (Woodland Hills, California; Denton, Texas; Seattle, Washington; Glendale, California; Silver Spring, Maryland)

4) What Can Go Wrong: What can happen when negotiations, community collaboration, policy-making and long-term planning are unsuccessful in yielding solutions. (San Rafael, California)

5) Resources: Samples of useful materials developed by different day laborer projects, a survey of day laborer projects and ordinances in the U.S., and how to contact experienced city officials and organizers to answer questions not covered by this manual.

The Basics

CHAPTER ONE

1. WHO ARE THE DAY LABORERS?

“We work hard. We’re not on welfare. We buy things here and pay taxes.”

Carlos Ensalas
Day laborer from Puebla, Mexico¹

“Several times I’ve just slowed down and had these guys leap into my car. ... They don’t always use the [portable toilets]. On warm days the street reeks of urine. I’ve talked to them about it, and they’ll try it for a while. But it never lasts long.”

Caroline Geise
Architect and building owner
Seattle, Washington²

“All the bad things they claim we do may be committed by 1% of the workers—that’s all.”

Jose Sorrieno
Day laborer from Chihuahua, Mexico³

“They tend to scare customers away simply because they are a large gathering of men.”

John Fontana
Co-owner of a bowling center
Silver Spring, Maryland⁴

By “day laborers,” we are referring to people, usually men, who gather on sidewalks, parking lots, near building supply stores, or wherever they can be visible to potential employers, waiting to get hired for short-term jobs, whether it be cleaning a yard, moving heavy furniture, putting on a new roof, or painting a room.

Since the 1980s, Americans have seen a rapid rise in the number of day laborers in both urban and suburban communities. The recession of the late ‘80s and early ‘90s increased the numbers of people forced to the street corners



In a scene repeated hundreds of times across the country daily, day laborers approach potential employer in Seattle.

to obtain work in urban areas. Economic restructuring in many service sector industries, such as fast food and janitorial, caused chronic under-employment. Economic dislocation in Mexico, as well as civil wars in Central America, forced people to flee to the U.S. where they had little or no family or social ties.

California, and particularly Southern California, leads the U.S. in the number of day laborer hiring sites. But the phenomenon has emerged throughout the country. Cities, both large and small, in Texas, Washington, Oregon, Nevada, Florida, New York, Georgia and Maryland are experiencing a growth in day laborer hiring sites.*

There are few studies about day laborers. However, recent research provides us some insight to the world of day laborers.

Work Skills: Day laborers have skills in a variety of trades: cooking, baking, masonry, welding, roofing, electricity, and car repair. In a UCLA survey of southern

* Although we were unable to contact any project in Oregon, Georgia and Florida, we obtained information such as through our news article which showed that Portland (Oregon) has experienced a growth in day laborers and organizing, Atlanta (Georgia) has several day laborer sites, and Dade County (Florida) recently passed a ban on day laborer work solicitation ordinance that met an ACLU legal challenge.

California day laborers, the greatest percentage of workers had skills in construction (39.2%), painting (29.4%), plumbing (15.8%), and carpentry (14%). [Abel Valenzuela, Jr., "Preliminary Findings from the Day Labor Survey," Center for the Study of Urban Poverty, UCLA School of Public Policy, 1999.] In general, they are hired for jobs demanding hard, physical labor.

Ethnicity/Gender: Our national survey indicates that the overwhelming numbers of day laborers are Latino men. This is consistent with the UCLA study showing that 97% of day laborers in Los Angeles and Orange Counties are Latino immigrant men.

However, our survey indicates that day laborer projects, compared to sites, have a greater ethnic and gender diversity. Compared to 3% of day laborers at Los Angeles region hiring sites being non-Latino immigrants, 77% of the projects we surveyed nationally have 15% or more day laborers of *non*-Latino ethnicity. For example, Atlanta (Georgia) has sites which are comprised entirely of day laborers of African ancestry; Costa Mesa's day laborer project (in the L.A. region) serves day laborers of whom 7% are Black and 7% are white; San Diego's day laborer project serves 25% Black and 25% white workers; San Francisco's serves 11% Black, 12% white; Dallas' serves 70% Black day laborers; Dana Point's has 10% white and 10% Asian Pacific Islander day laborers. Also, many organized sites use different approaches to include women, foster a safer atmosphere and develop specially tailored programs for women, including direct participation in decisionmaking, separate waiting areas, and phone banks.

Wage Rates: Our interviews at project sites found that day laborers are generally paid an hourly rate at least equal to the federal minimum wage of \$5.15/hr. But often, day laborers, especially if they are well organized at a corner or hiring site, can and do receive more. For example, day workers at the job center in Glendale, California, receive \$6 per hour minimum, and up. The southern California regional average is \$6.91 per hour.

However, day laborers can rarely obtain full-time employment throughout the year. Moreover, day laborers are also frequently not paid or underpaid for their work. (See next section's discussion.) As a result, their income, which ranges widely from \$341 to \$1,069 per month during the year (according to the UCLA survey), is at or below poverty levels.

2. COMMUNITY CONTROVERSY AND CONFLICT

A large group of men, mostly Latino, gather on a stretch of public sidewalk or land, waiting for a chance to work. Desperate to be hired, the men rush approaching vehicles, in hope of attracting potential employers, but more often than not, end up unintentionally intimidating drivers. Bored with waiting, the men "cat-call" or make rude remarks to women passing by. Because the sidewalk or corner where they meet usually lacks trash cans or restroom facilities, the day laborers litter and use the side of the road to urinate, resulting in a public nuisance.

All of this generates complaints to police, local government, the INS, and to property owners where day laborers gather. Often police respond by trying to get the workers to leave. But the day laborers cannot simply walk away. Their need to work to buy food, pay rent—in short, their survival—is at stake. They also know that employers will continue to come because they want their labor.

This scenario of day laborers—men vying for a day's work—repeats itself in communities throughout the country.

As the number of sites where day laborers gather and wait for employers to arrive has increased, so too have conflicts with nearby business owners and residents. One reason for the growth in day laborer sites is the surge in immigration from Latin America over the last two decades. This is due in part to the removal of discriminatory barriers against Latin Americans and Asians in federal immigration policy in the 1960s, and other changes in immigration law since then. Also, wars in Central America and economic crisis in Mexico in the '70s and '80s brought about a rise of undocumented newcomers from south of the border.

Added to the conflict is the explosion of anti-immigrant sentiment in California and other states, as evidenced by the passage of initiatives seeking to dismantle bilingual education and deny social services to undocumented workers and their children.

The high visibility of day laborers, which is necessary for employers to find them, has contributed to the controversy. It is often assumed that day laborers are "illegal immigrants" because they fit a popular stereotype—poor, male and Latino. In reality, the percentage of day laborers who are undocumented immigrants can vary significantly. [See discussion in separate section on page 3.] Moreover, even though a significant percentage of undocumented immigrants are Canadians and Europeans,⁵ in the past decade the public debate has focused primarily on the southern border and Latin

“Aren’t Day Laborers ‘Illegal Immigrants’?”

In most places where there are day laborers, the general public perception is that all, or nearly all, of the day laborers are “illegal immigrants” or “undocumented immigrants.” It is believed, in other words, that they lack the legal documents that authorize them to work in the U.S. Consequently, the INS frequently receives calls from politicians, businesses and residents to arrest and deport day laborers.

While no one knows the exact percentage of day laborers in the U.S. who are actually undocumented, the limited research shows that a significant number of them lack legal immigration documents.

We know, however, that not all day laborers are “illegal immigrants.” In fact, the actual percentage of day laborers who are “undocumented” varies significantly, depending on the hiring site and the region of the U.S. For example, the federal judge in the Encinitas (California) case found that approximately 50% of local day laborers were legal immigrants. In contrast, a poll at a North Hollywood site determined that 76% of day laborers surveyed lacked legal immigration documents.¹ In Atlanta’s all black day laborer hiring sites, it is doubtful that any are “illegal immigrants.” In

Glendale, California, police officer Ron Gillman said, “When I first heard that [two studies by L.A. City and Glendale showing that 75% or more are legal residents with work papers], I didn’t buy it. But once I started interviewing the laborers as we started researching the issue, I discovered that many of them speak English. Many of them were laid off from construction companies or other jobs, and a lot of them have their green cards. They’re just trying to get by.”²

In our survey, we learned of no situation in the country where INS arrests have resulted in the elimination of a day laborer site. Nor have such arrests been an effective solution to the vast majority of the community complaints and controversy regarding the hiring sites. This makes sense when one considers that there is always some percentage of day laborers at any particular site who have the legal right to work in the U.S. The primary effect of INS actions has been to reduce the number of day laborers for a short period of time only. Confronted with the reality that the INS cannot make day laborers disappear altogether, local residents and business owners often end up exploring the less facile, more meaningful solutions presented in this manual.

¹ María Cardona and Fabiola Vilchez, “The Day Laborer Issue in Los Angeles: Regulated vs. Unregulated Sites,” UCLA Urban Planning Department, 1997, p.24.

² Steve Ryfle, “2-pronged Plan for Street-Side Job Seekers,” *Los Angeles Times*, September 13, 1996.

American immigrants, mostly Mexicans and Central Americans. Add to this differences of class, ethnicity and language—all during an acrimonious public debate over immigration policy—and it is no wonder that the sites where day laborers congregate have been focal points of community conflict.

Day laborers have complaints as well. They charge that they are frequently harassed by police, passersby, and aggressive private security guards.⁶ Day laborers also report a range of employer abuses. Valenzuela's study of Los Angeles area day laborers revealed that 48% had been denied payment for their work, 52% had been paid less than promised, 33% had been abandoned at the worksite, and 20% were subjected to violence by the employer.⁷

Another contributing factor to conflict, which we discuss in the next section, relates to the different, competing uses of public spaces, especially during an era when privatization and increasing restrictions on activities has reduced public space available for the homeless, the poor, youth, and other “undesirable” sectors of the population.

3. STRAIGHTFORWARD SOLUTIONS

Undeniably, there are real social problems arising from day laborers' use of public spaces for job-seeking, no different than those of street performers. Sidewalk musicians, jugglers or magicians are frequently targets of complaints that they impede walkways and compete for space with food vendors. In those cases, the solution is often straightforward: local authorities establish rules that require street performers to stay within certain areas to ensure adequate space for pedestrians, mobile food carts, or emergency vehicles to pass.

Day laborer hiring sites are no exception. When the hiring site is on a public sidewalk, pedestrians may be annoyed because they have to navigate through a group of day laborers. When the site is in part of a home improvement store parking lot, employers may stop their cars in the middle of the driveway entrance while they are negotiating with workers, inadvertently blocking the driveway. As with street performers there are practical solutions for controversies involving day laborers. For example, the workers can restrict themselves to occupying certain areas to avoid blocking sidewalks and driveways.

Despite the existence of straightforward solutions, complaints and conflicts involving day laborers seem intractable, more often than not, because of misperceptions and assumptions. For instance, a motorist who drives by a day laborer hiring site may see a large group of men on the sidewalk without knowing why they are there, and assume they are loitering. If a few of the men

are drinking beer, they may assume that most, if not all, of the men are vagrants or involved in illegal activity. When such complaints multiply, local authorities may view the entire gathering of day laborers as the problem. Rather than target those individuals who are engaged in the illegal conduct, police often attempt to force all the day laborers to leave the area.

At the heart of community controversy and conflict, it is critical to distinguish among “real” and “perceived” social problems. Real problems at day laborer sites—like littering or blocking driveways—can be effectively addressed, as discussed below. But problems that are based on perception, not reality, require a different approach—changing perceptions through education and promoting mutual understanding. Very often, power imbalances must be addressed as well to force all parties to confront the real issues at stake.

In our survey of day laborer hiring sites around the country, we found a great deal of similarity among the types of complaints most commonly voiced. Below, we identify the most common problems and complaints, explain why they are common to many sites, and what basic steps can be taken to effectively resolve them.

As you will see in the following chart, a few simple goals are powerful in settling most kinds of disputes: 1) establishing clear communication and cooperation between day laborers, businesses, police and public officials; 2) ensuring respect for the rights of all parties involved, including those of the day laborers; and 3) organizing day laborers to understand the complaints and its impact on their relationship with the larger community, which results in day laborers exercising peer pressure to follow agreed-upon rules to minimize conflict with other stakeholders, and to protect their relationship with the community and hence their ability to look for work. In particular, creating positive relations between police and day laborers is essential to the success of projects. Ultimately, communication leads to cooperation, that in turn permits developing relationships that foster mutual respect and increased trust, which are the bases of healthy multi-cultural communities.

Types of Day Laborer Projects

After we surveyed projects which have been organized to address day laborer controversy, we have categorized them into three types

1) “Organized Site” is a project at the original day laborer gathering site, where an organizer has been sent to help negotiate an agreement between the laborers and the property owners, residents, local government and police. An example of this is Woodland Hills, California, featured in Chapter 3.

The complaints listed below tend to result from the actual mismatching of the use of a place with the place's facilities, or a problem such as public drinking done by a minority of day laborers but resulting in blame upon the entire day laborer gathering for it.

<p>LITTERING: Often there are no trash cans located near the site. Also, day laborers often come from societies with different customs and attitudes about littering. They are often unaware of the degree of anger caused by littering.</p>	<p>SOLUTION: Provide trash receptacles at the site, and educational campaigns about laws here against littering are effective (some flyers are included in the Resources section of this manual).</p>
<p>BLOCKING DRIVEWAYS OR PARKING LOT AREAS: In their eagerness to get hired, day laborers may approach vehicles entering a driveway or parking lot, and the stopped vehicle blocks the flow of traffic.</p>	<p>SOLUTION: Establish a clearly defined area—either in the parking lot or along a public roadway—of adequate size and location for day laborers and employers to meet, and advertise it well by posting signs so employers will know to go to the area. A well-organized group of day laborers can be effective at self-policing, i.e., using peer pressure to discourage men from approaching potential employers outside the designated area. Also, there should be security guards and police trained to remove day laborers who are resistant to staying within a designated area.</p>
<p>TRAFFIC HAZARDS: When day laborers step into the streets to approach an employer, the employer may slow, stop, or park the vehicle in a manner which causes an unsafe situation. Although in certain localities this complaint has been overstated in order to justify anti-day laborer ordinances, hiring sites may pose a potential traffic hazard, depending on their location.</p>	<p>SOLUTION: Ticketing the drivers during a focused period of time can deter employers from stopping there. But the more effective solution is to give day laborers and employers an alternative to the situation that eliminates the hazard, for example, designating an area inside a parking area or other lot, or create a hiring site elsewhere.</p>
<p>TRESPASSING: Day laborers who are waiting to be picked up by employers in a privately-owned store parking lot without permission from the property owner may be accused of trespassing.</p>	<p>SOLUTION: In some states, owners have the right to eject day laborers. In other states, such as California, owners may be required to designate an area for day laborers to communicate their availability for work. Developing an informal agreement between property owner and day laborers to stay within a certain area of the parking lot has proved a workable solution at some sites.</p>
<p>PUBLIC URINATION: These complaints arise from the fact that day laborers often lack access to any nearby toilet facilities. Frequently, businesses nearby the hiring site legitimately reserve them for patrons only. Some businesses have selectively denied restroom access, and even service, to day laborers (or anyone perceived to be a day laborer) to discourage them from gathering near their business.¹</p>	<p>SOLUTION: Gain agreement to permit day laborer access to use the restrooms of a nearby establishment, or place nearby a portable toilet(s), which are fairly low cost.</p> <p>¹A fast food restaurant was sued for this reason in Agoura Hills, California. See <i>Xiloj-Itzep vs. City of Agoura Hills</i>. The restaurant, part of a nationally known chain, settled the suit out of court.</p>
<p>DRINKING OR GAMBLING: A minority of day laborers drink alcohol, gamble, or use day labor sites for other illicit activities. This tarnishes the general image of the workers.</p>	<p>SOLUTION: When organized, day laborers can be effective at using peer pressure to discourage illegal behavior. Private security or police can be used as a back-up to remove known trouble-makers.</p>
<p>SEXUAL HARASSMENT: Women who pass nearby day laborer sites have complained of “cat-calling,” whistling, or rude remarks by day laborers. Many day laborers come from societies where such sexual harassment is more accepted, and are unaware of how offensive such behavior is in the U.S.</p>	<p>SOLUTION: As with littering, educating day laborers need to be educated that such behavior is unacceptable. On private property, workers who persist in such conduct can be removed by the owner via private security guards and police assistance. On public property, it is more problematic how to punish offensive conduct which is not criminal. At minimum, day laborers ought to apply peer pressure against such conduct which damages relations with the local community.</p>

The complaints listed next involve problems resulting from misperceptions and negative stereotypes about day laborers, which requires more human relations work than practical problemsolving.

<p>LOWERING PROPERTY VALUES: When a day laborer site is close to a residential neighborhood or an area in process of “gentrification,” homeowners or developers complain that negative perceptions about a day laborer site reduces the value of the property. Overlooked is the fact that day laborers are often hired by contractors and homeowners to do home improvement projects and yard maintenance, all which keep a neighborhood attractive and home values strong.</p>	<p>SOLUTION: At a traditional hiring site on the sidewalk or at a parking lot, organizing day laborers and establishing an informal agreement with rules of conduct often has resulted in a more neat and orderly presence of day laborers which has effectively addressed this concern. Of course, establishing a formal hiring center would address this concern.</p>
<p>INCREASE IN CRIME: A less frequently heard complaint is that day laborer hiring sites increase crime in the area. This is likely tied to the fear that a grouping of poor Latino workers have motive (need for financial gain) and opportunity to commit crimes. The authors are unaware of any case where such an allegation has been supported by crime statistics. In fact, the opposite has been reported by police. Some report that the steady presence of day laborers in a parking lot has served to deter would-be car thieves and other criminals.</p>	<p>SOLUTION: Efforts to promote better communication and relationships between law enforcement and day laborers results in improved anti-crime efforts. Some police agencies have assigned Spanish-speaking officers to regularly meet with day laborers to avoid misunderstandings and create positive relationships. Also, creating opportunities for the entire community to get to know day laborers, either through public education efforts or inclusion of laborers in community activities, helps reduce fear and prejudice.</p>
<p>UNSIGHTLINESS: Rarer than most, this complaint is simply that the day laborer hiring site is a visual blight, “an eyesore,” or “unsightly.” While there is nothing wrong in caring about the appearance of one’s neighborhood, often underlying this complaint is that a visible gathering of poor Latino workers does not fit with their image of their community, in terms of socio-economic class and ethnicity.</p>	<p>SOLUTION: This is a difficult complaint to address on its own, since the only solution can be to remove day laborers from sight, which is both counter to their need to be visible to potential employers, and has serious human relations and constitutional implications.</p>
<p>INTIMIDATION OF CUSTOMERS / REDUCTION IN BUSINESS: Businesses have claimed that the gathering of day laborers has discouraged or intimidated customers. There are two types of complaints: one is based on the day laborers’ behavior; the second is based on their mere presence. When day laborers eager to get hired rush in groups towards their cars entering the lot, many drivers are intimidated, especially those not intending to hire day laborers and are unaware of their purpose. Others customers have complained to businesses that they are fearful of workers in the parking lot. Such complaints are often based on negative stereotypes and ignorance of the reason why they are gathered there.</p>	<p>SOLUTION: When day laborers are organized and educated not to approach cars in driveways or which do not drive towards them, customer complaints decline. Carrying out some human relations efforts with business patrons, such as educating them about the purpose of day laborers gathering there can help reduce anxiety and helping them to know the stories of why day laborers are there. It also helps to organize the hiring activity in a location visible to potential employers, but unobtrusive to patrons.</p>

2) “Unstaffed Site” is a project in which day laborers have been moved from their original location to another site designated specifically for hiring activity. The absence of staff means that the day laborers continue to have an informal means of determining who gets hired when an employer arrives. An example of this is Denton, Texas, featured in Chapter 3.

3) “Staffed Site” refers to a project which has the greatest degree of formal organization and resources devoted to regulating day laborer hiring. The majority of day laborer projects are of this type. Examples of this are Silver Spring, Maryland, and Glendale, California, highlighted in Chapter 3.

The chart below summarizes the advantages and disadvantages of each type of day laborer project.

TYPES OF PROJECTS: *Advantages & Disadvantages*

TYPE	ADVANTAGES	DISADVANTAGES	RESOURCES REQUIRED
ORGANIZING AT ORIGINAL CORNER	No need to find new site Emphasizes protection of workers' civil rights	May not eliminate complaints Workers may still be vulnerable to abuse by employers and hostility from surrounding community	Organizing and conflict resolution skills Staff Time • Trash Cans Available toilets (in nearby businesses or Porta-potties)
UNSTAFFED DESIGNATED SITE	Can accomplish with limited budget May reduce complaints	Job distribution can be disorderly (rushing towards potential employers) without staff • Employer abuses more likely without staff oversight	Available site • Trash Cans Porta-potties Drinking Water
STAFFED DESIGNATED SITE	Ensures more orderly job distribution system Potential for providing myriad of services Likely to reduce complaints	Most costly	Significant Budget Available Property Available office/trailer space Full-time staff

Ordinances and Constitutional Rights

In response to complaints by residents and businesses, many cities have enacted ordinances that ban day laborers from offering themselves for employment on city streets. Some laws impose total bans anywhere on public sidewalks or streets in the entire city or jurisdiction, while other laws restrict it to certain areas of the city. All of them criminalize the day laborer's search for work.

We discuss in greater detail the “pros” and “cons” of such ordinances in the “Nuts and Bolts” section. However, our survey found that these attempts to make the day laborers less visible or invisible have met with mixed results. Our survey revealed that 63% of the 49 cities surveyed had enacted an ordinance restricting day laborer activity. In response to the question of whether

the ordinance has resolved the complaints that gave impetus to the ordinance, 43% said “yes,” 14% said “no,” and 43% said “somewhat.”

Ordinances alone are rarely effective in resolving day laborer controversy and have faced legal challenges. For example, the Cities of Encinitas, Costa Mesa, Agoura Hills, and the County of Los Angeles⁸ have all been sued for violating free speech and other constitutionally protected rights in enacting and enforcing ordinances. Plaintiffs charge such laws target day laborers' expression of availability for work. The government defense is that such laws are a legitimate exercise of a city's power over public health and welfare, and do not discriminate. Given the possible consequences of such a law, it should be an option considered most carefully.

1 Greg Sandoval, “Many Doubt Law Targeting Day Laborers Will Work,” *Los Angeles Times*, March 10, 1997.

2 Gordy Holt, “Gentrification will wipe out old city's curbside hiring hall,” *Seattle Post-Intelligence*, September 1977.

3 Greg Sandoval, “No Citations Issued as Enforcement of Day Laborer Law Begins,” *Los Angeles Times*, March 15, 1997.

4 Louis Aguilar, “Outreach Runs Into Neighborhood Outrage: Montgomery's Efforts to Help Day Laborers Cause Resentment,” *Washington Post*, January 23, 1994, Page A1.

5 Richard Simon, “Half of Undocumented Immigrants in U.S. Not From Latin America,” *Los Angeles Times*, November 25, 1993.

6 For a detailed example, see lawsuit complaint in *Juan Xiloj-Itzep et al. vs. City of Agoura Hills*, L.A. Superior Court, Case No. LC011284 (Filed September 18, 1991).

7 Valenzuela, Table 13, p. 15.

8 The relevant sections of the L.A. County Ordinance (No. 94-0043) were struck down by a federal court, holding it was unconstitutional in violation of the First and Fourteenth Amendments. See *Coalition for Humane Immigration Rights of Los Angeles (CHIRLA, et al., v. Yvonne Brathwaite Burke, et al.*, U.S. District Court, Central District of California, Case No.; CV 98-4863-GHK (CTx) (Decision entered September 13, 2000); plaintiff's attorney: Thomas A. Saenz of MALDEF.]

Nuts & Bolts

CHAPTER TWO

The following chapter will provide the reader with concrete strategies on how to deal with a number of the most important aspects of handling day labor controversies in your community. This information was derived over a period of several months from the experience of many practitioners who generously shared their ideas in interviews and focus group sessions.

“Nuts and Bolts” was designed as an issue-oriented guide in order to allow the reader to refer to a particular issue without having to necessarily read the entire manual. The text is divided into nine sections, each of which provides successful strategies practitioners have found, and obstacles they have faced. Depending on the type of project your community is contemplating, sections may or may not be pertinent. For instance, conflict resolution is important in all situations, but job distribution is most relevant to staffed sites. We have organized the sections in the order that readers might confront the issues, but of course, this will vary depending on the situation in your community.

We begin with **Building Alliances** which we believe to be a necessary first-step; we then move on to **Conflict Resolution** which is another strategy we recommend as a precursor to the establishment of any permanent solution.

Site Acquisition is the next step for those planning a newly designated hiring site, be it staffed or unstaffed. Once a new site is found, it is crucial that every effort be put into organizing the day laborers in support of the move. For those who are trying solutions at the original corner, **Day Labor Organizing** will be at the heart of your work.

If an alternative location is being established, those working on the project must consider how to attract both day laborers and employers to the new site. These issues are dealt with in the following areas: **Attracting Day Laborers to the Project**, and **Raising Employment Levels**. As most of those working in the field have found, these tasks are interconnected; they are also often seen as a measure of the success of the project. **Job Distribution**, which follows, is a more technical area but

a crucial one, since getting a job is the bottom line for all workers. The experiences of other centers can help practitioners avoid conflict and dissension over this issue, which has the potential for arising in any given day laborer site.

Finally, in the last section, **Ordinances and Laws** deals with the pros and cons of anti-solicitation ordinances. Some local governments have enacted new laws that vary in form, but in essence criminalize the act of standing on the sidewalk and “soliciting employment.” For the sake of brevity, we refer to these laws as “anti-solicitation ordinances.” While some centers, and some day laborers, support such ordinances, our experience shows that all too often such ordinances are costly to enforce (and defend against legal challenges), are ineffective and can trample upon workers’ constitutional rights.

SECTION ONE:

Building Alliances

STRATEGIES:

1.1. ASSESS SUPPORT AND OPPOSITION: Always start by assessing where your support already lies or where your natural allies might be. Begin to solidify this support through meetings in which you educate your allies about your proposal and solicit their endorsement. Once you have a strong base of support, you can move on to convincing your opposition.

1.2. ADDRESS OPPOSITION CONCERNS: It is important to acknowledge conflicts of interest that may arise when large numbers of unorganized laborers gather at a street corner. For instance, there are sometimes problems with litter, urination or workers crowding around cars. These concerns can be addressed directly by recognizing that the needs of day laborers can comple-

ment the needs of business and community. Once recognized, an organized center or corner can set rules, thus alleviating many of the problems often found with unorganized situations. For example, at one Home Depot, the situation for both the workers and the store managers improved when workers were designated a specific area of the parking lot, given trashcans, benches and port-a-potties. Workers no longer approached cars intimidating customers. The workers themselves were happy to have a designated area where employers could easily find them, which addressed their physical needs, and provided them a feeling of safety.

1.3. NETWORK WITH OTHER COMMUNITIES: It is important to bring supporters—business owners, residents, and police—from other areas where day labor sites exist, so that they can give their testimony and share experiences about how their own community project addresses their concerns. Site organizers can also visit already existing sites to learn from their experiences, and can bring others to established sites to help convince them of the efficacy of another’s approach.

1.4. FOCUS ON POLICE: Most day labor project staff agree that the support of the police is key, not only in creating a successful project but in getting the project approved in the first place. Police are often the ones who are most interested in finding a solution because they

have a lot of influence with local residents and business owners. Police support can also give workers more confidence.

1.5. COMMUNITY MEETINGS: It is, of course, vital to secure the support of the surrounding community. This is best accomplished once other stakeholders are willing to come to a community meeting and explain their support of the project. Business owners and other local residents will be able to express their concerns and at the same time be afforded an opportunity to better understand the plight of the day laborers.

1.6. COMMUNITY ACTIVITIES: It is also useful for the day laborers to demonstrate that they are a positive asset to the community by participating in a variety of civic activities. For example, day laborers can initiate a local “clean-up day” to improve a neighborhood’s appearance and invite others to participate. This is a chance to make positive connections with other stakeholders.

1.7. LOCAL POLITICIANS It is important to get the support of local City or County Council members. Rather than presenting a proposal to the whole council, begin by meeting with individual members. It is best to bring supporters from each Council member’s district to such meetings. Those who represent a constituency, such as leaders from religious, civil rights, business and homeowners organizations, as well as law enforcement officials, can be important participants in your project.

1.8. PUBLIC/MEDIA RELATIONS STRATEGY: It is important to change the public image and community perception of day laborers through positive media coverage. It is often useful to guide reporters towards community authorities who are supportive of day laborers, for instance, local police spokespersons or politicians. Op-ed pieces in the local papers by respected community members shedding light on the day laborers can also be useful. Arrange presentations at local churches, homeowners associations, etc. to defuse negative assumptions. Distribute photocopies of positive articles at such presentations.

Obstacles:

1.9. MYTHS AND MISCONCEPTIONS: Much of the opposition to day laborer projects is driven by fears that a day laborer project in the neighborhood will lead to rising crime and deteriorating property values (among other problems). Examples from other projects, as well as practitioners who can share their experiences, will help dispel these myths. Misconceptions about who day

“Both the police and INS have surprisingly been our strongest allies in Seattle. They have both emphasized that purely an enforcement solution will not work. They do not have the capability to raid the area enough to permanently eliminate activity. They also prefer to spend their resources on fighting crime and deporting criminal aliens. Neither the police nor INS consider the solicitation of labor to be a criminal activity. They told us that they will support any solution that the community comes up with and will help make it work.”

Hilary Stern
CASA LATINA

receive complaints about the corner. Many police departments would rather spend their time addressing serious crime than monitoring the corners. Not only are the police stakeholders in this issue, but their support can

laborers are—mostly men looking for an honest day’s work—can be corrected with hard data from your police department, face-to-face meetings, flyers and brochures distributed door-to-door, conflict resolution and positive media coverage.

1.10. RACIAL OR CLASS PREJUDICE: It should be expected that what frequently underlies opposition to day laborers is discomfort, fear or animosity because they appear to be “foreign,” of a different racial/ethnic group and/or poor. Moreover, business and homeowners often feel their property values and community standards and image are threatened by large groups of “poor” and “foreign” men congregating in the area. Hostility to gatherings of day laborers based on perceptions of their class status may exist even where the workers and surrounding community share the same ethnic background. Critical to overcoming hostilities is taking steps to help the opposition, and the community at large, realize and recognize day laborers as human beings—men seeking ways to earn an honest living, and sharing many of the same values as those in the community.

1.11. ANTI-IMMIGRANT GROUPS: Some of the opposition to the day laborers in most situations will be driven by anti-immigrant sentiments. Much of the anti-immigrant rhetoric is based on stereotyping and fear. The reality is that many day laborers have the legal right to remain in the country. In light of this fact, bringing in the INS is not the most effective solution and often damages trust and cooperative efforts between day laborers and nearby business people, customers and residents. By focusing on the issue as a local community problem to be solved among the various stakeholders, one can try to identify individuals who believe the only solution is the complete removal of the day laborers from the area. This is important since such individuals can undermine a positive solution, as happened in San Rafael, California (see Chapter Four).

1.12. UNION OPPOSITION: Because day laborers

are seen as a cheap alternative to unionized labor, especially in the construction industry, in some instances, unions have taken a negative stance toward day labor projects. It is a good idea to try to meet with local unions,

“In several areas the police have publicly refuted the accusation that day laborer sites are linked to a rise in crime. For example, a spokesperson for the Los Angeles Sheriffs Department told the Los Angeles Times that crime in Ladera Heights had actually decreased in the previous two years, the time period that corresponded to the increase in the day labor population there. In Mountain View, California, the Police Chief also told reporters that day laborers were not involved in crime. Hilary Stern describes how this myth was dispelled in her area, “The day laborer situation was initially described by community members as a public safety issue. However, the Seattle Police did an analysis of police reports of criminal activity in the area over the past several months and found that the blocks where the laborers gathered generated fewer calls than surrounding blocks.”

accompanied by sympathetic unionists if possible, to explain the intent of the program beforehand. In an organized project, day laborers often agree on a minimum wage of \$7 or more, insist on safe working conditions and refuse to replace striking workers. It is therefore better for union members if workers are in a center rather than out on the street, where they often accept minimum wage or less, and may accept any working conditions. Some centers are working directly with unions to gain training for the day laborers. The centers can, in fact, act as feeders to unions who are open to organizing within these ranks. One day laborer advocacy group, CHIRLA, is organizing day laborers at many sites within one region, into one association.

“Initial conversations between businesses and Seattle’s CASA Latina focused on the undocumented status of many workers and the “illegality” of their activity. Businesses also talked about the goal of “cleaning up the area,” using the phrase both for litter and for poor people. After the laborers became involved in the conversations with businesses, the business owners became more respectful and supportive of their right to work. They also became more aware of the reality of the situation and were better able to evaluate possible solutions, knowing why the laborers gathered at that particular site and how they were accustomed to finding work.”

Hilary Stern
CASA LATINA

SECTION TWO

Community Conflict Resolution

STRATEGIES:

Some day laborer advocates have found that it is useful to use a mediation or conflict resolution process to resolve tensions in a given neighborhood. Such processes, whether formal or informal, usually involve a neutral third party who can work with each side to define their concerns and develop common solutions.

2.1. LEARN SKILLS BEFOREHAND: It is advisable to arrange for training for day laborers on conflict resolution skills, leadership, negotiation, and public speaking before entering into conflict resolution meetings. CHIRLA, listed under Contact Organizations in the back of this manual, is compiling a day laborer training manual.

2.2. BALANCE POWER: Because day laborers are often less powerful or influential members of a community they are at an immediate disadvantage in a mediation session. This can be addressed by making sure the meeting is fairly managed and by bringing supportive allies to the meeting who have credibility with the opposition as well—lawyers, police, local politicians, local community leaders, and civil and human rights advocates, to name a few.

2.3. NEGOTIATE: It is wise to understand the opposition's concerns and desires ahead of time and to be able to address these and offer compromises. For instance, there are often concerns around public urination and littering which can be solved with provision of the

proper amenities. Day laborers may want to discuss how to voluntarily restrict their activity to certain areas to avoid blocking driveways or causing traffic problems.

2.4. USE IN MEETINGS AND ON THE CORNER: Conflict resolution skills are not only helpful in community meetings and forums but also in everyday situations which arise on the corner or at a site. A lot of situations can be defused with communication and diplomacy. Also day laborers who are trained in such techniques are treated with more respect.

Obstacles:

2.5. LANGUAGE BARRIERS: It is vital that full and competent translation be provided for everyone. Mediation is impossible without clear communication.

2.6. PARTIES NOT ACTING IN GOOD FAITH: It is important that a follow-up process be planned as part of any conflict resolution effort. Deeper resentment may be fostered by false promises and insincere efforts. All parties should be held accountable to the agreements made; for example, accountability can be checked through regular follow-up meetings to monitor all parties' implementation and compliance with agreements.

2.7. EQUAL OPPORTUNITY TO PARTICIPATE: Do not allow any community meetings to be dominated or undermined by one or two individuals. From the start, set ground rules which call on everyone to be respectful, ban references to race and limit participants' speaking time.

CHIRLA, which has the most developed conflict resolution models, suggests the following:

"The first meeting should be held with the residents, business owners, police and other community members to assess their concerns and complaints about the day laborers. The second meeting should be with the day laborers themselves. The third meeting should be a dialogue between the residents and the day laborers. Between the second and third meeting, the community group working with the day laborers should have taken some clear positive steps, cleaning up, eliminating any illicit activity, etc., which can show the community members an example of the benefits of a collaborative project."

Victor Narro
ORGANIZER

Site Acquisition

STRATEGIES/PRIORITIES

3.1. SUCCESSFUL LOCATION: Choose a site which is as near to the original hiring site as possible. Both employers and workers will then be more likely to use the site. If it cannot be near or at the original site, it should be at least visible and on a main thoroughfare. Consider locations near potential employers such as a home supply, gardening or paint store. Easy accessibility to site by public transportation is essential.

3.2. SOURCES OF PROPERTY: Most projects try to find cheap or free use of empty land; a few projects have rented a store front near the original corner. Public sources of land include county or city property, Community Redevelopment Agency (CRA) land, Water & Power property and any property that for whatever reason may not be compatible with other uses. Some projects have been located on land owned by sympathetic residents, but most are located on public land. A group in Los Angeles with projects both indoor (in a building or large trailer), and outdoor (a piece of property with a small trailer that serves as an office), suggests that a storefront offers a warmer and safer environment with more amenities and a more professional look. Any potential site should be checked for environmental hazards.

3.3. GARNER SUPPORT: It is important to have local support before entering into the search for a location. Securing a location can be a difficult battle and strong support can be decisive. Of course, having an acceptable site will also be key to building further alliances.

3.4. COMMUNITY FORUM: Many have faced opposition from residents and business owners near a proposed site. It is important to discuss their concerns in an open forum. Prepare by having one-on-one meetings with key supporters, which will familiarize them with positive examples from other locations and ensure their participation.

OBSTACLES:

3.5. NIMBY RESPONSES: Unless the new location is in an industrial area—which may not be the best choice in terms of potential success—the project will most likely meet with some “Not in My Back Yard” (NIMBY) responses. These can be met by community forums and political support as discussed above. Conflict resolution and mediation can also be helpful (see Section 2). At some point, it will be useful to bring the surrounding community in for face-to-face contact with the day laborers to promote mutual understanding and to reduce potential unwarranted fears.

The first Glendale center, donated by Catholic Youth Organization in 1989, was in an industrial area. While the establishment of this site avoided conflict with local residents and businesses, the center had a hard time attracting employers and eventually closed down. If a site is not located conveniently for employers, i.e. near a home improvement, gardening or painting supply store, or on a major thoroughfare, they are less likely to use the center. If employers continue to look for laborers at the corner, workers will be attracted back to the original site.

3.6. LAND AGREEMENT CONDITIONS: Some land agreements prevent the construction of any permanent facilities on the site. Projects have overcome this by renting or buying trailers. Trailers can be skirted in order to give a more established and professional look and thus foster employer confidence.

3.7. LIABILITY CONCERNS: Some attempts to secure site locations have failed because of liability concerns on the part of the owner of the property. Where projects are under the auspices of local governments, proponents have worked with the local government attorney to assuage such concerns.

3.8. CITY/COUNTY PLANNING COMMISSION: Opponents of hiring sites have used the zoning boards to block proposed site locations. Organizers may need to get a conditional or special use permit or an exemption if the location is not consistent with current zoning (e.g. in a residential neighborhood).

SECTION FOUR

Organizing Challenges

KEY STRATEGIES:

4.1. FOCUS ON WORK AND WORK CONDITIONS:

Day laborers report that their number one priority is work—getting steady work at higher wages and with assured payment. Therefore successful organizing must focus on the clearest and most compelling reason for day laborers to organize: meeting their economic needs. There is no substitute for addressing this crucial issue.

4.2. BUILD TRUST AND COMMUNITY:

The most important strategy in organizing day laborers is to increase day laborers sense of community and trust. Although there is a natural dynamic of competition among day laborers, there is also a sense of community. Many immigrant day laborers are far from their families and homeland and view one another as a source of support.

4.3. NON-TRADITIONAL ORGANIZING:

Since day laborers do not share a shop floor or a single employer, as is the case with most organizing campaigns, one must create structured, regular contact outside the corner for workers to discuss their situations and to create stronger social bonds. In Los Angeles, organizers at CHIRLA have successfully done this by organizing theater groups, soccer teams and musical bands. They have also brought day laborers together from various corners to conferences and workshops, creating a key nucleus of day labor leadership.

4.4. DAY LABOR LEADERSHIP:

It is important to develop leadership from among the day laborers by providing leadership training and, when possible, hiring staff from among the workers. Day laborers should also have their own representatives on the Board of any

project. Once a leadership base is created, practitioners have found that day laborers are more successful at organizing their peers.

4.5. INCLUSIVE DECISION-MAKING: Some sites have elected leaders and in other centers, workers apply

“We hold meetings during the busiest time on the busiest day (early Monday morning at some centers) after all have arrived. Day laborers need to make the rules and decide how to run the center, this includes the system of distributing jobs and the relationship with police, etc.”

Lynn Svenson

ONE STOP WORKER CENTERS

for the leadership committee based on their length of attendance and proven commitment to the center. Decisions should be made in a forum which allows all affected day laborers to give input and raise questions or disagreements. Small committees can be formed to deal with specific issues like site maintenance, raising employment levels and conflict resolution. These committees can bring suggestions to the larger group for approval.

4.6. WRITTEN RULES: It is extremely valuable, both on the corners and in a center, to have written rules that are established through a democratic process. On the corner this contributes to successful self-policing by the day laborers, and in the centers, to smooth operations. Day laborers can also decide on consequences for violation of the rules.

4.7. RELATIONSHIP WITH LAW ENFORCEMENT:

Organizers have suggested that the police can be an invaluable ally in organizing. Generally, the police like to see the day laborers institute rules of behavior for the corners. They are usually happy to help weed out those who are not looking for work but instead are using the corner for drinking, drug dealing or other illegal activities.

Many traditional unions have begun to utilize existing forms of organization within the immigrant populations, such as soccer leagues and churches, as a basis for organizing. These familiar forms of social organization can be used to build further trust, cooperation and participation. Popular theater and music have long been accepted forms of political education and communication in Latin America.

Day laborers in Los Angeles use these forms to dramatize their situation for each other by performing at day labor hiring sites and at larger community and labor events.



CHIRLA soccer team builds further trust, cooperation and participation. Other types of organizing tools may include popular theater and music, long accepted as forms of political education and communication in Latin America.

4.8. UTILIZE VOLUNTEERS AND STAFF: It is almost impossible to organize without forging a core of committed volunteers or paid staff. Successful organizing takes a concerted and often prolonged effort. During the early stages, organizers' visits need to be frequent to instill confidence and insure momentum.

OBSTACLES:

4.9. TRANSIENT POPULATION: Because there is a high turnover rate among day laborers, organizing can be difficult. Many feel that centers are advisable because they can help stabilize the population. There is usually a certain percent of the population who has been around awhile. Organizers may begin by focusing on this group.

4.10. INTER-GROUP CONFLICT: Organizers should try to overcome conflict due to ethnic, national, or political differences which exist not only among racial groups but also among different nationalities. Conflict between Mexicans and Central Americans has been

widely observed, and even among ethnic groups within the same nationality. Organizers can defuse these conflicts by discussing them directly, agreeing on non-discrimination policies, and developing projects and activities people can jointly work on and in that manner build trust. Organizers should set the tone by acknowledging that day laborers come from diverse backgrounds in terms of race, nationalities and languages, but emphasize that day laborers share an economic situation and common goals; they must respect each other, regardless of their differences.

4.11. LACK OF ON-GOING EFFORT/RESOURCES: As stated above, organizing drives take sustained effort. Before embarking on a campaign, practitioners should assess their resources and volunteer or staff time. Do not expend all your time and resources at the beginning of your efforts, but try to pace the organizing so that it is manageable. Also, develop a strategy for acquiring funding and building a relationship between the day laborers and the funders.

SECTION FIVE

Attracting Day Laborers to the Project

Centers have used a variety of strategies to attract day laborers with varying success. The goal of the center is to alleviate the problems found on the street, both for the surrounding community and the day laborers themselves. However, it should be kept in mind that it is highly unlikely that everyone will participate in the project. There will always be individuals who do not like rules or structured environments and choose not to participate. A center should try to attract workers to the extent possible but have some flexibility in accepting that there will probably never be 100% participation.

Strategies:

5.1. JOBS: The most effective strategy for getting day laborers to come to a center is to have a high rate of employment every day (see section 6). If workers have a greater chance of getting a job at the center than at the corner, they will more likely come to the center.

5.2. WAGE ISSUES: At most centers the men come to an agreement on a minimum wage, which is often \$6-\$7 per hour, although the wage for skilled trades such as carpentry or masonry is usually more. Such a minimum wage is easier to enforce at a center (rather than on the corner) where the employer is greeted in a uniform manner by someone who explains the ground rules of the employment agreement.

5.3. COLLECTING UNPAID WAGES: One of the most common complaints among day laborers is that they are not paid, or are paid less than what the employer promised. Projects should address this problem by helping workers investigate options for collecting these wages. In some cases, a call or letter from the center, or a community agency voicing the complaint and inquiring as to the schedule for payment, will suffice. In other more serious cases, when the accusation is that the employer has knowingly hired a day laborer without the intent of paying the agreed upon wages, the police can investigate for criminal fraud. The investigation itself may pressure the employer into paying. Other remedies include civil action such as small claims court and complaints to governmental agencies, such as the federal Department of Labor or State Labor Commissioner. However, these

remedies are costly, take a long time and often do not yield satisfactory results. An enormous amount of effort and resources are necessary for further legal procedures to attach the property or garnish the wages of the employer.

5.4. OTHER SERVICES: Offering social services can also be an attraction; such services most commonly include English language classes, medical clinics, food distribution and immigration counseling. These are services which are often hard to offer at the corners, given the lack of facilities. Nonetheless, at a well organized hiring site, these services can sometimes be arranged.

5.5. CAMARADERIE: When centers try to build a social network and sense of support among the men there is also more incentive to participate. This is accomplished through everyday contact and organization of special events, such as site anniversaries, community projects, soccer games, etc.

5.6. ORGANIZE ON THE CORNERS: It is crucial to start organizing on the corners before the center opens. From the outset, the workers should be involved in setting up the center and feel some ownership in the center. Self-directed workers will also be able to organize newcomers to the corner more effectively.

5.7. DAY LABORER INVOLVEMENT: It has proven beneficial for day laborers to be active participants in the rule-making process and running of the center. This not only makes the center more attractive, in that it is a more democratic and participatory place, but also results in more effective operational policies. As center users, the workers have insights and contributions toward policy-making which can only benefit the functioning of the center.

5.8. ANTI-SOLICITATION ORDINANCES: Some site coordinators and some day laborers believe that anti-solicitation ordinances which ban day laborer activities in other parts of the city are key to getting the workers to participate in the formal centers. However, there is much controversy about this, and so we will lay out the pros and cons of this strategy in a later section (see section 9).

5.9. LOCAL LAW ENFORCEMENT SUPPORT: It is vital to meet with local police or sheriffs on an ongoing basis to solidify and coordinate their support. In many instances, it has been through the efforts of the police, directing both day laborers and employers toward the hiring center, that a center has become a success. Where police work closely with a project, they may be able to assist in contacting local INS representatives to explain



Day laborer-organized community garden builds collective trust.

the project. Some centers have elicited informal non-intervention agreements from the INS which add to the workers' confidence in the center.

“Senior Lead Officers from LAPD and Community Officers from the Sheriff’s Department have been very instrumental in the success of our organizing projects. It is very important to establish a relationship with a law enforcement officer who will be the key contact person and who can visit with the day laborers on a regular basis..”

Victor Narro
CHIRLA

5.10. REFRESHMENTS: While this is not a major incentive, some programs offer coffee and donuts or *pan dulce* each morning. Providing breakfast requires a larger budget or in-kind donations but has been an added attraction at some centers.

Obstacles:

5.11. EMPLOYMENT OPPORTUNITIES: As described above, if the workers feel their chances are better at the corners, they will return there. They may feel this because the overall job rate at the center is low, or because the job distribution system makes it clear that they will not get

work that day (e.g., a two-day lottery where workers have already been chosen, see section 7). Some centers send new participants out to work first in order to convince them of the benefits of the center.

5.12. UNDEMOCRATIC STRUCTURE: Some men return to the corners (or remain on the corners) because they feel or have heard that a center is run undemocratically, that there is favoritism or some other unfair practice.

5.13. SCREENING POLICIES: Some centers have policies that make it impossible for everyone to participate. Various screens are used, including checking local residency, immigration documents, criminal records and determining whether an applicant is a day laborer. The intent of the screening mechanisms vary. Some centers feel they want to serve the local population, or those in the greatest need, and others want to limit the number served in order to keep employment levels high for the current participants. Depending upon the kind of screen, some day laborers may end up on the street, recreating or continuing the original problem. There could also be accusations of discrimination.

5.14. ETHNIC DOMINANCE OR CONFLICT: In some areas, one particular ethnic group’s domination of a center has led members of other ethnic groups to feel uncomfortable, discriminated against or unwelcome. Attention must be paid to creating an open atmosphere.

SECTION SIX

Raising Employment Levels

Attracting employers to the center is one of the biggest challenges and, perhaps, the real key to the success of a center. A center should not be discouraged if initial employment rates are low. It is often the case that most workers shift over to the center at its opening, while employers take longer to switch. Employers may not immediately know about or trust the new center. However, if day laborers are involved in the process of attracting employers (and do not become discouraged), the initial imbalance can be worked out.

There are many incentives for employers to use a center over an unorganized corner. These benefits include: 1) an organized hiring process in which the employer can more easily find a worker with the specific skills needed, and make all expectations clear; 2) greater accountability of the workers; 3) more consistency in the available labor pool on any given day; 4) a structure for registering complaints; and, 5) offering a greater variety of workers and skills available. For example, women almost never wait on the street for work but participate in many of the centers.

"In Malibu, the center fosters confidence in the community; as many women as men come to hire workers."

Mona Loo

MALIBU LABOR EXCHANGE

Strategies:

6.1. PUBLICITY: Most centers do publicity through leafleting as well as public media. Day laborers themselves do a lot of leafleting focusing on building supply, gardening and paint stores. Some Home Depots have allowed workers to give out flyers at the door and even give the hiring center coupons for discounted merchandise. Local businesses can be asked to keep stacks of flyers for their customers. Some centers have leafleted door-to-door in the surrounding neighborhoods. Public commendations from city government or police can help attract coverage in local newspapers, radio

and television shows. If the center is new, it is important to start publicity before the move. Some centers have achieved high levels of employment through distributing leaflets at the old corners and in local stores without relying on media advertisement.

6.2. CUSTOMER SATISFACTION: Word-of-mouth is one of the best forms of publicity. Satisfied customers recommend the site to others and return themselves. Centers recommend the following to promote customer satisfaction: 1) Create an atmosphere of professionalism; 2) Center staff should give polite and efficient service in English; 3) Make sure the men do a good job and stick to

"At a couple of our centers, we now have domestic workers and they are earning from \$10 an hour and up. Some of the women also go out on regular jobs."

Lynn Svenson

ONE STOP WORKER CENTERS

the agreements made at the time of hire; 4) If customers insist, allow employers the opportunity to choose who they hire, rather than going through the lottery; and, 5) Solicit customer feedback through surveys, and respond to suggestions and concerns.

6.3. FOCUS ON OLD CORNER: It is important to have signage at the old corner with the exact address, location and phone number of the new center. It is also helpful to do ongoing distribution of leaflets at the old corner to encourage employers to come to the new site. Police departments have often helped with such leafleting.

6.4. VISIBILITY: It is very important that the center be visible from the street, with clear bold signage. The location makes a big difference in how successful the center is at getting jobs.

6.5. COMMUNITY PARTICIPATION: Many centers try to participate in community activities by asking day laborers to volunteer for events organized by police, local governments, schools or community groups. Day laborers have participated in weeding in local parks; graffiti paint-overs and by setting up literature tables at community fairs. Such work gives the workers a chance to meet members of the community (potential employers) and builds the center's reputation. It is good to document such participation and get media coverage, where possible.



PHOTO: GERMAN MARTINEZ

Mayor Willie Brown pays a visit to the San Francisco Day Labor Program, which strives to be employer-friendly while maintaining dignity for the day laborers as well.

6.6. ATTEND COMMUNITY EVENTS: Another suggestion is to set up literature tables at community fairs and events. In this way, you can pass out literature advertising your services, and participate in community activities at the same time.

6.7. INCLUSION OF WOMEN: Figuring out ways to include women can raise employment rates overall since it draws new employers, including female employers, to the centers. Centers often facilitate such inclusion through phone trees. One center has set aside a special room for women where they feel more comfortable waiting for work.

6.8 DATABASE: Some centers set up a database of employers and then send out flyers directly to old employers to solicit more jobs. However, other centers say they do not want to stop the employer to take down their name, address, etc., because they feel this would discourage the employers from coming. Centers have also sent out flyers based on other local databases; for instance, the city's business license registration database is a rich source of information on specific kinds of employers. Directories of the local Chamber of Commerce and business associations can also be helpful in targeting outreach.

6.9. LIMIT PARTICIPATION: In order to keep employment rates at an acceptable level, some centers have a limit on how many workers they will allow to participate on any given day. (Projects may also limit participation because of space constraints). If a limit is instituted, organizers should do so based on clear and fair criteria written into policy. A project should never appear arbitrary. There may also be legal and constitutional concerns with limitations, such as when an anti-solicitation ordinance prohibits day laborers from seeking work elsewhere in the city.

6.10. EXPAND SERVICE: Many centers provide workers, not just to employers who drive up, but also to those who call in. This flexibility allows employers who may not be able to leave their place of business (for example, a restaurant owner whose staff has called in sick) to utilize the center. Be sure to collect all the necessary information: where the job is (including directions), what time and for how many hours, and an agreed upon per-hour wage during the conversation.

SECTION SEVEN

Job Distribution

The question of job distribution is key to operating any successful day labor project, but the choice of what system to use must be based on the circumstances of each center. It will depend on the diversity of job skills and skill levels involved, the amount of staff time available, the levels of employment, and most importantly, the preferences of the workers at the site. The system should be one that the workers choose and believe is fair. Many sites change systems or modify them as they learn what works and what doesn't.

Strategies:

7.1. LOTTERY: Almost all centers use some variation on a lottery system. Some are more straightforward, while others more complex, but all are based on equal chance, and thus have the advantage of being fair to all. The basic premise of a lottery is that each day laborer receives a ticket, which is good for that day or when they register at the center as a permanent number. As employers request workers, tickets are drawn to see who will get the job. Some centers draw the next few numbers ahead of time so that the workers are up front and ready to go. Most centers do a new lottery each day, but at least one center does a lottery which lasts over two days, to better ensure that everyone has a chance to work.

7.2. MULTIPLE LOTTERIES: Some programs have two simultaneous lotteries: one general one with everyone included, and one for English speakers only (English speakers are thus in both). In this way, if a customer asks for someone who speaks English, he can be effectively matched with an appropriate worker.

7.3. LAST TODAY, FIRST TOMORROW: Some programs have used a system, whereby, if a day laborer does not go out that day, he is put at the top of the list for the next day. Alternatively, a lottery which lasts over two days will achieve the same ends. At least one program did away with this practice because the workers felt there were too many people at the top of the list each day and their chances to go out were too greatly diminished.

7.4. "FIRST COME, FIRST SERVED" SYSTEMS: This system is used successfully by a number of day labor centers. It is straightforward and does not require a lot of coordination. Other centers have found that it creates the following problems: those who come late figure it is better to go to the corner because they have little chance of being picked that day; it drives day laborers to arrive earlier and earlier, even camping out to get the first slot; and, it penalizes workers who have long distances to travel or have other family responsibilities. However, these problems do not seem to arise in centers where levels of employment are high.

7.5. SKILLED WORKERS: All centers treat requests for skilled workers differently than those for general labor. If an employer requests a house painter, most centers clarify whether the employer prefers a general laborer (at a lower rate) or a skilled worker (usually at a higher rate of pay). If the employer chooses the former, a worker is selected from the general lottery; if the latter, center staff finds a skilled worker who negotiates their pay with the employer. Some centers have separate lotteries for painters, carpenters, etc. Other centers call forward everyone of a particular skill and let the customer choose from among them.

7.6. WOMEN ON PHONE TREES: While at some centers, women wait along with the men, at others centers, a phone tree system is employed to hire women

The job distribution system is a controversial issue. Most centers try to construct a system with the greatest potential for keeping the workers in the center and off the street, that is, a system in which the workers do not know from one minute to another if they will be called next. Other centers have systems which give the worker a clearer idea of when they might be called. For example, in San Francisco, the day labor center uses a rotating list; as you go out for a job your name goes to the bottom. This ensures a fairer distribution of work. The controversial facet is that the list system also allows day laborers to look for work on the corners when they know their name is far down the list and there is no possibility of getting work that day. The San Francisco system is based on the philosophy that the center, rather than being a solution to having the workers on the streets, is instead a resource for all the day laborers of the city. This philosophy is not just manifested in their job distribution system, but also in their educational and service work, with day laborers on the corners, as well as with those in the center.

“The advantage of running a project independently from its municipality is that there is more freedom to make your own rules outside city bureaucracy. A downside is that fundraising is competitive and labor intensive. Fundraising requires an active Board of Directors. The site manager cannot be expected to be the primary force behind fundraising efforts. The Malibu Labor Exchange is in a smaller, upscale community without adequate local government funding. We have done various kinds of fundraising. We raised \$15,000 through a direct mail solicitation letter from a local celebrity, which was sent along with a brochure which served both to raise funds and introduce the labor service to the community. We did a rose planting project. We had a connection with a rose grower and got permission to plant 120 rose bushes in front of the city hall. The community was invited to dedicate a bush to someone for a tax deductible donation of \$100. A heart-shaped tag would mark their rose bush and the labor center volunteers would care for the roses while waiting for work. The city paid for the water. The center partnered with a local garden club. The money collected covered expenses of care and was a beautiful public relations project.”

Mona Loo
MALIBU LABOR EXCHANGE

in order to accommodate their childcare needs and other responsibilities.

7.7. EXCEPTIONS TO THE LOTTERY: Many programs have some procedure to help workers who are in dire straits (because they have not gotten work in a while, have a family emergency, need to find a new apartment, etc.). Several programs reported that in such a situation, they allow the worker to present his situation to the group and let the group decide if that worker can be given the first job for a couple of days, before the lottery begins. Center staff reports that generally the day laborers are helpful to one another in this regard.

7.8. PROCEDURES BY AGREEMENT: The most important thing in deciding upon what distribution system will be used is that an agreement is reached at a general meeting, and that the procedure is in writing and clear to everyone. Confusion over, or disagreement about, job distribution rules can lead to disgruntled workers who charge favoritism. To avoid such conflicts, one center suggests that each day's list and information about who has gone out to work should be available for any worker who wishes to see it. Also, rules should be flexible and open to rethinking based on feedback from workers and employers.

7.9. CUSTOMER CHOICE: Although most centers believe that it is very important to let the employer choose the worker if they so wish, some problems have been reported with this system. In the case of centers which serve a racially diverse group of workers, employers may show a preference for one group over another, which can create resentments and stronger divisions among the workers. Centers also report that when they have women available for general manual work, employers often refuse to take them; furthermore, employers sometimes refuse to take older workers. Some centers say they try to balance these considerations by encouraging employers to go by the lottery, while allowing choice if they insist. Some centers encourage choice and others disallow it completely.

7.10 INCENTIVES FOR VOLUNTEER WORK: Some sites allow those who volunteer for the center, distributing flyers, doing community service work, etc., to go out first the next day or get a special pass which they can use to go out first on the day they choose. This practice allows centers with a low budget to accomplish such necessary tasks as advertising and community relations with the use of volunteer labor and gives the volunteer workers an opportunity to make up for lost income.

SECTION EIGHT

Sustainability

As a practitioner, it is important to think about sustainability in three areas: financial, political and leadership. These areas overlap considerably since strong political support can lead to financial support, etc. Obviously, center staff must think not only about where their start-up money comes from, but also where their continuing budget will come from. Not only does a center need to build alliances in order to have support for its opening, but also to have support for its on-going operations, including lobbying the city or other funders for annual budgets. Moreover, centers need to develop leadership among the workers to create advocates on their own behalf. If the center is dependent on outside leadership of devoted volunteers, or even hired staff, it becomes vulnerable to the future plans or problems of those stakeholders.

Strategies: Financial

8.1. CITY FUNDING: Many centers are supported by city funding. Centers recommend that one should try to get their budget from general funds rather than community development block grants, because it is more likely to be renewed each year without obstacles or a reapplication process.

8.2. FEDERAL FUNDING: Some centers are able to tap into federal monies which come through the Department of Labor (DOL), Department of Education (ED) and the Department of Housing and Urban Development (HUD). DOL has money for employment training and placement programs; the ED for offering educational services (such as language courses); and HUD has services for the homeless. Much of this money is restricted depending on the employment eligibility of the population one serves.

8.3. NON-PROFIT STATUS: Many centers are managed as non-profits, either by setting up their own 501c3 status, or under the fiscal sponsorship of an already established non-profit. This status is crucial in soliciting donations from local residents and businesses, as well as from large foundations. The expenses of a non-profit may be higher because they do not share costs, such as insurance and staff costs (workmen's compensation, medical benefits, etc.) with the city.

8.4. FOUNDATION GRANTS: There are foundations which have monies available for day labor projects, especially if one is combining other services with employment (e.g. health education and clinics). One must be aware of what the funding priorities of the foundation are before applying; for example, many foundations are currently interested in economic development.

8.5. PRIVATE DONATIONS: Some centers, especially those in smaller communities with a lot of local support, solicit donations from local residents and businesses. At least one center has a direct mailing campaign to raise money. A source of in-kind donations are building supply stores, which are often the site of informal hiring sites and so benefit from the existence of a center or organized project. Building supply stores are often willing to support a center with donations such as canopies, benches, tables, paint, etc.

8.6. COOPERATIVE REVENUES: Some centers have workers' cooperatives which raise money for the program. One center has an organic garden that the men work on while waiting for jobs each morning. They sell the produce at local markets. Another is planning a nursery.

8.7. FUNDRAISING EVENTS: Some centers have fundraising events, not only to raise funds, but to connect with the community and advertise for employment. Large fund-raisers, require a lot of staff or volunteer time. They can also be expensive to arrange, and require a high turnout to make a profit. One center, which held a large concert and auction which cost \$7,000 to put on and raised \$23,000 suggests only doing such events every other year. Instead, they suggest smaller fund-raisers in private homes, or working with local service groups or churches to put on a fund-raiser. Local businesses, such as a new restaurant, could also hold an event.

8.8. WORKER DUES: Some centers charge workers a minimal fee to use the center (\$1 a day or \$20-\$30 a month). This is a controversial practice because restricting participation on any grounds can be problematic if there is an ordinance banning day labor solicitation in the rest of the city. While the dues may be minimal to someone who is working every day, \$30 a month can seem burdensome to those who have not received much work. However, it is important that workers feel their commitment to, and ownership of, the center. Dues can also serve as an indication to the rest of the community that workers are contributing to the sustainability of the center.

8.9. COLLABORATIVE PROJECTS: Another attraction for funders is the collaborative aspect of a project. It is a good idea to try and involve other groups (health, education, legal counseling, etc.) in the project, not just as a way to donate services, but as part of the project for fundraising proposals. A center in San Diego has been very successful in sharing space with other groups and promoting a collaborative network. In the same vein, it is good idea if the center can also be used as a community center by other groups in the afternoons or evenings. This both improves your funding chances and integrates you into the community. Some funders are particularly attracted to projects which involve multi-ethnic collaboration.

8.10. DOCUMENT ACTIVITIES AND SUCCESSES: It is vital for funding proposals that one documents with reports, photos and newspaper clippings the center's involvement in community activities. It is also important to keep records of how many workers were served and how many jobs, both temporary and long-term placements, were filled.

8.11. EMPLOYER FEES FOR ADMINISTRATIVE PROCESSING: Some organizers have discussed developing a workers' cooperative which could charge fees to employers for handling the administrative costs of the center or other employment related costs (workers' compensation, social security and disability, etc.).

Political:

8.12. COMMUNITY INVOLVEMENT: The center itself can host community events, and where appropriate, the center can also be used as a community center during late afternoons or evenings. Center staff recommend attending town council or local neighborhood meetings. It is vital that the center be seen by those who live and work near it as part of the community.

8.13. RESOLUTIONS: Some centers have gotten resolutions of support from community advisory boards, town councils, county governments and state representatives. Such shows of support can give the project legitimacy and help surrounding stakeholders have confidence in the project.

8.14. ALLIANCES: It is important to continue to foster alliances with various groups so that the center has their support when political winds change or funding sources run dry. Develop and sustain relationships with specific members of the community such as police captains, business owners, city managers, labor leaders, etc.

8.15. CENTERS WITH DIVERSE PARTICIPATION: If the center serves more than one population group, it is easier to build alliances based on the constituencies who regularly take an interest in the welfare of various groups. This support includes cultural /ethnic specific organizations, women's groups, homeless advocates and others who cater to the needs of various populations.

Leadership:

8.16. LEADERSHIP TRAINING: It is vital to foster leadership from among day laborers so that the project is self-sustaining beyond the interest of particular activists or city employees. The center should include leadership training in their program.

8.17. DRAW STAFF FROM AMONG THE DAY LABORERS: It is important to promote the leadership of day laborers by giving those who are ready a chance at staffing the site. Many centers have done this quite successfully.

8.18. MEETINGS WITH OTHER DAY LABOR CENTERS: A group in Los Angeles is holding monthly meetings with workers from different centers and corners. This has created more of a sense of strength, support and confidence among the day laborers, as well as allowing them to share information.

8.19. LEADERSHIP IN THE COMMUNITY: One should work to cultivate leadership not only among the day laborers, but also among other affected groups, such as neighbors, local government and law enforcement. Creating an integrated leadership group representative of the different stakeholders can be very valuable. For example, in Los Angeles, a program called Leadership Development in Inter-Ethnic Relations gives training to diverse groups who are working together on issues to help them build on-going relationships.

SECTION NINE

Ordinances & Laws

Here, the authors would like to distinguish between ordinances which are a total ban of day labor activity in a city, and those that only ban activity in a limited area. While both types are aimed at eradicating day labor activity from a given corner, a total ban is more problematic in terms of several of the issues raised below.

Pros:

9.1. FORCES PARTICIPATION IN THE PROJECT: An ordinance can help support a project in that it forces everyone to use the designated site. Not everyone will use a given center, some because they feel uncomfortable there, and others to gain a competitive advantage by waiting outside it. For this reason, day laborers themselves sometimes support an ordinance. Some day laborers feel that it is fairer to everyone if no one outside the center is taking jobs away. In some centers, in order to keep employment levels and wages high, day laborers will leaflet the workers and employers who are still on the corner and try to organize the workers to come to the center. Some workers argue that the ordinance supports their efforts, and that their leafleting prevents arrests or tickets under the ordinance. Other stakeholders often support an ordinance because they think passing a law against day labor solicitation will eradicate the problem of day laborers informally gathering at different street corners in the area.

9.2. REDUCING TRAFFIC HAZARD: The most commonly cited reason for an ordinance is to reduce the potential traffic hazards created by men rushing at cars, or cars pulling over where there is inadequate space. An ordinance seems an easy solution, but in fact, the issue may be more directly and effectively addressed, for instance, by simply changing the signage in the area, or creating a pull-out place or loading zone along the curb. Moreover, there are already ordinances in place to prevent traffic hazards, such as prohibitions on blocking driveways, jaywalking and traffic laws themselves.

9.3. LIMITING DAY LABORER ACTIVITY TO CERTAIN AREAS OF THE CITY: An ordinance that limits day laborer activity to certain areas of the city may be effective, but it may run afoul of constitutional protec-

tions and risk costly litigation if alternative sites in the jurisdiction are inadequate for workers to effectively solicit work.

Cons:

9.4. VIOLATE CONSTITUTIONAL RIGHTS: In the Encinitas (southern California) case—the first lawsuit testing a day labor ordinance—the judge found the ordinance to be unconstitutional. The judge cited a Supreme Court decision which found:

It requires no argument to show that the right to work for a living in the common occupations of the community is of the very essence of the personal freedom and opportunity that it was the purpose of the [Fourteenth] Amendment to secure. [Truax vs. Raich, 239 U.S. 33, 41 (1915) and quoted in Hampton vs. Mow Sun Wong, 426 U.S. 88, 102 n.23 (1976)].

The judge in the Encinitas case also found that the ordinance here violated the state and federal constitutions by impinging on the rights to free speech, due process, equal protection, and uninhibited intrastate travel. Although an ordinance was upheld by a judge in a subsequent lawsuit against the city of Agoura Hills, many civil rights attorneys still believe such ordinances to be unconstitutional and continue to test them in court. (See footnote 8 on page 7.)

9.5. UNNECESSARY: Most of the complaints registered about day laborers have to do with specific activities which are already illegal under existing statutes, (e.g. littering, urinating or defecating in public, drinking in public, jaywalking, etc.). Legal actions against workers should address the specific activities which cause problems not their general presence.

9.6. INEFFECTIVE: Ordinances have not made day laborers disappear. Even when enforced, those arrested or deported are replaced by new day laborers or returning day laborers. As long as there are jobs available, the workers continue to gather. Unfortunately, unless there is open access to a successful alternative, communities have found that ordinances alone do not solve the problem.

9.7. SUPPORT DISCRIMINATION: An anti-solicitation ordinance is sometimes understood by residents, business managers, and police officers to be an anti-day labor ordinance, and therefore justifies harassment of Latino men despite their activities.



PHOTO: REY RODRIGUEZ

Ordinances and regulations can only have a temporary effect on any perceived “problems” with day laborers. Shown here: Job lottery system at work at the Hollywood Job Center, run by IDEPSCA/CHIRLA.

9.8. OPEN TO MISINTERPRETATION AND ABUSE: It is hard to actually catch day laborers in the act of soliciting work, which is what most ordinances require. Thus, police who are being pressured to implement these ordinance, often abuse the law by harassing Latino men into moving away from places where they have legal rights (even with the ordinance) to stand. They may, in fact, be waiting for a bus or for a prearranged meeting with an employer. Law enforcement also misuses the ordinance to break up employment relationships which may be legal (it is only the original solicitation which is illegal), making the day laborer get out of the car or truck. Moreover, abuse of the ordinance is often discriminatory towards minorities.

9.9. COSTLY TO ENFORCE: Such ordinances are costly to enforce, not only for police, but for court resources. Time is spent by prosecutors, public defenders, and judges in adjudicating these cases. If the person is convicted, there are also high costs to the public for incarceration personnel and facilities. In an era where these resources are already pushed to the limits, it seems counterproductive to further overburden the system by criminalizing an otherwise harmless activity—looking for work.

9.10. COSTLY TO DEFEND IN COURT: Lawsuits are long and costly. The city of Agoura Hills spent over \$200,000 defending its ordinance. It is clear that day laborers and their advocates will continue to sue localities over the constitutionality of a given ordinance and that the taxpayers will end up paying the price of such ordinances.

Creative Solutions

CHAPTER THREE

Stories of Organized Local Day Laborer Projects

Deciding which day laborer projects to feature in this manual was a difficult task. First, we wanted geographical diversity, since the manual is of national scope. This was challenging because our research revealed that the overwhelming majority of day laborer hiring sites and projects are in Southern California. Nonetheless, we felt it was important to share experiences from around the country. Therefore, we selected cases from the Northwest (Seattle), the Southwest (Texas) and the Eastern Seaboard (Maryland), as well as two California examples.

Secondly, we sought to provide the reader with a sampling of the three major types of day laborer projects: 1) day laborer organizing projects at the traditional hiring site; 2) unstaffed, designated hiring sites which provide only a specified location and amenities for day laborers to await employers; and 3) staffed, formal hiring centers which include a range of other programs for day laborers.

Taking into account these various factors, we selected the following five stories of impressive collaborations that appear to be quite effective in resolving many of the complaints which had originally generated community controversy.

1/ Woodland Hills, California

CHIRLA uses the basics to resolve complaints.

PROJECT AT A GLANCE

TYPE: "Human Relations Model": Conflict resolution and organizing on original corner.

DATE: Established 1997

NUMBER OF DAY LABORERS: 30-40

ETHNIC AND GENDER COMPOSITION: Latino men from Mexico and Central America

BUDGET: Staff time equivalent to two days a week at beginning, and then reduced to one day a month, plus such incidental expenses as copying, transportation, etc.

STAFFING: No permanent staff

In Woodland Hills, an area of Los Angeles in the San Fernando Valley, tensions and conflicts over the presence of day laborers had existed for a decade, but had intensified when day laborers spread across several blocks and into residential areas. Residents constantly complained to the police of day laborers' presence in general as well as specific complaints regarding urination, defecation, drug dealing and accusations of burglary.

Residents regularly called the police and the INS and attempted to drive day laborers away through law enforcement activities. Also local businesses often refused to serve the day laborers. Relations in the community had deteriorated to the point of children throwing eggs at the

day laborers from a schoolbus. As a whole, the community sent a message that the laborers were not welcome in Woodland Hills. However, because employers continued to seek workers at the site, the laborers continued to congregate.

In early 1997, the Coalition for Humane Immigrants Rights of Los Angeles (CHIRLA) contracted with the city of Los Angeles to run the city's day labor program. This included operating the city's established sites as well as implementing a conflict resolution model in problem areas. The city asked CHIRLA to begin with Woodland Hills because the Los Angeles Police Department (LAPD) was overwhelmed with complaint calls.

CHIRLA staff spoke first with day laborers to assess



CHIRLA-organized meeting of day laborers.

their perception of the problems. They then talked to the police about the situation on the corner. Finally, CHIRLA attended the homeowners association monthly meeting which regularly featured the day laborer issue as the first agenda item. The INS was present at this meeting and informed the residents that their sweeps resulted in few arrests, and they did not feel that they were productive in resolving the situation. While some residents insisted that this was an immigration problem, others focused on the specific problems the day labor corner brought to their community.

Having spoken to all parties, CHIRLA staff returned to the corner with representatives from the LAPD and worked with the day laborers to reach an agreement which would address their needs and the residents' concerns. The workers agreed to move down the street away from the residential area and institute a set of rules. They agreed to ask employers to park safely before discussing work and not to block the streets themselves. They also agreed not to litter, catcall, gamble, drink or relieve themselves in public. Furthermore, they agreed to ask anyone who refused to follow the rules to leave the area and to call the police if they refused to do so. A local fast food restaurant agreed to let the workers use the restroom facilities. The LAPD agreed to support the workers by not ticketing workers or harassing them. They also agreed to help workers weed out men who used the corner for illicit activities rather than jobseeking.

CHIRLA staff, day laborers and the LAPD attended the next residents meeting. The residents were pleased with the improvements they saw and agreed to work with the day laborers, rather than call the police or the INS, to resolve any further problems. The residents formed the Woodland Hills Day Labor Committee, along with day laborers, CHIRLA and the LAPD. The committee met monthly to resolve conflicts.

The new rules, and a heightened understanding of the day laborers situation on the part of the surrounding community, alleviated the situation. Complaints reduced

dramatically. The day laborers also began to work with the community on several projects which resulted in a growing sense of mutual respect and tolerance. For instance, in October of 1997, a group of day laborers participated with the LAPD in a community cleanup project entitled "Operation Sparkle." A few weeks later, the day laborers, residents and the LAPD participated in a mural-painting project.

CHIRLA staff spent two mornings a week at the site working with the laborers to organize themselves and to institute the rules, as well as helping them resolve problems they faced, such as non-payment of wages. By 1999, CHIRLA staff had reduced their visits to the corner to once every two weeks, as the day laborers were well organized and the community had readily adopted the program as its own. The day labor committee continued to meet on a bi-monthly basis and was discussing the possibility of setting up a formal site to provide more services to the day laborers.

Woodland Hills is only one of a group of projects which CHIRLA runs using the same model of conflict resolution and day laborer organizing. The model began with a site in Ladera Heights in 1995 and has been expanded to a dozen corners. CHIRLA has been successful at not only organizing workers on a given corner, but bringing workers together from different communities, in training seminars and inter-corner conferences, to share experiences and gain skills. Day laborers from already organized corners have been an essential resource in training leaders at newer corners.

The Woodland Hills example demonstrates that day labor conflicts can sometimes be resolved through consistent organizing with the day laborers and mediation with the surrounding community. This approach takes relatively few resources, and can turn a tense situation around in a short period of time. Even where community members may go on to engage in a more formal solution, conflict resolution is a basic step that is recommended at the onset of any collaborative solution.

2/ Denton, Texas

Humanitarian action builds a site.

PROJECT AT A GLANCE

TYPE: Unstaffed site on well-traveled state highway, featuring a pavilion roof over picnic tables to provide shelter from the sun and rain. The site is landscaped with grass and trees, and has a portable toilet and a water fountain. A brick-paved turnaround surrounds the pavilion, and a bulletin board announces jobs and social services. There is an anti-solicitation ordinance.

DATE: Established 1997

NUMBER OF DAY LABORERS: 50-60 Daily

ETHNIC AND GENDER COMPOSITION: 60% Latino immigrant (Mexico and Central America), 25-30% non-immigrant Latino, and of the remaining 10-15%, half are white and half are African American.

BUDGET: \$3,000, plus insurance costs, raised by the Denton Humanitarian Association from private, mostly in-kind, donations and other fundraising activities.

STAFFING: None

For many years in Denton, Texas, a city of approximately 75,000 residents, located 30 miles north of Dallas, people who were looking to hire men for a day's work knew just where to find them. Day laborers awaited employers at the site of an old motel, next to a busy intersection.

In the mid-1990s, Denton and nearby communities grew rapidly. Demand for skilled and unskilled labor increased, spurring the expansion of the day laborer population. According to police accounts, the vast majority of the 50 to 60 day laborers were Latino, a small minority were white and African American, fewer than half were undocumented immigrants. It was estimated that 1/3 of the employers were homeowners, 1/3 were ranchers and farmers, and another third, contractors.

In 1995, community conflict was on the rise. People who operated businesses or lived nearby the intersection had become frustrated by the problems created by the day laborers and demanded a solution. Complaints were characterized by the police as, "of a nuisance and traffic nature," citing as examples, "standing in the roadway impeding traffic, soliciting work from a roadway, public intoxication, urinating in public, littering and disorderly conduct." Two INS round-ups had occurred but had not succeeded in changing the situation, in part, because only a minority of the laborers were undocumented, and because employers continued to frequent the intersection. The complaints continued. Moreover, the old motel property on which the day laborers gathered had recently been sold and the lot was being prepared for construction.

In September of 1995, the Denton police chief assigned Officer John Cabrales to conduct a feasibility study for an alternative site for the day laborers. In the beginning of 1996, the Denton police chief recommended



Denton Police Officer John Cabrales in front of "Worker Exchange Park."

against the City Council establishing a site. He believed that the estimated \$32,000 required to build and operate a site would be an ineffective use of taxpayer money because there was no guarantee that the day laborers would use the site. The City Council followed the police chief's recommendation.

When the City government decided against the expenditure of taxpayer monies, concerned residents were not deterred. Officer Cabrales joined forces with business leaders to form the Denton Humanitarian Association (DHA), a non-profit organization, which recruited and organized volunteers to find and build an alternative site.

DHA, as a non-profit, attempted to convince employers to contribute monies as they were picking up day laborers at the site. It did a direct mail campaign to contractors, and day laborers handed out fliers. The response was weak.

But when the DHA decided to go to businesses, it proved more fruitful. The President of DHA, Rick Salazar, was a businessman and a former president of the local civic organization, League of Latin American United Citizens. Salazar's efforts and of DHA members paid off.

An Eagle Scout was enlisted to take up the day laborer site as a service project to earn his Eagle Scout ranking. He got his troop to help him clear the site and he raised money for landscaping it. Probationers sentenced to public service worked side-by-side with Boy Scouts and university fraternity members to clean up the site.

Officer Cabrales and citizen leaders recruited a lawyer to draft their non-profit charter, and an architect to draft plans for the pavilion, both free of charge. Money

and materials were donated by businesses, civic clubs and individuals to build the pavilion roof that would serve to shelter the day laborers from the elements. Carpenters, plumbers and electricians donated their skills and labor. The City contributed by developing the road. The DHA obtained a lease agreement to use the state property for \$1 per year.

When the dust had settled, the new day labor site had been built for less than \$10,000.

Instead of withering in the Texas sun, or huddling from the rain, day workers now have a roofed shelter, toilets, picnic tables, trees, and grass. A brick roadway will circle the site, and a bulletin board will list job opportunities. The open-air site is highly visible, making it easy for police to occasionally monitor for unlawful behavior such as littering, drinking or gambling.

The day laborer site is open everyday from 6 a.m. to 2 p.m. After 2 p.m., workers are deemed to be trespassing. The DHA has an annual budget of \$3,000, which covers water, electricity and the restroom, plus insurance coverage and the cost of fund-raising.

The benefits are that the City has saved money by reducing the amount of time police park in their cars to monitor day laborer activity at the previous site. Also, complaints from the business community have declined dramatically.

The day laborer project in Denton, Texas, is a good example of how the inspired leadership of concerned residents can bring about a creative, humane and low-cost solution to day laborer controversy, even without government financing.

31 Seattle, Washington

Skillful negotiations and street education lead to a hiring site.

PROJECT AT A GLANCE

TYPE: Trailer on a private lot near a homeless services agency

DATE: Established June 1999

NUMBER OF DAY LABORERS: 70 on the street; similar expected at Center

ETHNIC AND GENDER COMPOSITION: 72% Latino, 13% white, 12% African American, and 3% Asian Pacific Islander, Native American and other

BUDGET: \$133,000/year

SOURCE OF FUNDING: private foundation grants, municipal assistance and individual donations

STAFFING: Two full-time paid staff—a coordinator and a dispatcher

Since the early 1990s, mostly Latino day laborers have been standing alongside a major street at the southern edge of Belltown, a waterfront neighborhood of Seattle. In 1998, a study found that about 80% were Mexican, 19% Central

American, and the remainder South American. Many construction contractors and fishing companies depended on these laborers to fill temporary positions.



Millionair Club in Seattle, Washington, where day laborers of all racial backgrounds gathered on surrounding blocks to await work.

Only a block away from where the Latino day laborers gathered on the sidewalks, smaller separate groups of white and black day laborers stood on street corners and sidewalks surrounding the long-standing, non-profit agency, Millionair Club Charity. “The Club” objected to the day laborers on the streets because, according to its director as quoted by the local newspaper, they “gave the area a bad image.” Established in 1925, the Club provides job placement, free meals, clothing, shelter and medicine to homeless men and women of all races and backgrounds. However, less than a quarter of the Club’s clients used their job placement services because laborers could earn a better wage on the street.

Meanwhile, condominium and other building construction forced the day laborers to move further down the street to an area which had no place for employers to safely stop their vehicles to hire workers. As a result, day laborers often jumped quickly into a contractors’ vehicle, and then asked what kind of work they were offering. Although this situation was unsafe for both employers and day laborers, the area remained a well-known day laborer pick-up spot.

For developers who sought to improve the appearance of the area to attract tourists to the waterfront and the adjacent neighborhoods, the presence of day laborers was seen as a threat to their investment. People had been complaining that the day laborers intimidated them, blocked the sidewalk, made rude remarks to women, littered and urinated in public. As a result, a group of Belltown business people formed the Bell Street Committee (BSC), to look into ways of moving the laborers out of the area.

In response to complaints by the BSC and other citizens, the INS sent agents several times to arrest day laborers at their gathering points. For various reasons,

including the fact that a significant percentage of day laborers had legal residence and the right to work, the INS arrests could not eliminate the gathering of day laborers, which was what many of the business people had hoped for.

Meanwhile, representatives of the police, who were receiving most of the complaints from businesses and neighbors, said that the majority of day laborers were not breaking any laws: “It’s not illegal to stand on a street corner.”

In 1998, CASA Latina—Centro de Ayuda Solidaria a Los Amigos, a non-profit organization serving the Latino population in Seattle—began to organize the laborers to respond to the BSC’s efforts to remove the day laborers from the area. CASA Latina met with the day laborers, and using “theater of liberation” (street theater which incorporates real-life experiences), learned that what the day workers sought most was a place that was well-known to employers, had restroom facilities, provided shelter from the rain and was within Seattle’s free bus zone in the downtown area, which permitted them access to nearby social service agencies.

CASA Latina met with the Bell Street Committee, and invited day laborers on several occasions, giving the opportunity for BSC members to meet and learn about the day laborers. CASA Latina then brought the day laborer representatives to BSC meetings to facilitate respectful discussion among business owners, police, city government and the day laborers.

CASA Latina successfully negotiated with business owners and gained support from city government, immigrants’ rights and area residents, and business owners, to convert a nearby parking lot into a day laborer hiring center which was self-managed, secure, sanitary and amply met the employment needs of workers.

This solution met everyone's needs: Day laborers now have a place which is only a few blocks from the original hiring site, equipped with toilet facilities, a shelter from the frequent Seattle rain and within the city's free bus zone. Day laborers are given responsibility to help run the site. In addition, day laborers have greater access to social services due to the information and referrals available at the center.

Employers retain easy access to the labor pool. Belltown business people are happier they no longer have to confront the problems resulting from the day laborers gathering on busy sidewalks.

Police prefer this solution because it addresses

complaints by neighbors and frees up resources to combat serious crime.

The CASA Latina's day laborer organizing work in Seattle was selected as a case study because it succeeded in establishing a hiring center near the original gathering area, in spite of the formidable political obstacles posed by ongoing redevelopment of the area.

CASA Latina's work is an upstanding model of managing community controversy by involving day laborers directly in the policy discussions, and using a collaborative approach in solving problems. Establishing good communication early on with stakeholders was key to the future success of this project.

41 Glendale, California

Tenacious organizing revives an abandoned project.

PROJECT AT A GLANCE

TYPE: Staffed site in fenced area with a trailer for an office. City has an anti-solicitation ordinance.

DATE ESTABLISHED: Open February 1997

AVERAGE NUMBER OF DAY LABORERS: 70 weekdays and 90 Friday-Sunday

ETHNIC AND GENDER COMPOSITION: 95% Latino, including many indigenous Guatemalans. Also a range of other immigrant workers including Latvian, Jamaican, and Ethiopian. White and African American workers occasionally participate. Twenty six women on average participate per month.

BUDGET: The project's operating costs are around \$50,000 per year. The site currently receives \$30,000 from the city, plus about \$20,000 annually in monthly dues from workers.

SOURCE OF FUNDING: private foundation grants, municipal assistance and individual donations

STAFFING: Two full-time staff

In the mid-1990s, there were nearly 250 day laborers in the city of Glendale. About 150 men congregated on the sidewalk near the parking lot of Home Depot. Two other groups gathered near a local paint store and a U-Haul rental agency. These three businesses, as well as the owners of the surrounding businesses, were constantly calling the police to complain. Customers, intimidated by the large numbers of men who would sometimes rush up to cars, also called the police or



Glendale Temporary Skilled Workers Center provides an orderly process: staff interviews clients, then assigns laborers.

PHOTO: REY RODRIGUEZ

complained to the store managers. The police tried harassing workers into leaving, with no success.

The situation in Glendale actually began in 1988. Glendale became the first city in Los Angeles County to open a day labor center. Because it was the only established site at the time, men began to arrive from all over the area. Unfortunately, the site was in an industrial area removed from the traditional pick-up points, next to a daycare center, and too small to accommodate the number of men who began to arrive. Employers started picking up day laborers outside on the sidewalks, many men returned to the streets, and daycare parents complained of the crowds, all leading to the demise of the project.

By 1996, the situation had once again become untenable. The gathering of day laborers had been assigned to the community policing department. An officer conducted an informal survey of the workers and discovered that most of the day laborers were legal permanent residents in the U.S. and thus authorized to work. It was then that he decided to seek a positive non-punitive solution. Two officers began looking at other day labor centers in the region and wrote a grant to the City requesting funds for a similar project in Glendale. The City committed both start-up money and operating funds. They also provided a construction crew to help build the site. A piece of unused Metrolink property across the street from Home Depot was secured at low rent, and Home Depot donated nearly \$50,000 worth of supplies, including concrete to cement the area, fencing, benches, canopies, and tables. Catholic Charities, a non-profit organization, agreed to be the sponsoring organization.

While construction was taking place, an organizer was hired to work with day laborers in preparation for the move. The organizer began by discussing with the day laborers what their priorities were. It immediately became clear that their number one priority was to get work at a decent wage.

The Temporary Skilled Workers Center operates on the premise that their most important function is to help the laborers secure jobs at a fair wage. In Glendale the men have agreed on a \$7 per hour minimum, but often get more. They have a high placement rate with upwards of 90% employment, achieving this through worker outreach, distributing flyers at local stores and to customers and at the former gathering sites. They also planted a colorful garden in front, and always have men working there in bright orange vests to attract customers. They conduct customer surveys and emphasize an atmosphere of professionalism. Center staff helps recover lost wages by calling and writing employers who have not



PHOTO: REY RODRIGUEZ

English classes conducted at the Temporary Skilled Workers Center in Glendale, California.

paid workers as agreed. The center now has ESL and computer classes, but consider these secondary services. With the help of high school volunteers they have created their own Web Site (www.daylaborers.org).

The One Stop Centers distinguish themselves by their high level of worker involvement. The centers are establishing themselves as independent non-profits and insist that their mandatory dues programs (\$20-30 per month depending on the center) give members a sense of ownership and self-sufficiency. Workers themselves decide on policies from the job distribution model to how to allocate the budget. The center is run by a central committee which brings all decisions to the membership for approval.

The centers have kept employment high through the controversial practice of “boycotting” the existing corners. Men from the centers visit the old corners where small numbers of day laborers remain to invite them to the centers. However, their bright orange vests, and leaflets warning employers that the men at the corner may be untrustworthy, have created an atmosphere of conflict between those in the center and those still on the

street. The center staff defends this practice by pointing out that this activity supports those willing to participate by ensuring the employers go to the site. Those on the street feel that the mandatory dues are too high for people just barely surviving, and that the center's tactics are a form of harassment. Mediation is being sought over these issues. The fact that the center restricts the number of new members and charges them dues, while simultaneously supporting a complete ban on day laborers in all the public areas of the city, has raised concerns about day laborers' constitutional right to freely communicate their

availability for work. Despite these problems, the site has much to offer as a model of an effective center with high levels of employment and of day laborer participation.

The One Stop Centers were chosen as case studies because they have successfully focused on building an employer base to ensure high levels of employment. They also have a high level of worker participation, including a membership dues program, decision-making committees and worker-driven outreach. These projects are working toward a goal of self-sustainability.

51 Silver Spring, Maryland

CASA Maryland builds a multi-service center for laborers.

PROJECT AT A GLANCE:

TYPE: Staffed site comprised of a renovated two-story house on a large lot. The building contains offices and classrooms to teach job training skills, English literacy, legal rights, health education and workers' associations. There is no anti-solicitation ordinance.

DATE: Established 1993

NUMBER OF DAY LABORERS: 60-140

ETHNIC AND GENDER COMPOSITION: 40% Salvadoran; 40% Guatemalan; 10% Mexican; 10% African American and South American. 30% Women. 25-30% of those who use the Center's varied services are women, mostly Salvadoran.

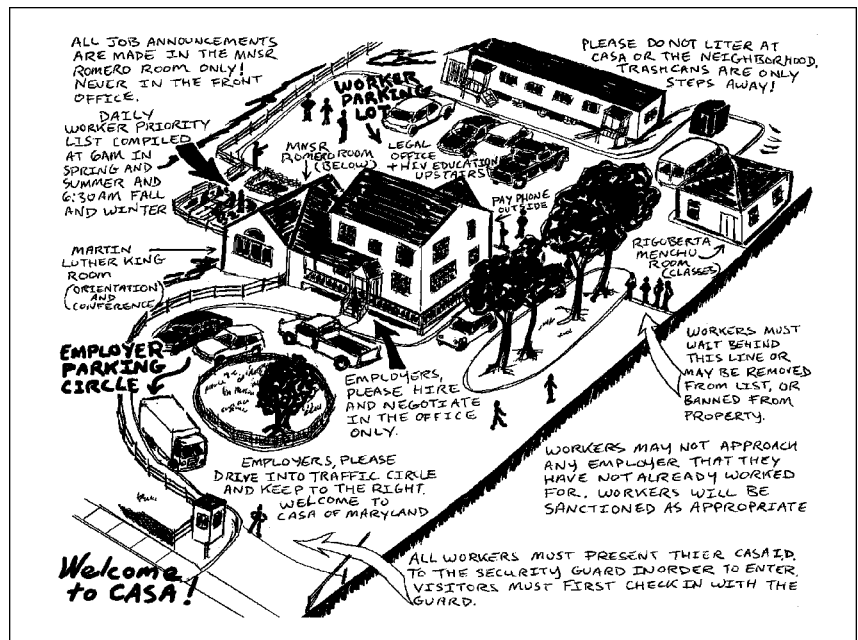
BUDGET: \$158,000 (1999), 40% from Montgomery and Prince George county governments, and 60% from private foundations. All the Center's programs, employment, job training, tenant organizing and legal services, have a total budget of \$385,000.

SOURCE OF FUNDING: private foundation grants, municipal assistance and individual donations

STAFFING: 3.5 full-time staff, plus 10-20 volunteers.

As early as 1984, day laborers gathered to await employment at a 7-Eleven convenience store parking lot next door to a paint store, in a suburban neighborhood known as Silver Spring, located in Montgomery County, Maryland. Silver Spring is in one of the richest counties in the US. By 1990, the numbers of day laborers had increased to more than 100, the Latino immigrant population in Montgomery County grew to over 54,000.

Complaints about the assemblage of day laborers in the parking lot were varied and came from different sources. Business owners complained that the crowds of men intimidated customers. Officials of a church, located on the west end of the parking lot, asserted that the workers verbally harassed the female



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members of their mostly white and African American congregation. Other residents complained that the hiring site was being allowed to “bring all of El Salvador to that corner.”

In August of 1990, INS agents carried out enforcement actions aimed at the day laborers in the 7-Eleven parking lot. A total of 33 men were arrested on two separate occasions. The INS actions resulted in some day laborers running into the street, which caused one INS vehicle to get into a minor accident. In September, a community meeting was organized to discuss solutions to the problem.

In 1991, CASA (Central American Solidarity and Assistance) of Maryland set up the Day Laborer Assistance Project, which provided legal rights education and advocacy to day laborers at the hiring site. An employment coordinator began to visit the site monthly. In October, 1991, a local college donated a trailer that was set up in the parking lot for a six-month trial period under an agreement with the owners. However, pressure from businesses and the church prevented renewal of the agreement.

In 1992, CASA organized a large demonstration to demand local government support for a long-term solution. CASA met with the area’s representative in Congress, Albert Wynn, who became a supporter of setting up a center on a separate location. He helped obtain a meeting with the INS District Director, which spurred positive bi-monthly meetings with the INS.

That year, CASA met with county officials who agreed to set up an advisory committee to make recommendations for resolving the conflict. The committee included representatives from all the key stakeholders: churches, businesses, police, government, CASA, day laborers and homeowner associations. The committee decided to set up an alternative hiring site and met monthly for two years.

In August, 1993, the committee identified a permanent hiring site, a house one-half block from the original location, which was to be renovated to meet the needs of the project. By December, CASA and county government began recruiting day laborers to the new site. The Center was completed in 1998.

The CASA of Maryland Center for Employment and Training is fully operational, with orientation sessions occurring twice a week. At these sessions, workers are required to sign a contract agreeing to abide by the Center’s regulations (See ‘Resources’ Section in Appendix). The first time a worker violates a rule, such as entering the Center’s premises under the influence of drugs or alcohol, he/she receives a verbal warning. A repeat violation warrants a prescribed sanction. The day laborers obtain a photo identification card which is required to use the Center. The regulations, along with penalties for violating them, were developed with the

input of workers and staff over an eight-month period.

The Center staff work as mediators to help workers negotiate better wages and ensure payment promised by the employer. The staff also receives and investigates employer complaints about workers. Numbers of jobs, however, remain low.

In 1998, about 45-55 day laborers found jobs each day during the busy summer months. During winter, however, the number of jobs drops to fewer than 20. Jobs are distributed by lottery. Those who receive a high number know that they will not get work through the Center that day, and return to the parking lot. The police have a substation housed in a trailer there, aggressively ticketing anyone in the parking lot for loitering. The penalty is \$500 or volunteer service. CASA remains concerned about potential police misconduct towards laborers who are still in the street. They advocated for and obtained a Spanish speaking officer in the area, which has greatly improved communication between law enforcement officials and day laborers.

Because County and police officials have insisted that all workers must remain on CASA’s premises while waiting for work, competition has emerged between Latino and African American day laborers. Some African American day laborers express frustration at being confined to the Center because, unlike many Latino day laborers, they do not need language assistance from Center staff to negotiate their wages.

Responding to growing tensions between African American and Latino day laborers in 1997 and 1998, CASA held a series of multicultural conflict resolution workshops in order to begin dialogue between the groups. In addition, the center has done an exemplary job of incorporating women workers who do domestic day labor and use other center services.

Workers interviewed stated that they prefer being at the center because there was opportunity for participation in the center’s operations, more security knowing that employers will pay the agreed-upon wages, and because it helped them avoid being cited for loitering when standing outside the center. However, the leadership of a neighborhood civic association strongly opposes the project, arguing that workers still stand outside the center on the street, causing property values to decline. They also complain of littering. CASA representatives attend monthly community meetings to address such problems. There have been no complaints about criminal behavior by day laborers.

Although CASA’s day laborer program still faces challenges, it has succeeded in creating one of the most comprehensive, multi-service center for workers in the country.

What Can Go Wrong

CHAPTER FOUR

San Rafael, California: A Case Study

San Rafael provides a cautionary tale of how day laborer issues can ignite into community conflict. In San Rafael, the presence of day laborers became the rallying point for many anti-immigrant activists. The politicization of the issue, just at the moment when the various concerned parties were realizing a collaborative solution, resulted in the abandonment of a proposed project to establish a day laborer hiring center and in the continuation of problems on the street corners.

Conflict Arises

In San Rafael, as elsewhere, day laborers became a symbol of an increasing working-class Latino population in a traditionally affluent white area. The Latino population and the day laborer hiring sites were, and are, heavily concentrated in the Canal district, a mixed area of commercial establishments, apartment buildings, and large single family dwellings whose picture windows and redwood decks line the waterway. In the 1980s, the Canal area saw a dramatic population increase of 55%, as opposed to 8% citywide, making it the most densely populated neighborhood in the county. The incoming residents were largely Latino and Southeast Asian immigrants.

The changing demographics of the community, and the day laborers' particularly visible presence, raised feelings of fear and resentment. One disgruntled Canal resident expressed an extreme version of these sentiments, "It gives the town a cheap image to see the streets peppered with Mexicans...the Canal, believe it or not, was once a prestigious place to live...look what the animals have done to it." Business owners complained of losing customers, litter and other problems, and lobbied for a hiring center. In response, a group of established area residents and anti-immigrant activists attacked this plan by relying on what the local police captain referred to as "a politics of fear."

Day labor first arose as an issue in San Rafael in 1989. On February 12, a very sympathetic article appeared in the local newspaper, *The Marin Independent*

Journal (MIJ), portraying the day laborers as family-oriented, religious, hard-working, patriotic men facing hard times—the best of the immigrant tradition. The article ended by quoting a day laborer, "Everybody looks up to the United States as a democracy. I always wanted to be a part of it and to embrace the flag. But life is getting harder." The next month, the INS raided a day laborer hiring site outside a 7-Eleven store in the Canal district. The *MIJ* reported that this was thought to be the first INS raid in the county. Several community and civil rights groups denounced the action and city officials asked the INS to explain its procedures.

Community Collaboration

By 1990, the city and other agencies and residential groups had become involved in the issue. In March of 1990, the City Council held a community meeting to address neighborhood concerns in the Canal district. Approximately 200 people attended the meeting and expressed their concern over a variety of matters including crime, trash, and the day laborer hiring site which was felt to be "a threat" by many members of the community. Out of this meeting came the formation of the East San Rafael Neighborhood Task Force (ESRNTF), an attempt at creating a multi-cultural committee to bring together representatives from the City, police, neighborhood residents, business owners and social service providers. At their first meeting, the ESRNTF decided to pursue the strategy of establishing a hiring center to address the day laborer issue and began to look for an alternative site.

The ESRNTF moved slowly through 1990 and 1991 on the issue. After one particularly contentious meeting, a group of disgruntled attendees decided to form the Canal Area Property and Business Owners Association (CPBA). The CPBA quickly explored how other areas were dealing with similar problems. The CPBA, members of the ESRNTF, and city staff came up with a "Clean-up Plan" which included a day laborer hiring center, as well as street sweeping, better policing and more code enforcement. In January, 1992, the City Council gave conceptual approval to the plan, and city

staff began the task of working out all logistical details. In the case of the day laborer center, this meant raising money, finding a site, gathering support and arranging for needed materials and set-up. A representative committee—composed of city staff members, residents, business owners, social service agency staff members, and advocates for the day laborers (although no day laborers themselves)—convened to work on the realization of the project. The committee met weekly from February through May.

Solution Derailed by Anti-Immigrant Campaign

At this point, the “illegal alien” issue had been brought up only in connection with criminal activity (prostitution and drug dealing). Both the CPBA and the City/ESRNTF proposals made it clear that the hiring center would be open to all workers and the responsibility of checking documents should be left to the employer. However, within a year, the day laborer issue came to galvanize the anti-immigrant movement in Marin, spawning various activists who went on to lead the state-wide movement to deny any basic services including health and education, to undocumented immigrants under proposition 187. The fusing of the two issues—day labor and illegal immigration—continued as the more radical anti-immigrationists of CPBA broke off to form their own organizations in order to oppose the CPBA-proposed hiring center. CPBA members split off to form MIGRA (which is slang in Spanish for the INS) and STOPIT (Stop The Out-of-control Problem of Immigration Today). The primary focus of CPBA and other business owners and residents had been “improving” their neighborhoods and they were more concerned with the ends than the means. MIGRA and STOPIT were promoting much more openly ideological agendas which held immigration to be a detriment to the city and the country.

While plans for the day laborer center were progressing, the opposition gained momentum. At a City Council meeting in May of 1992, the joint committee presented a very detailed plan for a day laborer center. They also proposed asking the responsible transportation agency to locate the hiring center at a park-and-ride lot. The City Council approved the plan and began making proposals for sites.

Meanwhile, MIGRA and CPBA were trying new tactics. They called in the INS, who conducted several sweeps at the original hiring site. These actions were denounced by civil libertarians such as the ACLU, who pointed out that raids would scare away both day laborers and employers, eliminating jobs for all workers, documented or not. By January of 1993, STOPIT and the

Canal Area Neighborhood Alliance, which according to its recruiting mailer had been formed specifically “to stop the illegal alien job center,” joined MIGRA in the opposition campaign. STOPIT President Bette Hammond told the local paper that because of the planned hiring center “people deep inside of Mexico are receiving fliers telling them to come to San Rafael.” The CPBA had also elected a new president who shared the anti-immigrant activists views and asked the City Council at the January meeting to “scrap” the center.

By this time, the city had secured substantial funding for the program: \$44,000 for a trailer from the federal government and \$288,000 for operating expenses from the Marin Community Foundation. The committee had also chosen a new site, a vacant lot owned by the city near the informal hiring site. The City Council approved the committee’s recommendations, but before they could be implemented, the plan was undermined.

The INS began another series of sweeps on the street. Immediately following each INS action the number of men at the hiring sites dropped sharply, but always only temporarily. Rick Oltman, president of MIGRA, threatened a recall campaign of the Mayor, and in May he began to circulate a recall petition. Soon the *MII* was reporting, “City officials, who two weeks ago said immigration raids were sabotaging plans for the hiring hall, now welcome the raids saying they will eliminate the need for the hall.”

On June 3, 1993, after three years of discussion, and after having finally secured funding, the site and the use permits, the City Council voted to put the hiring center on hold. Opponents to the day laborers’ presence then stepped up their confrontational tactics. Protesters held several pickets, walking among the workers sporting signs depicting a slash through a day laborer, and passing out fliers to the workers that warned in Spanish, “The community is angry that you continue to stand on our streets.” The fact that most of the men lived closer to the hiring site than some of the picketers did not affect the protesters assumption about *who* the community was, or *whose* streets they were. The day laborer opposition also made the hiring center a central issue in the City Council elections.

On February 10, 1994, 150 people attended the City Council meeting, which lasted over two hours. Outside ten police officers lined up between opposing groups of protesters, separating supporters and opponents of the day laborer center. The newly elected City Council voted unanimously to abandon the hiring center project. Business owners complained that something needed to be done to get the men off the street. Although anti-immigrant groups claimed victory,

the reality is that today the men remain on the street.

Conflict Continues

Five years after the controversy, the situation remains unchanged. Neither the protesters nor the INS sweeps solved the problem. As the local police captain, Michael Cronin, explains,

“INS enforcement had no long term positive effect. It chased the guys off the street for two or three days and then they returned. The result was to alarm a lot of people in the community, and there was some backlash.”

The numbers of day laborers on the street have only risen; each day, 100-150 men gather along a strip outside a shopping mall. The police continue to receive complaints from nearby businesses and customers. The issue is often raised in community forums, and local female residents, who feel intimidated by frequent cat-calling, express their frustration at being unable to shop at the only stores within walking distance. Workers also have complaints about the current situation. Some workers feel unprotected; for example, workers have been hurt on the job and left half a block from Marin General Hospital by employers.

What has changed is the atmosphere. San Rafael

residents are still concerned with the issue but are familiar with the laborers' presence.

According to the local police captain,

“Five or six years ago, people were reacting based on fear. Now people are calmer and more rational. We are in a much better position. Today a job center would meet with far less resistance than five or six years ago. Then some people felt if they raised enough hell they could make ‘them’ go away. But the problem is far bigger than San Rafael and it is not going to go away. Now we can try to deal with it in an orderly fashion.”

The police are interested in exploring a long-term solution which they say would involve a center near the original site, run fairly, and where workers would not be harassed. However, to realize this goal, the process must commence again from scratch. A site must be found, funding secured, and the workers convinced of the project's benefits.

San Rafael reminds us that day laborers will not simply go away as long as the demand for their work continues—not through harassment, INS sweeps, nor vilification. Communities would fare better to embrace long-term collaborative solutions.

Resources

APPENDIX A

Do you need some ideas about how to go about organizing day laborers, or how to run an effective hiring project? In this chapter, we provide you with sample materials which are taken from different day laborer projects around the country.

If you still need more information about handling a certain aspect of your community controversy, or making your hiring project work effectively, **we also list in this chapter contact information** so you can get in touch with those people who are most knowledgeable about the day laborer hiring centers and organizing projects which we learned about in the course of doing this manual.

Guide to Sample Materials

FOR HIRING PROJECT: Public Relations

"People Have Been Misinformed," *Los Angeles Times*, February 27, 1994 38

FOR DAY LABORER ORGANIZING:

"¿Sabías qué...?" CHIRLA comic strip on day laborer responsibilities, Spanish 39

"Did You Know?" CHIRLA comic strip on false documentation, English 40

"¿Sabías qué...?" CHIRLA comic strip on false documentation, Spanish 41

"Your Right to a Safe Workplace" CHIRLA informational pamphlet, English 42

"Programa de Jornaleros" CHIRLA-supplied work journal for day laborers, Spanish 44

FOR HIRING PROJECT: Outreach and Marketing

"Center Programs," Casa de Maryland, Silver Spring, MD 46

"Employer Performance Survey," Temporary Skilled Worker Center of Glendale, CA 48

"Atención Jornaleros," CHIRLA Recruitment flyer for Day Laborer Leadership School 49

"Attention Employers," Hollywood Community Job Center, Hollywood, CA 50

FOR HIRING PROJECT: Rules & Regulations

"Regulations and Violations," Casa de Maryland, Silver Spring, MD, English 51

"Regulaciones y Violaciones," Casa de Maryland, Silver Spring, MD, Spanish 52

'People Have Been Misinformed'

PHOTOGRAPHER / Los Angeles Times



Juan Carlos Ruiz:
"As long as the economy is terrible, there are going to be people seeking work on the street corner. That's why we're there."

Workers would not jeopardize their right to stand on a corner by exhibiting poor behavior, says a day laborer who helped institute internal rules of conduct.

Five, six, sometimes seven mornings a week, Juan Carlos Ruiz rides the bus from a stop near his jobless apartment to the corner of Vermont and Fairfax avenues in Los Angeles Heights, where he finds dozens of men in quest of a *hoyonada* until he is hired, frequently little work for day work. Ruiz, 30, has been making the trip for three years and says the routine makes him feel as though he has stable work. He has also managed to build a rapport, a second reason why he has joined with other day workers, representatives of the AFL-CIO, the Southern Christian Leadership Conference and the Coalition for Immigrant Integration Rights of Los Angeles in fighting proposed legislation to ban the collection of work on public streets in unincorporated county areas. Ruiz was interviewed by Kevin Cooper.

By JUAN CARLOS RUIZ

It's one of the new ones at this corner, but I have friends who have been here for or five years. It's very difficult to change what's

become part of your life and move to another corner. We prefer to remain because we're trying to achieve some stability in our work.

Right now it's very, very difficult to get work. And we have people who know us at that corner. It would be very difficult for us to move from that area, especially if it's just because of an accident and caught here. That's why it's difficult for us to say, "OK, pass the law, kick us out of here and we'll leave."

No, we have to fight, because this is how we support ourselves. Being at that corner is how we pay our bills, it's how we survive. And we're not doing it in a way that's illegal.

Our life is very, very hard. Even people who have a stable income are struggling, and that life is very different from work. Sometimes we make good money. It's not going to say we always get just the minimum wage. But most of the time, the more we're going to get in a day is \$10. And

"They accuse us of abusing children with our actions.

But many of us have children and wives, and we can't act like that. Many of us are educated and we're trying to act like civilized people. This really bothers me that they've taken this outlook toward us. It offends us."

We have to work very, very hard for that.

If you work three times a week, that's \$30, and with that \$30 you have a family to support, rent to pay. My life is pay.

We know how to save and we know how to take care of the little money we make.

But if we have to go to another corner, where there's a lot more people and a lot less work, the amount of money we'll be able to make will be reduced drastically. So you can see we have a real problem.

In my opinion, the dignity with the resident has been caused by a combination of discrimination and ignorance.

The racism comes in because there are people who only and simply see what they want to see there. And ignorance because people have been misled.

We've been accused of lots of silly things. They've accused us of taking care of our "household" in their yards. If I did that in front of Osh's house, you're going to call the police.

They accuse us of abusing children with our actions. But many of us have children and wives, and we can't act like that.

Many of us are educated and we're trying to act like civilized people. This really bothers me that they've taken this outlook toward us. It offends us.

When all the problems started, we know we had to take drastic measures among ourselves to make everyone understand that we are not delinquents nor people who have no morals. We're good people.

So we talked among ourselves and came up with some rules of conduct, whether you like them or not, whenever you see the corner, you accept them because they are our rules of conduct and we will enforce them.

We've said it is prohibited to drink beer there. It's prohibited to gamble. Showing a lack of respect for women is prohibited. It's prohibited to play. Anything that would be bad for the community is prohibited among us.

This was our idea and it's been a reaction to the situation. We're ready to reach an agreement with the residents.

I think this is becoming a national problem. There are a lot more cities where people go looking for work now than there were before.

As long as the economy is terrible, there are going to be people seeking work on the street corners. That's why we're there.

That's better than people go looking for work on the street corners rather than going on welfare or taking food stamps.

We're not a burden on this society. The country, the United States, the government, doesn't give us welfare.

It doesn't pay our rent. It doesn't pay our bills. We have to look for ways to do that ourselves. I'm not going to go and get stamps.

I'm not going to do anything against my moral principles. We prefer to work—even if it's only for \$20 or \$40 a day—rather than standing. But that must be what the people want us to do because I don't know how we're going to work with the new law.

This area, Los Angeles, is a good area to get work. We don't want to further anything with our presence there. It's just a place to find work. Nothing else. We're not creating a burden.

The solution is easy. All we have to do is really talk it out and see what everyone's needs are.

What's Your Viewpoint?

City Times welcomes all viewpoints about local issues. We accept opinion columns as well as written and call-in letters. Written letters should be brief and are subject to editing. Opinion columns cannot exceed 200 words. Both must include a signature, mailing address and phone number, if any. Photographers and artists will not be paid. Good letters and columns to City Times, Los Angeles Times, 441 Exposition Blvd., Suite D, Los Angeles 90007. Send items to (213) 744-0413. For call-in letters, leave comments not more than two minutes in length on the answering machine at (213) 249-7882. Include name, address and number.

¿SABIAS QUE LOS COMPAÑEROS DE TRABAJO DE LA ESQUINA TIENEN DERECHOS Y RESPONSABILIDADES?

Del Dr. García
de CHIRLA

RESPONSABILIDADES:

- 1  NO TIRAR BASURA EN LA CALLE
- 2  NO ORINARSE EN LA CALLE
¿NH! YA LA HORMIGA CON SU PARAGUAS
PERO YO YA NO AGUANTO
- 3  NO ENAMORAR A LAS MUJERES QUE PASAN POR EL LUGAR
Y A QUIEN MAMACITA SI ESTOY QUE ME DERRITO
PERO DEL SOLAZO QUE ESTOY AGUANTANDO
- 4 NO BLOQUEAR LA ACERA
- 5 NO PELEAR DENTRO DEL LOCAL O FRENTE AL MISMO 
- 6 NO INGERIR BEBIDAS ALCOHOLICAS  PERO ES QUE TENGO MUCHA SED
- 7 NO CRUZAR LA CALLE DONDE NO HAY SEÑALES  NO HAY PROBLEMA YO ESTOY TODO SEÑALADO

DERECHOS:

- 1 RECLAMAR SI EL PATRON NO PAGA LO PROMETIDO
YO DIJE PESOS  *DIJISTE DOLARES*
- 2 NO DISCUTIR CON LA POLICIA SI ABUSAN DE TUS DERECHOS PUEDES DEMANDARLES  YO SE MIS DERECHOS
- 3 MANTENERSE EN SILENCIO ANTE LA MIGRA Y SOLO DAR TU NOMBRE
¿TIENES PAPELES? *MIGRA* *¿QUE QUIERES IR AL EXCUSADO O QUE ONDAS?*
- 4 EN CASO DE SER ARRESTADO POR LA MIGRA TIENES DERECHO A HACER UNA LLAMADA TELEFONICA 
- 5 A ORGANIZARSE Y NOMBRAR REPRESENTANTES PARA PROTEGER TUS DERECHOS
- 6 A NO SUFRIR DISCRIMINACION POR TU RAZA O NACIONALIDAD



DID YOU KNOW...? YOU COULD GO TO JAIL OR BE DEPORTED IF YOU ARE CAUGHT WITH FAKE PAPERS

Art: Ric Garcia for CHIRLA



REMEMBER! IF YOU ARE CAUGHT WITH FAKE DOCUMENTS

- ✓ You could be fined \$ 25,000.00 or sentenced to 5 years in jail
- ✓ You could lose forever any right to stay legally in the United States
- ✓ If you have legal documents, they could be taken away from you and you could be deported

If the police arrests you for having fake papers and you can't afford a lawyer, you have the right to be represented for free by a public defender.

¿SABIAS QUE... PUEDES IR A LA CARCEL O SER DEPORTADO SI TE ENCUENTRAN DOCUMENTOS FALSOS?

Arte: Ric Garcia para CHIRLA



OJO! SI LO AGARRAN CON DOCUMENTOS FALSOS:

Lo pueden multar hasta con \$25,000 o castigar con 5 años de cárcel
 Pueden prohibir para siempre que Usted viva legalmente en EE.UU.
 Si ya tiene documentos buenos, se los pueden quitar y lo pueden deportar.

Si lo arresta la policía por cargar documentos falsos, Usted tiene el derecho de ser representado por un abogado. Reclame su derecho a un Defensor Público

Esta hoja informativa fue producida por CHIRLA con la ayuda de LAFLA y NILC.

YOUR RIGHT TO A SAFE WORKPLACE

Luis Francisco works in the furniture finishing department where he often uses a spray gun. Often he comes home at the end of the day with his face and hands black with wood stain. He has developed persistent headaches, dizziness and nervousness. He also has trouble breathing in bed at night. When he complained about his health problems, his supervisor ordered him back to work.

LA Times 9/6/93

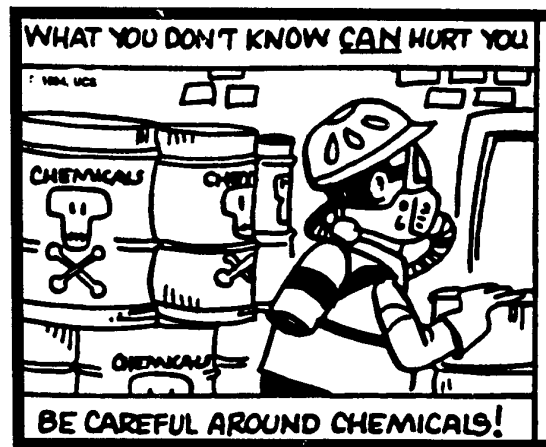
What are Luis Francisco's rights?

- ◆ The right to work without getting sick.
- ◆ The right to know what's in the chemicals he works with.
- ◆ The right to good ventilation, gloves, a respirator or other protection.
- ◆ The right to talk to a health and safety person in the company about these problems.

Do you have similar problems where you work? What can you do?

- ◆ Talk to your coworkers to see if they have similar health problems.
- ◆ Make a list of the problems you have and the changes that you think are needed.
- ◆ If you have a union, call your union representative.
- ◆ Go with a group of co-workers to talk to your supervisor.

- ◆ Ask the supervisor for information about the chemicals you work with—what they are and how much is in the air.
- ◆ Take the information about the chemicals to your doctor, your union representative or the organizations listed below.



What if your supervisor doesn't do anything?

You have the right to call Cal/OSHA confidentially, the government agency that enforces workplace health and safety regulations. Your company may be violating several Cal/OSHA regulations like these:

- ◆ Cal/OSHA regulation 5194 says your employer must train you about the chemicals you work with, the health problems they can cause and how you can protect yourself.
- ◆ Cal/OSHA regulation 5155 says your employer cannot expose you to illegal amounts of chemicals in the air.
- ◆ Cal/OSHA regulation 3204 gives you the right to see measurements so you will know how much of the chemical you might be breathing.

- ◆ Cal/OSHA regulations 3380 and 5144 give you the right to protection such as gloves, goggles and respirators and says you must be trained in how to use them.
- ◆ Cal/OSHA regulation 3203 says your employer must have a health and safety program and a person to respond to complaints that you and other workers have about unsafe conditions.

You have the right to refuse unsafe work

— If a job is so dangerous that you are afraid that you will be killed or injured, you have the right to refuse to do that job. Call one of the organizations listed on this factsheet for more information.

You have the right to Workers' Compensation — if you are injured or become ill as a result of work.

Does everyone have these rights?

You have these rights if you are working in the United States — if you are a citizen or not; if you have legal papers or not.

Your employer cannot fire, harass or discriminate against you for using your rights.

Where can you get more help?

For more information about your rights, contact these organizations:

Your union if you have one

UCLA-LOSH (Labor Occupational Safety & Health Program) 310/794-0369

Cal/OSHA (California Occupational Safety & Health Administration)

Regional Office: Los Angeles
213/736-4911

Regional Office: Orange County
714/939-8611

Cal/OSHA District & Field Offices:

Anaheim: 714/939-0145

Bakersfield: 805/395-2718

Covina: 818/966-1166

Los Angeles: 213/736-3041

Pico Rivera: 310/949-7827

Torrance: 310/516-3734

Van Nuys: 818/901-5403

Ventura: 805/654-4581

Cal/OSHA Consultation: 310/944-9366

CHIRLA


Coalition for Humane
Immigrant Rights
of Los Angeles
(213) 353-1341

This factsheet was developed by UCLA-LOSH with funds from NIOSH, the National Institute for Occupational Safety & Health, and from NIEHS, the National Institute of Environmental Health Sciences.

Programa de Jornaleros

**Libreta de datos
para trabajadores**

No regale su trabajo



- **Conozca sus derechos**
- **Documente todo...**
- **¡Tome Acción!**

Coalición Pro Derechos Humanos del Inmigrante en Los Angeles, CHIRLA
Instituto de Educación Popular del Sur de California, IDEPSCA

Para más información llame:

CHIRLA	1(888)624-4752
Clinica Mrs. Romero	(213)482-6400
El Rescate	(213)387-3284
CARECEN	(213)385-7800
Departamento del Trabajo	(213)620-6330
IDEPSCA	(213)990-9226
Instituto Internacional Barra de abogados, Proyecto de Inmigración	(213)264-6217
Para encontrar quien le pueda ayudar: Info Line	(213)485-1872 (213)686-0950

Esta libreta de notas fue realizada conjuntamente con la Coalición Pro Derechos Humanos del Inmigrante en Los Angeles, CHIRLA y el Instituto de Educación Popular del Sur de California, IDEPSCA

Derechos de Inmigración

Puede negarse a contestar preguntas con la excepción de dar su nombre. No diga nada sobre el lugar de nacimiento, forma de cómo entró a este país, si tiene documentos o no, hasta que pueda consultar con un abogado, o una organización comunitaria o su representante.

Exija hablar con su abogado o su representante. Exija su derecho a una llamada telefónica. Si no tiene abogado o representante, exija una lista de abogados de inmigración gratuitos y llámelos.

No firme nada, especialmente la salida voluntaria, antes de consultar con su abogado o representante.

Se tiene el derecho a salir libre bajo fianza o palabra. Si no tiene para la fianza, exija una audiencia para pedir que se la rebajen. Consulte con su abogado inmediatamente. No hable con el agente de inmigración sobre esto.

Documentación de Horas del Trabajador		
Fecha	Hora de entrada	Hora de salida

Información sobre el patrón	
Nombre	_____
Teléfono	_____
Lugar donde se llevó a cabo el trabajo (dirección)	_____
Número de placas	_____
Dirección de la casa o de la oficina del patrón	_____
Otros trabajadores / testigos	_____
Salario acordado	_____

Recursos para trabajadores

Accidentes/lesiones en el trabajo: Información sobre compensaciones al trabajador
(213) 897-1560

Condiciones inseguras o insalubres en el trabajo:

llame a CAL/OSHA (213) 736-3041

Discriminación en el trabajo: (por raza, nacionalidad, género, edad o incapacidad física):
llame a CHIRLA al (213) 353-1342 ext,4



Las hojas en esta libreta son para que usted tome la información básica acerca de su patrón y su trabajo. Es importante tener esta información disponible en el caso de que su patrón no le pague o le niegue otros derechos legales. Entre más información usted tenga, más probabilidad hay para recuperar sus sueldos y asegurar la protección de sus derechos laborales.

Haga su parte para proteger sus derechos

1. Apunte las fechas y horas trabajadas
2. Apunte todos los datos sobre su patrón.

**Estos derechos son para todos,
tenga o no documentos**

WHO ARE DAY WORKERS?

Day workers are men and women, without full time jobs, who seek temporary work to support themselves and their families. This type of employment activity has always existed, but the number of people forced into day work has increased in recent years as the economy has changed and employers seek to replace permanent employees with temporary workers. Day labor pick-up sites, at street corners, vacant lots and shopping centers, have proliferated and are a common part of the urban environment.

For over 10 years, unemployed men have gathered at dawn in a Silver Spring parking lot, hoping to find a day's work. In recent years their numbers have grown to some 200 or more on a given day. The majority are refugees and immigrants from Latin America; others were born in the U.S. All are looking for a job at a fair wage and to be treated with respect.

But each day the majority return home without having found work. And often those lucky enough to get a job are cheated of their promised wage; sometimes they receive nothing for several days of hard work. For some employers day workers are an easily exploitable labor force, without the knowledge or ability to protect themselves.

CENTER PROGRAMS

The Center's original purpose was to protect workers by providing an alternative to the street corners for hiring temporary labor. But the Center has become much more to local workers—a point of entry into a new culture, a community center, a classroom.

Education

- Training courses to learn and improve trade skills
- Daily English and adult literacy classes
- Workshops and strategies for seeking permanent employment
- Legal presentations on workers' and immigrants' rights
- Weekly health-care presentations

Employment

- Structured and equitable system for workers to seek employment
- Job Services Coordinator to match qualified workers to employers' requirements
- Employer registration to identify employers and set fair wages

Other Programs

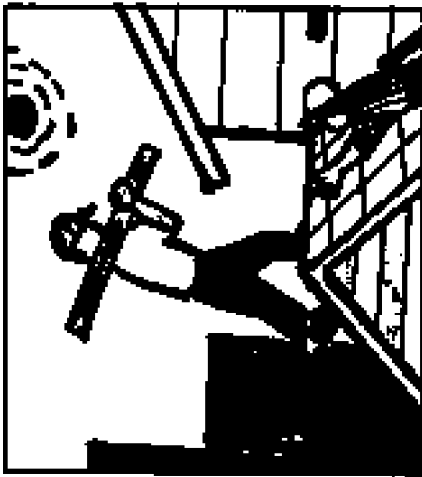
- Employment Rights Project: Legal staff to represent workers in wage disputes
- Client Human Services Coordinator
- Weekly health-care counseling and testing; regularly scheduled mobile health clinic staffed by a doctor
- Women's Association—Mujeres de Hoy (Women of Today)
- Workers' Association—Asociación de Trabajadoras de America Latina—ASOTRAL (Latin American Workers Association)

THE CENTER FOR EMPLOYMENT & TRAINING "The Trailer"

In 1991, CASA de Maryland, a non-profit community organization which has defended the rights of Latin Americans since 1985, established a project to assist day workers. The Center for Employment and Training has two primary objectives: Create an organized hiring hall with an equitable system for the selection of workers; ensure that workers are paid and protected from exploitation. This entire program was for two years housed in a medium sized trailer.

In 1993, the Montgomery County Government brought together community, business, agency, church, and worker representatives, to find a permanent location for the project. This effort resulted in the purchase of property one block from the parking lot where the workers have always looked for employment. The project now sits on one and a quarter acres and consists of a medium sized two story house, a small single room building, and the original trailer.

Today, in cooperation with Montgomery and Prince George's Counties, private foundations and religious organizations, and many community volunteers, CASA continues to support the day workers through the multiple services of the Center for Employment and Training.



Center for Employment and Training

Center for Employment & Training
734 University Blvd, East
Silver Spring, MD

Employment Office
(301) 431-4177

Legal Office/Project Director
(301) 431-4185

CASA de Maryland
310 Tulip Ave.
Takoma Park, MD 20912
(301) 270-0442



Casa de Maryland's Center for Employment and Training

Day Workers
Struggling
for a
Dignified Job

**Temporary Skilled Worker Center of Glendale
5101 San Fernando Road * 818-548-6495, 548-6496**

This is a performance survey that the workers at the Temporary Skilled Worker developed. Filling out this survey should take less than five minutes. All survey results are entered into our database and workers rate themselves based on the database.

How would you rate this workers performance?

- excellent
- very good
- satisfactory
- not very good
- terrible

Would you recommend this worker?

- yes
- no

How does this worker compare to other workers you have had?

- this workers is the best I have ever had
- this worker was better than most workers I have had
- this worker was average
- this worker was not as good as most workers I have ever had
- this worker was the worst worker I have had

Do you have any comments on this workers? _____

Worker's name _____

Type of job he or she did _____

Wages and hours worked _____

Date(s) the worker worked for you _____

If you have any comments on the center itself, please write them here: _____

Name and phone number (optional) _____

Atención Jornaleros

Les invitamos a participar En la Escuela de Formación de Líderes

Bajo la lema “Somos un pueblo sin fronteras”, la escuela de formación de líderes jornaleros fue fundada en marzo de 1997 con el propósito de desarrollar nuestras habilidades y conocimientos para organizarnos y participar activamente en la defensa de nuestros derechos.



Lugar: Oficinas de CHIRLA, 1521 W. Wilshire Blvd.,
Los Angeles. (Entre la Union y Valencia).
Teléfonos: (213) 353-1784, (213) 353-1781

Día: Cada Primer y Tercer jueves del mes.
(Ver calendario en la parte de atrás).

Hora: 7 de la noche.

Coalición pro Derechos Humanos del Inmigrante en los Angeles, CHIRLA
Sindicato de Jornaleros del Condado de Los Angeles
Instituto de Educación Popular del Sur de California, IDEPSCA



Employers of Day Laborers

Please cooperate with the Police Department & the Day Laborers who are trying to make the Job Center a success.

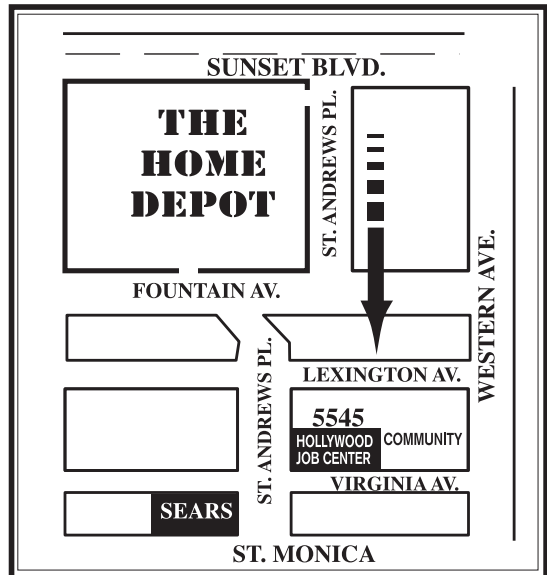
Hire Day Laborers only at the Official Hollywood Community Job Center



Located at:

5545 Virginia Ave.,
(Corner of St. Andrews Pl.)
Hollywood, CA 90038

Find out how to get a
\$ 25.00
discount coupon
from **HOME DEPOT**
at the Hollywood Community Job Center



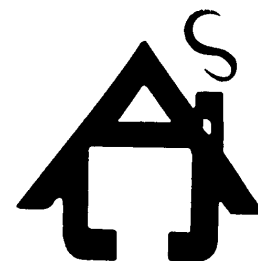
For more information call (213) 469-9002

A program of IDEPSCA, Institute of Popular Education of Southern California and the Office of the Councilwoman Jackie Goldberg

CASA of Maryland

Center for Employment and Training

734 University Boulevard, East SilverSpring, MD 20903 (301)431-4177



Regulations and Violations

CATEGORY 1 VIOLATIONS

- 1) Failing to present CASA of Maryland I.D. Card.
- 2) Wearing clothing with sexually explicit symbols or writing, or failing to wear a shirt.
- 3) Littering.

CATEGORY 1 PENALTIES

Worker will be refused entry or removed from property unless compliance occurs.

CATEGORY 2 VIOLATIONS

- 1) Insulting, disrespectful, or aggressive behavior towards clients, employers, staff, or visitors on CASA property, or to an employer while on the job.
- 2) Waiting in worker-restricted employer and staff-only areas such as the traffic circle, handicap ramp, or driveway.
- 3) Attempting to by-pass lottery and list procedures to get hired by an employer who is not familiar with the client, or who hires frequently at CASA. (Includes using CASA property to wait for employers who stop or stand on University Boulevard or on neighboring apartment complex driveway.)
- 4) Failing to appear at a CASA-referred job without advising the employer or office with adequate notice.
- 5) Gambling while on site.
- 6) Entering CASA of Maryland property with alcoholic beverages, or while under the influence of alcohol or illegal drugs.

CATEGORY 2 PENALTIES

- 1st time - 1 week denial of entry and services
- 2nd time - 1 month denial of entry and services
- 3rd time - permanent denial of entry and services

Please note that if an individual violates two different regulations from within Category 2, that individual may be sanctioned as though he or she has violated the same regulation twice.

CATEGORY 3 VIOLATION AND PENALTY

Physical damage to CASA of Maryland property will result in a one week denial of services for each \$10.00 worth of damage estimated by CASA staff.

CATEGORY 4 VIOLATIONS

- 1) Threatening to use physical violence at Employment Center or assaulting an individual on site.
- 2) Attempted entry on to property of clients while carrying weapons or illegal drugs.
- 3) Sexual harassment.

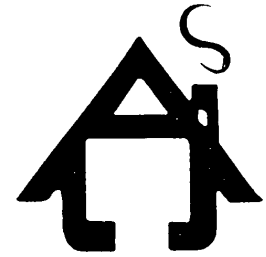
CATEGORY 4 PENALTIES

All category 4 violations will be immediately referred to the Police. Category 4 violators will permanently be denied entry and services by CASA of Maryland.

CASA of Maryland Centro de Empleo y Capacitacion

734 University Boulevard, East Silver Spring, MD 20903 (301)431-4177

Regulaciones y Violaciones



VIOLACIONES CATEGORIA 1

- 1) La falta de presentar el carnet de CASA de Maryland a la entrada de la propiedad.
- 2) Llevar vestuario con simbolos o escritura obscenos, o no llevar camisa.
- 3) Tirar basura .

SANCIONES CATEGORIA 1

No se permitira la entrada o se suspendera de la propiedad hasta que se cumple con las regulaciones.

VIOLACIONES CATEGORIA 2

- 1) La falta de respeto, o insultos y comportamiento agresivo a otros clientes, empleadores, visitantes, o miembros del personal en la propiedad.
- 2) Mantenerse en areas no autorizadas, como el circulo de trafico, la entrada, y la oficina.
- 3) A las negociaciones con empleadores fuera del control de la oficina de empleo o la lista de espera.
- 4) Si usted no asiste a un trabajo sin previa notificacion a la oficina de empleo.
- 5) Participar en juegos de azar.
- 6) Entrar la propiedad con bebidas alcholicas o bajo los efectos del mismo.

SANCIONES CATEGORIA 2

Primera vez: se suspenderan los servicios y la entrada a CASA por un periodo de una semana.

Segunda vez: se suspenderan los servicios y la entrada a CASA por un periodo de un mes.

Tercer vez: se suspenderan los servicios y la entrada a CASA por un periodo permanente.

Recuerde: Si usted viola dos diferentes reglamentos de la misma categoria, la sancion sera el doble.

VIOLACION Y SANCION CATEGORIA 3

Cualquier daño fisico intencional a la propiedad de CASA resultara en una suspension de una semana o mas, dependiendo del daño.

VIOLACIONES CATEGORIA 4

- 1) El asalto violento y amenazas a otra persona dentro del centro.
- 2) La entrada a CASA con drogas o armas.
- 3) Acoso sexual.

SANCIONES CATEGORIA 4

Todas las violaciones de la Categoria 4 seran referidas inmediatamente a la Policia. Los que cometan infracciones dentro de la Categoria 4 le suspenderan los servicios y la entrada a CASA permanentemente.

Project Contacts

APPENDIX B

BREA, CALIFORNIA

CITY OF BREA JOB CENTER

Roy Escarzaga, COORDINATOR

WEBSITE: www.ci.brea.ca.us

340 N. Orange Ave. • Brea, CA 92821 ~ (714) 990-6384 • (714) 990-7123 fax

The Job Center provides an appropriate site where laborers and employers can meet to arrange a mutually acceptable agreement for laborer services. The City provides the site with minimum services: 1) outreach to day laborers and employers, and marketing of Center; 2) an orderly and fair method of assigning labor to contractors; 3) information and referral services to outside programs such as ESL classes, job counseling, etc.; and 4) life skill classes covering topics related to survival in another country, health information, credit counseling, immigration updates, etc.

DENTON, TEXAS

DENTON HUMANITARIAN ASSOCIATION'S WORKER EXCHANGE PARK

Rick Salazar, PRESIDENT

E-MAIL: mmsalazar@aol.com

601 E. Hickory #E • Denton, TX 76205 ~ (940) 387-6455 • (940) 382-7416 fax

Featured in Chapter 3 of this manual.

GLENDALE, CALIFORNIA

TEMPORARY SKILLED WORKER CENTER / DAY LABORERS ORGANIZATION, INC.

Lynn Svensson, ORGANIZER/EXECUTIVE DIRECTOR

E-MAIL: lynn@daylabor.org • WEBSITE: www.daylabor.org

5101 San Fernando Road • Glendale, CA 91204 ~ (818) 548-6495 • (818) 546-9042 • (818) 218-3051 pager • (818) 541-9494 fax

ONE STOP WORKER CENTER/DISPATCH has projects in Alhambra, CA; El Monte, CA and Pomona, CA. Contact name and numbers the same as above.

Staffed hiring hall, bathrooms, small trailer, covered waiting areas, computer lab for workers, ESL and computer classes 5-6 mornings a week by paid teacher. Two full-time directors on staff. Center open 365 days a year. Day laborer and domestic workers. 99% Latino, and of these, 34% Indians with Spanish as a second language. Average number of workers daily: 82 in the warmer months, 60 in the winter. Soccer team, volunteer community service, workshops on taxes, domestic violence, Indian/Non-Indian Latino conflict resolution, mediation, effective complaints, and negotiating wages. Women's and Indigenous' Workers Committees, as well as general workers' committee. Minimum wage for unskilled laborers \$7/hour, for domestic workers \$10/hour. 93% employment average for last 2 years. Emphasis of Center on high level of employment, high wages, and good working conditions. Workers make policy decision through consensus. Workers pay \$20/month in dues. Job distributed by list—workers sign up in order they come in (except those present at opening—the first group is raffled).

Featured in Chapter 3 of this manual.

HOUSTON, TEXAS

GANO-CARECEN

Mike McMahon, DIRECTOR

6006 Bellaire, Suite 604 • Houston, TX 77081

(713) 665-1284 • (713) 665-7967 fax

HUNTINGTON BEACH, CALIFORNIA

HUNTINGTON BEACH POLICE DEPARTMENT

Lt. Luis Ochoa • E-MAIL: OCHOAL@HBPD.org

2000 Main Street • Huntington Beach, CA 92648

(714) 374-1533 • (714) 375-5167 fax

Staffed job center for city residents. We anticipate adding job training and full-time placement opportunities in the future.

LOS ANGELES, CALIFORNIA

COALITION FOR HUMANE IMMIGRATION RIGHTS OF LOS ANGELES (CHIRLA)

WEBSITE: Chirla.org • E-MAIL: Chirla@earthlink.net

Victor Narro, WORKERS RIGHTS PROJECT COORDINATOR

1521 Wilshire Blvd. • Los Angeles, CA 90017

(213) 353-1783 • (888) 624-4752 • (213) 353-1344 fax

Several city-sponsored day laborer programs where we provide ESL classes, legal clinics, health clinics, and job training classes. The project provides leadership training and promotes positive human relations between day laborers, local residents, police, businesses, and community organizations.

CHIRLA's Woodland Hills project is featured in Chapter 3 of this manual.

LOS ANGELES, CALIFORNIA

MEXICAN AMERICAN LEGAL DEFENSE & EDUCATION FUND (MALDEF)

Thomas Saenz, ESQ., REGIONAL ATTORNEY

WEBSITE: Maldef.org • E-MAIL: TSAENZ @Maldef.org

634 S. Spring St., 11th Fl • Los Angeles, CA 90014

(213) 629-2512 • (213) 629-0266 fax

MALIBU, CALIFORNIA

MALIBU COMMUNITY LABOR EXCHANGE, INC

Mona Beth Loo, PRESIDENT OF BOARD

E-MAIL: malibumona@earthlink.net

Oscar Mondragon, EXECUTIVE DIRECTOR

E-MAIL: hmoondragon@hotmail.com

23595 Civic Center Drive • Malibu, CA 90265

(310) 317-4717 • (310) 457-8684 fax

Staffed hiring center, open six days per week, daily make-your-own-sandwich lunch program, and occasional English classes. Run by non-profit charity

(501c3) all volunteer Board of Directors. Presently funding is 84% private grants and public donations with 16% from a City of Malibu sponsored Community Development Block Grant. Requires a supportive community with an active and committed Board of Directors. City CDBG funding started at \$35,000 and in 6 years was cut to its present \$9,000 level. Current budget is \$57,000, which includes Manager/Director salary, insurance, utilities, supplies, outreach/advertising, etc. Local churches donate food for sandwich program.

NORTH HOLLYWOOD, CALIFORNIA

NORTH HOLLYWOOD LABORER SITE

Tony Bernabe, SITE COORDINATOR

11841 Sherman Way • North Hollywood, CA 91605

(818) 503-9006 • (818) 503-8842 fax

CHIRLA-run staffed hiring center that offers equal employment opportunities for everyone. The center also offers English classes, sport and cultural activities, participation in all community activities such as clean-ups and graffiti removal, legal services, and referral services.

ORANGE, CALIFORNIA

CITY OF ORANGE RESOURCE CENTER

Pam Doss, RESOURCE CENTER SUPERVISOR

230 E. Chapman • Orange, CA 92866

(714) 633-2753 • (714) 633-7446 fax

The Resource Center is staffed with bilingual personnel. It offers English classes on site, provides clients with referrals to legal, medical, and social services.

SAN DIEGO COUNTY, CALIFORNIA

CARLSBAD HIRING CENTER

Pablo Jimenez, MANAGER •

E-MAIL: serpjimenez@hotmail.com

3355 Mission Ave., Suite 123 • Oceanside, CA 92054

(760) 929-8121 • (760) 929-8090 fax

San Diego County SER/Jobs for Progress, Inc. operates three employment centers—in Carlsbad, Pacific Beach, and Vista. They all offer the same services with some variations. They assist the public by means of placement assistance for applicants and employers hiring for permanent, part-time, temporary and casual labor employment. In addition, the Centers offer numerous other resources for the unemployed. For example: income tax assistance, food, clothing and referrals, etc.

SAN FRANCISCO, CALIFORNIA
DAY LABORER PROGRAM OF SAN FRANCISCO •
Renee Saucedo, DIRECTOR
E-MAIL: Renee@LRCL.org
474 Valencia St., Ste. 295 • San Francisco, CA 94103
(415) 252-5375 • (415) 255-7593 fax

The program is a liaison between employer and workers. It has clinics on legal and employment rights, ESL and job training. It is also an advocacy agency. The Center also offers health and mental clinics with nurses, doctors, and therapists.

SEATTLE, WASHINGTON
CASA LATINA
Jaime Mendez, COMMUNITY ADVOCATE
WEBSITE: www.casa-latina.org
2217 4th Ave. • Seattle, WA 98121
(206) 956-0779 • (206) 956-0780 fax

Staffed hiring center that offers ESL classes, information and referral services, computer and small business class.
Featured in Chapter 3 of this manual.

SILVER SPRING, MARYLAND
CASA DE MARYLAND CENTER FOR
EMPLOYMENT AND TRAINING
Gustavo Torres, EXECUTIVE DIRECTOR
E-MAIL: recampos@hotmail.com
734 University Blvd., East • Silver Spring, MD
(301) 431-0110 • (301) 270-8659 fax

Featured in Chapter 3 of this manual.

VISTA, CALIFORNIA
SAN DIEGO COUNTY SER
Jim Lundgren
E-MAIL: lundesoto@aol.com
2113 Summerhill Drive • Encinitas CA 92024
(760) 944-0786 • (760) 942-5272 fax

The Vista Employment Training Center offers managed employment training, basic English and computer literacy instruction. State-certified Home Health Aid classes. Job development and placement services.

Day Laborer Projects and Ordinances List

OUTSIDE OF CALIFORNIA 1998

CITY	COMMUNITY	PROJECT	ORDINANCES AGAINST SOLICITATION OF WORK	PROJECT CONSIDERED EFFECTIVE?
FLORIDA:	DADE COUNTY	No	Yes ACLU filed suit and still in court	NOT APPLICABLE because no project (N.A.)
GEORGIA:	CITY OF COLLEGE PARK	No	Yes	N.A.
ILLINOIS:	CHICAGO	No	No	N.A.
MARYLAND:	SILVER SPRING	Yes	No	Yes
NEVADA:	LAS VEGAS	Yes Understaffed	Yes	Yes
GEORGIA:	CITY OF COLLEGE PARK	No	Yes	N.A.
NEW YORK:	GLEN COVE	Yes	No	Yes
NEW YORK:	HEMPSTEAD	No	Yes	N.A.
TEXAS:	CONROE	Yes Understaffed	No	Yes
TEXAS:	AUSTIN	Yes	No	Yes

Day Laborer Projects and Ordinances List

CALIFORNIA 1998

CITY / COMMUNITY	DAY LABORER PROJECT IN EXISTENCE? PROJECT / TYPE	IS THERE AN ORDINANCE AGAINST SOLICITATION OF WORK?	DOES CITY/COMMUNITY CONSIDER IT EFFECTIVE?
AGOURA HILLS	No	Yes	Not Applicable, (N.A.) no project
ALHAMBRA	No	Yes	Yes
ANAHEIM	No	Yes	N.A.
BREA	Yes by City / Staffed	No	Yes
CALABASAS	No	No	N.A.
CAMBRIAN	No	Yes	N.A.
CARLSBAD	Yes by Non-Profit	No (Indirect Laws)	Yes
CONCORD	Yes by City / Staffed	Yes	Yes
COSTA MESA	Yes ~ City	Yes	Yes
CUDAHY	No	Yes	N.A.
DANA POINT	Yes by City / Telephone	Yes	Yes
DUARTE	No	Yes	N.A.
EL MONTE	Yes / Non-Profit	Yes	Yes
ENCINITAS	No	No	N.A.
GARDENA	No	Yes	N.A.
GLENDALE	Yes by City / Unstaffed	Yes ~ Restricted to Specific Area	Yes
HUNTINGTON BEACH	Yes	Yes	To early to tell
INDUSTRY	Yes / For-Profit	Yes / Not Enforced by D.A.'s office	Yes
LADERA HEIGHTS	Yes	Yes	Yes
LAGUNA BEACH	Yes by Police / Unstaffed	Yes	N.A.
LAKE ELSINORE	Yes	Yes	
LAWNDALE	No	Yes	N.A.

CITY / COMMUNITY	DAY LABORER PROJECT IN EXISTENCE? PROJECT / TYPE	IS THERE AN ORDINANCE AGAINST SOLICITATION OF WORK?	DOES CITY/COMMUNITY CONSIDER IT EFFECTIVE?
LOS ALTOS	Yes by Church / part of Mtn View	Yes: No Congregating	Can't tell
LOS ANGELES	Yes / City • Harbor City Hollywood • North Hollywood	No	Yes
MALIBU	Yes by Non-Profit / City Staffed	Yes	Yes
MONROVIA	Yes by For-Profit	Yes	Yes
MOORPARK	No	No	N.A.
MOUNTAIN VIEW	Yes by Church / Staffed	No	?
OAKLAND	No	No	N.A.
ORANGE	Yes by City	Yes	Yes
PALO ALTO	No	No	N.A.
PASADENA	Yes by For-Profit	No	Yes
POMONA	Yes by Non-Profit	Yes	Yes
RANCHO CUCAMONGA	No	Yes: Loitering, Soliciting	N.A.
REDONDO BEACH	No	Yes	N.A.
REDWOOD CITY	No	No	N.A.
RIVERSIDE	No	Yes	N.A.
SACRAMENTO	No	No	N.A.
SAN DIEGO PAC BEACH	Yes by Non-Profit	No	Yes
SAN FRANCISCO	Yes by City / 1 main, 4 satellites	No	Yes
SAN JOSE	Yes by Church / Staffed	Indirect: Curfew & Loiter	?
SAN MATEO	No	Yes	N.A.
SAN RAFAEL	No	No	N.A.
SANTA ANA	Yes by For-Profit	Yes: Loitering	Yes
SANTA CLARITA / NEWHALL	No	Yes	N.A.
SIERRA MADRE	No	No	N.A.
TOPANGA CANYON	No	Yes: L.A. County	N.A.
VISTA	No	No	N.A.

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