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# **Documenting Unregulated Work:**

## **A Survey of Immigrant and Other Low-Wage Workers in Los Angeles, Chicago and New York City**

*A Joint Project of:*

The Brennan Center for Justice, NYU School of Law  
The Center for Urban Economic Development, University of Illinois at Chicago  
Institute for Research on Labor and Employment, University of California, Los Angeles

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### **The Growth of Exploitation in the Workplace**

In recent years, violations of our country's labor laws have increased at an alarming rate, especially among immigrants and other low-wage workers. In industries ranging from construction and food manufacturing to restaurants and janitorial services, workers are enduring minimum wage and overtime violations, hazardous working conditions, discrimination, and retaliation for speaking up or trying to organize. They have little recourse because of their need for work, and often, because of their immigration status. All signs indicate that what we call "unregulated work" is growing throughout low-wage labor markets in the U.S.

But currently, advocates and policy makers have virtually no solid data on the magnitude of the problem, the industries that are the biggest culprits, and the workers who are most affected. The result is an information vacuum that significantly hampers effective policy responses, whether at the federal, state or local level.

Using an ambitious worker survey, our goal is therefore to document the scale and scope of workplace violations in the three largest U.S. labor markets: Chicago, Los Angeles, and New York City. We think of this task as a census of the invisible, because from the standpoint of public policy, these jobs (and the workers who do them) are all too often off the radar screen. In that context, this survey stands to make a significant contribution – to national policy debates surrounding immigration reform, to advocacy for better enforcement of our country's labor laws, and to research on low-wage work and globalization.

### **Survey Goals**

We will attempt to answer the following questions by surveying immigrant and other low-wage workers in the three cities, using a rigorous methodology:

1. How common are the various forms of workplace violations, such as the percent of workers earning less than the minimum wage, working overtime without pay, or exposed to unsafe working conditions?
2. Which industries and occupations have high concentrations of unregulated work? Are there labor market brokers who help to funnel workers into exploitative jobs?
3. Who are the workers most affected? Are they trapped in unregulated work, or are there pathways to better jobs?

## **A Proven Methodology for Surveying Hard-to-Reach Populations**

Few studies have attempted to directly estimate the prevalence of workplace violations – the workers are hard to find and often vulnerable, and the employers are reluctant to disclose violations of labor laws. Our goal is to fill this data gap by designing and fielding a worker survey that will yield statistically representative estimates of the prevalence of workplace violations. We will use the Respondent-Driven Sampling (RDS) method, which was developed by Cornell University statistician Douglas Heckathorn to sample hard-to-reach populations – in our case, immigrant workers (both documented and undocumented), persons with criminal records, former welfare recipients, and persons working off the books. We anticipate fielding the survey in early 2008, with a total sample size of 4,500 (1,500 in each city).

## **Connection to Policy Campaigns**

There is considerable enthusiasm for this project on the ground. First, the survey itself will be conducted in collaboration with community-based organizations in each city. We will work with them in designing and administering the survey, and in establishing interview sites that workers will feel comfortable using.

Second, the results of this study will be integrated into concrete policy campaigns. For example, all three cities have numerous campaigns focused on workplace rights, many of them headed by immigrant worker centers that stand ready to use the survey's findings in developing and supporting their policy demands. Community groups and legal services advocates are also increasingly focusing their attention on state-level enforcement reform, and here too, detailed information on where workplace violations are most prevalent will be critical. Finally, the survey will provide rigorous documentation of the need for labor protections in federal immigration reform.

## **The Organizations**

All three of our organizations have been actively engaged in the labor and immigrant rights advocacy and policy communities. In New York, the Brennan Center is working with immigrant rights groups on a range of city and state policy campaigns to address workplace violations, including industry-specific initiatives. The UCLA Institute is working with the Coalition of Immigrant Worker Advocates and the Los Angeles Worker Advocates Coalition on state legislative policies to improve labor law enforcement in low-wage industries, as well as city-wide policies to improve conditions in the L.A. garment industry. In Chicago, the UIC Center provides strategic research on a variety of industries to workers' rights advocates who are pressing for better enforcement of labor laws. In addition, all three institutions have a long history of conducting applied research linked to concrete policy campaigns; as a result, we have built up strong relationships and trust with local community groups.

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For more information on the project, please contact one of the following principal investigators:

Annette Bernhardt, Ph.D.  
Deputy Director, Justice Program  
Brennan Center for Justice, NYU  
212-998-6338

Ruth Milkman, Ph.D.  
Director, UCLA Institute for  
Research on Labor & Employment  
310-206-5215

Nik Theodore, Ph.D.  
Director, Center for Urban  
Economic Development, UIC  
312-996-8378