



of all those living within its borders: All are equal before the law and are entitled without any discrimination to equal protection of the law All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination ”

The protection of human rights has been the discursive cornerstone of U S foreign policy e have imparted a vision of human progress embraced throughout the world Vigilantly protecting human rights within our own

## **1. Types and Extent of Human Rights Abuses**

Day laborers that we surveyed reported a wide range of hu

being intimidated at least once by strangers. Often intimidation takes the form of taking pictures of the workers and the contractors and threatening to submit the pictures to law enforcement officials. One respondent spoke of an incident where a resident called the police on them when members of a church dropped by and gave them food.

Failing to respect the dignity of the individual and insulting someone on the basis of their ethnicity or nationality violates Articles of the Universal Declaration of Human Rights. Moreover, Article of the Declaration states that "no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation." Over of respondents reported being targeted at least once for negative comments based on their race or nationality. As one respondent put it, "There's a lot of racism and at times people say offensive things to you." Another day laborer was told "we hate Hispanics here in the United States." Contractors were the most frequent perpetrators of ethnic slurs, followed by strangers, by merchants, and then by the police.

Collectively, the findings suggest that most day laborers on Long Island face a hostile social environment where their physical safety, financial well-being, and dignity are threatened if not violated on a regular basis. Nor does Long Island appear to be exceptional in this regard. Based upon a national survey of day laborers working in states and the District of Columbia, Valenzuela et al. found that of all respondents had been insulted by merchants and insulted by strangers.<sup>8</sup>

Endangerment of Health and Safety Article Section of the Universal Declaration of Human Rights states that "Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment." Occupational health and safety hazards not only constitute unfavorable conditions of work, but can also deprive workers of "the right to life, liberty, and security of person" guaranteed by Article of the Declaration.

Our research indicates that, on a daily basis, day laborers face a wide range of hazards that, in many cases, lead to injuries. Over one quarter of respondents reported being injured in an accident on the job. This rate is times higher than the New York State rate of non-fatal occupational injuries and illnesses in the construction industry. The high percentage reflects a lack of proper safety protections required by the Occupational Safety and Health Administration. Over half of respondents reported being required to use sharp tools without proper safety gear such as gloves or goggles. A similar percentage of respondents reported working at tall heights without harnessing equipment. In responses to open-ended questions, several additional types of endangerment were reported, including using jackhammers without eye or ear protection, removing and installing insulation without ventilation masks, working near walls that are about to collapse, lifting extremely heavy objects without mechanical assistance, using improper tools for the job, being rushed to finish a job, and being made to perform certain tasks that the workers indicated they were not qualified to perform.

The disregard of contractors for the well-being and basic safety of the day laborers often continued beyond the point of injury. Of the survey respondents reporting injury, only reported being taken by their contractor to receive medical attention. On the contrary, reported being pressured by their contractor to keep working after being injured. The following incident illustrates how contractors use threats and intimidation to coerce day laborers into performing hazardous work: "On one occasion the boss was treating me very badly. He yelled at me and he insulted me even though I felt I was doing good work. It was then that I broke my arm and fractured my leg." Along with the physical injuries, reckless endangerment also threatens the economic security of day laborers as illustrated by the following incident: "I got hit in the mouth while working with cement and I split my lip open and loosened my tooth. My mouth was very swollen for weeks. My boss didn't even give me \$ and I couldn't work for 8 days."

As with violence, intimidation, and harassment, other research suggests that the scope of the problem of reckless endangerment of immigrant workers goes far beyond Long Island. A nationwide day labor survey also found high levels of work related injuries and a similar disregard for the medical needs of the injured, with more than half of those being injured not receiving medical attention. A study by the Associated Press found that every day one Mexican born worker in the United States dies in an industrial accident. Mexican born workers are about 8% more likely to die than US born workers.

Exploitation by Contractors Article 23 of the Universal Declaration of Human Rights states that "Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection." To measure the extent to which contractors were violating Article 23, we asked day laborers a series of questions related to work intensity and work compensation. The results suggest that contractors regularly take advantage of the vulnerable status of day laborers to maximize the revenues generated by the workers while minimizing costs in terms of payment and provision of transportation.

ticket ”

Our research experience suggests that government repression may change the location, size, and stability of local day labor markets, but does not remove them enti

public hospital costs, costly litigation, and lost labor productivity

**Table 1**  
**Unstandardized Coefficients for Bivariate Regressions of**  
**Selected Dependent Variables on Repression and on Official Hiring Sites:**  
**Long Island Day Labor Markets**

<i>Independent Variable:</i>	<u>Repression</u> Reg Coeff Std Error	<u>Official Site</u> Reg Coeff Std Error
<i>Dependent Variables:</i>		
Violence, Intimidation, and Harassment Index	.08	.19
• Physical Assaults	.09	.17
• Robberies	.07	.08
• Threats		.08
• Ethnic Slurs	.08	
Endangerment Index		.08
• Injuries on Job		.08
• Sharp tools without protect	.09	.08
• Tall heights without harness	.08	.09
Exploitation Index	.08	.09

Respondents reporting higher levels of threats, fines, and arrests were significantly more likely to report that relations had worsened with all other segments of the community. Demonstrating the connection between human rights protection and community relations, repression was also negatively related to the perception of just treatment by others in the community. Repression, however, is not the only public response available as will be discussed in the next section.

### **3. Human Rights Impact of Official Hiring Sites**

A growing number of communities in the United States are creating official hiring sites legally recognized by the local government and funded through public private partnerships. Often referred to as worker centers, the sites usually provide sheltered facilities with bathrooms. By providing resources and a stable, physical site for organizing, regulated hiring sites can assist day laborers in building the collective capacities to effectively resist oppression. Rather than driving down wages by competing with one another for employment as typically happens at unregulated sites, official hiring sites typically select day laborers in order of arrival and enforce minimum wage standards. Moreover, contractors using official hiring sites are often required to produce identification or have their license plate numbers written down. This monitoring process should result in fewer instances of employers taking the wages owed to laborers for services rendered. Lastly, hiring centers run by immigrant rights groups provide education, skills training, an



protection signaling acceptance by community leadership and building the organizational capacities of immigrant workers official hiring sites do in point of fact reduce hate crimes against day laborers on Long

Official hiring sites increase the likelihood that day lab

**Strengthen and enforce hate crimes laws protecting day laborers**

Central American countries also should not be overlooked. A study by the Inter American Development Bank Multilateral Investment Fund concludes that remittances from immigrant workers are now central to the social





