

# **¡SÍ SE PUEDE! IMMIGRANT WORKERS AND THE TRANSFORMATION OF THE LOS ANGELES LABOR AND WORKER CENTER MOVEMENTS**

*Victor Narro\**

I. INTRODUCTION .....	2
II. UNION ORGANIZING CAMPAIGNS OF IMMIGRANT WORKERS: 1986-PRESENT .....	6
A. CALIFORNIA IMMIGRANT WORKERS ASSOCIATION (CIWA): 1989-1993 .....	8
B. JUSTICE FOR JANITORS CAMPAIGN: 1990-2000 .....	9
C. AMERICAN RACING EQUIPMENT WILDCAT STRIKE: 1990 .....	13
D. DRYWALL STRIKE OF 1992.....	14
E. MARCH AGAINST PROPOSITION 187: 1994 .....	17
F. UNITE’S GUESS CAMPAIGN: 1995 .....	18
G. HERE LOCAL 11 LAX CENTURY CORRIDOR CAMPAIGN: 2006.....	21
III. ORGANIZING CAMPAIGNS OF LOS ANGELES WORKER CENTERS.....	23
A. KOREATOWN RESTAURANT WORKERS JUSTICE CAMPAIGN.....	25
B. GARMENT WORKER CENTER FOREVER 21 CAMPAIGN .....	27
C. DAY LABORER ORGANIZING MOVEMENT .....	29
D. MULTI-ETHNIC IMMIGRANT WORKERS ORGANIZING NETWORK (MIWON).....	32
IV. COLLABORATIONS BETWEEN THE LABOR MOVEMENT AND WORKER CENTERS.....	34
A. PARTNERSHIP BETWEEN AFL-CIO AND NATIONAL DAY LABORER ORGANIZING NETWORK.....	34

---

\* Project Director, UCLA Downtown Labor Center, a project of the UCLA Labor Center for Research and Education. J.D., University of Richmond, 1991. The author wishes to express his appreciation to Nicole Ochi from Loyola Law School for her invaluable work and efforts with the writing of this article.

© 2009 Victor Narro. The copyright in each article is owned by the respective author. Except as otherwise provided, the author of each article grants permission for copies of that article to be made for classroom use, provided that each copy is distributed at or below cost, the author and the Journal are identified on each copy, proper notice of copyright is affixed to each copy, and the author and the Journal are notified of the use.

B. COLLABORATION BETWEEN NDLOM AND LABORERS’ INTERNATIONAL UNION OF NORTH AMERICA (LIUNA)..... 35  
 C. IDEPSCA AND PAINTERS’ UNION COLLABORATION ..... 36  
 D. CLEAN CARWASH CAMPAIGN ..... 38  
 E. SPRING 2006 MASSIVE MOBILIZATIONS FOR IMMIGRANTS’ RIGHTS..... 39  
 V. CONCLUSION..... 41

I. INTRODUCTION

Throughout American history, immigrants have been blamed for the economic woes of the country. In the labor context, immigrants are reviled for depressing wages and decreasing union density.<sup>1</sup> However, a closer look suggests that causation actually runs in the opposite direction.<sup>2</sup> In the 1970’s and 1980’s, radical employment restructuring<sup>3</sup> led to massive deunionization.<sup>4</sup> The decline of unions sharply reduced the quality of jobs in manufacturing and service industries, leading to an exodus of native workers and an influx of immigrants to fill vacancies in the lowest-paying occupations with the worst working conditions.<sup>5</sup> Therefore, deunionization and the deterioration of wages and working conditions were the cause, rather than the consequence, of the dramatic migration trends of the 1980’s and 1990’s.<sup>6</sup>

Moreover, far from hurting the labor movement, immigrants have been central to its revitalization in Los Angeles, where more than a third of the residents are foreign-born.<sup>7</sup> Los Angeles is home to almost a quarter of the nation’s immigrants<sup>8</sup> and has almost twice as many unauthorized immigrants as any other metropolitan area.<sup>9</sup>

---

1. See RUTH MILKMAN, *THE L.A. STORY: IMMIGRANT WORKERS AND THE FUTURE OF THE U.S. LABOR MOVEMENT* 105 (2006) [hereinafter MILKMAN, L.A. STORY].

2. *Id.*

3. This Neoliberal restructuring involved deindustrialization, deregulation, and the rise of sub-contracting. *Id.* at 12-16.

4. *Id.*

5. *Id.*

6. *Id.* at 107.

7. ROBERT GOTTLIEB ET AL., *THE NEXT LOS ANGELES: THE STRUGGLE FOR A LIVABLE CITY* 41 (2005).

8. *Id.*

9. JEFFREY S. PASSEL, ET. AL., *URBAN INST., THE CHARACTERISTICS OF UNAUTHORIZED IMMIGRANTS IN CALIFORNIA, LOS ANGELES COUNTY, AND THE UNITED STATES* vi (2007) available at [http://www.urban.org/UploadedPDF/411425\\_Characteristics\\_Immigrants.pdf](http://www.urban.org/UploadedPDF/411425_Characteristics_Immigrants.pdf).

Unauthorized workers are a dominant force in the labor market. Virtually all unauthorized immigrant men—more than either U.S. born or legal immigrant men—are employed.<sup>10</sup> Unauthorized immigrants, and to a lesser extent, legal immigrants, are concentrated in service, production, construction, transportation, and material moving occupations.<sup>11</sup> These types of occupations are where major labor law violations have been rampant in recent years.<sup>12</sup> Yet, these immigrant workers have emerged as leaders of a new labor movement in Los Angeles.

Despite unions' initial perception that immigrants were not "organizable," a new generation of organizers demonstrated that immigrants were actually highly receptive to unionism.<sup>13</sup> During the 1990's, the successful union organizing campaigns of janitors, hotel workers, drywallers, and other low-wage immigrant workers reshaped the labor movement in Los Angeles and redefined it on a national level.<sup>14</sup> These campaigns have contributed to an increase in union density in Los Angeles while the rest of the country has experienced a general decline.<sup>15</sup> Today, the historically anti-labor

---

Approximately one million unauthorized immigrants live in Los Angeles, accounting for 10 percent of the total population. *Id.* at 8.

10. Nationally, 93 percent of unauthorized men age 18-64 were in the labor force, versus 85 percent of legal immigrant men and 82 percent of U.S.-born men in 2004. *Id.* at 15. However, labor trends for unauthorized women are very different. Women are less likely to participate in the labor force than legal immigrant or U.S.-born women, largely due to childbearing and related factors. *Id.* at 17-18.

11. *Id.* at 18.

12. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 107-10. *See also* GOTTLIEB ET. AL., *supra* note **Error! Bookmark not defined.**, at 76. *See also* PASCALE JOASSART-MARCELLI & DANIEL FLAMING, ECON. ROUNDTABLE, WORKERS WITHOUT RIGHTS: THE INFORMAL ECONOMY OF LOS ANGELES 12 (2002), *available at* [http://www.economicrt.org/download/workers\\_without\\_rights.html](http://www.economicrt.org/download/workers_without_rights.html) (examining the industries in Los Angeles County that have higher probabilities of informal employment by comparing different sources of employment data and industry characteristics, including the percentage of unauthorized Latino immigrants within a given industry).

13. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 114-18 (describing unions' initial skepticism of immigrant workers and the efforts of early organizers to change this mindset).

14. *Id.* at 6-12.

15. RUTH MILKMAN & BONGO KYE, UCLA INST. FOR RESEARCH ON LABOR & EMPLOYMENT, THE STATE OF THE UNIONS IN 2008: A PROFILE OF UNION MEMBERSHIP IN LOS ANGELES, CALIFORNIA AND THE NATION 2 (2008) *available at* <http://www.irlle.ucla.edu/research/pdfs/unionmembership08-color.pdf> [hereinafter MILKMAN & KYE, STATE OF THE UNIONS].

bastion<sup>16</sup> of Los Angeles has a unionization rate of 17.0 percent, up from 15.9 percent in 2007 and well above the national rate of 12.0 percent.<sup>17</sup>

Los Angeles' unprecedented growth in union organizing during this period has been paralleled by the development of worker centers. Worker centers are community-based organizations that provide support to low-wage immigrant workers through services, advocacy, and organizing.<sup>18</sup> They emerged over the past two decades to respond to the needs of the growing population of immigrants that lacked an infrastructure for collective action.<sup>19</sup> Worker centers have provided a way for immigrant and low-wage workers to organize in industries that are the most difficult to organize and to fight for their rights in labor markets, political arenas, and the larger society.<sup>20</sup> Los Angeles is the crucible in which many worker centers have been formed and from which the most innovative and energetic organizing campaigns to support immigrant workers have emerged.<sup>21</sup>

This article provides an overview of every major union and worker center organizing campaign in Los Angeles from the mid-1980's to the present. It explores the parallel development of these campaigns and their recent convergence, demonstrating how immigrant workers have played a central role in both revitalizing the labor movement and energizing the burgeoning worker center movement.<sup>22</sup> At the same time, it highlights the important role of

---

16. GOTTLIEB ET. AL., *supra* note **Error! Bookmark not defined.**, at 2.

17. MILKMAN & KYE, *supra* note **Error! Bookmark not defined.**, at 2.

18. JANICE FINE, *WORKER CENTERS: ORGANIZING COMMUNITIES AT THE EDGE OF THE DREAM 11* (2006).

19. During this period of demographic change and restructuring, there has been very few, if any, avenues for immigrant workers to participate in the workplace and integrate into the economic and social fabric of American society. Many of the institutions and labor organizations that helped these immigrant workers in the past have either disappeared or declined dramatically. *See id.* at 36-41.

20. *See generally* FINE, *supra* note **Error! Bookmark not defined.** (discussing and analyzing the rise of worker centers throughout the United States).

21. *See* Victor Narro, *Impacting Next Wave Organizing: Creative Campaign Strategies of the Los Angeles Worker Centers*, 50 N.Y.L. SCH. L. REV. 465, 470-71 (2005) [hereinafter Narro, *Next Wave Organizing*].

22. This article is a nutshell of the major immigrant worker organizing campaigns by unions and worker centers. The article uses these key immigrant worker organizing campaigns to argue the significance of immigrant workers to the labor movement's revitalization and the worker center movement's growth, rather than a detailed analysis of the organizing and leverage

these institutions in raising the political conscience of immigrant communities and improving the lives of immigrant working families.

Part II provides a chronological history of the major union organizing campaigns led by immigrant workers, including the creation of the California Immigrant Worker Association and its pivotal role in organizing campaigns in the early 1990's, the Justice for Janitors Campaign, the American Racing Equipment Wildcat Strike, the Drywallers Strike, the March Against Proposition 187, the Guess Campaign, and the LAX Century Corridor Campaign. This Part also discusses the important role of Miguel Contreras, the late Executive Secretary Treasurer of the Los Angeles County Federation of Labor, who spearheaded the integration of immigrant workers into the labor movement.

Part III discusses the major worker center campaigns led by immigrant workers in Los Angeles during the past decade, including the Garment Worker Center's Forever 21 campaign, the Restaurant Workers Justice Campaign of the Korean Immigrant Workers Advocates, and the day laborer organizing movement that resulted in the creation of the National Day Laborer Organizing Network. This Part also highlights the Multi-Ethnic Immigrant Workers Organizing Network, a collaborative of worker centers.

Part IV presents four examples that highlight the collaboration between these two movements to create strong worker initiatives: the partnership between AFL-CIO and the National Day Laborers Organizing Network; the collaboration between the National Day Laborers Organizing Network and the Laborers International Union of North America; the collaboration between the Institute of Popular Education of Southern California and the Painters' Union; and the new labor-community coalition campaign to organize the car wash industry. This section also discusses the role of unions and worker centers in raising the political conscience within immigrant communities, which culminated in a massive turnout for the spring 2006 marches for immigrants' rights. Finally, Part V concludes that these organizing campaigns demonstrate the viability of unions and

---

strategies that led to their successful outcomes. For readers who wish to learn more about these campaigns, the article cites to resources and publications throughout this article that will provide more detailed analysis and discussion.

worker centers, and how each one strives to improve working and living conditions for low-wage immigrant workers.

## II. UNION ORGANIZING CAMPAIGNS OF IMMIGRANT WORKERS: 1986-PRESENT

During the 1980's, the labor market in Los Angeles changed drastically. Globalization caused the city to lose much of its manufacturing base and the rise of sub-contracting caused massive deunionization in service industries.<sup>23</sup> During the same era, millions of immigrants migrated to the United States and many of them became legal residents through the Immigration and Control Reform Act of 1986.<sup>24</sup> As union density shrank and wages and working conditions deteriorated, this large influx of immigrants filled the demand for low-wage labor.<sup>25</sup>

At the national level, unions were hostile to immigrants and opposed legalization for undocumented workers.<sup>26</sup> For the most part, they believed that immigrants were not organizable and did not actively try to unionize the influx of new immigrant workers.<sup>27</sup> In Los Angeles, a number of campaigns, discussed below, changed this perception. The Justice for Janitors campaign, American Racing Equipment Wildcat Strike, Drywallers Strike, and LAX Century Corridor hotel workers campaign demonstrated that immigrant workers were organizable. In fact, these campaigns demonstrated that immigrant workers were actually more amenable to unionization than native-born workers because of their strong social networks, prior activist experience, and collective worldview.

Moreover, local unions started becoming active in immigrants' rights issues. In 1994, unions participated in the massive march against Proposition 187, discussed below. In 1996, the late, great

---

23. Larry Frank & Kent Wong, *Dynamic Political Mobilization: The Los Angeles County Federation of Labor*, 8 WORKINGUSA – THE JOURNAL OF LABOR & SOCIETY 155, 155-56 (2004).

24. JEFFREY S. PASSEL, PEW HISPANIC CTR., UNAUTHORIZED MIGRANTS: NUMBERS AND CHARACTERISTICS 27 (2005), available at <http://pewhispanic.org/reports/report.php?ReportID=46>.

25. See *supra* note **Error! Bookmark not defined.** and accompanying text.

26. Frank & Wong, *supra* note **Error! Bookmark not defined.**, at 172.

27. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 127.

labor leader Miguel Contreras was elected as the first person of color to head the Los Angeles County Federation of Labor, a powerful coalition of local unions with significant political clout.<sup>28</sup> Contreras embraced the struggle of immigrant workers and integrated them into the Los Angeles labor movement, leaving a lasting legacy.<sup>29</sup> He worked to connect the major labor organizing campaigns, like the Justice for Janitors' 2000 contract campaign and the Hotel Employee & Restaurant Employees Union (HERE) Local 11 hotel organizing campaigns, with immigrants' rights struggles.<sup>30</sup> Under Contreras' leadership, Los Angeles became the center for a new labor and Latino community coalition, strengthened through immigrant worker organizing.<sup>31</sup>

The integration of immigrants' rights and labor in Los Angeles under Contreras' leadership created momentum for the AFL-CIO to reach its historic decision in February 2000 when the AFL-CIO's Executive Council adopted a new platform on immigration.<sup>32</sup> The Council passed a resolution that called for a new general amnesty, an end to employer sanctions, and increased labor protections.<sup>33</sup> The AFL-CIO's reversal in position dramatically shifted the political climate surrounding immigration and made discussions of limited amnesty a viable topic among congressional leaders.<sup>34</sup>

Immediately following this historic announcement on immigrants' rights, the AFL-CIO scheduled a series of town halls on immigrant worker rights.<sup>35</sup> The Los Angeles County Federation of Labor worked with major unions and community-based immigrants' rights groups to plan a grand culmination of these meetings at the Sports Arena on June 10, 2000.<sup>36</sup> At least 16,000 immigrants from

---

28. Frank & Wong, *supra* note **Error! Bookmark not defined.**, at 156-58.

29. *Id.* at 157.

30. *Id.* at 158.

31. *Id.* at 171.

32. DAVID BACON, *ILLEGAL PEOPLE: HOW GLOBALIZATION CREATES MIGRATION AND CRIMINALIZES IMMIGRANTS* 155 (2008).

33. *Id.*

34. Frank & Wong, *supra* note **Error! Bookmark not defined.**, at 172. *See also* BACON, *supra* note **Error! Bookmark not defined.**, at 156-57.

35. Frank & Wong, *supra* note **Error! Bookmark not defined.**, at 172.

36. Nancy Cleeland, *Migrant Amnesty Urged; Rally: About 20,000 Rally in Los Angeles to Demand Federal Legislation*, L.A. TIMES, June 11, 2000, at B1.

different communities filled the Los Angeles Sports Arena.<sup>37</sup> Approximately 4,000 more could not get inside because the number of participants far exceeded the space capacity.<sup>38</sup> Most of these immigrants and their families came from the membership base of the unions and community-based organizations.<sup>39</sup> Thus, a unique synergy developed in which immigrant workers revitalized the labor movement and caused it to shift its position on immigration, which in turn, changed the national debate on immigration. This section explores the development of that synergy.

#### **A. California Immigrant Workers Association (CIWA): 1989-1993**

In 1986, Congress passed the Immigration Control and Reform Act of 1986 (IRCA), which made it illegal to knowingly hire or recruit unauthorized immigrants, but also granted amnesty to certain immigrants that had been continuously present since January 1, 1982.<sup>40</sup> Unions with strong membership bases of immigrant workers engaged in massive outreach efforts to help eligible members with the amnesty legalization process.<sup>41</sup> To integrate newly legalized immigrants into the labor movement and to build a democratic and associate membership organization of immigrant workers, the AFL-

---

37. *Id.*

38. *Id.*

39. BACON, *supra* note 32, at 157-58.

40. The Immigration Reform and Control Act (IRCA), also known as the Simpson-Mazzoli Act (signed by Pres. Ronald Reagan on Nov. 6, 1986) is an Act of Congress which reformed U. S. immigration law. Immigration Reform & Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359 (codified as amended in scattered sections of 8 U.S.C.). The Act made it illegal to knowingly hire or recruit illegal immigrants (immigrants who do not possess lawful work authorization), required employers to attest to their employees' immigration status, and granted amnesty to certain illegal immigrants who entered the United States before January 1, 1982 and had resided there continuously. 8 U.S.C. § 1255 (2008). The Act also granted a path towards legalization to certain agricultural seasonal workers and immigrants who had been continuously and illegally present in the U. S. since January 1, 1982. 8 U.S.C. § 1160 (2008).

41. The AFL-CIO supported IRCA because it contained employer sanctions, a program that would prohibit employers from hiring undocumented workers. The AFL-CIO reasoned that if immigrants could not get jobs, they would not compete with U.S. born workers and would go home. There were, however, immigrants' rights advocates in the labor movement during that time who argued that employer sanctions would result in discrimination and give employers a powerful weapon to stop immigrants from organizing unions. For a full discussion of this topic, see BACON, *supra* note 32, at 119-65.

CIO<sup>42</sup> founded the California Immigrant Workers Association (CIWA) in 1989.<sup>43</sup>

CIWA created four regional centers to help immigrants with their legalization applications. Over 20,000 people used the centers, forming the foundation for a wave of immigrant-based labor organizing in Los Angeles which continues today.<sup>44</sup> Before it became defunct in 1993 due to lack of funding, CIWA would become the vehicle for channeling legal assistance and resources to the major immigrant worker-led campaigns of the mid-1990's.<sup>45</sup> For example, during the drywallers' strike of 1992, CIWA provided immigration and criminal defense for arrested strikers, undermining the employers' intimidation tactics and resulting in intensified mobilization efforts.<sup>46</sup>

### **B. Justice for Janitors Campaign: 1990-2000<sup>47</sup>**

In the 1980's, the building services industry flourished in Los Angeles, but the rise of sub-contracting led to a sharp decline in union density.<sup>48</sup> As the industry expanded, the composition of the workforce changed because an influx of Latino immigrants took most of these new, low-wage positions.<sup>49</sup> Concerned about the deunionization of the building services industry, the Services Employees International Union (SEIU) decided to reach out and

---

42. The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) is a voluntary federation of fifty-six national and international labor unions. See AFL-CIO, About Us, <http://www.aflcio.org> (last visited Nov. 12, 2008).

43. David Bacon, Why Labor Needs to Organize and Defend the Rights of Immigrant Workers, Sept. 1, 2000, <http://dbacon.igc.org/Imgrants/26WhyLaborNeedsToDefend.htm> [hereinafter Bacon, Immigrant Workers].

44. *Id.*

45. *Id.*

46. See *infra* notes **Error! Bookmark not defined.**-**Error! Bookmark not defined.** and accompanying text.

47. For a detailed discussion of the Justice for Janitors Campaign, see MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 6-12, and Catherine L. Fisk et al., *Union Representation of Immigrant Janitors in Southern California: Economic and Legal Challenges*, in ORGANIZING IMMIGRANTS: THE CHALLENGES FOR UNIONS IN CONTEMPORARY CALIFORNIA 199, 199-124 (Ruth Milkman ed., 2000).

48. Fisk, et. al., *supra* note **Error! Bookmark not defined.**, at 199-202.

49. *Id.* at 202 (the Latino immigrant share of employment rose from 28 percent in 1980 to 61 percent in 1990).

organize these new immigrant workers.<sup>50</sup> The Justice for Janitors (JFJ) campaign that emerged has proven to be one of the greatest successes in immigrant unionization.<sup>51</sup> It changed the face of the labor movement by demonstrating that unions could organize a sub-contracted industry<sup>52</sup> and proved that immigrant workers are perseverant and spirited advocates, contrary to popular belief at the time.<sup>53</sup>

The typical union-organizing goal of achieving a National Labor Relations Board (NLRB) election does not work in a sub-contracted industry because contractors are easily replaced by cheaper, non-union alternatives.<sup>54</sup> Therefore, JFJ launched an industry-wide attack that applied pressure on the building owners and managers to hire union contractors paying union-scale wages.<sup>55</sup> The campaign used a multi-prong approach that included intensive industry research, legal tactics designed to generate economic pressure on contractors, active outreach to political leaders and other allies, and aggressive mobilization of the rank and file through guerrilla-style media events.<sup>56</sup> The largely immigrant workforce proved especially amenable to mobilization because many of them had been left-wing activists in their country of origin and all shared a more collectively oriented worldview.<sup>57</sup> Moreover, the janitors already had a tight knit

---

50. *See id.* at 203.

51. Fisk, et al., *supra* note **Error! Bookmark not defined.**, at 199.

52. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 101-02. Milkman writes:

In the 1970s and 1980s, as national and even international firms came to dominate the building service industry, efforts to cut costs by avoiding the influence of the union began to emerge. Nonunion building maintenance firms surfaced in Los Angeles in the 1970s, undercutting the unionized cleaning contractors with discounted prices, especially in outlying areas of the city. As the nonunion sector grew, it put growing competitive pressure on the unionized firms, whose costs were inevitably higher.

*Id.*

53. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 158-59.

54. Fisk, et al., *supra* note **Error! Bookmark not defined.**, at 203.

55. *Id.* at 203-04.

56. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 156-58.

57. *Id.* at 159.

social network, which contributed to high worker participation in the campaign.<sup>58</sup>

The campaign gradually gathered support and intensified in the spring of 1990 as the workers prepared to strike.<sup>59</sup> A major turning point occurred on June 15, 1990, when Los Angeles police officers violently attacked a peaceful mobilization of JFJ strikers and supporters as they marched from Beverly Hills to Century City.<sup>60</sup> In full view of the media and recorded on videotape, the police charged the crowd, injuring many, including children and pregnant women.<sup>61</sup> One JFJ organizer suffered a miscarriage after the police assaulted her with their batons.<sup>62</sup> Despite these efforts at intimidation, worker leaders rose up at a meeting after the event and declared their resolve to continue forward with the contract fight.<sup>63</sup> Moreover, the June 15th event created a groundswell of public support that led to increasing involvement by union members and strong community alliances.<sup>64</sup> Shortly after the police attack, ISS, one of the major building maintenance firms in Los Angeles, entered a union contract and other major firms soon followed suit.<sup>65</sup>

In the years that followed, SEIU experienced some inner dissension, but achieved some moderate victories.<sup>66</sup> In 1995, for example, its contract fight produced some modest pay and benefits improvements.<sup>67</sup> However, the largest action, and the one that changed the face of the national labor movement, was the citywide strike of the Spring of 2000 in which the workers demanded a one-dollar-per-hour raise.<sup>68</sup>

---

58. *Id.*

59. *Id.*

60. *Id.* at 158.

61. *Id.*

62. Bob Baker, *The Sacrifice Behind the Speeches*, L.A. TIMES, Sept. 1, 1990, at B2.

63. Fisk, et. al., *supra* note **Error! Bookmark not defined.**, at 206.

64. *Id.*

65. *Id.*

66. *Id.* at 207 (describing the factionalism within SEIU Local 399 and its eventual trusteeship).

67. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 160.

68. *Id.* at 161.

The historic strike in 2000 was a culmination of SEIU's efforts for more than a decade. The union built on its successful tactics from the 1990 effort, such as media-friendly street demonstrations, effective community mobilization, and strategic use of the SEIU's growing political power.<sup>69</sup> The strikers' demand for a one-dollar-per-hour raise resonated with the wider public, "winning the hearts and minds of Angelenos to the cause of low-wage immigrant workers in a city of enormous—and conspicuously displayed—wealth."<sup>70</sup> The strikers garnered support from all over the community, from the Catholic Church, to politicians, to immigrants' rights groups.<sup>71</sup> Other unions and community groups around the city also rallied in support of the strikers.<sup>72</sup>

Additionally, SEIU invested a year into mobilizing its existing base and educating them about the economics of the industry and the issues at stake in the contract fight.<sup>73</sup> The value of all this preparation strengthened the union and empowered its members to reject the management's last offer in a mass rally and public membership vote.<sup>74</sup> What followed was a "rolling strike," with janitors marching in their colorful T-shirts, each day pouring into the streets throughout the downtown area and other parts of Los Angeles.<sup>75</sup>

The 2000 strike lasted three weeks and resulted in a 25 percent pay raise and greatly improved health benefits.<sup>76</sup> In addition to these substantial economic gains, the strike brought 5,000 nonunion janitors into the union.<sup>77</sup> Moreover, it became a major impetus in the process of the AFL-CIO Executive Committee's historic resolution to change its position on immigration.<sup>78</sup>

---

69. *Id.* 160-61

70. *Id.* at 161.

71. *Id.*

72. *Id.*

73. *Id.*

74. *Id.*

75. *Id.*

76. *Id.* at 160.

77. *Id.*

78. *See id.* at 130. *See also* Jennifer Gordon, *Transnational Labor Citizenship*, 80 S. CAL. L. REV. 503 (2007) [hereinafter Gordon, *Transactional Labor Citizenship*]. Gordon writes:

### C. American Racing Equipment Wildcat Strike: 1990<sup>79</sup>

American Racing Equipment (ARE) is an automobile wheel manufacturer that operates several large factories in Los Angeles.<sup>80</sup> Despite the general diminution of automobile manufacturing jobs over the last several decades, the wheel industry has remained strong because of the market in Los Angeles for after-market wheels—wheels that consumers use to improve the appearance of their cars.<sup>81</sup> In the early 1990's, the production workers at ARE were predominantly Mexican immigrants that became legal residents through the IRCA amnesty program.<sup>82</sup> These workers were upset by plant-wide speed-ups, reduced team sizes, and mistreatment by supervisors, so they organized a strike on their own.<sup>83</sup> At the end of July 1990, shortly after the massive JFJ victory, over 800 workers at ARE walked off their jobs.<sup>84</sup> Although the strike ended after three days, it prompted a robust organizing effort to improve conditions and attracted the interest of many unions.<sup>85</sup> Six months after the strike, the workers voted in favor of International Association of Machinists and Aerospace Workers (IAM) as their union representative, who helped them negotiate a contract for wage gains

---

With attempts to stop immigration at the border in disarray and undocumented immigrants increasingly being hired to fill low-wage jobs, unions faced a difficult dilemma. Beginning in the 1970s, labor's reaction to immigration had a schizophrenic quality as it responded to the need for solidarity with immigrants once they are present in the workplace pulling against the need to limit competition from them. On the ground, many unions actively engaged in the struggle to organize immigrant workers in their workplaces. At the same time, however, almost every international union, and the AFL-CIO as a whole, continued to advocate for policies that would remove undocumented immigrants from the labor market.

*Id.* at 536.

79. For a detailed discussion, see Carol Zabin, *Organizing Latino Workers in the Los Angeles Manufacturing Sector: The Case of American Racing Equipment*, in *ORGANIZING IMMIGRANTS: THE CHALLENGE FOR UNIONS IN CONTEMPORARY CALIFORNIA* 150, 150-168 (Ruth Milkman ed., 2000).

80. *Id.* at 153.

81. *Id.* at 152-53.

82. *Id.* at 153.

83. *Id.* at 155-56.

84. *Id.* at 150.

85. *Id.* at 150, 156-58.

and health benefits.<sup>86</sup> This union effort was the largest factory organized in the Los Angeles area in over twenty years.<sup>87</sup>

If the Justice for Janitors campaign represented the success of innovative, industry-wide organizing strategies, the ARE strike represented the success of more traditional, shop-oriented methods of organizing.<sup>88</sup> However, both victories depended on immigrant militancy and the strong networks among immigrant workers.<sup>89</sup> In both cases, the workers engaged in house calls, pickets, and street demonstrations.<sup>90</sup> Many worker leaders had been politically active in their countries of origin, which made them more receptive to these tactics than native-born workers.<sup>91</sup> Moreover, the strong social and family ties amongst immigrants produced solidarity even amongst workers that had no prior union or activist experience.<sup>92</sup> The ARE victory helped build the case that immigrant workers who participated in militant organizing tactics could lead a resurgence of the labor movement in Southern California.<sup>93</sup>

#### D. Drywall Strike of 1992<sup>94</sup>

Historically, the construction industry has been highly unionized.<sup>95</sup> However, in the 1970's and 1980's, builders and developers mounted an attack against labor and capitalized on the recession and conservative political climate to virtually eliminate unions from the residential segment of the industry.<sup>96</sup> The consequent decline in wages and benefits caused native-born Anglo

---

86. *Id.* at 162-63.

87. Kent Wong, *Cultural Democracy and the Revitalization of the U.S. Labor Movement*, in CULTURE AND DIFFERENCE: CRITICAL PERSPECTIVES ON THE BICULTURAL EXPERIENCE IN THE UNITED STATES 71, 78 (Antonia Darder ed., 1995).

88. See Zabin, *supra* note **Error! Bookmark not defined.**, at 151.

89. *Id.* at 150.

90. *Id.*

91. See *id.* at 153-54.

92. *Id.* at 150, 154.

93. *Id.*

94. For a detailed discussion, see Ruth Milkman & Kent Wong, *Organizing the Wicked City: The 1992 Southern California Drywall Strike*, in ORGANIZING IMMIGRANTS: THE CHALLENGE FOR UNIONS IN CONTEMPORARY CALIFORNIA, 169, 169-98 (Ruth Milkman ed., 2000).

95. *Id.* at 173 (describing construction as California's most highly unionized industry).

96. *Id.* at 174.

workers to leave the industry or to move to commercial construction, where unions still existed and wages and benefits had been maintained.<sup>97</sup> As white workers left the residential construction industry, Latino immigrants moved in to drywall hanging and other trades in residential construction.<sup>98</sup>

Initially, the Carpenters Union deserted the residential drywall industry because it did not think that immigrant workers could unionize.<sup>99</sup> Despite the union's apathy, on June 1, 1992, after months of preparation and training, thousands of Mexican immigrant construction workers in Southern California went on strike for higher pay and union recognition.<sup>100</sup> The five-month strike paralyzed the construction industry from San Diego to Ventura<sup>101</sup> and eventually resulted in the ratification of a union contract that nearly doubled piece rates and included medical benefits. Moreover, 2,400 installers became Carpenters Union members.<sup>102</sup>

Like the JFJ campaign and the ARE strike, the success of the Drywall Strike depended on the fortitude of the industry's immigrant workers and their tight-knit social networks. Although the dry wallers did not have the same activist experience in their countries of origin as the Central American janitors or the leaders of the ARE strike, they had stronger social networks.<sup>103</sup> Several hundred men in the industry came from the same small town in central Mexico.<sup>104</sup> This core group was critical to creating solidarity amongst the workers and achieving an astonishing 90 percent participation rate.<sup>105</sup> Despite the workers' lack of prior activist or union experience, they proved just as militant as any of the workers in the other campaigns. In the face of massive arrests and threats of deportation, the workers

---

97. *Id.* at 170.

98. *Id.* at 177.

99. *Id.* at 180. The union did provide meeting space at their union hall, but did not initiate or formally sponsor the strike. *Id.* at 181.

100. Milkman & Wong, *supra* note **Error! Bookmark not defined.**, at 169.

101. *Id.* at 169.

102. *Id.* at 170.

103. MILKMAN, L.A. STORY, *supra* note 1, at 171.

104. Milkman & Wong, *supra* note **Error! Bookmark not defined.**, at 181.

105. *Id.* at 183.

remained steadfast in their resolve to achieve union recognition and wage increases.<sup>106</sup>

The workers also received substantial community, union, and legal support that enabled them to continue the strike despite the counter-campaign that large builders and developers waged against the strikers.<sup>107</sup> For example, community and church groups donated food and other necessities.<sup>108</sup> In addition, AFL-CIO established a Dry Wallers' Strike Fund, which raised over a million dollars from over twenty different unions, with the largest share of contributions coming from the Carpenters' Union.<sup>109</sup> The fund was used to supply strikers' basic needs and to bail them out of jail when local law enforcement authorities began arresting hundreds of strikers at the contractors' behest.<sup>110</sup> In fact, the strike prompted the largest arrest in Orange County history when police arrested 149 strikers on charges of trespassing and kidnapping.<sup>111</sup> This massive arrest prompted support from local Latino community groups and mobilized family members to action.<sup>112</sup> Another mass arrest that galvanized public support occurred when Los Angeles police chased a group of strikers onto the Hollywood freeway near downtown Los Angeles, causing a massive traffic jam and a media circus.<sup>113</sup>

In light of the mass arrests, the strikers also relied heavily on CIWA for legal support.<sup>114</sup> CIWA coordinated the legal defense for arrestees and the affirmative legal attack on the employers.<sup>115</sup> Although CIWA's legal attack included multiple prongs, its most successful strategy was the filing of multiple Fair Labor Standards Act (FLSA) lawsuits for overtime violations.<sup>116</sup> These lawsuits led to the dry wallers' ultimate victory by exposing employers to

---

106. *Id.* at 184-87.

107. *See id.* at 184.

108. *Id.*

109. *Id.*

110. *Id.* at 184-85.

111. *Id.* at 185.

112. *Id.* at 184-85.

113. *Id.* at 186-87.

114. *Id.* at 185.

115. *Id.* at 185, 187-88.

116. *Id.* at 188-89.

substantial liability, which brought them to the bargaining table and ultimately resulted in the ratification of a union contract.<sup>117</sup> While CIWA lawyers, unions, and community groups provided critical support to the campaign, it is important to highlight that it was the immigrant workers themselves, acting on their own initiative, which inspired these other groups to provide support and achieve one of the largest victories in the building trades in recent decades.<sup>118</sup>

### E. March Against Proposition 187: 1994

The JFJ campaign, ARE strike, and drywall strike demonstrated that immigrant workers are highly organizable. Recognizing the growing importance of immigrant workers, local unions began shifting away from the national policy opposing immigration. For example, in 1994, local unions actively participated in the massive march against Proposition 187, a ballot initiative that would have cut off many health and social services to undocumented immigrants and their children, including access to public education.<sup>119</sup> The initiative generated a strong grassroots campaign to defeat it.<sup>120</sup> In the two weeks leading up to the elections, unions came together and collaborated with immigrants' rights groups, student groups, and community groups to mobilize 150,000 for a massive march from Olympic and Broadway in downtown Los Angeles all the way to City Hall.<sup>121</sup> This historic event was one of the largest immigrants' rights marches in recent history.<sup>122</sup>

In many ways, the political mobilization of immigrants for the historic march against Proposition 187 was rooted in prior labor organizing efforts.<sup>123</sup> For example, many of the community groups

---

117. *Id.* at 189-90.

118. *Id.* at 170.

119. *Decision '94/ Special Guide to California's Elections; Prop. 187*, L.A. TIMES, Oct. 30, 1994, at W9.

120. Patrick J. McDonnell & Chip Johnson, *70,000 March Through L.A. Against Prop. 187*, L.A. TIMES, Oct. 17, 1994, at A1 (describing the protest against Prop 187 as the largest protest gathering in decades).

121. Antonio H. Rodriguez & Carlos A. Chavez, *Latinos Unite in Self-Defense on Prop. 187*, L.A. TIMES, Oct. 21, 1994, at B7.

122. *Id.*

123. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 131.

and support networks that supported the dry wallers' strike in 1992 became involved in the planning and mobilization for this massive march.<sup>124</sup> Also, the labor groups and immigrants that were part of CIWA joined the effort to defeat Proposition 187 and participated in the event.<sup>125</sup> At the same time, the march contributed to the organizing efforts of unions<sup>126</sup> and helped to forge greater political alliances between labor and immigrants.<sup>127</sup>

#### F. UNITE's Guess Campaign: 1995<sup>128</sup>

In the garment industry's historic center of New York City, unionization remained strong as late as the 1990's.<sup>129</sup> However, globalization has caused much of the industry to move offshore—and the majority of the remaining industry to shift to Los Angeles.<sup>130</sup> By the late 1990's, Los Angeles had replaced New York City as the nation's largest garment production center.<sup>131</sup> The Los Angeles garment industry specializes in women's outerwear, which requires smaller lots produced on shorter notice, making offshore production less desirable.<sup>132</sup> Therefore, manufacturers needed to identify a location within the United States where they could reduce their labor costs as much as possible. They found the ideal location in Los Angeles, where unions were substantially weaker than those in the East, government regulation was less institutionalized, and low-wage immigrant workers abounded.<sup>133</sup>

---

124. See Bacon, *Immigrant Workers*, *supra* note **Error! Bookmark not defined.**

125. Patrick J. McDonnell, *Foes of Prop. 187 Toeing a Difficult Line*, L.A. TIMES, Sept. 26, 1994, at A16.

126. MILKMAN, L.A. STORY, *supra* note 1, at 131.

127. Frank & Wong, *supra* note **Error! Bookmark not defined.**, at 160.

128. For a comprehensive industry analysis of the Los Angeles garment industry, see EDNA BONACICH & RICHARD P. APPELBAUM, *BEHIND THE LABEL: INEQUALITY IN THE LOS ANGELES APPAREL INDUSTRY* (2000).

129. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 91.

130. See Edna Bonacich, *Intense Challenges, Tentative Possibilities: Organizing Immigrant Garment Workers in Los Angeles*, in *ORGANIZING IMMIGRANTS: THE CHALLENGE FOR UNIONS IN CONTEMPORARY CALIFORNIA* 130, 137 (Ruth Milkman ed., 2000) [hereinafter Bonacich, *Organizing Immigrant Garment Workers*].

131. MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 88.

132. Bonacich, *Organizing Immigrant Garment Workers*, *supra* note **Error! Bookmark not defined.**, at 137.

133. *Id.* at 138; MILKMAN, L.A. STORY, *supra* note **Error! Bookmark not defined.**, at 91.

The garment industry, like many of the industries that employ immigrant workers, makes extensive use of sub-contracting, which allows manufacturers to shift work quickly in search of the best deal.<sup>134</sup> However, unlike sub-contracted services industries, like building services, garment production is subject to mobility across borders<sup>135</sup> and contractors tend to be smaller and more transient.<sup>136</sup> Moreover, the Los Angeles apparel industry is “rabidly anti-union”<sup>137</sup> because of the unique conflation of market pressures, which include the retail sector’s downward pressure on prices, competition from offshore production, and inexpensive imports from developing countries.<sup>138</sup> Consequently, no apparel manufacturer or contractor in Los Angeles would allow a union election to occur in his plant without interference.<sup>139</sup> If a contractor did allow such an election, it would end up going out of business.<sup>140</sup> The expansion of the garment industry in Los Angeles on a nonunion basis resulted in “the revival of low wages and sweatshop conditions reminiscent of those that flourished a century ago.”<sup>141</sup>

After the success of the JFJ campaign, organizers from the local International Ladies’ Garment Workers’ Union (ILGWU), which merged with the textiles union to become the Union of Needletrades, Industrial and Textile Employees (UNITE) at the beginning stages of the campaign, developed a strategy to revitalize the union’s presence in the Los Angeles apparel industry.<sup>142</sup> The local union lacked the resources to launch an industry-wide campaign, like JFJ, so it

---

134. See Bonacich, *Organizing Immigrant Garment Workers*, *supra* note **Error! Bookmark not defined.**, at 131-32.

135. *Id.* at 132.

136. *Id.* at 131, 133 (describing garment contractors as small, and the manufacturer-contract relationship as secretive and constantly in flux). *Cf.* Fisk, et. al., *supra* note **Error! Bookmark not defined.**, at 204-05 (showing the concentration of building services contracts in a few large firms).

137. Bonacich, *Organizing Immigrant Garment Workers*, *supra* note **Error! Bookmark not defined.**, at 141.

138. *Id.*

139. BONACICH & APPELBAUM, *BEHIND THE LABEL*, *supra* note **Error! Bookmark not defined.**, at 284.

140. *Id.*

141. MILKMAN, *L.A. STORY*, *supra* note **Error! Bookmark not defined.**, at 88.

142. *Id.* at 165.

decided to target a single company that had a major presence in the industry.<sup>143</sup> Union strategists chose Guess as its target because it was the “colossus of the L.A. industry,” was geographically concentrated in downtown Los Angeles, could afford to pay union wages, relied on its image and advertising to inflate its prices, and touted the fact that its clothes were made in the United States.<sup>144</sup> The strategy involved an exposé of Guess’ sweatshop factories and a consumer boycott, as well as rank-and-file mobilization through strikes.<sup>145</sup>

The boycott and exposé attracted support from celebrities and others who could influence consumers, and helped fuel a broader anti-sweatshop movement of students and worker advocates.<sup>146</sup> However, the campaign ultimately failed to achieve its objectives because the rank-and-file mobilization never substantially materialized.<sup>147</sup> This occurred for several reasons. First, the national union was undergoing major transitions, which made it difficult for them to provide sufficient resources to support the strike strategy of the campaign.<sup>148</sup> As a result, the number of organizers deployed to the campaign was insufficient to mobilize the workers.<sup>149</sup> Second, Guess dealt a deathblow to the campaign by announcing its plans to outsource 40 percent of its production to Mexico, sending the message that attempts to unionize would merely result in the loss of U.S. jobs. Guess’ decision to outsource paralleled a trend throughout Los Angeles to outsource more work, beginning in the mid-to-late 1990s.<sup>150</sup> The Guess campaign demonstrates the centrality of immigrant worker participation in successful labor campaigns. If the immigrant workers themselves had been effectively mobilized, as in JFJ, the ARE strike, and the Drywall Strike, the Guess campaign may have resulted in a much more satisfactory outcome.<sup>151</sup>

---

143. *Id.* at 164.

144. *Id.* at 162-63.

145. *Id.* at 165.

146. *Id.* at 169.

147. *Id.* at 166.

148. *Id.* at 166-67.

149. *Id.* at 169.

150. *Id.* at 168.

151. *Id.* at 170.

The Guess campaign was the last major campaign in Los Angeles' garment industry before the city lost its manufacturing base to NAFTA and related free trade agreements.<sup>152</sup> After the Guess campaign fizzled, UNITE decided to shift its focus from winning a standard union contract with a particular employer—which is so difficult in this industry—to organizing garment workers regardless of where they are employed.<sup>153</sup> UNITE established the Garment Workers' Justice Center to meet this objective.<sup>154</sup> The Center served garment workers with wage claims or immigration problems by providing supportive services, as well as educating them about their rights and the realities of the political and economic climate.<sup>155</sup> The Center also provided a training ground for workers to organize and become politicized in preparation for more robust campaigns.<sup>156</sup>

The Center eventually became overwhelmed with meeting the basic needs of the garment worker population, which made it difficult to pursue its goal of developing an educational and political program.<sup>157</sup> Although UNITE eventually closed the Center, it demonstrated that a worker center organizing effort is essential for building a garment workers' movement in Los Angeles.<sup>158</sup> In 2001, another Garment Worker Center emerged in Los Angeles, which was able to achieve some success, as discussed in Part III.B.

### **G. HERE Local 11 LAX Century Corridor Campaign: 2006**

The U.S. hotel hospitality and lodging industry is the third largest retail industry and employs 1.3 million workers throughout the country.<sup>159</sup> Hotel workers are comprised largely of women, people of color, immigrants, and other economically and socially

---

152. *Id.* at 169.

153. Bonacich, *Organizing Immigrant Garment Workers*, *supra* note **Error! Bookmark not defined.**, at 146-47.

154. *Id.* at 147.

155. *Id.*

156. *Id.*

157. *Id.*

158. *Id.*

159. Hotel Workers Rising!, Fact Sheet: U.S. Hotel Industry & Record Profits, <http://www.hotelworkersrising.com/media/RecordProfitsFactSheet.pdf> (last visited Feb. 13, 2009).

disadvantaged classes.<sup>160</sup> Over the past thirty years in Los Angeles, the hotel industry workforce has become predominantly immigrant, with Latinos comprising the majority of this group.<sup>161</sup> HERE and UNITE are the primary organizers of workers in this industry and have proud histories of improving working conditions, wages, and benefits across the U.S. and Canada. Both unions are known throughout the labor movement for their innovative and effective campaigns that utilize corporate campaign strategies and their impressive grassroots mobilization of workers and community allies.<sup>162</sup> Through organizing, HERE and UNITE members have transformed low-wage jobs in hotel housekeeping and laundry into good, family-sustaining, middle class jobs.<sup>163</sup>

In Los Angeles, like many areas throughout the country, union density and wages vary drastically by geographic region. For example, in the industry's traditional downtown L.A. base, 72.1 percent of full-service hotel rooms are unionized and wages average \$2,121 per month.<sup>164</sup> In contrast, workers in the LAX and Pacific Coast Highway region have low union density and correspondingly, the lowest wages in the area,<sup>165</sup> despite having the highest occupancy levels in Los Angeles.<sup>166</sup> To build worker power in this area, HERE Local 11 initiated the LAX Century Corridor Campaign to organize the 3500 hotel workers in this area.<sup>167</sup> This campaign focused on organizing five non-union hotels: the Hilton LAX, the Westin LAX, the Radisson LAX, the Sheraton Gateway LAX, and the Four Points

---

160. *Id.*

161. Teresa Watanabe, *Immigrant Crusad Enlists Few Blacks*, L.A. TIMES, Apr. 10, 2006, at A-1 (noting that Latino membership in the Local 11 of the Hotel Employees and Restaurant Employees International rose from 21 percent in 1970 to 74 percent today).

162. *See id.*

163. *See* Hotel Workers Rising!, About the Campaign, *supra* note 159.

164. Interview with Paulina Gonzalez, Commc'ns Dir., HERE Local 11, in L.A., Cal. (Oct. 15, 2008); JAMES ELMENDORF, L.A. ALLIANCE FOR A NEW ECON., LOST WAGES, SOARING REVENUE 1 (2008), available at [http://74.10.59.52/laane/docs/research/lost\\_wages\\_report.pdf](http://74.10.59.52/laane/docs/research/lost_wages_report.pdf).

165. Interview with Paula Gonzalez, *supra* note 164 (3 percent union density prior to campaign); ELMENDORF, *supra* note 164, at 1 (average monthly earnings in this region are \$1,694).

166. Los Angeles Alliance for a New Economy, New Century Campaign Homepage, About the New Century Campaign, [http://74.10.59.52/laane/projects/new\\_century/index.html](http://74.10.59.52/laane/projects/new_century/index.html) (last visited on Feb. 15, 2009).

167. *Id.*; interview with Paula Gonzalez, *supra* note 164.

LAX.<sup>168</sup> The campaign passed a Living Wage Ordinance for LAX hotel workers—which withstood legal challenge,<sup>169</sup> formed a community and interfaith coalition, and orchestrated the largest mass non-violent civil disobedience in Los Angeles history, which included a week-long fast of hotel workers.<sup>170</sup>

The LAX campaign resulted in union recognition for four of the five targeted hotels. Local 11 successfully gained union recognition and union contracts at the Sheraton Gateway LAX and the Four Points LAX.<sup>171</sup> In addition, Local 11 successfully gained union recognition at the Westin LAX and the Radisson LAX and is in contract negotiations at both hotels.<sup>172</sup> The Hilton LAX remains the only targeted hotel that is not unionized. Nevertheless, the ongoing campaign at the Hilton has resulted in some victories, including a finding by a National Labor Relations Board (NLRB) administrative law judge in October 2008 that the Hilton LAX committed labor law violations;<sup>173</sup> a novel citation by the Occupational Safety and Health Administration (OSHA) for violations of state repetitive motion rules in the hotel context;<sup>174</sup> and an ongoing boycott that continues to cost the hotel millions of dollars. Because of Local 11's campaign in the LAX Century Corridor area, the union density increased from 3 percent of full-service hotel rooms in 2005, to 41.1 percent today.<sup>175</sup> Moreover, all hotel workers must be paid a minimum of \$10.64 per hour, under the living wage ordinance.<sup>176</sup> Unionization is key to transforming hotel employment into stable middle class jobs and Local 11 is making significant progress towards that goal with the enthusiastic support of thousands of immigrant workers.

---

168. Interview with Paula Gonzalez, *supra* note 164.

169. *Rubalcava v. Martinez*, 70 Cal. Rptr. 3d 225, 238 (Ct. App. 2007) (reversing lower court's injunction against publishing the ordinance, which would have made it ineffective).

170. Interview with Paula Gonzalez, *supra* note 164.

171. *Id.*

172. *Id.*

173. *Id.*

174. *Id.*

175. *Id.*

176. ELMENDORF, *supra* note 164, at 1.

## III. ORGANIZING CAMPAIGNS OF LOS ANGELES WORKER CENTERS

During the late 1980's and 1990s, as labor restructuring accelerated, unionism declined, and immigrant workers flooded into the United States, a new type of civic organization emerged.<sup>177</sup> Immigrant-based worker centers emerged to respond to the increasing exploitation of low-wage immigrant workers and persistent racism and xenophobia in labor markets and society in general.<sup>178</sup> These worker centers are community-based organizations that represent new immigrants and low-wage workers, helping them to address workplace issues and creating a constituency in labor markets, political arenas, and the larger society.<sup>179</sup> These centers provide services such as legal representation, language classes, health care referrals, and advocacy. They are located in large meeting spaces, day-laborer sites, or even office spaces within a community organization or union.<sup>180</sup> Worker centers also serve as gathering places where members of immigrant communities can socialize, celebrate, and enjoy solidarity with other workers and supporters.<sup>181</sup>

To some degree, worker centers are similar to unions. They fill the institutional void left by deunionization and organize workers in industries that have always had minimal union presence, such as day laborers.<sup>182</sup> Yet, worker centers are also different. For the most part, worker centers are independent from each other and from larger national networks.<sup>183</sup> Moreover, ethnicity or community, rather than occupation, tends to be the dominant identity of worker centers.<sup>184</sup> At the same time, many successful worker center campaigns have mobilized broad, cross-racial campaigns. One scholar aptly captures

---

177. See FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 9, 11.

178. *Id.* at 245.

179. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 467.

180. *Id.*

181. *Id.*

182. FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 244-45.

183. *Id.* at 12. One large exception is the National Day Laborer Organizing Network (NDLON). NDLON is a national network of forty-one organizations working to create day labor work centers in their communities. National Day Labor Organizing Network Homepage, <http://www.ndlon.org/> (last visited Feb. 13, 2009).

184. See FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 40.

the unique and dynamic nature of worker centers: “Worker centers do not focus exclusively on labor and employment—or on immigration issues. They are about something much bigger and much more visionary—demonstrating, in the words of the World Social Forum, that ‘another world is possible.’”<sup>185</sup>

Los Angeles is a leader of the national movement of worker centers,<sup>186</sup> through which immigrant workers have led campaigns to fight for improved working conditions within several low-wage industries.<sup>187</sup> Some of the most prominent worker center campaigns in Los Angeles during the past decade are discussed below.

### A. Koreatown Restaurant Workers Justice Campaign

The Korean Immigrant Workers Alliance (KIWA) was founded in 1992 to help low-wage workers in the Koreatown area of Los Angeles gain a voice in the workplace and the community.<sup>188</sup> KIWA has engaged in many campaigns to bring the struggles of working people in Koreatown to light and to build community support.<sup>189</sup> Recognizing that Korean workers are not alone in suffering from exploitation in low-wage industries, KIWA also organizes Latino immigrants who work side-by-side with their Korean counterparts.<sup>190</sup> KIWA’s efforts have built a unique multiracial partnership between two communities that are often pitted against each other.<sup>191</sup>

A major source of employment in Koreatown is the restaurant industry. Unions have long abandoned attempts to organize restaurants that are not attached to hotels or food service corporations.<sup>192</sup> To provide a vehicle for collective action in this nonunion industry, KIWA initiated the Restaurant Workers Justice Campaign, which sought to improve basic working conditions while empowering the 2,000 Korean and Latino workers in the industry to

---

185. *Id.* at 41.

186. *Id.* at 226.

187. See Victor Narro, *Finding the Synergy Between Law and Organizing: Experiences from the Streets of Los Angeles*, 35 FORDHAM URB. L.J. 339, 343 (2008).

188. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 482.

189. *Id.*

190. *Id.*

191. *Id.*

192. FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 148.

stand up for their rights.<sup>193</sup> KIWA identified key restaurants to target for their individual boycott campaigns.<sup>194</sup> They used these boycotts to educate both workers and the community about the problems that workers faced.<sup>195</sup> With sustained efforts, these boycotts led to the creation of the Restaurant Workers Association of Koreatown (RWAK), a membership organization that now has over 400 members and continues to grow.<sup>196</sup>

A major highlight of this campaign was the Elephant Snack Corner boycott.<sup>197</sup> In March 2000, eight Latino restaurant workers that had been fired by the owner of the Elephant Snack Corner went to KIWA offices to file a complaint for unpaid wages.<sup>198</sup> A boycott campaign against the Elephant Snack Corner, a very profitable restaurant with a large clientele of affluent Koreans and law enforcement officers, ensued.<sup>199</sup> With admirable perseverance, the fired workers, KIWA, and their supporters maintained a weekly picket that eventually became a daily boycott outside the restaurant.<sup>200</sup> Community organizations came together to show their support by sponsoring individual “picket nights” and, in a show of unity, held periodic rallies involving unions, students, community organizations, and supporters who gathered at the Elephant Snack Corner to voice their disapproval of the restaurant owner.<sup>201</sup> The owner responded by calling in a Korean FBI special agent to investigate the key KIWA organizers.<sup>202</sup> KIWA refused to back down in the face of intimidation, choosing instead to file a complaint with the U.S. Department of Justice. The complaint resulted in a thorough investigation of the unprofessional conduct of this agent

---

193. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 483.

194. *Id.*

195. *Id.*

196. *Id.* at 484.

197. *Id.*

198. *Id.*

199. *Id.*

200. *Id.*

201. *Id.*

202. *Id.*

and disciplinary action in the form of administrative leave without pay.<sup>203</sup>

A legal strategy developed soon after the launch of the boycott when the Mexican American Legal Defense and Educational Fund (MALDEF)<sup>204</sup> joined KIWA in filing a lawsuit against the Elephant Snack Corner for unpaid wages and overtime pay.<sup>205</sup> In a historic settlement agreement for Koreatown, the Elephant Snack Corner agreed to pay back wages to the workers, subject itself to the monitoring of its payroll records for three years, and participate in a series of labor rights seminars with its employees.<sup>206</sup> The success of KIWA's Restaurant Workers Justice Campaign is best exemplified through the Elephant Snack Corner boycott campaign.<sup>207</sup>

### **B. Garment Worker Center Forever 21 Campaign**

A coalition of immigrants' rights advocacy groups that had been helping garment workers for many years created the Garment Worker Center in 2001.<sup>208</sup> Structural changes in the industry caused by globalization, and the subsequent loss of union density, created a need to launch an organization that focused on improving garment workers' working conditions and protecting their rights.<sup>209</sup> Although UNITE tried to organize garment workers throughout Los Angeles in the 1990's, the challenges of this industry ultimately led it to abandon the effort.<sup>210</sup> The Garment Worker Center was a non-union initiated attempt to create an opportunity for garment workers to organize for better working conditions.

---

203. *Id.*

204. MALDEF was founded in San Antonio, Texas in 1968. MALDEF, About Us, <http://www.maldef.org/about/index.htm> (last visited Nov. 12, 2008). It is the leading nonprofit Latino litigation, advocacy, and educational outreach institution in the United States. *Id.* MALDEF's mission is to foster sound public policies, laws, and programs to safeguard the civil rights of the 40 million Latinos living in the United States and to empower the Latino community to fully participate in our society. *Id.*

205. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 484.

206. *Id.*

207. *Id.* at 485.

208. Narro, *Finding the Synergy*, *supra* note 187, at 346.

209. *Id.*

210. FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 148.

Within a few months of its inception in April 2001, nineteen Latina garment workers from six factories that sewed for Forever 21, a popular women's clothing line, came to the Garment Worker Center with complaints of labor violations.<sup>211</sup> These workers alleged that they were owed hundreds of thousands of dollars in minimum wage and overtime pay.<sup>212</sup> They worked as many as twelve hours a day for sub-minimum wages and received no overtime pay.<sup>213</sup> The garment factories in which they worked were dirty, unsafe, and infested with rats and cockroaches. Additionally, some of the workers were fired for complaining about the poor conditions.<sup>214</sup> The organizers of the Center helped the workers develop a strategy to collaboratively seek redress from Forever 21.<sup>215</sup>

On November 17, 2001, these workers announced an official boycott of Forever 21.<sup>216</sup> Garment worker members from the Center and their community allies picketed Forever 21 stores every Saturday for the next three years. They also reached out to university students and community groups to build support for their campaign.<sup>217</sup> The nineteen workers at the heart of this campaign were at the forefront of the larger strategy to demand accountability from retailers and raise awareness among consumers.<sup>218</sup> Over time, these workers developed a collective awareness of their potential as a group to demand widespread changes in the local garment industry.<sup>219</sup>

The local boycott campaign eventually grew into a national campaign when Garment Worker Center members and organizers traveled throughout the country on a national speaking tour in an effort to generate public support and solidarity.<sup>220</sup> At each stop of the tour, workers from the campaign spoke with university students and community organizations about the boycott, and went to Forever 21

---

211. Narro, *Finding the Synergy*, *supra* note 187, at 348.

212. *Id.*

213. *Id.*

214. *Id.*

215. *Id.*

216. *Id.* at 348-49.

217. *Id.* at 349.

218. *Id.*

219. *Id.*

220. *Id.* at 353.

stores in the area to pass out leaflets and picket.<sup>221</sup> Among the cities targeted for this national effort were Amherst, Massachusetts; Austin, Texas; Miami, Florida; New York City, New York; San Antonio, Texas; San Francisco, California; and Washington, D.C.<sup>222</sup> The national speaking tour helped the worker leaders see how their local campaign was part of the larger struggle for corporate responsibility. Through the national tour, the boycott gathered more strength and support.<sup>223</sup> The efforts of these courageous women led to a major victory three years later when Forever 21 came to the table to negotiate with them and reached a major settlement.<sup>224</sup> As part of this historic settlement, Forever 21 joined the Garment Worker Center and Sweatshop Watch in making a commitment that Forever 21 clothing would be made under lawful conditions.<sup>225</sup>

### C. Day Laborer Organizing Movement

No group in Los Angeles County is more vulnerable to civil rights abuses and discrimination than day laborers, with a population of 25,000.<sup>226</sup> On any given day, tens of thousands of workers seek and obtain temporary employment from informal hiring sites on street corners in cities across the country.<sup>227</sup> Because of their visibility, day laborers have become the scapegoats for the ongoing deterioration of communities.<sup>228</sup> In recent years, the practice of employing day laborers has expanded across the country.<sup>229</sup> The demand for day laborers and their need for employment, though mutually beneficial from an economic standpoint, have often been a source of conflict in Los Angeles.<sup>230</sup> Day laborers seeking work have raised concerns among residents, businesses, and law enforcement in

---

221. *Id.*

222. *Id.*

223. *Id.*

224. *Id.* at 356.

225. *Id.* at 357.

226. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.** at 487.

227. *Id.*

228. *Id.*

229. *Id.*

230. *Id.*

several communities.<sup>231</sup> Recent local laws have limited their ability to look for work and made them subject to harassment from law enforcement officers, employers, merchants, private business owners, and residents.<sup>232</sup>

Day laborers have difficulty responding to these attacks because they have never been integrated into organized labor and thus lack an established vehicle for collective action.<sup>233</sup> To provide such a vehicle, in 1997, the Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)<sup>234</sup> and the Institute of Popular Education of Southern California (IDEPSCA)<sup>235</sup> decided to form a collaborative to manage and operate the City of Los Angeles Day Laborer Program in North Hollywood and Harbor City. Since then, the program has expanded to eight other day laborer worker centers throughout the city and one in Pasadena.<sup>236</sup>

After they took over the City of Los Angeles Day Laborer Program, CHIRLA and IDEPSCA transformed it into a worker center model that was replicated in major cities throughout the country.<sup>237</sup> Their efforts made a difference by putting a “human

---

231. The most common complaints generated from day labor solicitation are that workers block sidewalks and entrances to stores, whistle at female pedestrians, trespass into private parking lots, and publicly urinate. See ROBIN TOMA & JILL ESBENSHADE, L.A. COUNTY BD. OF SUPERVISORS, DAY LABORER HIRING SITES: EFFECTIVE APPROACHES TO COMMUNITY CONFLICT 5 (2001), available at <http://www.ncjrs.gov/pdffiles1/bja/189914.pdf>.

232. See, Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 487.

233. FINE, WORKER CENTERS, *supra* note **Error! Bookmark not defined.**, at 152, 245.

234. CHIRLA was founded in 1986 to advance the human and civil rights of immigrants and refugees in Los Angeles. As a multiethnic coalition of community organizations and individuals, CHIRLA aims to foster greater understanding of the issues that affect immigrant communities, provide a neutral forum for discussion, and unite immigrant groups to more effectively advocate for positive change. CHIRLA – Coalition for Humane Immigrant Rights of Los Angeles, Our Story, <http://www.chirla.org/node/17> (last updated May 4, 2006).

235. IDEPSCA is a non-profit community-based educational organization founded by a group of Chicano and Latino immigrant activists in 1991. IDEPSCA – Institute of Popular Education of Southern California, About Us, <http://www.idepsca.org/Main/aboutus.html> (last visited Nov. 12, 2008). IDEPSCA’s mission is to create a more humane and democratic society by responding to the needs and problems of disenfranchised people through leadership development and educational programs based in Popular Education methodology. *Id.* IDEPSCA’s goal is to organize and educate low-income Latino immigrants concerned with solving problems in their own communities. *Id.*

236. Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 488.

237. *Id.* at 489-92.

face” to the issue of day labor solicitation and changed negative stereotypes and perceptions held by homeowners, elected officials, local businesses, and law enforcement. CHIRLA and IDEPSCA developed a leadership process for day laborers that created a new generation of worker leaders in a movement that continues today.<sup>238</sup> They implemented a series of “inter-corner” conferences where, for the first time, day laborers from different corners connected with one another to create a strong solidarity network.<sup>239</sup> This leadership process led to the formation of the nationwide Day Laborer Association.<sup>240</sup>

The Day Laborer Association joined CHIRLA in filing a legal challenge against the Los Angeles County Board of Supervisors arguing that the anti-day laborer ordinance adopted in 1994 violated the First and Fourteenth Amendment rights of day laborers.<sup>241</sup> The Association engaged in a high profile campaign to support the First Amendment rights of day laborers.<sup>242</sup> This campaign reached a climactic moment in 2000 when a federal judge struck down the ordinance as an unconstitutional violation of the rights of day laborers.<sup>243</sup> In his decision, Judge George King specifically noted that day laborers have a First Amendment right to look for work in public streets and sidewalks.<sup>244</sup> This court decision significantly advanced the campaign’s efforts to dispel stereotypes and create a public perception that day laborers are human beings worthy of dignity and respect.<sup>245</sup>

As part of the growth and development of the Day Laborer Program, CHIRLA and IDEPSCA trained representatives from organizations in Portland, Seattle, and other cities in the process of

---

238. *Id.*

239. *Id.*

240. *Id.*

241. *Id.* at 492-94.

242. *Id.*

243. *Coal. for Humane Immigrant Rights of L.A. v. Burke*, No. CV 98-4863-GHK(CTx), 2000 U.S. Dist. LEXIS 16520, at \*43 (C.D. Cal. Sept. 12, 2000) (holding that the Los Angeles County ordinance prohibiting employment solicitation in public areas violated the First and Fourteenth Amendments of the U.S. Constitution). *See also* Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 494.

244. *Id.*

245. *Id.*

setting up day-laborer worker centers.<sup>246</sup> Through this hybrid apprenticeship and technical assistance program, CHIRLA and IDEPSCA provided workshops and hands-on assistance for community groups interested in creating day-laborer worker centers or organizing projects.<sup>247</sup> This relationship-building process eventually evolved into the National Day Laborer Organizing Network (NDLON), established in 2001.<sup>248</sup> Today, NDLON has almost forty member organizations from California to New York.<sup>249</sup>

#### D. Multi-Ethnic Immigrant Workers Organizing Network (MIWON)

Despite the relative independence of worker centers compared to unions, they do form networks and collaborate extensively on workers' rights and immigrants' rights campaigns. In 1997, CHIRLA, KIWA, and the newly formed Pilipino Workers Center (PWC)<sup>250</sup> began to support each other in different organizing efforts and campaigns involving immigrant workers. Most of these campaigns focused on wage and hour violations by sweatshop employers against low-wage immigrant workers.<sup>251</sup> In 2000, after three years of coalition work, these groups participated in the campaign against Elephant Snack Corner.<sup>252</sup> The success of this effort led these groups to form the Multi-Ethnic Immigrant Workers Organizing Network (MIWON).<sup>253</sup> Today, MIWON is a strong

---

246. Victor Narro, *Next Wave Organizing*, *supra* note **Error! Bookmark not defined.**, at 488-89.

247. *Id.*

248. See National Day Laborer Organizing Network, History of NDLON, [http://www.ndlon.org/index.php?option=com\\_content&view=article&id=45&Itemid=73](http://www.ndlon.org/index.php?option=com_content&view=article&id=45&Itemid=73) (last visited Nov. 12, 2008).

249. *Id.*

250. Pilipino Workers Centers, About Us, <http://pwcsc.org/about.htm> (last visited Nov. 13, 2008). The Pilipino Worker Center was founded in 1997 as a community based organization to provide services for Pilipino immigrants. *Id.* Today, PWC is a vibrant worker center with major initiatives to support Pilipinos throughout Los Angeles. *Id.*

251. *Id.*

252. See Fact Sheet, Multi-Ethnic Immigrant Worker Organizing Network (MIWON) (on file with author).

253. *Id.*

organizing network of five Los Angeles-based worker centers: CHIRLA, KIWA, Garment Worker Center, PWC, and IDEPSCA.<sup>254</sup>

MIWON's purpose is to organize and educate immigrant workers about their rights and to serve as a vehicle for workers to formulate strategies and actions that improve their working and living conditions.<sup>255</sup> MIWON provides leadership development and encourages civic participation of immigrant workers from various ethnic communities.<sup>256</sup> It implements a leadership development curriculum amongst immigrant workers from different low-wage industries that helps workers build and advance a pro-immigrant and pro-worker civil rights agenda.<sup>257</sup> In addition, MIWON and its members are involved in campaigns for comprehensive immigration reform.<sup>258</sup> The organization also provides a space where diverse groups of workers can come together to strategize and develop advocacy and legislative campaigns to improve living conditions for immigrant workers and their families.<sup>259</sup>

Since its inception, MIWON has successfully advocated for the rights of immigrant workers and enjoyed tremendous success. MIWON is unique in its ability to mobilize thousands of low-wage immigrant workers from many diverse communities around Los Angeles and surrounding cities.<sup>260</sup> In the past, MIWON mobilized over 30,000 immigrants to march for their rights on May Day in Los Angeles.<sup>261</sup> Through multiethnic collaboration and coordination, MIWON can confront and take action on large-scale issues at a much broader level than any of the organizations individually. On May 1, 2004, which is International Workers' Day, MIWON spearheaded its fifth annual day of action with a "Caravan for Justice," and transported immigrant workers and their families to protest at the West Los Angeles federal building in Westwood, the Office of the

---

254. *Id.*

255. *Id.*

256. *Id.*

257. *Id.*

258. *Id.*

259. *Id.*

260. *Id.*

261. *Id.*

Governor, and the storefront of an exploitative employer.<sup>262</sup> This action allowed low-wage immigrant families to confront the federal government, the state government, and a local employer about the exploitation they experience.<sup>263</sup> The “Caravan for Justice” generated a great deal of media attention for MIWON.<sup>264</sup>

#### IV. COLLABORATIONS BETWEEN THE LABOR MOVEMENT AND WORKER CENTERS

Over the past two decades in Los Angeles, immigrant workers have simultaneously revitalized the labor movement, while also starting a vibrant community of worker centers that function as alternative organizing institutions in communities and industries that lack union presence. Although these movements developed separately, the immigrant workers involved in each movement share common concerns and common goals which cause them to converge. Solidarity support and cross-fertilization between the movements are creating new opportunities for collaboration. This section highlights a few examples of such collaboration in Los Angeles, which have been replicated throughout the country.

##### **A. Partnership between AFL-CIO and National Day Laborer Organizing Network**

In August 2006, after two months of dialogue at the UCLA Downtown Labor Center, the AFL-CIO and NDLON, the largest network organization of worker centers, entered a watershed agreement to improve conditions for day laborers.<sup>265</sup> This

---

262. *Id.*

263. *Id.*

264. *Id.*

265. See Press Release, AFL-CIO, AFL-CIO and NDLON, Largest Organization of Worker Centers, Enter Watershed Agreement to Improve Conditions for Working Families (Aug. 9, 2006), <http://www.aflcio.org/mediacenter/prsptm/pr08092006.cfm> [hereinafter Press Release, AFL-CIO]. Regarding this collaboration, John Sweeney, President of AFL-CIO stated:

Day laborers in the United States often face the harshest forms of workplace problems and this exploitation hurts us all because when standards are dragged down for some workers, they are dragged down for all workers. The work being done by worker centers and NDLON in particular is some of the most important work in the labor movement today, and it's time to bring our organizations closer together. Through this watershed partnership, we will

partnership agreement was made possible by AFL-CIO's passage of a policy decision, the Worker Center Partnership, which permitted formal ties with the worker centers that had sprung up across the country.<sup>266</sup> The agreement does not make the workers union members, but provides an organized framework for joint work by the AFL-CIO and NDLO. <sup>267</sup>

Under this partnership, the AFL-CIO and NDLO work together for state and local enforcement of civil rights laws, as well as the development of new protections in areas like wage and hour laws, health and safety regulations, immigrants' rights, and employee misclassification.<sup>268</sup> They also work together for comprehensive immigration reform that supports workplace rights, includes a path to citizenship, and provides political equality for immigrant workers—and against punitive, anti-immigrant, anti-worker legislation.<sup>269</sup>

---

strengthen our ability to promote and enforce the workplace rights for all workers—union and non-union, immigrant and non-immigrant alike.

*Id.*

266. AFL-CIO, About Us, This is the AFL-CIO, Executive Council, <http://www.aflcio.org/aboutus/thisistheafclio/ecouncil/ec08092006j.cfm> (last visited Feb. 6, 2008). The policy statement described the nuts and bolts of the Partnership as follows:

The President of the AFL-CIO is hereby authorized to issue Certificates of Affiliation to individual worker centers, or to an association of worker centers, at the request of a state federation and/or central labor council where the worker center is located, provided that the state federation and/or central labor council has determined that the partnership will be mutually beneficial and the organizations have shared goals. The partnerships will be forged on a voluntary basis. State and local labor movements that see value in developing closer ties to the worker center movement are hereby encouraged to do so; no state federation or central labor council and no worker center that does not wish to enter into such an affiliation arrangement shall be required to do so. Further, in all cases the President shall provide to all national affiliates advance notification of a request to issue a Certificate of Affiliation, so that any national union that objects to a particular affiliation may have the opportunity to do so.

*Id.*

267. See Press Release, AFL-CIO, *supra* note 265 (quoting Pablo Alvarado, Executive Dir. of NDLO) (“The growing worker center movement shows that the fight for change at work has never been as vibrant, varied and urgent. Yet the end goal remains the same: to ensure that the rights and freedoms of workers aren’t reserved just for a few, but extended to the many—regardless of where you were born, the color of your skin, your gender or migratory status. This new partnership will advance that goal.”)

268. *Id.*

269. *Id.*

### **B. Collaboration between NDLO and Laborers' International Union of North America (LIUNA)<sup>270</sup>**

In spring of 2006, Pablo Alvarado, NDLO Executive Director, appeared before a meeting of the presidents of the Change to Win unions at the invitation of Terry O'Sullivan, president of LIUNA.<sup>271</sup> Several weeks later, a two-day meeting was held at the Laborers' headquarters in Washington DC that was attended by a delegation of NDLO executive committee members and more than fifteen LIUNA leaders and staff, including President O'Sullivan.<sup>272</sup> At the meeting, participants offered presentations about the past history, current concerns, and future goals of both NDLO and LIUNA. The two groups agreed that more detailed discussions should take place once NDLO and LIUNA had more time to consider the type of collaboration that would most benefit the two organizations. This process led to a joint NDLO/LIUNA initiative to organize residential construction workers in California and other areas throughout the country.<sup>273</sup> Today, NDLO and LIUNA are working together in a major residential construction organizing campaign in the Riverside County area.<sup>274</sup>

---

270. Peter Prengaman, *Organizing Day Laborers Presents Challenges for Mainstream Unions*, ASSOCIATED PRESS, Aug. 11, 2006, available at [http://seattlepi.nwsource.com/business/281097\\_daylaborunion14.html](http://seattlepi.nwsource.com/business/281097_daylaborunion14.html). The Laborers' International Union of North America (LIUNA) is the most progressive, aggressive and fastest-growing union of construction workers, and one of the most diverse and effective unions representing public service employees. See LIUNA! - Laborers' Int'l Union of N. Am., About Us, <http://www.liuna.org/AboutUs/tabid/54/Default.aspx> (last visited Nov. 12, 2008).

271. See Change to Win: The American Dream for America's Workers, About Us, <http://www.changetowin.org/about-us.html> (last visited Nov. 12, 2008). In 2005, seven AFL-CIO member unions—SEIU, UNITE HERE, the Laborers, the Teamsters, the United Food and Commercial Workers, United Farm Workers and the Carpenters—formed the Change to Win Coalition to push for new strategies that would focus on membership development and a return to large-scale worker organizing. Change to Win proposes to transfer more power to local union organizing efforts and encourages each union to focus its organizing efforts on a particular economic sector.

272. The author was present at this meeting and has firsthand knowledge of these conversations.

273. *Day Laborer Network, Laborers' Union Vow to Help Thousands of California Residential Construction Workers Unite for Better Lives*, PR NEWSWIRE, (Aug. 8, 2006), available at [http://www.hispanicbusiness.com/pr\\_newswire/2006/8/8/day\\_laborer\\_network\\_laborers\\_union\\_vow.htm](http://www.hispanicbusiness.com/pr_newswire/2006/8/8/day_laborer_network_laborers_union_vow.htm).

274. See Prengaman, *supra* note 270. See also LIUNA! - Laborers' Int' Union of N. Am., *supra* note 270.

### C. IDEPSCA and Painters' Union Collaboration

The intersection of common interests between the Painters Union<sup>275</sup> and the day laborer worker centers in Los Angeles has become increasingly evident to both over the years. More and more day laborers are exploited by non-union general and sub-contractors that also undermine the Union by circumventing prevailing wage laws and project labor agreements (PLAs).<sup>276</sup> The local Painters Union and IDEPSCA are now implementing a project to help eliminate this system of exploitation.<sup>277</sup>

The first phase of the project focuses on orientation and leadership development.<sup>278</sup> Representatives of the Painters Union will conduct a workshop for IDEPSCA's workers on the union's history, PLA's and how they work, and an introduction to its apprenticeship program.<sup>279</sup> In addition, the union will provide training for IDEPSCA organizers on compliance standards and work with IDEPSCA to help with labor violations cases. IDEPSCA is in the process of identifying and selecting a group of forty worker-leaders with experience as painters who will participate in this project.<sup>280</sup> IDEPSCA plans to offer leadership training and labor history sessions to these individuals.<sup>281</sup> The leadership training will also include an orientation for Painters Union representatives and

---

275. The International Union of Painters and Allied Trades (IUPAT) represents a growing force of over 140,000 working men and women in the United States and Canada. Members work in the finishing trades as painters, drywall finishers, wallcoverers, glaziers, glass workers, floor covering installers, sign makers, display workers, convention and show decorators, and in many more occupations. See IUPAT – Int'l Union of Painters & Allied Trades, AFL-CIO, About Us, <http://www.iupat.org/about/index.html> (last visited Nov. 12, 2008).

276. A Project Labor Agreement (PLA) is a comprehensive pre-hire collective bargaining agreement. See What is a Project Labor Agreement and How Does it Affect Workers, [http://www.nrtw.org/neutrality/na\\_6.htm](http://www.nrtw.org/neutrality/na_6.htm) (last visited Nov. 13, 2008). That means basic terms and conditions for labor are established in advance for everyone involved in the project: the public sector employer, contractors and subcontractors, and the labor force. See What is a Project Labor Agreement? <http://www.westcentralbtc.org/project%20labor%20agreements.htm> (last visited Nov. 12, 2008).

277. Janice Fine, Jeff Grabelsky & Victor Narro, *Building a Future Together: Worker Centers and Construction Unions*, 33 LAB. STUD. J. 27, 42-43 (2008), available at <http://lsj.sagepub.com/cgi/content/abstract/33/1/27>.

278. *Id.*

279. *Id.*

280. *Id.*

281. *Id.*

organizers on IDEPSCA's Day Laborer Program.<sup>282</sup> Further, about 170 IDEPSCA worker center members are plaintiffs in wage-and-hour litigation brought by the union against one of the major non-union contractors.<sup>283</sup>

#### D. CLEAN Carwash Campaign

The CLEAN (Community Labor Environmental Action Network) Carwash Campaign, a newly launched organizing campaign in Los Angeles on behalf of 10,000 car wash workers, is a clear example of the intersection between worker center and union organizing.<sup>284</sup> The CLEAN Carwash Campaign involves an innovative effort to secure collective bargaining, thereby raising the standard of living for this large, low-wage immigrant population through a cooperative, industry-wide strategy.

Worker centers and community advocates recognized the abysmal circumstances of carwash workers, who work under dangerous conditions<sup>285</sup> for 50-60 hours a week and average \$12,500 per year with no benefits.<sup>286</sup> The increasing levels of collaboration and trust between worker centers and unions through the AFL-CIO Worker Center Partnership<sup>287</sup> led the carwash worker advocates to approach the AFL-CIO and ask if, together with a union affiliate, the Federation would partner with them in this effort.<sup>288</sup> The Steelworkers stepped up and, together with the AFL-CIO and approximately twenty-five Los Angeles worker centers and other

---

282. *Id.* at 43.

283. *Bautista v. Alpha Co.*, No. BC389952 (L.A. Super. Ct. Court, filed May 1, 2008).

284. Narro, *Finding the Synergy*, *supra* note 187, at 359-71. See also Jon Hiatt, *The Los Angeles Car Wash Workers Organizing Campaign: Building on the AFL-CIO Worker Center Program* (unpublished manuscript, on file with author) [hereinafter Hiatt, *Car Wash Workers Organizing*].

285. CAL/OSHA data indicates that carwash workers are subject to numerous health-and-safety violations, including exposure to dangerous chemicals, unprotected or improperly labeled electrical equipment, inadequate personal care facilities, heat stress, and insufficient access to water. See Press Release, Cal. Dep't of Indus. Relations, Cal/OSHA Cites Los Angeles Carwash Businesses for Unsafe Practices (Dec. 23, 2008), available at <http://www.dir.ca.gov/DIRNews/2008/IR2008-74.html>.

286. Hiatt, *Car Wash Workers Organizing*, *supra* note 284, at 1.

287. See Press Release, AFL-CIO, *supra* note 265 **Error! Bookmark not defined.**

288. Hiatt, *Car Wash Workers Organizing*, *supra* note 284, at 3.

community organizations,<sup>289</sup> an extremely encouraging three-way partnership has emerged.<sup>290</sup>

The campaign originally began as a pure labor standards enforcement initiative that sought to address the near-universal non-compliance with wage-and-hour and health-and-safety laws and regulations throughout the industry.<sup>291</sup> Over time, however, the advocates realized that long term systemic changes for the carwash workers could only be realized through a major organizing effort focused on building an ongoing enforcement mechanism into the workplace in the form of a union and collective bargaining.<sup>292</sup> The campaign's strategy to obtain collective bargaining rights focuses on persuading employers to enter agreements with the campaign in which they pledge to respect minimum standards, permit third-party monitoring of compliance, and allow union recognition.<sup>293</sup> The methods of persuasion include targeted litigation, administrative complaints, and public education.<sup>294</sup> This campaign is offering one of the most exciting examples of a genuine community/labor coalition that could provide a model for similar efforts in other industries and other cities around the country.

---

289. CLEAN members include: AFL-CIO; Asian Pacific American Labor Alliance (APALA); American Civil Liberties Union of Southern California (ACLU); Bet Tzedek Legal Services; California Labor Federation; Central American Resource Center (CARECEN); Clergy and Laity United for Economic Justice (CLUE); Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA); Communications Workers of America (CWA) Local 9000; Institute of Popular Education of Southern California (IDEPSCA); Koreatown Immigrant Workers Alliance (KIWA); Los Angeles Alliance for a New Economy (LAANE); Los Angeles County Federation of Labor, AFL-CIO; Los Angeles-Orange County Organizing Committee, AFL-CIO; Mexican American Legal Defense and Education Fund (MALDEF); National Day Laborer Organizing Network (NDLON); National Immigration Law Center (NILC); National Lawyers Guild, Pride At Work, AFL-CIO; Progressive Jewish Alliance (PJA); Service Employees International Union (SEIU) Local 721; Southern California Coalition for Occupational Safety and Health (SoCal COSH); International Brotherhood of Teamsters (IBT) Local 396; UCLA Labor Center; HERE Local 11; United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW); USW District 12; USW Local 675; and Wage Justice Center. CLEAN Members, <http://cleancarwashla.org/index.cfm?action=cat&categoryID=5abd8d03-bff7-4e5e-a7d1-1abcd6edf4b3> (last visited Nov. 26, 2008).

290. Hiatt, Car Wash Workers Organizing, *supra* note 284, at 2.

291. *Id.*

292. *Id.*

293. *Id.* at 3.

294. *Id.*

**E. Spring 2006 Massive Mobilizations for Immigrants' Rights**<sup>295</sup>

In 2006, unions and worker centers came together to promote their mutual interest in immigrants' rights. For three months, between March 10th and May 1st, five million mostly Latino immigrants and their supporters demonstrated in over 100 cities throughout the United States.<sup>296</sup> The marches and rallies demanded full rights for immigrants and opposed the anti-immigrant legislation pending in Congress.<sup>297</sup> Immigrant families—women and men, grandparents and grandchildren—came out of the shadows to demand justice and equality.<sup>298</sup> As part of this national movement, worker centers, immigrants' rights groups, and SEIU Local 1877 collaborated to organize a demonstration on March 25, 2006, in Los Angeles in which close to one million immigrants participated in one of the largest mobilizations in United States history.<sup>299</sup>

The many immigrant worker organizing campaigns featured in this article allowed unions and worker centers to politicize not only their membership base, but also the larger immigrant communities. The organizers of these campaigns, many of whom appear throughout this article, worked with the Spanish language media to educate the public about the issues and why mobilization is an effective way to bring about social change.<sup>300</sup> They contributed to the politicization of a large sector of the immigrant population, which made this huge mobilization possible.<sup>301</sup>

Two months later on May 1, 2006, immigrants' rights groups, worker centers, and unions worked together to create the largest May Day demonstration in United States history. Close to one million immigrants took to the streets in Los Angeles for a morning and afternoon march.<sup>302</sup> Throughout the country, more than five million

---

295. Kent Wong, Victor Narro, & Janna Shaddock-Hernández, *The 2006 Immigrant Uprising: Origins and Future*, LAB. F., Winter 2007, at 49-56.

296. *Id.* at 49.

297. *Id.*

298. *Id.*

299. *Id.*

300. *Id.* at 49-50.

301. *Id.*

302. *Id.* at 54.

immigrants and supporters marched through the streets of major cities.<sup>303</sup> The spring 2006 mobilizations are a true measurable outcome of the organizing efforts of unions and workers centers that are highlighted throughout this article.<sup>304</sup>

## V. CONCLUSION

This article offers a glimpse of how immigrant workers have energized the labor movement and led the creation of a vibrant community of worker centers. The major union organizing campaigns—the California Immigrant Worker Association, the Justice for Janitors Campaign, the American Racing Equipment Wildcat Strike, the Drywallers Strike, the Guess Campaign and the Hotel Worker Rising Campaign, and the important contributions of the late labor leader Miguel Contreras—integrated immigrant workers into the labor movement and made them its face and future.

Similarly, the major worker center organizing campaigns in Los Angeles during this time—the Garment Worker Center’s Forever 21 campaign, KIWA’s Restaurant Workers Justice Campaign, and the day laborer organizing movement that led to the creation of the National Day Laborer Organizing Network—brought public attention to the struggles of immigrants. Over time, these two movements connected together and created a synergy that forged collaborative initiatives and partnerships. The partnership between AFL-CIO and the National Day Laborers Organizing Network, the collaboration between the National Day Laborers Organizing Network and the Laborers International Union of North America, the collaboration between the Institute of Popular Education of Southern California and the Painters’ Union, and the CLEAN Carwash Campaign represent concrete examples of the connection between these two movements.

The combined efforts of unions and worker centers to organize immigrant workers in Los Angeles in recent years fueled immigrant communities’ political conscience and culminated in the massive turnout of the spring 2006 marches for immigrants’ rights. The

---

303. *Id.* at 49-50.

304. *Id.* at 51.

unions and worker centers involved in these campaigns have led to major long-term improvements in the lives of immigrant working families.