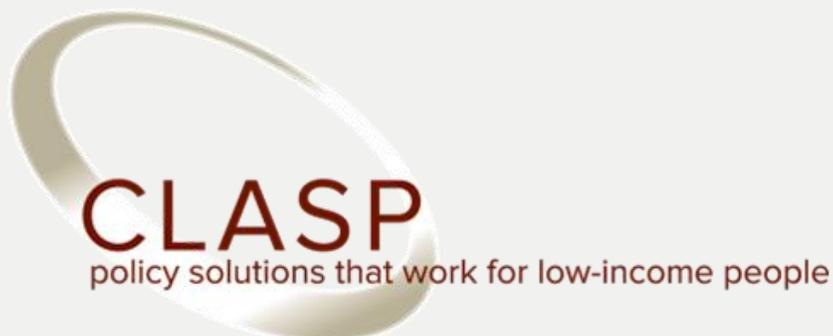




Buenos Empleos: Latinos' Limited Access to Quality Jobs

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Introduction

A growing movement of immigrant rights, anti-racist, and workers' groups is fighting to ensure that Latinos can make it in America. Among many goals, advocates are seeking to ensure that immigrants can work legally and safely. Millions of immigrant Latino workers and their families stand to benefit from legislation to normalize the status of undocumented workers and improve their access to higher education. At the same time, the movement is struggling to break down barriers created by racial discrimination; these barriers affect Latinos whether they are native- or foreign-born, documented or undocumented. Together, problems with both the immigration system and discrimination make finding and keeping quality jobs a significant challenge for Latinos in the U.S. today.

Recent legislative wins that will increase the minimum wage to \$15 per hour in California and New York¹ are raising the bar in states with large Latino populations. Yet the rest of the country must join the movement to improve the quality of jobs—and fair wages are just one piece of the puzzle. *Job quality* also encompasses such protections as paid leave, fair work schedules, and access to health insurance.² Currently, no national laws require employers to provide employees with paid sick days, paid family and medical leave, or fair schedules.

In the absence of national laws guaranteeing these labor standards, Latino workers are too often stuck in jobs that make caring for one's family, going to school, advancing one's career, or paying the bills extremely difficult. For these workers, simply taking one day to recover from illness or take a child to the pediatrician can mean losing a job. Further, the erratic work schedules that many have make planning and budgeting a nightmare. While workers of all races and ethnicities face these challenges, Latinos disproportionately hold low-quality jobs where these difficult working conditions are endemic.

This brief summarizes available data on Latinos' inadequate access to quality jobs. The data show why advocates and policymakers committed to racial and economic justice should pursue public policy solutions that improve access to fair, decent jobs for all workers. To that end, we also summarize key legislative proposals as well as strategies for implementing existing laws that could address inequities described in this brief.

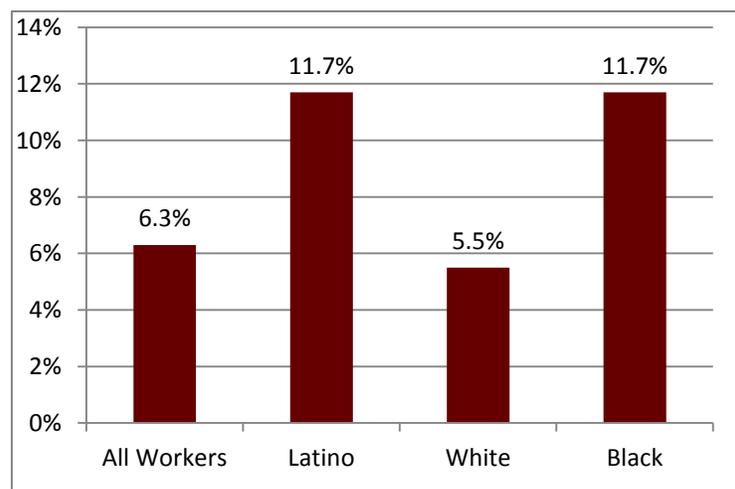
Wages

Around the country, "Fight for 15" activists are standing with immigrants' rights activists, organizing both to increase wages and to achieve justice for people of color. These acts of solidarity are driven by the reality on the ground: in our current economy, Latinos are earning significantly less than Whites.

- **Latino workers earn lower average wages than White workers.** In 2015, 58 percent of full-time Latino workers were earning less than \$15 an hour,³ compared with 39 percent of full-time workers overall.⁴ Latinos of Central American descent tend to have even lower wages than other Latinos, with a 2012 median wage of just \$13 per hour, compared to \$14 per hour for those of Mexican descent and \$16 per hour for Latinos of South American descent (vs. \$22 per hour for Whites).⁵

- **Latinos' earnings trail behind White men's wages.** In 2015, among full-time workers, Latina women's and Latino men's median incomes were 62 and 69 percent of White men's, respectively.⁶ Over the course of her career, the average Latina will lose over *one million dollars* to this wage gap.⁷
- **Latino workers are concentrated in low-wage industries, such as in restaurant jobs, where racial disparities in pay are often greater.** Despite only constituting 11 percent of the total workforce, Latinos make up 25 percent of workers in restaurants,⁸ where servers and those in several other positions have median wages of under \$10.50 per hour.⁹ In this industry, 20 percent of Latino workers live in poverty, compared to 14 percent of Whites.¹⁰ (One reason for poverty among restaurant workers is that in 18 states, the minimum wage for tipped workers is just \$2.13 per hour, and only 8 states have a tipped minimum wage equal to the regular minimum wage.¹¹)
- **Latinos working in the retail industry face similarly dismal earning prospects.** Latino workers are concentrated in low-paying positions within the retail sector,¹² such as retail sales, another job with median wages of under \$10.50 per hour.¹³ Within this low-wage sector, racial disparities in pay are considerable: Latino full-time retail sales workers are paid 20 percent less than White full-time workers.¹⁴
- **Inequitable earnings keep Latino working families in poverty.** In 2014, almost 12 percent of Latinos, compared with just 5.5 percent of Whites, could be categorized as “working poor,” i.e., they spent at least 27 weeks of the year in the labor force but still had incomes below the federal poverty level (FPL).¹⁵ (FPL is about \$24,000 for a family of four.¹⁶) In part because of low wages, *half* of Latino working parents live below 200 percent of FPL. In contrast, 18 percent of White working parents live below 200 percent of FPL.¹⁷ (See figure 1.)
- **All too often, low-road employers steal the meager wages of Latinos in low-paying jobs.** A 2009 study¹⁸ found that among low-wage workers in Chicago, New York, and Los Angeles, nearly one-third of Latino workers had experienced minimum wage violations, compared to 8 percent of White workers in that group. Notably, 35 percent of foreign-born Latinos, but only 17 percent of U.S.-born Latinos, had experienced minimum wage violations. Across racial and ethnic groups, wage theft is a major problem in the U.S.; a recent analysis estimates that \$20 billion is stolen from U.S. workers in unpaid and underpaid wages each year.¹⁹

Figure 1: Latinos Twice as Likely as Whites to be Working Poor
Working Poor by Race and Ethnicity



Working poor spend ≥ 27 weeks of the year in the labor force but still have incomes below Federal Poverty Level (~\$24k for family of four). Percent in poverty among all people in the labor force for ≥ 27 weeks of the year. Data taken from *A Profile of the Working Poor*, Bureau of Labor Statistics, April 2016, <http://www.bls.gov/opub/reports/working-poor/2014/home.htm>.

Unstable Job Schedules and Precarious Work

In 2015, one news headline declared, “The next labor fight is over when you work, not how much you make.”²⁰ This refers to the growing call for an end to job scheduling practices that wreak havoc on workers’ lives, including lack of advance notice of schedules; last-minute changes to shifts; insufficient hours of work; workers being sent home from work early, causing them to lose pay; and rigid schedules that don’t accommodate workers’ other obligations, such as families and education. In addition to scheduling challenges, today’s low-wage workers increasingly struggle with other aspects of “precarious work,” such as temporary or contract work. These challenges of precarious employment disproportionately affect Latino workers.

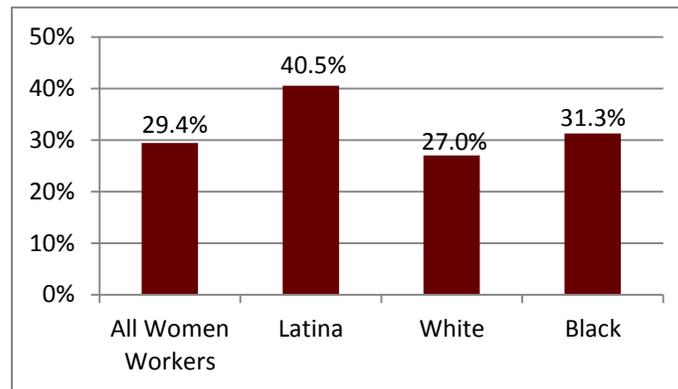
- **Underemployment is more common among Latinos than among White workers.** Underemployment figures count those who are out of work as well as those who are working part time involuntarily (would prefer full-time work) or are marginally attached to the labor force.²¹ More than one in four Latino part-time workers are involuntarily part time, compared to about one in six White part-time workers.²² A 2015 analysis found that despite their high education, 22 percent of young Latino college graduates are underemployed, compared to 13 percent of their White counterparts.²³
- **Latinos are less likely than Whites to have a say in when they work.** The Center for American Progress²⁴ found that as of 2012, Latinos were about 7 percent less likely than Whites to have flexibility of days (i.e., control over which days of the week they work) and 6 percent less likely to have flexibility of hours in their work schedules. Too often, Latinos are simply at the mercy of their employers when it comes to scheduling shifts that allow them to both support their families and fulfill obligations outside of work.
- **Early-career Latino workers are more likely to receive their work schedules at the last minute and less likely to have control of their schedules.** Among adults ages 26 to 32, roughly 45 percent of Latinos receive their work schedule less than one week in advance, compared to 35 percent of their White peers.²⁵ Over half of the young Latino adults surveyed said that decisions about when their shifts started and ended were made entirely by their employer, with no employee input; just two in five young White adults said they faced the same challenges. Last-minute notice of shifts and lack of control over shift hours make it hard for working families to arrange child care, attend classes, or budget for basic living expenses.
- **Unstable schedules may affect Latino workers’ access to child care assistance.** Due to capped funding and restrictive state policies, only 8 percent of Latino children who met the income eligibility requirements for the federal Child Care and Development Block Grant, which assists some low-income families in paying for child care, were actually served by the program, compared to 13 percent of eligible children across races.²⁶ Parents with unstable schedules often have trouble accessing and maintaining eligibility for child care assistance, which may contribute to the lower rate of CCDBG access among Latino children.²⁷
- **Latinos are often employed as contingent workers.** In a recent study, the U.S. Government Accountability Office (GAO) found that while Latino workers make up 13 percent of standard full-time workers, they are nearly 30 percent of contingent workers.²⁸ The GAO defines “core contingent workers” as agency temps, direct-hire temps, contract company workers, on-call workers, and day laborers—all precarious jobs that produce lower incomes and have less security and stability.

Family and Medical Leave

Paid family and medical leave (FML) policies provide wage replacement when workers must take time away from work for longer periods to recover from a serious medical condition, bond with a new child, or care for an ailing family member. *Unpaid* FML policies do not replace wages, but offer job protection, ensuring that workers will not lose their jobs for taking leave. Disproportionately, it is Latinos who lack access to both paid and unpaid FML and thus must risk both jobs and wages to take this time.

- **Many workers are ineligible for unpaid leave under the Family and Medical Leave Act (FMLA).** FMLA is a federal law that guarantees only some workers²⁹ access to job-protected, *unpaid* leave. According to diversitydatakids.org, only about 41 percent of Latino, 45 percent of White, and 51 percent of Black workers meet the criteria for eligibility.³⁰ In some states, there is an even more pronounced racial gap in access. For example, in Alabama, 47 percent of White workers but just 32 percent of Latinos are eligible.³¹
- **Latino workers are less likely than others to be able to afford to take unpaid FMLA leave.** While 40 percent of White workers both are eligible for FMLA and can afford to take unpaid leave, only 28 percent of Latino workers meet both these criteria.³² As with eligibility, the racial gaps vary by state. Notably, in Tennessee, 39 percent of White workers but only 18 percent of Latinos are eligible for and able to afford FMLA leave.
- **Latinos lag behind Whites in access to paid leave.** In 2011, 62 percent of White workers reported access to paid leave of any kind (including sick days and vacation),³³ compared with just 43 percent of Latino workers.³⁴
- **Latinas take very short maternity leaves.** Nationwide, over 40 percent of employed Latina mothers reported taking *no maternity leave at all* for their last pregnancy; about 27 percent of employed White mothers said the same.³⁵ Shorter maternity leaves can have negative health consequences for mothers and children. For example, mothers who return to work less than six weeks after delivery are much less likely to breastfeed for three months than those who return later.³⁶ (See figure 2.)
- **Few workers of any race have access to paid family leave.** Just 13 percent of private-sector workers have access to paid family leave programs, either through their employers or through one of only four³⁷ state-run paid leave insurance programs.³⁸
- **Job loss after giving birth is more common among Latinas.** Among those who worked while pregnant with their first children, 24 percent of Latina women reported quitting their jobs after delivery in order to have some “leave.” This is compared to 21 percent of White women.³⁹ Among the same group, 8.1 percent of Latina women said they were *let go* from their jobs after giving birth, compared with 4.1 percent of White women.⁴⁰

Figure 2: Latinas Most Likely to Take No Maternity Leave
 Women taking no maternity leave for most recent delivery by race/ethnicity



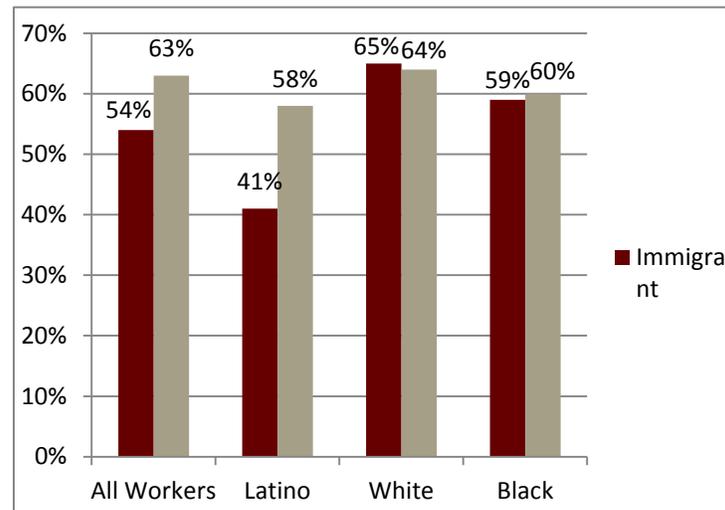
Among women age 18–44 employed during their last pregnancy. Women were coded as taking no maternity leave if they returned to work fewer than seven days after delivery. Data taken from *Maternity Leave: Women's Health USA 2011*, U.S. Department of Health and Human Services, 2011, <http://www.mchb.hrsa.gov/whusa11/hstat/hsrcmh/pages/233ml.html>.

Paid Sick Days

While family and medical leave protects workers when they need to be away from work for longer periods, paid sick days allow them to keep their jobs and their income if they need to be out for a few hours or days to recover from illness, care for a sick loved one, or seek medical treatment or preventive care. According to a recent study, one in seven low-wage workers—who are disproportionately Latino—reports losing a job in the past four years because of illness or the need to care for a family member.⁴¹

- **Most Latino workers lack access to paid sick days.** In 2014, fewer than half of Latino workers had paid sick days at their jobs, compared with 64 percent of Whites.⁴²
- **Immigrant Latino workers are particularly unlikely to have paid sick days.** Across races, 63 percent of native-born workers but only 54 percent of immigrant workers have access to paid sick days. This disparity is driven *almost entirely* by disparities for Latinos. For Whites and Blacks, the difference in paid sick days access between native-born and immigrant workers is only one to two percentage points. For Latinos, in contrast, the difference is 17 percentage points (58 vs. 41 percent).⁴³ (See figure 3.)
- **Latinos are often employed in fields that lack paid sick days.** Workers in certain occupations, such as farming, fishing, and forestry; food preparation and service; and personal care and service, are far less likely to have access to paid sick days.⁴⁴ Latinos are disproportionately represented in these occupational categories.⁴⁵
- **Unequal access to paid sick days can lead to unequal medical care.** In 2014, Latinos were less likely than Whites to have visited a medical provider in the last 12 months; 30 percent of Latinos said they had not made even one visit to a medical provider, compared to 16 percent of Whites.⁴⁶ These differences may be due in part to the disparities in access to paid sick days. For example, in a 2013 study, one quarter of women reported that lack of time (including lack of time off of work) was a barrier to accessing health care.⁴⁷ Decreasing racial disparities in access to paid sick days may also decrease disparities in health outcomes.

Figure 3: Majority of Immigrant Latino Workers Lack Sick Days
Paid Sick Days Access by Immigrant Status and Race/Ethnicity



Data taken from Alex Wang, Jeffrey Hayes, and Liz Ben-Ishai, *As Foreign-Born Worker Population Grows, Many Lack Paid Sick Days*, Center for Law and Social Policy and Institute for Women's Policy Research, July 2014, <http://www.clasp.org/resources-and-publications/publication-1/Paid-Sick-Days-Immigrants-CLASP-IWPR.pdf>.

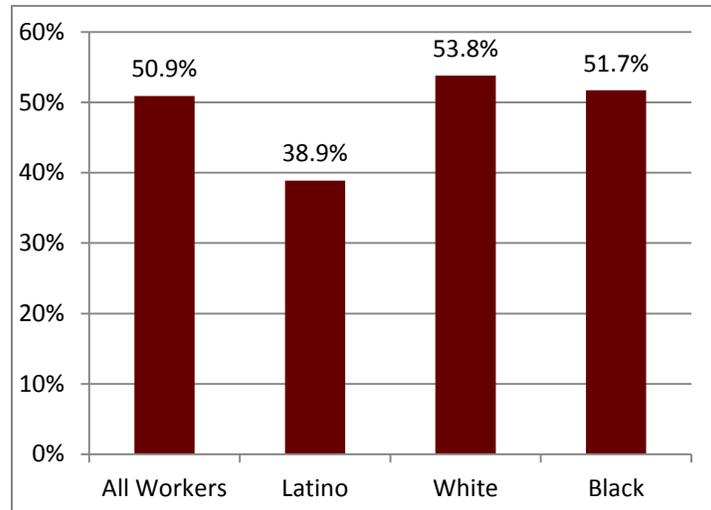
Health Insurance

In order to afford to visit a health care provider for preventive care and treatment, workers need not only paid sick days, but also health insurance. The majority of employed people in the U.S. receive health insurance through their employers, making access to it an important aspect of job quality in our country.

- **Latinos are less likely to have access to employer-sponsored health insurance.** As of 2014, just 39 percent of Latino workers age 18-64 were covered by health insurance from their own employer⁴⁸, compared to 54 percent of White workers in that age group.⁴⁹ (See figure 4.)
- **Working parents face particularly notable racial disparities in employer-sponsored health insurance.** While over half of White working parents have employer-sponsored health insurance, this is true of just over a *third* of Latino working parents.⁵⁰ This access varies widely by state. In Idaho, just 24 percent of Latino working parents have employer-sponsored health insurance, compared to 55 percent in Hawaii.⁵¹
- **Foreign-born Latinos are at a particular disadvantage in health insurance coverage.** Eighty-seven percent of native-born Latinos in the U.S. had some form of health insurance in 2014, but this was true of only 67 percent of foreign-born Latinos (including just 58 percent of non-citizen Latinos).⁵² Forty-five percent of native-born Latinos had private group health insurance, often sponsored by an employer, compared to just 35 percent of those who were foreign-born.⁵³
- **The Affordable Care Act (ACA) has helped to reduce disparities in health insurance coverage.** In 2013, before the full implementation of the ACA, 90 percent of Whites but just 76 percent of Latinos had health insurance coverage; by 2014, once the ACA was fully implemented, those figures rose to 92 percent and 80 percent, respectively⁵⁴; coverage rose by four percentage points for Latinos but just two for Whites. For private health insurance, coverage among Whites rose less than a full percentage point (from 72.1 to 72.9 percent) from 2013 to 2014, while coverage among Latinos rose four percentage points (from 44.7 to 48.7 percent).⁵⁵

- **Yet some states' decisions not to expand Medicaid under the ACA keep Latinos uninsured.** In the 19 states⁵⁶ that have not yet expanded Medicaid as was intended under the ACA, about 2.9 million uninsured nonelderly adults⁵⁷ fall into the so-called “coverage gap.” These people make too much to be eligible for Medicaid but too little to qualify for tax credits to help them pay for health insurance through the ACA’s Health Insurance Marketplaces, or “exchanges.” Latinos make up only 18 percent of the U.S. population⁵⁸ but 23 percent of adults in the coverage gap.⁵⁹ Sixty-two percent of the people in the gap are in a family with at least one worker.⁶⁰

Figure 4: Latinos Least Likely to Have Employer-Sponsored Health Insurance
Workers with health insurance sponsored by their own employer by Race/Ethnicity



Among people age 18-64 who worked during the year. Workers who were insured at any time during the year are counted as insured. Data taken from "HI01. Health Insurance Coverage Status and Type of Coverage by Selected Characteristics: 2014," *US Census Bureau*, https://www.census.gov/hhes/www/cpstables/032015/health/h01_000.htm.

Policy Solutions

Racial inequities in job quality are part of a larger context of systemic discrimination and exclusion within our economy and society. Overcoming this will require grassroots organizing, research, and government action through legislation. Most job quality legislation creates standards for *all* workers but disproportionately benefits Latinos; many will become newly eligible for critical protections that ensure higher-quality employment. Programs that focus on improving the quality of jobs for lower-wage workers are also likely to disproportionately benefit Latinos.

Immigration Reform: An Essential Ingredient for Quality Jobs⁶¹

Overhauling our nation's outdated immigration system is critical to raising the quality of jobs for millions of workers in the U.S. The Migration Policy Institute estimates the U.S. is home to nearly 8.5 million undocumented immigrants from Latin American countries.⁶² Legally, labor and employment protections generally apply equally to all workers regardless of their immigration status.⁶³ In practice, however, undocumented workers often feel powerless to file complaints when they experience labor standards violations, which lower the quality of jobs. Too frequently, employers use workers' immigration status to threaten (or carry out) retaliatory action against workers who exercise their rights. These threats go beyond individual workers, extending to their undocumented family members.

Comprehensive immigration reform holds significant promise for protecting the rights of undocumented workers—and ultimately raising the quality of their jobs. The Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) programs are recent efforts by the Obama Administration to take some steps toward restoring fairness and accountability in our immigration system.

DACA, which enables unauthorized immigrants who came to the U.S. as children and meet other conditions to apply for a two-year exemption from deportation and a work permit, was announced in 2012 and has already had significant economic effects. One survey on the third anniversary of the program found an average wage increase of 45 percent for DACA recipients.⁶⁴ Once legally authorized to work, immigrants can move into better quality jobs where they are more likely to enjoy higher wages, paid sick days, and other important labor protections.

The President's DAPA and expanded DACA initiatives have the potential to lift the quality of millions more workers' jobs. Unfortunately, a recent Supreme Court 4-4 order on a legal challenge to expanded DACA and DAPA will force many workers and their families to continue living and working in fear of deportation, vulnerable to exploitation and abuse.⁶⁵

While broader immigration reform is essential in order to improve job quality for a significant number of immigrants, a relatively small group of qualified immigrant workers may also benefit from U visas. The U.S. Department of Homeland Security issues these visas to undocumented workers who are the victims of certain egregious crimes, which may include those occurring in the workplace. The visas give workers lawful status and work authorization, may extend these benefits to certain family members, and provide an opportunity to ultimately gain permanent resident status.⁶⁶ While these visas are important, few workers will qualify for them or be able to gather the documentation necessary to obtain them, leaving many workers unprotected.⁶⁷

State and Local Action

There is already considerable momentum on job quality issues at the state and local levels; this is driven, in part, by organizing led by or including Latinos. As a result of worker and community organizing, 19 states, cities, and counties have passed higher minimum wage laws since 2013 that put some or all workers on a path to \$15 per hour.⁶⁸ More than 30 states and cities have passed paid sick days laws,⁶⁹ making more than 10 million workers newly eligible⁷⁰ to take the time they and their families need to recover from illness. Four states have instituted paid family leave insurance laws,⁷¹ giving workers time with pay to bond with new babies and care for seriously ill family members. And San Francisco recently became the first city to pass a comprehensive fair scheduling law for certain retail workers.⁷² The ACA expanded access to health insurance nationwide by providing subsidized insurance options and incentivizing many states to expand their Medicaid programs, which serve some lower-income workers.⁷³

Dozens of other jurisdictions are also considering raising their wages, enacting paid sick days and family

and medical leave insurance laws, and establishing fair scheduling standards.⁷⁴

In all of the jurisdictions that have passed job quality legislation, the new laws should benefit Latinos. The *extent* to which these laws truly improve racial equity, though, depends in part on the specific provisions within the laws, as well as their implementation (see below). For example, California recently expanded its paid family leave program to include a sliding scale of wage replacement, providing lower-income workers with a higher percentage of their salary while they are on leave. This change will likely be profound for lower-wage workers, including many workers of color, who previously contributed to the program through payroll deductions, but were often unable to take advantage of it because they could not afford to live at the level of wage replacement provided (then just 55 percent). Recognizing the implications of this model for equity, other states are also considering programs that would ensure lower-wage workers receive higher rates of wage replacement.⁷⁵ This approach makes it more likely that lower-income workers, who are disproportionately Latino, will benefit from the laws.

Federal Action

As more and more jurisdictions pass job quality laws, federal standards become increasingly likely, bringing us closer to a country where all workers, regardless of where they live, are able to work in jobs that provide fair wages, promote productivity, and allow them to care for their families.

Wages

Several proposals to increase the minimum wage and address wage theft are under consideration in Congress. These proposals could increase incomes for Latinos who earn low wages and help to prevent and punish violations of wage theft, a crime which too often affects Latinos.

- **The Pay Workers a Living Wage Act (S. 832/H.R. 3164).** This bill would increase the minimum wage to \$15 per hour over a period of four years, with subsequent increases indexed to median wages. It would also eliminate the tipped minimum wage so that tipped workers would no longer earn a lower minimum wage than others.
- **The Raise the Wage Act (S. 1150 /H.R. 2150).** This bill would increase the minimum wage to \$12 per hour over a period of four years, with subsequent increases indexed to median wages. It would gradually phase out the tipped minimum wage.
- **The Wage Theft Prevention and Recovery Act (S. 2697 /H.R. 4763).** This bill would establish requirements for employers to pay the wages promised to their employees, improve paystub transparency, increase damages for violations of the Fair Labor Standards Act, institute stronger record keeping rules, and establish other provisions to reduce wage theft and punish employers that violate the law.

Fair Scheduling

Passing laws that regulate scheduling would benefit Latino workers, many of whom are employed in sectors and jobs that engage in unstable scheduling practices.

- **The Schedules that Work Act (SWA) (S. 1772/ H.R. 3071).** SWA would enable all workers to request scheduling changes without fear of retaliation and require employers to accommodate requests made by certain categories of workers. For workers in the building cleaning, retail, and restaurant industries, it would require employers to provide at least two weeks' advance notice of work schedules and compensate workers for last-minute changes, split shifts, and shifts that end ahead of schedule.⁷⁶

Family and Medical Leave

Latinos who are currently unable to afford unpaid leave under the FMLA or who aren't eligible for job protection under FMLA would benefit from a publicly run leave insurance program.

- **The Family and Medical Insurance Leave (FAMILY) Act (S. 786/H.R. 1439).** The FAMILY Act would enable all workers to take up to 12 weeks of paid leave per year to recover from a serious illness, care for a seriously ill family member, or bond with a new child.⁷⁷

Paid Sick Days

Latinos are among those most likely to lack access to sick days; an expansive sick days law would begin to address this inequity.

- **The Healthy Families Act (HFA) (S. 497/ H.R. 932).** HFA would enable all workers at firms with at least 15 employees to earn 1 hour of paid sick time for every 30 hours worked, up to a cap of 56 hours at one time. Employees of smaller firms could earn unpaid but job-protected sick time.⁷⁸

Health Insurance

Greater access to Medicaid is essential for millions of low-income Latino working families who struggle to afford health insurance. While 31 states and the District of Columbia have expanded access to Medicaid under the ACA, 19 states have yet to do so, obstructing access to health care for many residents. It is critical that all states adopt the Medicaid expansion.

- **The President's FY2017 U.S. Department of Health and Human Services (HHS) Budget.** President Obama's HHS Budget Proposal included an incentive for more states to expand Medicaid; those that choose to do so would receive three years of full federal support, regardless of when the state expands.⁷⁹

Implementation of Job Quality Laws

While job quality laws are often designed to apply universally or nearly universally to workers, in practice not all workers benefit equally. This happens for a variety of reasons, including inadequate public education and uneven enforcement. Evidence and anecdotes from advocates on the ground suggest that Latino workers—who are often most in need of job quality protections—may be among those least likely to reap the benefits of existing job quality laws. Workers who do not know the law exists cannot file complaints when their employer is noncompliant, and unscrupulous employers who know their labor laws are only weakly enforced may not be inclined to comply. For Latinos to fully benefit from public policy, enforcement agencies must target their public education efforts to reach the Latino community, adopt strong enforcement practices that deter employers from violating the law, and provide appropriate remedies to workers who are wronged.

The case of California's Paid Family Leave (PFL) program is instructive. The program has had significant effects—increasing leave taking, parents' ability to care for their children, and breastfeeding duration⁸⁰—but there is also evidence that awareness of the program is low. Though the state's PFL law has been in effect for more than a decade, a 2014 Field Poll found that only 36 percent of voters in California were aware of PFL, a 7 percent decline since 2011.⁸¹ The poll found that awareness and take up of the program is lowest among low-income, Latino, new immigrant, and young workers, as well as workers in Los

Angeles County. Relatively little data is available with regard to awareness of sick days laws, but anecdotal information from organizers and community groups suggests that, in many cases, the groups of workers most in need of sick days laws are least aware.⁸²

To ensure the workers most in need are reaping the benefits of hard-fought job quality wins, advocates and government agencies are employing a variety of outreach and enforcement strategies to maximize awareness and take up. Implementation practices that are most likely to help Latino workers include⁸³

- **Funding.** While not always politically feasible, including designated funding for implementation in job quality legislation can ensure resources are available to support an effective process. However, even with relatively limited resources, some jurisdictions have been effective.
- **Outreach and enforcement through community groups.** Labor standards enforcement agencies in Seattle and San Francisco contract with community groups to reach out to their constituencies and to help workers file complaints. For example, Seattle’s Office of Labor Standards has contracted with the South Park Neighborhood Center,⁸⁴ which serves a Seattle community that is 37 percent Latino.⁸⁵
- **Multilingual outreach.** Multilingual materials, websites, and staff must be available to a diverse population, including to both employees and employers whose primary language is not English.
- **Outreach through health clinics.** In Los Angeles, the California Work & Family Coalition is piloting a project to raise awareness of PFL and paid sick days by using *promotoras*—community health workers who educate clinic patients and other community members about the available programs.⁸⁶
- **Strong anti-retaliation protections.** Lower-wage workers often (rightly) fear retaliation for filing complaints about employers who fail to comply with the law. Workers often face the threat of employers reporting them (if they are undocumented) or their undocumented family members to Immigration and Customs Enforcement in retaliation for exercising their workplace rights.⁸⁷ Workers are more likely to come forward if laws have strong anti-retaliation provisions that are operationalized quickly when a worker experiences retaliation.

Higher-Quality Jobs Are a Critical Aspect of Racial Justice

Racial discrimination is systemic in America and affects all aspects of our society, from the legal system to education to the workplace. Advocates and policymakers must continue to collaborate to reduce discrimination against Latinos and other people of color. As the data in this brief suggest, Latinos are more likely to hold low-wage jobs that do not provide paid sick days, paid family leave, predictable work schedules, or health insurance. These and other racial inequities must be addressed on numerous fronts. Passing legislation to improve job quality for all, followed by proper outreach and enforcement, is one crucial path to promoting racial equity. Already, there is considerable momentum on job quality legislation; further victories at the local, state, and federal levels will bring the nation closer to the goal of ensuring justice for all.

Endnotes

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