

Summary Report: Asian Pacific Islander Workers Hearing



Convened on May 17, 2002 by:

California State Assembly Committee on Labor and Employment
California State Assembly Asian Pacific Islander Legislative Caucus

Report Issued by:

Asian Pacific American Labor Alliance, AFL-CIO
UCLA Labor Center

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Introduction

The first ever California State Assembly Hearing on Asian Pacific Islander Workers was convened by the Labor Employment Committee and the Asian Pacific Islander Legislative Caucus, at the request of Assembly member Judy Chu. The Hearing brought together Asian Pacific Islander workers and advocates from all over California. Their stories are a snapshot of millions of workers. The testimonies gave a glimpse of the detrimental impact that worker exploitation has on families and communities. Most importantly, workers and advocates made concrete recommendations for state legislative and enforcement actions that could significantly improve the lives of Asian Pacific Islander workers, their families and their communities.

This summary seeks to synthesize the issues and recommendations in a useful form for workers, advocates, legislators, and communities. The quotations come from Hearing testimony, public comments, and submitted written statements. While neither the Hearing nor the Report is meant to be an exhaustive study of Asian Pacific Islander workers, they are an important and informative step toward further investigation. A complete transcript of the hearing will be available.

For brevity, “Asian Pacific Islanders” will be abbreviated as “API” in the body of the Report.

Asian Pacific American Labor Alliance, AFL-CIO (APALA) – the only national organization of Asian American and Pacific Islander union members and labor advocates, fighting for workers rights, immigrant rights, and civil rights.

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California State Assembly Asian Pacific Islander Legislative Caucus – The first of its kind, the API Caucus is a valuable legislative body set up to promote dialog between the 4.2 million API residents living in California with their government officials. Members: George Nakano, Chair; Wilma Chang; Carole Liu; and Judy Chu.

UCLA Labor Center – plays a unique role as a bridge between the University and the Labor community in Southern California by serving as an important source of information about unions and workers to interested policymakers, community leader, scholars & students.

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California State Assembly Committee on Labor and Employment – has primary jurisdiction over Assembly and Senate bills and measures concerning labor issues such as discrimination, Cal-OSHA, employment and public works. Members: Paul Koretz, Chair; Gloria Negrete McLeod, Vice-Chair; Anthony Pescetti; Mark Wyland; Sally Havice; Carole Migden; Judy Chu; and Kevin Shelley.



Assembly Member Judy Chu led a press conference preceding the hearing.

Demographic Background on API Workers

- ✓ APIs are 11% of California's population. California has the highest API population in the U.S. (4.2 million)
- ✓ The API community has the largest gap between rich and poor. While a higher percentage of households have an annual income over \$75,000, there are also a high percentage of households with an income below \$25,000. The vast majority of these low-income households include full-time workers.
- ✓ Poverty is highest in newer API immigrant communities such as Laotian, Thai, Vietnamese and Pacific Islander.
- ✓ About 62% of APIs are immigrants; 42% of these emigrated to the U.S. in the last 10 years.
- ✓ 45% of APIs live in inner cities, which tend to have a higher cost of living.
- ✓ APIs tend to have larger nuclear families, with more children for each worker to support.
- ✓ Most APIs work in the following industries: healthcare; services; electronics; industrial machinery; and hotels. APIs also form a high proportion of workers in the garment and scientific/laboratory equipment industries.

Summary of API Worker Issues

Discrimination and Targeted Exploitation

Worker after worker spoke of discriminatory treatment at work. Because many API workers do not speak fluent English, have limited rights as immigrants, or limited employment alternatives, employers often assume they will not assert their workplace rights. Some businesses and industries target APIs for exploitation because of the stereotype that APIs are hard working and passive.

“Very often the managers mistreat workers, especially those workers that English is not our first language. I have often seen API workers being harassed by arrogant managers.” (Augusto Tanghal, a custodian at UCLA and member of AFSCME Local 3299)

“The company takes advantage of nurses who are immigrants. They don’t know their rights and a lot of them are afraid they’ll lose their green card.” (Daisy Lee, a nurse at Garfield Hospital)

“There is an increasing number of industries that target monolingual Chinese workers.” (Phillip Chu of the Chinese Progressive Association. The CPA is representing hundreds of workers from one company which owes them over \$1 million in back wages.)



PHOTO COURTESY OF ASSEMBLY MEMBER JUDY CHU'S OFFICE

Workers and labor advocates testify at the hearing

Summary of API Worker Issues continued

Making a Living with Dignity

Many API workers, who are concentrated in industries that pay minimum wage or below, struggle to support their families. Employers also take advantage of better paid white-collar AAPI workers through language, culture, and immigration status. Beyond economic abuse, API workers often face abusive treatment by management.

High work hours and low wages keep workers below the poverty-line

Restaurant worker: *"The average work hours were between 10 to 13 hours per day and I worked 6 days per week. I was paid \$600 per month."* (Jung Hee Lee)

Supermarket worker: *"Our pay is \$6.75 per hour. When you deduct taxes, we get around \$900 per month. One bedroom in Koreatown is \$850 per month. Assi market, where I worked last, gives vacation but it's only 2 days after working for one year."* (Chin Yol Yi)

Homecare worker: *"It takes more than five hours a day to care of my mom, but I am paid only less than three hours ... \$7.11 per hour without any benefits."* (Tony Hoang)***

Lack of essential benefits

"Most Koreatown markets don't give workers vacation, health insurance, pension. And we are treated with no respect, less than human!" (Chin Yol Yi has worked in Koreatown markets for fifteen years.)

"Although some Asian workers have job-based insurance coverage or receive Medical coverage, over 20% of the Asian American community lack adequate insurance and health care access. The rates of uninsured are even higher among some population... (e.g. South Asians 27%, and Koreans 34%)" (Eileen Ma, Organizer with Health Access Los Angeles)

Abusive treatment

"[The owner] always yells and screams at us... [We] often say that that is a type of mental abuse... No matter how fast we work the owner always ask us to work faster... My coworkers always say that we have dignity too and we just want respect from our employers." ("Nancy Hu," garment worker)

Exploitative conditions

"When the advertiser does not pay the ads, the [newspaper] company used to deduct the cost from sales department employees' salaries. Now the salesperson is forced to write a check [to pay] for the ad." (Lynne Wang, reporter at the Chinese Daily News)

"Our state is the nation's sweatshop capital... Nearly 70% of garment factories inspected in Los Angeles failed to pay minimum wage and overtime... [Cal-OSHA found] health and safety violations in close to 100% of factories inspected, with nearly half cited for serious violations – that is, those likely to result in serious bodily injury requiring hospitalization... The average garment worker in Los Angeles makes under \$8000 a year – less than two-thirds of poverty-level income." (Christina Chung, staff attorney for the Asian Pacific American Legal Center)

*** Homecare workers are employed by the state to care for elderly or disabled persons in their homes. County administrators determine how many hours they will pay homecare workers to take care of clients. According to the United Domestic Workers/AFSCME, the 1500 Vietnamese homecare workers in Orange County receive the least hours among all homecare workers in the county.

Immigration and Workers

Many API workers face double jeopardy as both workers and immigrants. Undocumented workers are particularly vulnerable to threats of deportation that may keep them from reporting employment violations. Many testifiers condemned the recent U.S. Supreme Court ruling in *Hoffman Plastics v. NLRB*, which determined that even when workers are illegally fired for reasons such as discrimination or union activity, employers do not have to pay them back wages if the worker is undocumented.

Chin Yol Yi explained the effect of the Supreme Court ruling on workers: *“If this is justice, doesn’t it mean that undocumented workers have to tolerate any and all exploitation and unbearable working condition in your workplace? Doesn’t this mean that the boss can treat you in any way they please, and if you try to organize to improve your life, the boss can fire you for it and they won’t be penalized?”*

Since September 11, immigrant workers have been under even more attack through workplace discrimination, hate crimes, and governmental policies. The new Aviation and Transportation Security Act, that requires airport screeners to be U.S. citizens, clearly targets immigrant workers.

Tragically, 28,000 screeners, many of them APIs, may lose their jobs. Furthermore, some APIs had not applied for citizenship because Family Reunification backlogs make it harder for citizens to apply for family members to join them in the U.S.

For example, *“since the backlog to petition an unmarried child [from the Philippines] was 13.5 years for citizens, but only 8.5 years for permanent residents, many screeners had chosen not to become citizens. These workers are facing double jeopardy; not only are they the subject of new citizenship restrictions in the wake of misguided public anger over September 11, they are also unable to meet new the requirements [to become citizens] often because of the INS backlog.”* (Katie Quan, Labor Policy Specialist at the UC Berkeley Center for Labor Research and Education, Institute of Industrial Relations)

“[The] Federal government is...scape-goating all the immigrant workers [for September 11]. I believe this law is unjust and discriminating because citizenship has nothing to do with our job. It is our skill, knowledge, experience that counts. Citizenship does not guarantee loyalty to the U.S. We immigrants, we are loyal.” (Erlinda Valencia, San Francisco Airport screener for fourteen years)



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Summary of API Worker Issues continued

Indenture and Slavery

Tens of thousands of API workers are either indentured or incarcerated. From sweatshop workers to high technology workers, many are trapped in exploitative or dangerous work situations. Although the case of the Thai slave garment workers in El Monte received much publicity, countless other cases of incarceration (slavery) have been discovered but not publicized, partly because many are sex workers or have been forced into sex work. However, even when workers manage to escape and participate with government investigations by testifying against their captors, they are rewarded with deportation.

“71 Thai garment workers were forced to work behind barbed wire and under armed guard, while sewing brand-name labels for many of the nation’s leading manufacturers and retailers.” (Christina Chung. Chung pointed out that these workers had to receive much help from advocates in order not to be deported.)

“Of the 50,000 immigrants who are trafficked into the U.S. for sex each year, the majority is Asian.” (Katie Quan)

“[We provided] assistance to three women who were trafficked as domestic workers, who were victims of severe physical and sexual abuse...They had not been paid in over five years. Because of [her] immigration status we were successful in providing assistance and really seeking shelter for one of the women. The other two had to be deported.” (Hamid Khan, Executive Director of South Asian Network)

“Indentured...workers are contracted to a specific employer and are required to work for the same employer until the end of that contract...Many [workers on H1B visa] are Asians...working in Silicon Valley. Although they are stereotyped as being the “model minority,” the reality is that they are a cheap non-union labor pool for the high tech industry. Paid significantly lower wages than their American counterparts and treated unfairly in many ways, they are afraid to speak out about their problems because they might be terminated and deported.”

(Katie Quan)



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Right to Organize / Fight Back

More and more API workers are unionizing because they want to have a voice at work. Companies often hire professional “union-busting” consultants and seek legal and illegal ways to prevent workers from exercising their right to organize. Some companies also prolong the legal process for years, during which time they intimidate or eliminate workers. In one-third of every campaign to organize a union, workers are illegally fired for union activity. API workers are also increasingly fighting back through community advocates and by filing claims against employers’ illegal practices. However, they face strong risk of retaliation and blacklisting.¹



“Right here in Monterey Park, we have two of the most significant unionization campaigns in the country involving Asian Pacific workers: the Chinese Daily News and the Garfield Medical Center...a largely Asian immigrant work force has voted for the union, and yet the management has...refused to bargain in good faith for a contract.” (Kent Wong, Director of UCLA Labor Center)

“Some of these employers hire anti-union consultants who get paid as much as \$200 an hour, and then claim they don’t have money to pay for healthcare for their workers.” (John Delloro, President of the Los Angeles Chapter of the Asian Pacific American Labor Alliance)

“The company also hired Larry Wong, a very expensive union-buster who [spends] all his time spreading misinformation and fear...The company has threatened employees...for even talking about the union in the workplace. They have eliminated the

jobs of union supporters...They have especially terrorized those of us who are publicly active in supporting the union or those of us who have stepped forward to testify before the National Labor Relations Board about their illegal acts. The situation at the Chinese Daily News is a tragedy for Asian immigrant workers who have great faith in the freedom and protection guaranteed by U.S. law.” (Lynne Wang)

“I said 15 years of waiting was enough...In order to overcome the disgraceful life, a union has to be organized and [I] participated in union activity at the Assi Market. I was retaliated by the management and was fired few weeks ago. With the support of my co-workers and the community, I will now have to fight for my reinstatement.” (Chin Yol Yi)

“Electronic assembly workers and garment workers who have lost their jobs, been owed wages, abused in the workplace, are now being blacklisted within the industry they work.” (Philip Chu)

¹ In this case, blacklisting is an illegal practice where employers put a worker’s name on a list of people not to be hired.

Impact of Workers' Issues on the Community



GEORGE COUSART ©2001

Working Families

Due to mandatory work hours or the need to work many jobs to survive, many API workers work extremely long hours. This translates to less time with family and for supervising children. Studies have shown that poverty and lack of parental supervision lead to domestic violence, poor school performance, increased likelihood of children joining gangs, and therefore limitations on their future prospects. Low-wage workers live from check to check, and often need to change jobs, further adding to family instability. Yet, they are often trapped in low wage work because they do not have time to learn English or other work skills. Many workers need to rely on public funding for health, welfare, and retirement.

"I saw [my mother] and my father less and less as they came home later and later into the night." (John Delloro)

"I thought I was living in a hell hole. Because I worked from morning to late night, I did not have time to take care of [my] children. Because I was so tired and stressed all the time, I often got into arguments with my husband. It felt like the land of opportunity has turned into land of exploitation." (Jung Hee Lee)

"Due to my low income, my family lives in a 100 square foot apartment and we have to share the kitchen and bathroom with other residents. Please don't forget our children live, play and study in this tiny apartment." (Fei Yi Chang, Chinese Progressive Association)

"Issues such as on the job discrimination, harassment and termination have been on the sharp rise, and give rise to other problems such as family violence." (Hamid Khan)

Healthcare Crisis

Healthcare corporations' efforts to decrease staffing can endanger patient care. Declining working conditions and wages relative to education has also caused a shortage of nurses in the U.S. This is more likely to happen in low-income immigrant neighborhoods as government funding for healthcare decreases and poor patients are less likely to have private health. Many healthcare workers are organizing so they can have say over staffing ratios and patient care.

"In [Definitive Observation Unit], we care for very ill, often elderly, patients, and we're almost always assigned more patients than we can possibly provide with quality care." (Joanne Kawai, Garfield Hospital nurse)

"[I] must work quickly and diligently to draw the patient's blood, run exercise tests, and ensure that both doctors and patients get blood results in a timely fashion... staffed with only three assistants. During the

holidays, half of our staff was out. There are no replacements. This left a lot of room for danger. We need better staffing." (Galo Salas, Queen of Angels Hospital)

"With the threats on the state level to cut vital public services, many API immigrants stand to lose their job. Over 30% of workers in the healthcare industry are Asian Pacific Islander. Healthcare workers are the lifeblood of the Pilipino American community." (John Delloro)

Workers and Advocates as Heroes

Many of those speaking out at the hearing are risking their jobs and families to bring forward the truth about API workers. Despite the many risks, barriers and stereotypes, thousands of API workers are standing up for their rights. More API workers are organizing and unionizing. More advocates fighting alongside them to ensure they get support in the community, labor movement, and among policymakers. These are the new heroes and role models for our communities.

"I saw my mother and other immigrant workers, not as victims but as heroes. Heroes who sacrificed time with their families in order to clean others' homes, sew people's clothes, help patients and take care of other people's children. Heroes who sacrificed themselves...in order for their children to have a better life. I became active in the labor movement in order to give back to them."
(John Delloro)

"I just want to say that Lynne Wang shows incredible bravery. Even after everything she's gone through, she continues to speak out!" (Assembly Member Judy Chu)

"Since May 1, 2000, we launched the Restaurant Workers Association of Koreatown, an organization of waitresses, cooks, bus boys and dishwashers to police and improve the working condition in Koreatown Restaurant industry. Compared to five years ago [when 3% of restaurants followed labor laws], our survey done by workers reveals that 40% of the restaurants are abiding by the labor law."
(Jung Hee Lee)

"We've been fighting for dignity, respect, and a living wage on the job and we've made progress. We've had to fight very hard for raises. We've had to fight to prevent our jobs from being subcontracted to agencies that pay close to minimum wage. We've had to fight to put controls on the amount of work we were being asked to do." (Augusto Tanghal, UCLA custodian and member of AFSCME Local 3299)

"[The UCLA Labor Center and APALA] are...sponsoring the first ever Union Leadership School for Asian Pacific American workers." (Kent Wong)

"My office represented [the Thai El Monte] workers in a federal lawsuit against the manufacturers and retailers, resulting in over \$4 million in payments to the workers...The stories I have told are but a shallow reverberation of the vibrant voices of workers who are not at the hearing today, and who have courageously spoken out despite efforts to deny them not only their wages and decent working conditions, but also their own political voice."
(Christina Chung)



RICHARD WOOD

Recommendations to Legislators

Workers and advocates recommended many ideas for legislation and enforcement to address these complex issues and enhance the lives of API workers. In some cases, specific legislation has already been proposed.



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Multilingual Enforcement and Outreach

"[Workers] often do not come forward to complain about their treatment and violations of labor law because no one in government speaks their language and understands their culture." (Katie Quan)

Assembly Bill 2837 (Koretz) – provides for changes to Cal-OSHA, including the provision of bilingual services and the preparation of written materials in languages other than English.

Department of Industrial Relations – The legislature can take a more active role in overseeing the DIR. Particularly in light of the misinformation generated by the Hoffman decision, DIR should be required to conduct

proactive language-appropriate outreach, including to the Asian ethnic press, to inform all immigrant communities of their workplace rights, and their continuing rights under state labor laws.

Multilingual Services and Materials – Government agencies which deal with API worker issues, such as the Department of Labor Standards Enforcement, should ensure that public contact staff and that claims forms and informative materials are bilingual in API languages. This includes the many South Asian languages. Where multilingual staff is not available, agencies should seek to work with community service organizations.

Stronger Right to Organize

Right to sue employers, Senate Bill 1818 (Romero) - establishes a civil penalty for labor abuses, equivalent to the back pay remedy which is no longer available to undocumented workers after the Hoffman decision.

UC contract workers card check, Assembly Bill 1788 (Reyes) - provides for a fairer process by which employees working through contractors hired by the University of California, can choose whether to unionize. While these workers work for a public

institution, they are still vulnerable to intimidation by contractors. This bill includes a "card check" agreement, which means when a majority of the workers of a company sign the card saying they want a union, they can immediately have union representation.

Legislators addressing management - Advocates asked legislators present to meet with the management of Garfield Medical Center, the Chinese Daily News and other intransigent companies to ask them to respect workers rights.

Immigration Reform

Military standards for screeners, Assembly Joint Resolution 39 (need author!) – supports U.S. legislation Airport HR 4058 (Feinstein), which would apply the same immigration requirements to airport screeners as to U.S. military personnel. These requirements do not include citizenship.

Protection for incarcerated workers – Since current Federal policies do not guarantee that incarcerated workers who help testify against their captors do not get deported, the state should find a systematic way to prosecute traffickers while protecting the workers from deportation.

Corporate Accountability for Contracted Workers

In industries such as garment, construction, janitorial, agricultural, and security, many businesses use contractors who hire and supervise the workers.

Businesses often use contractor competition to drive down costs, resulting in insufficient funds for workers' wages and decent working conditions. These businesses can also use contractors as a buffer against responsibility for the conditions of these workers who ultimately work for them.

Enforce Retailer/Manufacturer Accountability, Assembly Bill 633 (Steinberg)

– This bill, which provides for a wage guarantor when garment workers are not paid their legal wages, went into effect in January of 2000. Yet, the Department of Industrial Relations has yet to adopt implementing regulations. The Assembly should ensure that the DIR begin implementation and enforcement of this law, and regularly report its effectiveness.

Adequate funds to pay contracted workers, Senate Bill 1466 (Alarcon) - protects low-wage workers in subcontracted industries by ensuring that businesses that utilize contractors provide those contractors with sufficient funds with which to pay workers and comply with labor laws. The bill also allows workers to sue these businesses directly when funds are insufficient.



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Quality and Accessible Healthcare

In light of California's projected budget shortfall of \$26 billion, current budget proposals for 2002-2003 include healthcare cuts that would be devastating to API workers and their families.

Maintain healthcare funding – The State should find ways to maintain current funding for public healthcare programs, on which many API communities rely both as patients and as workers.

Balanced approach to balancing the budget, Senate Bill 1255 (Burton) – The current budget proposal depends much more on program cuts than on revenue increases, which places undue burden on poorer communities. This bill presents a more

balanced approach by reinstating the top state tax brackets to 1996 levels, which would mean a modest increase on families earning over \$260,000 per year.

Better care for homecare workers - provide adequate funding for homecare program so that API homecare workers can get living wage, adequate hours to care for their disabled patients/family members, and have health care for themselves.

Further Research and Education

Further investigations - Though California has the largest API population in the country, little is known about conditions of API workers. There should be more hearings and investigations to gain a more complete understanding of the condition of API workers.

Education and outreach – State agencies should conduct more proactive multi-lingual outreach in order to educate API workers about their rights.

Background on Hearing Speakers

KENT WONG is Director of the UCLA Labor Center. Mr. Wong regularly addresses labor, community, civil rights, and university conferences throughout the country. He also serves on the Executive Committee of the International Federation of Worker Education Associations. He served as the Founding President of APALA and as the President of the United Association for Labor Education. Mr. Wong previously worked as the staff attorney for the SEIU Local 660, and as the first staff attorney for the Asian Pacific American Legal Center. He recently published the book, *Voices for Justice: Asian Pacific American Organizers and the New American Labor Movement*. He also co-edited a book on Latino union organizers, *Voices from the Front Lines: Organizing Immigrant Workers in Los Angeles*.

CHRISTINA CHUNG is a staff attorney at the Asian Pacific American Legal Center (APALC). APALC's mission is to create a more equitable and harmonious society by advocating for civil rights, providing legal services and education and building coalitions to positively influence and impact API. A daughter of immigrants, Ms. Chung received her undergraduate degree from Stanford University and her law degree from Michigan Law School. She is recognized statewide for her efforts to secure the welfare safety net for immigrants, and to demand corporate accountability from garment manufacturers and retailers.

JOHN DELLORO is the President of the Los Angeles Chapter of APALA, AFL-CIO. He works as Coordinator of the Member Organizing Program at SEIU Local 399, Healthcare Employees Union, and is one of the founding board member of the Pilipino Worker Center in Los Angeles. Previously, he worked as an Organizer for HERE Local 226 in Las Vegas, and for AFSCME in Los Angeles. Mr. Delloro cites his mother's long-time struggle as a nurse at a Catholic Healthcare West (CHW) hospital as a reason he is involved in the labor movement. With SEIU, he recently helped his mother and 10,000 CHW workers win their first union contract with 14%-28% pay raises and complete employer-paid medical coverage. Though a healthcare worker, Mrs. Delloro had previously been paying \$450 per month for medical insurance.

KATIE QUAN is a Labor Policy Specialist at the Center for Labor Research and Education, Institute of Industrial Relations, University of California at Berkeley. Her current projects include the Labor Immigrant Organizing Network, Women Organizing Women, and directing the activities of the John F. Henning Center for International Labor Relations. From 1975-1998, Katie Quan was with the Union of Needletrades, Industrial and Textile Employees (UNITE), as a rank and file seamstress, membership trainer, union organizer, district council manager, and International Vice-President. In 1992, Ms. Quan chaired

the founding convention of APALA. She currently serves on the Boards of Directors of: Workers Rights Consortium; International Labor Rights Fund; Union Community Fund; Labor Project for Working Families; Sweatshop Watch; Chinatown Economic Development Group; and Made By the Bay.

SUMI SEVILLA HARU just completed six years of service as a National Vice President of the AFL-CIO, a federation of 13 million union members. She was the first and only API to be elected to this Executive Council. Haru co-founded the Screen Actors Guild Ethnic Employment Opportunities Committee (EEOC) in 1971, and served as the chair of the joint AFTRA-SAG EEOC for many years. She just completed four years as National Chair of the SAG Affirmative Action/Diversity Task Force. She formerly served as First Vice President of SAG. Haru testified about the dearth of employment opportunities for API in the entertainment industry. "Our images, or lack thereof, on television and media screens, teach people globally about who we are."

HAMID KHAN is the Executive Director of the South Asian Network, which promotes the health and empowerment of people of South Asian origin living in Southern California. Mr. Khan also works as a pilot with United Parcel Service. SAN provides services in health, family crisis, immigration, legal, employment and other support services for low-income persons. While South Asians are stereotyped as doctors or engineers, there is a rapid rise in the low-income South Asian population in Southern California. Most work in the service sector as taxi drivers, gas station attendants, retail workers and domestic workers. Workers are constantly abused and working under the threat of deportation. At South Asian restaurants and stores, workers regularly face 12-hour days at wages far below minimum. Since September 11, reports of workplace discrimination, harassment and termination have risen.

LYNNE WANG is a reporter at the *Chinese Daily News (CDN)*. Also known as the *World Journal*, CDN is the largest Asian language newspaper in North America. 150 printers, drivers, reporters and other workers at the Los Angeles branch voted for unionization on March 19, 2001. Fed up with powerlessness to fight cuts, extremely long hours with no overtime, and abusive management, they joined the Newspaper Guild – Communications Workers of America. The company, however, has dragged out the process while firing, harassing and lowering wages for workers who support unionization. The National Labor Relations Board has issued complaints in two cases against the CDN and continues to investigate six other Unfair Labor Practice cases. The CDN is owned by the *United Daily News* based in Taipei, Taiwan.

DAISY LEE's statement was read by Nicolle Fefferman, Organizer for SEIU Local 121. Lee is a nurse at Garfield Hospital. Garfield Hospital in Monterey Park serves one of the largest Chinese American communities in the U.S. Nurses have been fighting to unionize for several years in order to improve patient care and their own working conditions. They voted for unionization in 2001, but Tenet Corporation, which owns Garfield, refuses to negotiate in good faith with the nurses. The majority of the nurses are API immigrants. Many are recruited from Mainland China and are being paid significantly less than other nurses at Garfield. Nurses want a union contract to end discrimination, improve staffing levels, and ensure better patient care.

"NANCY HU" is a long-time garment worker who testified in disguise in order to avoid being blacklisted. Ms. Hu speaks on behalf of 160,000 garment workers, 20% of who are APIs. The California garment industry is a \$30 billion dollar industry. Most garment workers are paid by piece rate, which is an oppressive system that encourages self-exploitation. Because the rates they earn per piece sewn is so low, many have to work extremely long hours with no breaks, often taking work home, to earn enough to survive. The Garment Worker Center was founded in 2001 to empower garment workers in the Greater Los Angeles area and to work in solidarity with other low wage immigrant workers and disenfranchised communities in the struggle for social, economic, and environmental justice.

TONY HOANG is an Orange County homecare worker taking care of his 91-year old mother. State government pays homecare workers minimum wage with no benefits for taking care of elderly or disabled persons in their own homes. About 2000 of the 6500 homecare workers in Orange County are APIs. Hoang addressed a cultural dilemma for these workers, "I feel the government is especially taking advantage of Asians because we feel it is our duty to care for our family. If we didn't, the government would have to pay a lot more for them to be in nursing homes. But Asian communities pay taxes which fund elderly care, just like everyone else." Hoang is organizing with the United Domestic Workers/AFSCME for union recognition, and particularly needs health insurance for himself.

GALO SALAS' statement was read by Jay Valencia, Organizer for SEIU Local 399. Salas draws blood and runs tests at Queen of Angels Hospital, which is also owned by Tenet Corporation. Queen of Angels workers are unionized and fighting for a contract. With only three assistants to serve a large inner-city hospital, Salas says understaffing

endangers both patients and workers. Each year, American health workers report at least 800,000 needle-stick injuries, and rushing to administer to more patients is a leading cause. Salas says the problem in his department would be simply solved if Tenet would be willing to hire more relief workers.

JUNG HEE LEE worked in Koreatown restaurants for five years, and is now active with the Korean Immigrant Worker Advocates (KIWA). Koreatown's 360 restaurants function in what is considered an underground economy. These workers, 70% of who are Korean women and 30% of who are Latino men, labor in unsafe workplaces and receive less than minimum wage. In 1998, a Department of Labor sweep of Koreatown restaurants found that 97% violated labor laws. Mrs. Lee helped form the Restaurant Workers Association of Koreatown. Although KIWA has succeeded to improve conditions in many restaurants, there is still rampant exploitation in the industry.

CHIN YOL YI was fired from Assi Supermarket only a few weeks before the hearing for actively organizing with the Immigrant Workers Union (IWU). He has been a fish worker in Koreatown markets for xx years. Workers in this industry often face verbal and sometimes physical abuse in the workplace. In addition to Mr. Yi's firing, other forms of retaliation against pro-union workers at Assi Market include threats, reduced work hours, and one-on-one intimidation sessions with management. Even in this oppressive environment, pro-union workers demonstrated their resolve by wearing union t-shirts on the job. A recent union election is tied up in the NLRB process.

ERLINDA VALENCIA has been a screener at San Francisco International Airport (SFO) for fourteen years. Many Filipino Americans do not become citizens because the backlog for family reunification application is shorter for non-citizens, and now face losing their jobs over discriminatory new citizenship requirements. Nationally, 28,000 baggage screeners are legal immigrants, overwhelmingly Filipinos. Valencia anxiously awaits her citizenship papers. In 1999, SFO screeners won a union contract with SEIU Local 790 which brought their wages from \$6 to \$9-\$13 per hour, with complete health and retirement benefits. Valencia pointed out that before these improvements, employee turnover was 115% and only immigrants appeared willing to be screeners. After unionization, employee turnover decreased to less than 15%.



*"Labor Quilt" presented at Hearing.
The pictures are drawn by first grade
students at Wilton Place Elementary,
children of immigrant workers.
Teacher: Tony Osumi.*

Other Sources

Public Comments during Hearing:

Francisco Chang, Western Region Organizing Director, AFSCME International Union

Philip Chu, Organizer for Chinese Progressive Association, San Francisco

Fei Yi Chang, former worker at Wing Hing Garment Factory, Chinese Progressive Association

Huilin Zhang, former restaurant worker

Written Statements Submitted at Hearing

Hilda Solis – U.S. Congresswoman, 31st District

Augusto Tanghal - UCLA Custodian, member of AFSCME Local 3299

Daz Lamparas, Organizer for SEIU Local 790

Eileen Ma - Health Access Los Angeles

Kimi Lee – Executive Director, Garment Worker Center