

Broken Laws, Unprotected Workers

Written by Quantumlife

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At the start of the 21st century, America's workplace laws are failing to protect our country's workers. In industries ranging from construction and food manufacturing to restaurants, janitorial services and home health care, workers are enduring minimum wage and overtime violations, hazardous working conditions, discrimination, and retaliation for speaking up or trying to organize. They have little recourse because of their need for work, especially during the recession. Until now, however, advocates and policy makers lacked representative and reliable data on the magnitude of the problem, the workers who are most affected, and the industries that are the biggest culprits.

Broken Laws, Unprotected Workers is the first study of its kind, exposing systematic and routine violations of employment and labor laws in core sectors of the economy. In 2008, we conducted a landmark survey of 4,387 workers in low-wage industries in the three largest U.S. cities—Chicago, Los Angeles, and New York City. We used an innovative, rigorous methodology that allowed us to reach vulnerable workers who are often missed in standard surveys, such as unauthorized immigrants and those paid in cash. Our goal was to obtain accurate and statistically representative estimates of the prevalence of workplace violations.

The study found that:

- Workplace violations are severe and widespread in the low-wage labor market. In our sample, 26% of low-wage workers were paid less than the minimum wage in the week prior to the survey, and 76% of those who worked more than 40 hours were not paid the legally required overtime rate.
- Job and employer characteristics are key to understanding workplace violations. For example, the industry and occupation of a worker's job was one of the strongest predictors of violations.
- All workers - regardless of legal status, race, gender and nativity - are at risk of workplace violations, though some groups are more vulnerable than others.
- More than two-thirds of our sample experienced at least one pay-related violation in the previous work week. Assuming a full-time, full-year work schedule, we estimate that workers lose an average of \$2,634 annually due to workplace violations, out of total earnings of \$17,616.

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