

**Testimony of Kevin Riley, Director of Research
UCLA Labor Occupational Safety and Health Program
Before the California Assembly Committee on Labor and Employment
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Hearing on Latino Worker Health and Safety Issues**

Thank you Mr. Chairman and members of this subcommittee for inviting me to speak on the critical challenges facing Latino workers when it comes to injuries and illnesses sustained on the job.

I am Director of Research at the Labor Occupational Safety and Health Program at UCLA. LOSH is a nationally recognized program that promotes safe workplaces through training and education, research, and policy advocacy. For nearly 38 years, LOSH has served as a resource for underserved workers in Southern California, particularly minority, immigrant, and non-English speaking workers in low-wage jobs. We frequently collaborate with labor unions, workers centers, and other worker advocacy organizations to achieve our mission. Given the demographics of Southern California, many of our outreach and training activities are conducted in Spanish and targeted to Latino workers across a wide variety of industries.

Related to the theme of today's hearing, I wanted to share findings from a recent study LOSH conducted with support from the California Commission on Health and Safety and Workers' Compensation. The research examined patterns of work-related injury and common injury experiences of workers in the low-wage labor market. (The report is available online at https://www.dir.ca.gov/chswc/Reports/2015/Patterns_Work_Related_Injury.pdf.)

Our data were drawn from a groundbreaking 2008 survey of nearly 4,400 low-wage workers in Los Angeles, New York, and Chicago. Participants included workers in restaurants and hotels, garment shops, food and furniture manufacturing, warehouses, building and security services, residential construction, home health care, and other industries. Nearly two thirds of the sample was Latino and 40% were undocumented immigrants.

The original study team sought to estimate prevalence of labor law violations—including wage theft and workers' compensation violations—within the low-wage labor market across the three cities. Our goal was to examine more closely the responses given by a subset 613 respondents who indicated they had been injured on the job within the previous three years. The data offered a rare and valuable window into the lived experiences of injured workers that too often remain hidden in official statistics and government reports.

Our analysis revealed some striking patterns. Among workers who experienced injuries, only about 8% filed workers' compensation claims. One in ten respondents indicated they did *not* notify their employer of their work-related injury for fear of losing their job, not wanting to miss work, or not believing the injury was serious enough to report. Over half of respondents said their employer reacted negatively to the news of their injuries by pressuring them to work

despite being injured, firing them shortly after the injury, or threatening them with firing or deportation. Only a small proportion of employers provided workers' compensation forms or told workers to file.

These patterns were as true in Los Angeles as in the other survey cities, although workers in Los Angeles were somewhat more likely than those in New York or Chicago to avoid notifying employers due to fear of losing their job or not wanting to miss work. And Los Angeles was the only city where respondents indicated they had not notified employers because they were unaware they could receive benefits.

Our research also highlighted some particular challenges for Latino and immigrant workers in this low-wage labor market:

- Latinos and immigrant workers experienced higher rates of work-related injury than other non-Latino and/or non-immigrant workers. This is consistent with the state and national statistics on disparities in occupational injuries that we have heard from Deborah Berkowitz and other speakers here today.
- Latino immigrants were less likely to seek medical attention as a result of their injuries. I suspect this reflects limited access to healthcare resources within this population, as well as fears of job loss that might result from time away from work.
- Latino immigrants were more likely to experience negative reactions from employers following injury, and as a result were less likely to file for workers' compensation.

These findings underscore the challenges many Latino and immigrant workers in California and across the country face—not only in securing protections from workplace hazards but also in accessing necessary care and compensation when injuries and illnesses do occur. The data reveal a climate of fear and intimidation in the workplace that places out of reach government programs to which all workers are entitled. And they shine light on factors likely fueling widespread underreporting of work-related illnesses and injuries among Latino and immigrant workers—that is, the problems we've been discussing today are likely greater than we even realize.

The results from this research are also consistent with what we at LOSH know from our outreach and training activities on the ground in Southern California. Many workers in our H&S courses face persistent economic insecurity and the need for a daily paycheck. This puts them in a vulnerable position, willing to take on more hazardous jobs and sensitive to even the most subtle forms of threat and intimidation from employers. Unfortunately, too many employers are willing to exploit these vulnerabilities. As a result, presentations about workplace hazards in our training courses frequently veer into broader discussions about balancing safety and health on the job with other pressing concerns around both economic need and employer relations.

Finally, it's worth noting that our analysis of data from this low-wage worker survey found that those who had received health and safety training on the job were more likely to notify their employers of their injury, less likely to report negative reactions, more likely to seek medical attention, and more likely to file for workers' compensation. The reasons for these results are not entirely clear. It is possible that trained workers have a better sense of resources available to them when they are injured, and that employers who hire trained workers or who see that employees are trained are also more likely to provide a safer workplace and support when injuries occur. Regardless of the reasons, the strength of these findings suggest that expanding health and safety training resources—particularly for Latino and immigrant workers—can serve as one tool for protecting workers and reducing occupational health disparities within this workforce.

Thank you again for this opportunity to speak this afternoon and to share our work. We hope this research can contribute to policies to improve health and safety for Latinos and other vulnerable workers in our state.