

Fair Price for Whom?: A Critique of Fairness and Justice in the Albany Park Workers’ Rights Campaign

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INTRODUCTION

Over the past few decades, American society has witnessed an increasing number of undocumented migrant workers organizing labor rights campaigns to protect themselves from exploitive casual labor practices that flourished in the agriculture, construction, and service industries. The slogan “justice for workers” encapsulates one of the key positions taken by the labor organizing community in the United States. The population of workers once seen as the unorganizable—many of whom are undocumented immigrants—has started organizing themselves and gained public attention nationwide. In 2006 undocumented workers rallied in Chicago, Dallas, and Los Angeles, to name a few locations, to protest H.R. 4437, a bill sponsored by Senator Jim Sensenbrenner (Republican-Wisconsin) that proposed to raise penalties not only against unauthorized immigrants but also against the individuals and organizations that assisted illegal immigrants enter or remain in the United States. Because workers’ centers, community-based organizations that engage in worker justice campaigns, were seen as the magnet locations for illegal immigrants, mostly from Latin America, they became the central issue in the national debate over undocumented immigration.

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Immigrant day labor has been studied primarily in four research domains in sociology. The first domain is *poverty and inequality*. Research in this area concludes that the growing wage difference between skilled and unskilled workers, a result attributed to a globalizing, bifurcated labor market, has expanded income inequality in the United States. The growing number of workers' centers and day laborer hiring sites in the United States and other countries indicates that the demand for contingent work has increased over the past few decades and gone global. This globalization of contingent work has led to the resurgence of the informal economy, and with it poverty and inequality has increased in the United States and other countries (Bonacich and Appelbaum 2000; Elcioglu 2010; Peck and Theodore 2001; Sassen 2006).

The second domain is the labor movement. The workers' center movement is a new strand within the labor movement that primarily consists of self-help programs run by immigrant community organizations and faith-based organizations. Unlike traditional labor unions, workers' centers are community-based rather than company- or industry-based organizations. Despite local differences, workers' centers have features in common. Many workers' centers offer English as a Second Language (ESL) classes, leadership-development workshops, and labor-organizing workshops in addition to job placement services. Thus, workers' centers have an important role in creating labor solidarity among undocumented workers (Bobo 2009; Fine 2005; Fine 2006; Krinsky 2007; Martin, Morales, and Theodore 2007; Milkman, Bloom, and Narro 2010; Theodore and Martin 2007).¹

The third domain is immigration and the informal economy (Castells and Portes 1989; Light 2004; Light 2007; Portes 1994). Abel Valenzuela Jr. (2006) has found three types of channels that construction employers use to hire immigrant day laborers. The connected type is a day labor hiring site that caters to specific industries, such as painting (Dunn-Edwards and Standard Brands, are representative painting contractor companies in the Los Angeles area, where most of Valenzuela's research was conducted), landscaping or gardening, moving (U-Haul; Ryder), and home improvement (Homebase; Home Depot). The unconnected type is an open-air hiring site that does not have any connections to a specific industry. However, the locations of unconnected hiring sites are well-known among day laborers and contractors due to the spread of information about pickup locations by word of mouth. The third or regulated type is a privately or publicly owned hiring site where day laborers and prospective contractors can negotiate written hiring contracts that stipulate the terms of employment.

The fourth domain is immigrant entrepreneurship (Kim 2006; Pyong Gap and Bozorgmehr 2000; Rath 2002; Staring 2000). Light and Rosenstein (1995) have found that immigrants in the informal economy become self-employed immigrant entrepreneurs because self-employment can be a strategy for enabling some immigrants to survive economically in American society. These entrepreneurial immigrants choose to work in the informal economy because they can increase disposable income by not paying federal and state taxes. Moreover, entrepreneurial work can correlate with a flexible and autonomous work environment, allowing some immigrants to be their own bosses (Valenzuela, Jr. 2001). When viewed from the perspective of the advantages provided by entrepreneurialism, undocumented workers go from being among the most vulnerable workers to becoming strategic actors who seek to capitalize on their skills despite the limitations imposed by their undocumented status.

Although most research in these four areas has aimed to find approaches that would help immigrant workers earn fair wages and receive fair treatment, few researchers have critically analyzed the conceptual meaning of *fair price* and *fair labor*. In *A Shameful Business*, James A. Gross states, “Justice addresses not only the rights of each individual [fair treatment of the self] but also the duties of all to respect, protect, and advocate the rights of others [fair treatment of others]” (2010, 21). He also points out the importance of examining the values that underlie questions about social justice:

The sharply conflicting conceptions of workplace rights and justice and their consequences cannot be fully understood without exploring the values that underlie each. More specifically, the decision-making process—whether judicial, administrative, or arbitral—cannot be fully understood without addressing the influence of underlying values, particularly conceptions about the nature of the rights and power relationship between employers and workers. (Gross 2010, 22)

Although the slogan “justice for workers” has been employed by workers’ centers organizers as the basis for creating labor solidarity among undocumented workers, most research has overlooked how workers’ rights campaigners and the people who support the idea of justice for workers have interpreted *fairness* and *justice*. Because the concept of *fairness* and *justice* in relation to undocumented workers is an unexplored subject, the meaning of these terms has been taken for granted in current labor movement literature.

In this article I examine how *fair price* and *fair labor* are interpreted by immigrant workers, workers’ center organizers, employers, and community residents and then go on to argue that because the idea of fairness is an un-

explored cultural concept invoked by workers' center organizers, the Albany Park Workers' Center, a nonprofit Chicago neighborhood labor rights and education facility serving immigrants, did not give sufficient critical thought to the possibility that this idea could generate misconceptions about the day labor program created by this Center. As a result, the Center created the misleading impression that it was trying to appropriate day labor employment in the neighborhood of Chicago in which the Center operated.

In this article I use several types of data to analyze the organizing activities of the Albany Park Workers' Center.² First, I collected ethnographic data between September and December 2005 and conducted follow-up interviews in 2006 and 2008. The ethnographic data comprise participant observation notes, informal conversations, and semistructured and unstructured interview notes. The participants in the study were twenty-six Spanish- and English-speaking day laborers, four staffers, and eighteen contractors (construction employers and homeowners living near the Albany Park Workers' Center). Workers' Center organizers helped me interpret the conversations of Spanish monolinguals. Moreover, local newspaper articles (*Chicago Tribune*; *Hoy!*), Workers' Center newsletters, and unpublished memos were collected in order to contrast and verify information provided by the Center. Lastly, I conducted structured and semistructured interviews with refugee settlement agencies, other workers' centers, faith-based organizations, and churches, in order to develop a fuller picture of the Albany Park Workers' Center standing within the day laborer organizing campaigns conducted in Chicago. Pseudonyms are used throughout to protect the privacy of participants.

The first section of this article contextualizes the case of workers' centers in Chicago by summarizing the history of the Albany Park Workers' Center and by describing the actions of the core participants in the study, Latino day laborers (*jornaleros*), contractors, and Workers' Center organizers. The second section presents an example of a contract negotiation to demonstrate how Workers' Center staff interacted with *jornaleros* and contractors. The following three sections show how each group involved in the study—Workers' Center organizers, *jornaleros*, and contractors—construed the notion of *fairness*, by interpreting ethnographic observations conducted in this study. The last section discusses how the conception of *fairness* held by each group differed and how these differences may have created an impression among *jornaleros* and immigrant rights advocates that the Workers' Center organizers tried to appropriate the day labor of *jornaleros*.

CONTEXTUALIZING THE ALBANY PARK WORKERS' CENTER

The workers' centers movement was started in Chicago in response to the urgent need to protect undocumented workers, who often became targets of labor exploitation and wage theft. In 2001 the Latino Union of Chicago started organizing *jornaleros* in Plaza Tenochtitlan, a public park at the intersection of West 18th Street, South Blue Island Avenue, and South Loomis Street, in response to frequent arrests of *jornaleros* by the Chicago Police Department on charges of trespassing on private property.³ One wave of arrests took place when many local business owners, mostly of Mexican origin, requested the Chicago Police to relocate *jornaleros* from Plaza Tenochtitlan. The business owners complained that *jornaleros* created an unacceptable civil disturbance by loitering near stores, shops, and offices.

In 2002 the City of Chicago attempted to relocate *jornaleros* who congregated in Albany Park. Having witnessed the same situation in the northwest side of Chicago, the Latino Union of Chicago decided to help street-corner day laborers in Albany Park organize a workers' rights campaign.

For decades, a Chicago Transit Authority (CTA) bus turnaround near North Pluski Road and West Foster Avenue in the area of Albany Park was a location well-known to *jornaleros* for picking up work. As a means of forcing *jornaleros* to relocate away from Albany Park, the Chicago Park District purchased the bus turnaround to build a bike path and a river walkway (Sanchez 2010). Alderman Margaret Laurino of the 39th Ward of Chicago designated new hiring sites where *jornaleros* would not be seen in public. One of these sites was at the rear of the Albany Park branch of the Salvation Army, where day laborers awaiting the arrival of contractors would not be visible. Because invisibility is a disadvantage for *jornaleros* seeking day labor, many avoided the Salvation Army and other newly designated hiring sites and started creating new sites in other areas of the Albany Park neighborhood.⁴ In response, the Chicago Police started arresting day laborers and ticketing contractors at the hiring sites unapproved by Chicago public officials.

In the face of this conflict, creating a place where *jornaleros* could safely make employment arrangements became an urgent need. In December 2004 the Latino Union of Chicago opened the Albany Park Workers' Center. The Chicago media were immediately interested in the Center's activities. Local newspapers and TV stations reported the struggles that preceded the Center's creation and that Center staff considered the achievement of a safe hiring site for *jornaleros* an important accomplishment that would benefit both immigrant workers, the people who wanted to hire them, and the local com-

munity. In September 2005 the City Council of Chicago granted the Latino Union of Chicago a Community Leadership Award in recognition of the union's long-term commitment to immigrants' rights. The City Council praised the Albany Park Workers' Center for creating space in the local neighborhood where day laborers could safely negotiate with contractors and where newly arrived immigrants to the Albany Park area could learn English and develop their occupational skills. The City Council was also impressed by the ability of the new immigrants, with the Center's help, to make their demands for basic workers' rights known, despite immigration itself having become engulfed in heated political debate in the United States.⁵

Three groups regularly used, visited, and worked in the Albany Park Workers' Center. The first group were *jornaleros*. The vast majority of day laborers in the United States are undocumented immigrants, although some are also documented immigrants and U.S. citizens (Valenzuela, Jr. et al. 2006, 17). Most *jornaleros* came from Central and Latin America, from such countries as Columbia, Ecuador, Mexico, Guatemala, and Peru, and they are indigenous natives of their country whose first language is Quecha, not Spanish. These Quecha-speaking *jornaleros* have difficulty learning English, not only because they have had no formal English education in their home country, but also because their irregular daily working hours leaves little time to study English.

The Albany Park Workers' Center operated from 6 a.m. to 2 p.m. Monday through Saturday. Some *jornaleros* waited in line before the Center opened, but most came in right after the doors were unlocked. The first thing many did was to place their names on the job waiting list. They wrote down their cell phone number, level of English proficiency, basic construction skills, and the availability of transportation. After signing in, some scanned the job waiting list from the previous day, counting the number of names crossed off. Counting the number of crossed-off names was a way of determining which was best: waiting at the Center for a job or going to a street corner in search of a day job.

The second group was contractors, mainly local small-size construction companies and Chicago-area residents who wanted inexpensive laborers for home improvement jobs. Contractors hire *jornaleros* on an hourly or work-project basis. The ethnic background of contractors was mostly either Caucasian or Asian, but also included Arabs, Africans, Indians, Pakistanis, Hispanics, and Persians. Contractors hired *jornaleros* as general help for landscaping, moving, roofing, and wall-painting. Most of the contractors

learned of the hiring program operated by the Albany Park Workers' Center by reading flyers, which were posted and distributed by *jornaleros*, volunteers, and Center staff. Also worth noting is that some experienced *jornaleros* became contractors. These supervisory *jornaleros* typically functioned as foremen who subcontracted a portion of construction projects and hired day laborers to complete the work.

The third group consists of volunteers and labor organizers who work at the Albany Park Workers' Center. In 2005 the Center had four young Spanish-English speaking staffers—two Mexican natives and two U.S. natives. The turnover among Center staff is high. By 2010 most staff who worked at the Center during the period of my field research between 2005 and 2008 had left. In 2005 María and José were the coordinators for all the programs run by the Center. These programs included the day labor program, the popular education and leadership development program, and the training and technical assistance program.

The most important program was the day labor program, which handled job allocations. Unlike temporary employment agencies, the Center did not directly assign jobs to *jornaleros*. The Center tried to replicate the organizational structure of a street corner market by letting *jornaleros* negotiate the terms of employment directly with contractors. In addition, the Center expected *jornaleros* to follow the rules and minimum wage rates supported by a core group of *jornaleros* at the Center (*comité de jornaleros*), and bilingual Center staff helped with Spanish-English and vice versa interpretation to facilitate negotiations. What follows is an example of a typical negotiation.

Contractor: (*in English*) I want to hire someone to do a painting job today.

A Workers' Center coordinator looks through the sign-up list and finds a day laborer with painting skills.

Workers' Center Coordinator: (*in English*) Do you want someone who speaks English?

Contractor: (*in English*) It doesn't matter. It's a simple painting job.

Workers' Center Coordinator: (*shouts to the back of the room*) Raul! *A day laborer, Raul, comes to the front.*

Workers' Center Coordinator: (*in Spanish*) He's looking for a painter. Do you want to go?

Raul: (*in Spanish*) What type of work? How much is he going to pay?

Workers' Center Coordinator: (*to the contractor in English*) The worker wants to know what type of work he's going to do, and how much you're going to pay him.

Contractor: (*in English*) It's a simple wall-painting. I'll pay him \$9 per hour.

Workers' Center Coordinator: (*in Spanish to Raul*) Wall-painting. \$9 per hour.
 Raul: (*in Spanish*) \$9 per hour? I want \$13 or \$14 per hour. Not \$9 per hour. That's not enough.
 Workers' Center Coordinator: (*in English*) He wants \$13 or \$14 per hour.
 Contractor: Fourteen? Wow. How about eleven?
 Workers' Center Coordinator: (*in Spanish*) Eleven.
 Raul: (*in Spanish*) The rate is \$12.
 Workers' Center Coordinator: (*in English*) Workers have set up the price for painting, and it's \$12 per hour.
 Contractor: (*in English*) Alright. I'll take it.
 Workers' Center Coordinator: (*in Spanish*) \$12 per hour is fine.
 Raul: (*In English*) OK.

*Raul offered his hand for a handshake. It means that a day laborer has agreed with the offer. Both Raul and the contractor shook hands. The Workers' Center coordinator asked the contractor to fill in a sheet with his name, contact information, the type of work, hours, and hourly wage that he has agreed to pay. Then, Raul and the contractor signed the sheet and each kept a copy for future reference.*⁶

The next three sections of this article examine the ways in which the three groups—Workers' Center staff, contractors, and *jornaleros*—have construed the notion of *fairness/justice*.

WE NEED NEW MEMBERS: NONPROFIT ORGANIZATION WORKERS

Some of the people who came to work as the Workers' Center staff had an interest in helping undocumented immigrants that arose from being raised by undocumented parents. But the Center's good intentions sometimes resulted in misunderstandings between staff and outsiders who tried to help the Center. For instance, one *jornalero*, Ralph, told me that he felt he was used by the Center because it wanted to use his network of undocumented immigrants to communicate with the day laborer community.

Other *jornaleros* were willing to cooperate with and assist the Center. They helped María and José recruit new members. They often visited street corners on the northside of Chicago to recruit new members to the Albany Park Workers' Center, which had a low membership. A larger membership was needed to secure funding from donors. Donors often measured the efficacy of neighborhood nonprofit activities by looking at the number of core users and walk-ins. Because day laboring is seasonal business, it was very difficult for the Center to maintain a stable membership. As a result, the

Center realized that it had to continuously make available a constant number of day labor jobs, otherwise *jornaleros* would not come to the Center and register as members. Thus, the Albany Center advertised that employers could hire reliable day laborers based on a *fair price* negotiated in the Center.

By attempting to recruit both *jornaleros* and employers, the Workers' Center entered into competition with temporary employment agencies and the day labor-hiring street corners. As José noted:

That corner [a street corner where day laborers were hired in Albany Park] has been doing business [a place where contractors and day laborers can negotiate the price of informal work] for fifteen to twenty years, and we just started ours [the Albany Park Workers' Center] a year ago [in January 2005]. It's like competing with the business which has a longer history than ours.⁷

Indeed, María and José had a difficult time persuading *jornaleros* of the merits of using the Center. Some *jornaleros* who had managed to survive for a long time in the competitive day labor market without help from others decided that it made little sense to cooperate with the Center to find day jobs. These independent-minded *jornaleros* knew that employers usually hired day laborers on a first-come-first-serve basis and that only newcomers needed help from outsiders.

This leads to the observation that, although the Center was deemed capable of securing fair wages and fair treatment for undocumented immigrants, its actions left room for unintended consequences. Because the Center believed that securing jobs was vital for undocumented immigrants to establish a stable life in the United States, its efforts were focused on finding any type of work for the undocumented. As a result, less attention was paid to salary and the quality of the work environment, and the Center focused on construing *fairness* as equal employment opportunities and equal treatment of all *jornaleros*. In trying to promote this vision, the Center's methods were problematic. Because it advertised *jornaleros* as an alternative to street corner laborers it resulted in unconscious promotion of undocumented immigrants as a cheap source of labor.

GIVE ME A FAIR PRICE: CONTRACTORS

Most wages negotiated in the Albany Park Workers' Center were paid on an hourly basis. The hourly rates were generally determined by the *comité de jornaleros* but not always strictly enforced. The wage rate for plastering, for instance, depended on the number of hours needed to complete a project. If

the project could be completed within a few hours, *jornaleros* charged contractors between \$12 and \$15 per hour; however, for eight hours of work *jornaleros* charged \$120, equivalent to an hourly rate of \$15. This wage-rate fluctuation sometimes frustrated contractors. Thus, contractors oftentimes tried negotiating with more than one *jornalero* in the hope that some would agree to a lower wage rate.

Contractors gave mixed responses with regard to wage negotiations. Peter, a homeowner in Albany Park, related his experience:

I found out about the [Albany Park Workers'] Center by a flyer posted on my car. I decided not to hire them [*jornaleros*] because he [a *jornalero* hired from the Albany Park Workers' Center] keeps changing the prices. I felt like he is trying to rip me off. First, he told me that he would remodel the room [painting and carpentry] for \$20 or \$25 per hour and that it will take three days to complete the work. Then, he told me that he would do it for \$800 in one day. And then, he lowered the price to \$750. The pay rate system is very inconsistent, and I was very suspicious about him. Besides, I was able to find someone who was willing to do it for \$350.⁸

Many homeowners asked the Center to quote not just wage rates but to estimate the full cost, including materials, of a home improvement job before they hired day laborers. María and José were in charge of arranging visits by *jornaleros* to homes to assess the work needed and to provide estimates. The *jornaleros* outlined the type of work needed to complete the project, evaluated the current conditions of the site, in other words the necessity of preliminary cleaning or other kinds of preparatory work, calculated the cost of materials, estimated the number of required project work days, and gave a complete cost estimate based on the foregoing. Since homeowners typically did not have all the materials needed for a project, *jornaleros* often purchased these materials on their own and received reimbursements. Sometimes homeowners refused to pay reimbursements and even wages. Although *jornaleros* sought help from the Center, the Center was sympathetic to them but helpless about recovering the compensation owed to *jornaleros*.

The most notable response to my survey of homeowners was that many expected to pay cheaper wage rates than by using an established home improvement business or a temporary-employment agency, which was viewed as a third-party business that squeezed profits from both employers and workers. In the minds of homeowners, lower prices meant *fair prices* because they were not going through a third party. Most homeowners also said they believed they were helping poor people from Latin America by offering

them work.⁹ Against these homeowner expectations, however, *jornaleros* often tried to negotiate higher, and to them, fair or market wage rates. As a result, some homeowners believed they were being taken advantage of by *jornaleros* from the Center.

These observations provided by homeowners demonstrate that they were more concerned about receiving *fair prices* than paying *fair wages* to *jornaleros*. It rarely occurred to them that they were taking advantage of *jornaleros* by paying lower than average wages. Some homeowners even refused to pay wages after a project was completed by finding minor faults in the work. Most construed their offering informal employment as helping poor Latino immigrants to financially support family back home.

LIBERTY AND JUSTICE FOR THE UNDOCUMENTED: *JORNALEROS*

Although the socioeconomic background of the *jornaleros* I studied in the Center was diverse, there were some characteristics common to labor migrants from Central and Latin America. First, repeat migration is a common practice. For instance, Alejandro, a Mexican *jornalero*, looked puzzled when I asked him how long he had stayed in the United States. He told me that this was his third time working in the United States and that he came to Chicago because his relatives lived in the city.¹⁰ It was natural for Alejandro to move back and forth between Mexico and the United States because he had seen other family members doing the same ever since his childhood. Thus, Alejandro viewed the United States as simply a place for work but not as a place for permanent residence.

Second, *jornaleros* inherited migrant cultural capital through kin and friends. Migrant cultural capital is a form of capital that migrants use for immigration, settlement, and social adaptation (Faist 2000). As is often discussed in the migration literature, migrants relocate their family members to another country in order to diversify the sources of the total household income. Ricardo, a Mexican *jornalero*, told me that his father and his neighbors in a Mexican community often worked temporarily in the United States and that he decided to do the same as those around him. Ricardo said that it was natural for him to do the same as his father because he had been familiar with immigrant labor practices since childhood.¹¹ Thus, the *jornaleros* I surveyed at the Albany Park Workers' Center demonstrated one instance in which the accumulation of migrant cultural capital leads younger generations in the same community of origin to follow the path taken by older generations of migrant family members and neighbors. Last, democratic ideals

served as the basis of labor solidarity in the Albany Park Workers' Center. Despite a number of obstacles, the Center was able to organize *jornaleros*, a population that does not lend itself to political cohesiveness, because of the effective use of democratic values. Ideas about democracy were imbued through the Center's leadership development program. *Jornaleros* were encouraged to conceive of democracy as something good and positive associated with equality, justice, respect, and freedom. The idea of American democracy would lead *jornaleros* to cooperative attitudes because *jornaleros* came to the United States to enjoy freedom and justice. Thus, *jornaleros* construed *fairness* as one element of American democracy, which they thought they could enjoy in the United States but not in their native countries.

FIGHTING FOR WHOSE JUSTICE?: A CRITIQUE OF FAIRNESS

Day laboring has been one of the major elements of the informal economy in the United States. Individuals who partake in this informal economic sector have been predominantly undocumented worker immigrants from Central and Latin America. While they are typically conceived of as poor, vulnerable, or illegal, desperate to get any kind of job available in the United States, some studies have pointed out that day laboring has an entrepreneurial aspect. Consequently, day laboring is a form of economic adjustment in the host society when immigrants cannot obtain full-time employment in the formal economy. Leaving aside the illegal aspects of undocumented immigration, the question becomes: Is the economic adjustment represented by day laboring beneficial for *jornaleros*?

In fact, some *jornaleros* explained that day laboring is a better option than working in a factory, restaurant, or hotel. I was told by *jornaleros* that they can earn considerably more through day laboring because the income generated by it is tax free. Moreover, they have the freedom to decide which job to accept or decline. Most important, they can more or less be their own boss, unlike immigrant workers in a factory or restaurant who always have their performance monitored by supervisors.¹² These responses resonate with some of the attractive aspects thought to be associated with survivalist entrepreneurs (Light and Rosenstein 1995). Day laboring provides certain values—flexibility, autonomy, and independence—which are salient to some *jornaleros* who come from countries where bartering is accepted and expected. Given these characteristics of the *jornalero* working style, it may be appropriate to view day laboring as a new form of economic adjustment that the undocumented strategically employ in order to secure their living in the

host society.

This is how *jornaleros* achieve a form of economic survival and a way of life that is acceptable to them. So what is the problem? The problem lies in the fact that both workers' centers (specifically, the Albany Park Workers' Center studied here) and contractors believe that they are delivering social justice to *jornaleros* by providing day labor employment, regulating the day labor market through the systematic allocation of job assignments, and unilaterally imposing *fair prices* (from the point of view of the workers' center staff and contractors) on *jornaleros*. As noted earlier, one set of contractors, homeowners, was concerned about receiving a *fair price* for themselves but not about paying a *fair wage* to *jornaleros*. As for other kinds of contractors, such as construction companies, they hired *jornaleros* because their wages were much lower than union wages.¹³ At the same time, homeowners and construction contractors did not supply *jornaleros* with any safety equipment, such as hard hats or protective eyewear or masks, suitable to their work environment, thereby forcing *jornaleros* to accept more dangerous working conditions compared with the conditions for unionized or properly credentialed native U.S. workers.

The other part of the problem is that the Albany Park Workers' Center did not critically examine the social and cultural values that underlie the notion of *fairness*—the ways that *fairness* was conceptualized differently depending on point of view (*jornaleros* versus those who hire *jornaleros*). In the eyes of Center staff, *fairness* meant equal distribution of work opportunities, equal treatment of people regardless of race or gender, and the duty to verify the reliability of immigrant workers who registered at the Center. The conceptual difficulty was that the subject of the Center's efforts, the immigrant worker who was supposed to enjoy the foregoing three components of *fairness*, was often denied *fair treatment*. Instead, it was the contractors who often enjoyed these *fairness* components. Although the Center's mission was to recruit contractors by emphasizing the reliability of *jornaleros* and in that way achieve *worker justice*, most contractors interpreted *fairness* as the opportunity to maximize their financial self-interest.

Moreover, the notion of *fairness* and *justice* encompassed an ideological aspect. The Albany Park Workers' Center was more than just a hiring hall; it also functioned as a place where the traditional American values of equality, freedom, and justice were imparted to *jornaleros*, in the hope that they would become good citizens of their Chicago area community of residence. Understanding the basic contours of American life was another important skill the *jornaleoros* had to acquire in order to adjust to and survive in

American society. Because of a backlash against *jornaleros* or, more commonly in English, “illegals,” which was in part fueled by heated national debates over the border control policies of the George W. Bush presidential administration, it was imperative for *jornaleros* to moderate their conduct in public and demonstrate civic responsibility.

As a result, the Albany Park Workers’ Center has contributed to the creation of some misleading ideas regarding the hiring of *jornaleros*. Contractors believed that they were doing good for the sake of the undocumented because they offered *jornaleros* the opportunities to earn meager wages. Although Center staff understood that the day labor program is a short-term solution to the problem of economic survival, they rarely focused on the long-term solution of finding ways of incorporating *jornaleros* into the formal economy. Of course, this option is not viable unless the U.S. government enacts an amnesty law and offers legal residency to millions of unauthorized migrants currently living in the United States. Nonetheless, the experience of the Immigration Reform and Control Act (IRCA) of 1986 tells us that the documentation of long-term residency and the demonstration of good conduct are crucial to acquiring legal permanent residency in the United States. Thus, it becomes vital to establish good relationships with these *jornaleros* and employers to learn how *jornaleros* can be folded into the formal economy.

CONCLUSION

The growth of the informal economy is not a new phenomenon in the United States or even in other developed countries. The World Bank reports that workers in the informal economy of developing countries who remit wages back home account for between 25 and 40 percent of annual GDP in developing countries (World Bank 2010). This economic evidence indicates that the informal economy is indeed the major form of economy for developing countries. Moreover, because of the nature of an informal economy, developing countries have been unable to establish an infrastructure to tax wages. Informal work is a common and accepted practice in some countries but, despite its large size, not in the United States. Because *jornaleros* and other undocumented workers in the United States are vulnerable to deportation, many of these workers shy away from contact with formal institutions, such as banks, hospitals, or even social service agencies. With this in mind, workers’ centers have secured a position in the immigrant and labor organizing communities in the United States that enable them to guide undocu-

mented migrants from under the table to the light on the table. While the Albany Park Workers' Center and other workers centers have their failings, they demonstrate possibilities for thinking about ways in which millions of unauthorized migrants who help support American daily life can be provided with an acceptable, stable, and even legalized existence in the United States.

Workers' centers are still a work in progress in the United States. They strive to protect the economic and social lives of immigrant workers and have had success in some communities across the country beyond what this article has described. For instance, in 2005 the Latino Union of Chicago assisted in a legal suit against Home Depot (Ruzich 2006) and participated in the media relations committee for the March 1 Anti-Immigration Protest Demonstration in 2006 (Avila and Olivo 2006). However, the question of "justice for whom" that is intertwined with the mission of workers' centers has never been critically addressed in the current literature on their activities. The manifestation of fairness yields to conceptually contradictory positions, as in the case of the Albany Park Workers' Center. On the one hand, the Center aims to provide a safe place for *jornaleros* to seek day labor employment. On the other hand, it promotes itself as a place where "homeowners and contractors [can] meet reliable workers at a fair and affordable price" (Latino Union of Chicago 2011). The question still remains: Is it a fair price for *jornaleros* or for contractors? As long as *jornaleros* are informally hired, there is no doubt that they will continue to be treated unfairly by those who hire them, despite the best of intentions by the workers' centers. The difficult challenge facing the Albany Park Workers' Center and other workers' centers is to establish the social infrastructure that will help facilitate the entry of *jornaleros* into the formal economy, while at the same time mitigating forms of informal employment that disadvantage and harm informal workers. It is clear that the discourse of "justice for workers" is dynamic, fluid, temporal, and frequently undergoes contextual changes. Although this article has presented a snapshot of this discourse, it is reasonable to conclude from the evidence collected that workers' centers play a vital role in adapting *jornaleros* to economic, social, and cultural life in American society.

NOTES

¹ Fine outlines the characteristics of workers' centers: (1) workers' centers have strong ethnic and racial identification rather than industry or occupational identification, although one can hardly ignore the fact that the same racial or ethnic group tends to concentrate in particu-

lar occupations or industries; (2) workers' centers identify themselves as part of global labor and social movements because some workers' center founders have experienced labor organizing campaigns in their country of origin; (3) some workers' center organizers maintain social ties with social justice organizations in their country of origin (Fine 2006, 417–63).

² The protocol of this research was approved by the Institutional Review Board of the University of Illinois at Urbana–Champaign (IRB 05089). To protect the privacy of undocumented workers, I did not audiotape the conversations but instead took detailed written notes. The IRB required me to use this data collection method.

³ Latino Union of Chicago, “Third Grant Proposal,” unpublished document circulated in the Albany Park Workers' Center.

⁴ Unpublished newsletters circulated in the Albany Park Workers' Center, “History of the Struggle for the Albany Park Workers' Center,” “Albany Park Workers' Center First Anniversary Celebration,” and “Mission and History.”

⁵ Observation notes, September 16, 2005.

⁶ Observation notes, October 2005.

⁷ José, interview with the author, September 2005.

⁸ Peter, interview with the author, November 2005.

⁹ Informal conversations with homeowners, October and November 2005.

¹⁰ Alejandro, interview with the author, October 2005.

¹¹ Ricardo, interview with the author, October 2005.

¹² Pedro, interview with the author, November 2005.

¹³ Michael, informal conversation with a contractor, November 2005.

REFERENCES

- Avila, Oscar, and Antonio Olivo. 2006. “Thousands March for Immigrants' Rights.” <http://colombiareport.ss.uci.edu/webdocs/Marcha.pdf> (accessed January 12, 2011).
- Bobo, Kim. 2009. *Wage Theft in America: Why Millions of Working Americans Are Not Getting Paid*. New York: The New Press.
- Bonacich, Edna, and Richard P. Appelbaum. 2000. *Behind the Label: Inequality in the Los Angeles Apparel Industry*. Berkeley: University of California Press.
- Castells, Manuel, and Alejandro Portes. 1989. “World Underneath: The Origin, Dynamics, and Effects of the Informal Economy.” In *The Informal Economy: Studies in Advanced and Less Developed Countries*, ed. A. Portes, M. Castells, and L.A. Benton, 11–37. Baltimore: Johns Hopkins University Press.
- Elcioglu, Emine Fidan. 2010. “Producing Precarity: The Temporary Staffing Agency in the Labor Market.” *Qualitative Sociology* 33: 117–36.
- Faist, Thomas. 2000. *The Volume and Dynamics of International Migration and Transnational Spaces*. Oxford: Clarendon Press.
- Fine, Janice. 2005. “Community Unions and the Revival of the American Labor Movement.” *Politics and Society* 33: 153–99.
- . 2006. *Worker Centers: Organizing Communities at the Edge of the Dream*. Ithaca: ILR Press/Cornell University Press.
- Gross, James A. 2010. *A Shameful Business: The Case for Human Rights in the American Workplace*. Ithaca: ILR Press/Cornell University Press.
- Kim, Dae Young. 2006. “Stepping-Stone to Intergenerational Mobility? The Springboard, Safety Net, or Mobility Trap Functions of Korean Immigrant Entrepreneurship for the Second Generation.” *International Migration Review* 40: 927–62.
- Krinsky, John. 2007. “Constructing Workers: Working-Class Formation under Neoliberalism.” *Qualitative Sociology* 30: 343–60.

- Latino Union of Chicago. 2011. "Hire Workers." <http://www.latinunion.org/index.htm> (accessed January 12, 2011).
- Light, Donald W. 2004. "From Migrant Enclaves to Mainstream: Reconceptualizing Informal Economic Behavior." *Theory and Society* 33: 705–37.
- Light, Ivan. 2007. "The Informal Economy Buffer, Migration Chains, and Poverty Intolerance." *City and Community* 6: 245–48.
- Light, Ivan, and Carolyn Rosenstein. 1995. *Race, Ethnicity, and Entrepreneurship in Urban America*. New York: Aldinede Gruyter.
- Martin, Nina, Sandra Morales, and Nik Theodore. 2007. "Migrant Worker Center: Contending with Downgrading in the Low-wage Labor Market." *GeoJournal* 68: 155–65.
- Milkman, Ruth, Joshua Bloom, and Victor Narro. 2010. *Working for Justice: The L.A. Model of Organizing and Advocacy*. Ithaca: ILR Press/Cornell University Press.
- Peck, Jamie, and Nik Theodore. 2001. "Contingent Chicago: Restructuring the Spaces of Temporary Labor." *International Journal of Urban Regional Research* 25: 471–96.
- Portes, Alejandro. 1994. "The Informal Economy and Its Paradoxes." In *Handbook of Economic Sociology*, ed. N.J. Smelser and R. Swedberg, 426–49. Princeton and New York: Princeton University Press and Russell Sage Foundation.
- Pyeong Gap, Min and Mehdi Bozorgmehr. 2000. "Immigrant Entrepreneurship and Business Patterns: A Comparison of Koreans and Iranians in Los Angeles." *International Migration Review* 34: 707–38.
- Rath, Jan. 2002. "Needle Games: A Discussion of Mixed Embeddedness." In *Uravelling the Rag Trade: Immigrant Entrepreneurship in Seven World Cities*, ed. J. Rath, 1–27. Oxford: Berg Press.
- Ruzich, Joseph. 2006. "Home Depot Hires Mediator: Cicero Location Seeks Compromise over Day Laborers." http://articles.chicagotribune.com/2006-02-02/news/0602020345_1_day-laborers-home-depot-store (accessed January 12, 2011).
- Sanchez, Casey. 2010. "Waiting Room: Pilsen Solved Its Problem of Day Laborers Loitering in Public by Finding Them Somewhere to Congregate Legally. Can Albany Park Do the Same?" *Chicago Reader*. <http://chicagoreader.com/chicago/waiting-room/Contend?oid=912820> (accessed August 31, 2010).
- Sassen, Saskia. 2006. *Cities in a World Economy*. 3rd ed. Thousand Oaks, CA: Sage/Pine Forge Press.
- Staring, Richard. 2000. "International Migration, Undocumented Immigrants and Immigrant Entrepreneurship." In *Immigrant Businesses: The Economic, Political and Social Environment*, ed. J. Rath, 182–98. London: University of Warwick.
- Theodore, Nik, and Nina Martin. 2007. "Migrant Civil Society: New Voices in the Struggle over Community Development." *Journal of Urban Affairs* 29: 269–87.
- Valenzuela, Jr., Abel. 2001. "Day Labourers as Entrepreneurs?" *Journal of Ethnic and Migration Studies* 27: 335–52.
- Valenzuela, Jr., Abel., Nik Theodore, Edwin Meléndez, and Ana Luz Gonzalez. 2006. "On the Corner: Day Labor in the Unites States." Report from University of California at Los Angeles and University of Illinois at Chicago. http://www.sscnet.ucla.edu/issr/csup/uploaded_files/Natl_DayLabor-On_the_Corner1.pdf.
- World Bank. 2010. "Workers in the Informal Economy." <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTSOCIALPROTECTION/EXTLTM/0,,contentMDK:20224904~menuPK:584866~pagePK:148956~piPK:216618~theSitePK:390615,00.html> (accessed January 12, 2010).