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Workers making low wages must have rights, too

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New York is a wonderful city, but it is no workers' paradise. Actually, low-wage working men and women will tell you that it can often be closer to hell.

"Unregulated Work in the Global City," a recently released study by the Brennan Center for Justice at New York University School of Law on employment and labor violations in the city, proves them right.

"In this report, we describe a world of work that lies outside the experience and imagination of many Americans," the authors write.

"It is a world where jobs pay less than minimum wage, and sometimes nothing at all; where employers do not pay overtime for 60-hour weeks, and deny meal breaks that are required by law; where vital health and safety regulations are routinely ignored, even after injuries occur; and where workers are subject to blatant discrimination, and retaliated against for speaking up or trying to organize," they add.

No, not a paradise.

"Many people think of these practices as being isolated cases," said Dr. Annette Bernhardt, deputy director of the Brennan Center's Justice Program and the lead researcher in this project. "But we found that violations happen in all low-wage industries."

That is, the study found that labor and employment laws are systematically ignored, and not only at small businesses and fly-by-night operations. These practices "seem to have spread to established and thriving industries."

Associated Supermarkets is a case in point. Last Thursday, a group of workers and religious leaders gathered outside the Associated Food Stores offices to protest what they say are the multiple abuses and widespread exploitation of immigrant workers at the supermarkets.

The protesters condemned the CEO of Associated Food Stores for not cracking down on lawbreaking stores and for failing to punish labor law violations.

Make the Road by Walking, a grass-roots organization of low-income New Yorkers based in Brooklyn, and one of the protest organizers, accused Associated of gross exploitation of some elderly immigrant employees.

Those workers, the group said, put in 13-hour days for as little as \$16, and attorneys estimate that Associated Supermarkets employees are owed more than \$2 million in illegally withheld wages.

This is in line with the Brennan study that identifies groceries and supermarkets as one of 13 categories of businesses where "unregulated work," that is, work outside labor and employment laws, is a common practice.

Other jobs, the study says, are simply not protected by the laws.

"Domestic workers, home attendants and taxi drivers are not covered by labor and employment laws," Bernhardt said.

These laborers are subjected to abuses in terms of salary and work hours, plus they do not enjoy the right to paid holidays, vacation and sick days.

Other categories cited in the study where unregulated work is routine are restaurants, building maintenance and security, residential construction and retail.

"These practices touch all our lives and, unfortunately, they are increasingly accepted," Bernhardt said. "At some point, everyone buys something or uses a service that has been produced in these conditions."

For justice and equity to be restored, Bernhardt said, government should enforce the laws on the book that protect the working poor, and make sure that all workers are covered by them. The city also could reach out directly to low-wage employers and train them to comply with the law.

These are simple steps that can help to do away with the world of injustice and exploitation the Brennan study uncovers for all New Yorkers. aruiz@nydailynews.com