

Day Laborers at Risk



*Developing Strategies
for a
Hazardous Workplace*



Final Report
June, 2007

Day Laborers at Risk:

Developing Strategies for a Hazardous Workplace

Hillary S. Blecker, MPH

Noah S. Seixas, Principal Investigator, PhD, CIH

with contributors

Janice Camp, MSN, MSPH, CIH

Steve Hecker, MSPH

Final Report Submitted to Harry Bridges Center for Labor Studies

June, 2007

Acknowledgments

The authors would like to thank the following organizations and individuals for their help with this project:

Casa Latina: Hilary Stern, Araceli Hernandez, Pedro Jimenez, F. Javier Palomino

The Millionair Club Charity: Brent Hermann

Funding: Harry Bridges Center for Labor Studies

Training Co-Facilitator: Richard Gleason

Curriculum Development: Virginia Gonzalez

Editors: David Blecker, Elizabeth Mattson

Advisor: Ann Vander Stoep

Training Logistics: Harmony Patricio, Jane Edelson, Susan Brower

ABSTRACT..... 5

INTRODUCTION 6

PROBLEM STATEMENT 7

Nationally..... 7

Seattle..... 8

LITERATURE REVIEW..... 9

Social context of day labor 9

Injury rates and hazards..... 10

Rights 11

Training 12

BACKGROUND 13

METHODS 15

Focus groups 15

Trainings 16

PROJECT ACTIVITES 18

Focus Groups 18

First Training 20

Second Training 21

Third Training..... 22

PROJECT RESULTS..... 24

DISCUSSION AND REFLECTION 25

Limitations 28

Future Work..... 29

REFERENCES..... 30

APPENDIX A 32

ABSTRACT

Specific Aims

Day laborers are informal marginalized workers in high hazard industries with few legal protections. This project aimed to identify and address occupational health and safety concerns of the day laborer population in Seattle. Safety trainings were designed, developed, and conducted for day laborers at two organized worker centers.

Setting

Focus groups were held within proximity to hiring sites of two organized centers and one home improvement store. Trainings were conducted at a community college trades training site. All participants were provided transportation, a financial incentive, and a protective equipment kit.

Methods

Eight workers from each organized worker center were selected at random using a raffle; three people from the street participated. Focus groups were asked key questions to determine safety training design. Notes from the focus group discussions were coded for themes and analyzed.

Recruitment for safety trainings varied; one center used a sign up sheet, while the other contacted previous worker volunteers. Three trainings were conducted using popular education methods and short lectures. A total of 44 day laborers participated. A formative group evaluation provided feedback for subsequent iterations of the training.

Results

Focus groups emphasized that further training was needed concerning proper use of tools, personal protective equipment, laws and rights, and English phrases about safety.

Formative group evaluations of the trainings emphasized workers' rights, protective equipment, and more intensive skills training.

Conclusions

According to surveys and focus groups conducted in Seattle, day laborers have high hazard exposure and injury rates. Safety trainings addressed the following identified hazards: working at heights, proper use of PPE, and workers' rights.

Activities that focused on rights, equipment, and confronting hazards were successful. Activities demonstrating proper lifting needed to be modified. Formative evaluations display that workers would like continued hands-on training. Further research is needed to determine whether such trainings will ultimately reduce exposure to hazards and lower injury rates.

INTRODUCTION

Day labor refers to informal and temporary employment found in open-air markets, organized worker centers, on the street, or outside home improvement stores.¹ Short-term agreements, ranging from a few hours to weeks, are established between workers or worker centers and employers. These informal agreements with contractors, companies, and homeowners are for a variety of work – including construction, landscaping, and moving jobs.² The majority of day laborers are immigrants lacking legal documentation; which limits their ability to find more permanent work.¹ The percentage of undocumented immigrants in the United States is increasing; day labor is a visible aspect of this increase.² While this type of informal work may have become more visible, contingent work (also referred to as precarious employment) is not new; it has been applied to non-immigrant laborers as well.^{3,4} Workers have been marginalized in the global economy. For the past 30 years, contingent work arrangements have increased with the introduction of new technology in the workplace and large manufacturing sites dissolving into smaller underground operations.^{3,5} An increased number of workers are subject to short-term contracts, downsizing, privatization, outsourcing, part-time work, and precarious small businesses which tend to have more temporary work.³

Injury rates and exposure to hazards are commonplace among these workers.^{1,2} This results from 1) physically-demanding dangerous work, 2) informal agreements that preclude workers from legal rights including workplace safety, 3) safety regulations designed for full-time employees in large workplaces, 4) limited legal standing, immigration status, or low socio-economic status increasing worker vulnerability and reluctance to confront hazardous work conditions, and 5) economic pressure and competition.^{2,3} The project aimed to identify occupational health and safety concerns of the day laborers in Seattle. The safety and health information gathered from surveys and focus groups was used to design health education materials and capacity building workshops. The trainings incorporated popular education and short lectures. Three safety trainings were delivered for 44 individuals. A formative group evaluation was conducted during the sessions.

PROBLEM STATEMENT

Nationally

Day laborers constitute a highly marginalized population, with many people having limited employment options due to outsourcing, plant closures, discrimination in the workplace, and immigration status. For many the economic hardships led to forced migration to find work. According to the United States National Day Labor Survey, the first scientific study of this sector, 75% of day laborers in the United States are undocumented immigrants.¹ There is a constant fear of deportation, giving supervisors and employers a “certain means of control that can sustain exploitation” and intimidates “desperately poor workers into accepting many forms of abuse”.⁶ While many day laborers are immigrants, 7% of day laborers were born in the United States. In the southern United States, nearly 20% of day laborers are United States citizens.¹

The National Day Labor Survey highlights some of the abusive employer actions. These include failure to pay employees, denying breaks during the workday, and providing an unsafe workplace leading to an increase in injuries. Twenty percent of day laborers have been injured at work.¹ Day laborers are exposed to numerous hazards on the job, but are not provided with proper equipment or safety training. Their marginalized social status, and frequent lack of documentation often precludes them from other employment options, leading to unregulated and unsafe workplaces. Workers may therefore accept dangerous situations for economic reasons and due to their legal limitations.⁴

Day laborers work in potentially hazardous industries such as construction and landscaping. Construction workers had the highest number of fatal work injuries according to the 2004 fatality data, with 1,224 people dying in the United States on construction jobs in 2004.⁷ Between 1992 and 2002, the number of fatalities among groundskeepers, landscapers, and gardeners increased from 68 to 146, even though the number of workers in this field remained unchanged. While the fatality rate for groundskeepers more than doubled during this ten-year period, the fatality rate for all workers declined.⁸ Additionally, the majority of day laborers are immigrants from Latin America, many of whom lack documented status in the United States. Their connection to any formal employer or

government agency is tenuous. This may explain the higher injury rates among Hispanic and Latino workers compared to the national average.⁷

Seattle

On a local level, a survey conducted by the University of Washington Department of Environmental and Occupational Health Sciences attempted to capture the concerns of day laborers in Seattle. The University of Washington's Day Labor Safety and Health Project focused on the way in which occupational safety and health concerns affected Seattle day laborers. In the fall of 2005 a survey instrument was developed to measure exposure to occupational health hazards and injury rates. Early in 2006, the interview was distributed and implemented at three sites. These three sites included two organized worker centers and two unorganized sites outside of Home Depot home improvement stores. Surveys were administered to 180 day laborers in 2006. The surveys identified high rates of occupational hazard exposure and an injury rate 5-7 times that of the national construction average. Self-reported exposures and rates included: lifting of heavy objects, 69%; exposure to eye hazards, 52%; exposure to airborne chemicals and dust, 40%. Many workers were fearful of being injured when working at heights. Other hazards commonly mentioned in the surveys included noise, falling objects, and unsanitary conditions.²

In summary, the results of these interviews with day laborers in Seattle are in concert with other studies demonstrating that those seeking work on a temporary basis are exposed to high levels of hazards, have less legal recourse, and have high injury rates. According to the workers surveyed, many employers hire immigrant workers because they are unlikely to complain.² This may be due to the fact that many workers are unaware of their rights and are fearful of deportation. In Washington State, the Department of Labor and Industries, Division of Occupational Safety and Health, referred to as DOSH, regulate occupational safety and health.⁹ All private employees are covered by DOSH rules. However, our survey found that the most common employer at organized sites is homeowners, not considered to be employers by Washington State law and therefore not subject to DOSH regulations.¹⁰ Therefore, injury rates are not necessarily being monitored by any state health agency. Our Seattle survey found that there were 45 injuries reported in the previous year. Of these, 34 could be considered reportable by OSHA standards, either because they required

treatment or time away from work. The injury rate falls between 31 and 41 injuries per 100 full time employees per year.²

LITERATURE REVIEW

While newspapers have frequently investigated the undocumented status of day laborers and political issues surrounding their status, there is little scientific literature focused on their occupational health conditions. Media articles have generally dealt with closing of day labor centers, sometimes because of city, county, or state ordinances declaring them illegal.¹¹ This has made funding, discussion, and research on the subject somewhat difficult. Although day labor has been a facet of the United States economy for a long time, most studies of occupational health conditions for these employees were published after 1996.³ Quinlan, Mayhew, and Bohle did a review of studies related to contingent work in industrialized countries. They found 93 journal articles and monographs since 1984 that dealt with this topic. They looked at the associations between precarious employment and worker health. Seventy-six of the studies displayed an association between contingent work and waning occupational health and safety (OHS). While OHS was generally measured by injury rates, exposure to hazards, knowledge of regulations, and disease, some of the studies also discussed the effects of deteriorating worker health on their families and the broader community. Long hours, production pressure, and low pay can impact everyone's health.³ Some of the other literature on day labor occupational safety and health focuses on the social context of work, injury rates, and rights.

Social context of day labor

Research articles that explored the social context of day labor include a discussion of the economic pressures that produce limited employment options and thereby increase competition for work, intensify existing work using increased hours and production expectation, amplifying high-risk work situations.³ The closure of many manufacturing and other industrial plants in urban areas resulted in massive layoffs. Some workers have chosen day labor as a means to reinsert themselves into the urban economy. For many workers that have been temporarily laid off, day labor provides increased employment options during the lay-off interval.¹ Additionally, many day laborers have

chosen contingent labor due to immigration and documentation status that has limited their legal employment options.¹² Day labor provides new immigrants in the United States a way to learn new work skills and network with employers.¹

Walter et al explores the social context of undocumented day laborers in San Francisco. This article puts forth a conceptual framework to understand undocumented workers' experiences with injuries and the healthcare system. This framework includes several spheres of influence – large-scale social forces, local contexts, the workplace, and the family.¹³ Each of these ultimately impacts workers' safety and health. On the large scale, poverty leads to migration to the United States in search of work. Lack of legal status limits employment options to those in the underground economy. These workers are often hired to do dangerous work for which they are underpaid. In the local context, unstable work increased competition and minimizes attention devoted to safety and health. Employees arrive at hazardous workplaces lacking adequate safety equipment. If a worker is injured, his or her family may mistrust her or him. Many migrants are the family breadwinner and may be accused of spending their wages when not sending them home. This causes many workers to feel that they have not lived up to their role as providers.¹³

Injury rates and hazards

While this framework provides a context for the multiple influences for immigrant contingent workers, not all day laborers are immigrants. The social context framework that Walter et al outlines can aid our understanding of the pressures placed on non-immigrant marginalized workers, leading to high injury rates. According to Walter et al the main reasons for high injury rates include 1) lack of adequate training or trade experience 2) none or poor safety equipment and 3) economic pressures that limit work options and force laborers to accept dangerous work situations.¹³ These reasons should be viewed within the context that the article delineates - within the social, organizational, economic, and legal climate.

A door-to-door survey in an immigrant Latino community in Virginia determined an annual injury rate of 12.2 injuries per 100 full time equivalent workers of 427 respondents.¹² At the time of the survey, the national injury rate was 7.1 injuries per 100 FTE.¹² According to the National Day Labor Study, one in five day laborers have been injured on the job.¹ A survey of day labor

construction workers in Atlanta by the University of Illinois at Chicago found that 23% of workers had a serious injury requiring medical attention and/or absence from work. Some of the hazards calculated from these 100 surveys and in depth interviews included dust, working at heights without fall protection, improper scaffolds, and electrical hazards.¹²

The Seattle survey of 180 day laborers from two organized worker centers and from those gathered on the street outside of a home improvement store found similar results. Analysis of data from one of these worker centers indicated an injury rate of 41 injuries per 100 full time employees per year, more than 8 times the national average of 4.8 per year and more than 6 times the national average for construction workers (6.4 injuries per 100 FTE per year). The survey indicated that the day laborers received inadequate safety training. After controlling for the type of work, immigrant workers were one and a half to two times more likely to report exposure to hazards. Immigrant workers had higher injury rates than non-immigrant workers.² Although these studies employed different methodologies and populations, there is a considerable degree of consistency in the results, which displays an injury rate multiple times higher than the official national average.

Rights

Workers' rights are an important topic of discussion since they ultimately contribute to safety and health on the job. While many day laborers might have the protections of the Occupational Safety and Health Administration (OSHA), its complaint-driven mode of operation makes it difficult for day laborers to have their workplaces inspected.⁴ In addition, most regulatory agencies have been created to oversee large companies with a steady full time workforce.³ Since day laborers work at many sites, often for very short periods of time, inspections of all day labor workplaces are impossible. Fear of immigration status for many day laborers, economic pressure, and the short-term nature of the work has further made monitoring by OSHA difficult.⁴ Even if provided with the right to report hazards at the workplace, many day laborers may not have sufficient language ability, understanding of the laws, knowledge of the system, or education to be able to confront these problems.¹³

Training

A review of the literature indicates that day laborers are at high risk for exposure to hazards and occupational injury. In addition, barriers to accessing authorities on dangerous work situations make day laborers especially vulnerable. Currently, most of the literature reviewed exposes the problems that day laborers face. There is no scientific literature that delineates any specific training programs for day laborers. Recommendations include safety training as a way to ameliorate some of the hazardous conditions.^{1,2,4}

There are successful day labor capacity building programs, which could provide models for safety and health. For example, day laborers in California have organized around workplace issues through use of popular theater.¹⁴ This has been a successful way for workers to raise issues at work and use their collective power and vision to develop strategies to confront employers about hazardous situations. As the organizer of the day labor theater group expressed, “If you can demand your rights from an employer in a play, then you can do it in life.”¹⁴

While there are limited safety and health curricula for day laborers, labor unions have provided resources for doing occupational health trainings with organized workers. Multilingual, multicultural, and low literacy curricula have been developed. Not all successful models for health and safety trainings with union workers may be applicable to day laborers. Training with marginalized populations often incorporates popular education -- defined by one source as “draw[ing] on the direct lived experiences and knowledge of everyone involved – including participants and facilitators”.¹⁵ This form of education is participatory, uses multiple methods for learning, connects “lived experiences to historical, economic, social, and political structures of power,” and attempts to empower participants.¹⁵ In this way, people with all levels of experience are able to participate, and the activities can be made most relevant to the collective experiences. Body mapping is a successful popular education method to determine causes of stress and pain. Workers place dots on a sketch of a body where they feel pain. This commences a conversation about the cause of injuries and prevention methods. Effective union trainings have relied on the use of popular education activities like body maps.¹⁶

A review of the literature suggests that popular education can be a successful methodology for use in health and safety trainings. Paolo Freire's seminal work, *Pedagogy of the Oppressed*, has played an important role in the development of popular and participatory education. Freire's work is founded in liberation movements of Latin America and the civil rights movement of the United States, where developing a critical analysis of the information was key to organizing.¹⁷ Safety and health education has also been developed upon these principles. Popular education assists in building worker power, by using and centering the knowledge of participants. This allows for people to have expertise and further discuss the issues of power and control of information. Through popular education a forum is created to question the current structure and participate in making change.¹⁶ While this may not change policy immediately, it intends to increase worker involvement, which is a critical step to building safer workplaces.

BACKGROUND

Currently a third of the workforce in the United States has part time, contract, or temporary work. Immigrants, people of color, and women, fill disproportionate percentages of these employment arrangements.⁵ With the diminishing power of unions, and with many unions historically working against immigrant workers, worker centers were established to organize those that lacked any other formal employment resources.⁵ Worker centers can be defined as “community-based mediating institutions that provide support to low-wage workers.”¹⁷

African American workers in the south, immigrants in New York City's Chinatown, workers on the Texas/Mexico border, and Chinese laborers in San Francisco first opened worker centers in the 1970s and early '80s. While many organizers of these centers were supporters of organized labor, they also recognized the shortcomings of this movement. Centers were established in response to racism in employment, increasing gaps in wages between white and black workers, lack of union power, and closing manufacturing sites. Worker centers provide services, advocacy, and organizing similar to that of former civic institutions like mutual aid societies, churches, settlement houses, and unions. Legal services including wage claims, English classes, campaigns for new laws, and leadership development are some examples of such activities.¹⁷ As of 2005, 137 worker centers

existed in cities and rural towns across the United States, to organize workers across trades in specific locations to fight for social issues.¹⁷ The centers have grown out of the changing organization of the global economy.⁵ Worker centers are the face of the new structure of work in the United States.¹

Seattle is home to two non-profit worker centers that have aided day laborers in connecting to employment options. The Millionair Club Charity (MCC) and Casa Latina (CL) both connect workers to jobs. Each center provides additional services like free meals and English classes.

The Millionair Club Charity was founded in 1921 to provide employment options to homeless men and women in Seattle, in addition to providing meals, hygiene facilities and other services to the homeless.¹⁸ The Millionair Club Charity provides on-the-job training of skills necessary for long-term employment to anyone that passes a background check and presents a Social Security card. The MCC negotiates the wages – with a minimum of \$8 to \$10 per hour – for each laborer, with all money going directly to the employee; no fee is paid to MCC. Free lunch is also provided at this center daily.

Casa Latina was founded in 1999 to provide a work referral service for day laborers; it is a community organization and advocacy agency.¹⁹ The preponderance of those served by CL are Mexican, with some workers from Latin America or the United States. CL provides English classes, political and legal information, and advocacy for day laborers. Additionally, there is a women's group that meets regularly in south Seattle. The workers at the center collectively decide on pay rates – currently \$12 per hour – and employers are informed of these rates. All money goes directly to the employee; no fee is paid to CL.

Both centers have provided safety and health information and trainings to day laborers in the past. Currently, neither has ongoing programs related to safety and health at work, but was interested in providing this information to workers. After approaching MCC and CL about this project, both wanted to be involved. A survey was completed, which highlighted a need for safety training. Both MCC and CL were interested in providing safety and health trainings for day laborers.

METHODS

Several methods were employed to design and conduct health and safety trainings for day laborers. A survey of Seattle day laborers highlighted some of workers' occupational safety and health issues. Focus groups helped to validate the surveys and determine the design of the training. This information was then coded for themes and analyzed. Using both the information derived from the survey and the focus groups, a training curriculum was developed.

The goal of the focus groups was to ascertain if the results of the study were concordant with people's experiences. A qualitative analysis of the focus groups helped generate themes, which were incorporated into the design of the health education activities and materials. The UW Institutional Review Board approved the work associated with the initial survey. No IRB approval was necessary for focus groups as they were facilitated for the purpose of designing the educational sessions and results will not be published.

Focus groups

Three focus groups were conducted during November and December 2006 in proximity to the hiring sites of Casa Latina and the Millionair's Club Charity, and at one unorganized street site outside a Home Depot home improvement store. Each site had previously been involved in the survey process. The worker centers supported and helped to recruit participants for the focus groups. Any interested day laborer at Casa Latina or the Millionair's Club Charity was eligible to become part of the focus group. A raffle was held and eight were chosen. The workers outside the Home Depot were less enthusiastic about participating in the focus groups. Only three expressed an interest and were included in the focus group. Focus groups lasted two hours at the organized sites and one hour on the street. All participants were paid \$20 for their time.

One of the objectives of the focus groups was to gather information concerning both past and future activities of the day labor project. Because a survey had been conducted the previous year, the results were discussed at the focus groups to ensure validity. Additionally, the focus group

attempted to gauge the training needs of day laborers in order to design training modules that would be appropriate for the target population. The objectives of the focus groups were to:

- 1) Determine whether the results of the survey paralleled those of the day laborers' experiences
- 2) Identify information that participants desired from training, such as worker safety or rights
- 3) Delineate the logistics and methods of instruction for that information.

Ten questions were developed, four of which were key questions that were analyzed for the purpose of answering the above objectives.²⁰ The four key questions were:

- 1) Explain whether you think the survey results are accurate and display a true picture of your work.
- 2) What safety and health information would be useful to learn in a training?
- 3) If you were giving the training, how often would you like the training to be given, for how long, for whom, and where?
- 4) Have you ever been taught through theater? What do you think about using this as a way to get out some of the issues you deal with at work?

The same format and questions were used for each focus group. Questions were originally written in English and then translated into Spanish. As explained above, varied experiences of day laborers meant that vocabulary used in focus group questions could have resonated differently in each group. Safety and health vocabulary might have been interpreted differently depending upon language and culture.

Trainings

The Seattle day labor survey found that working at heights was a common hazard, and the focus groups identified lack of access to and knowledge of personal protective equipment and workers' rights as main issues.² In addition, moving jobs, including lifting heavy objects, was mentioned in the surveys. Therefore, training curriculum was developed that addressed working at heights and lifting, including use of personal protective equipment and day laborer safety and worker compensation rights. This curriculum was piloted three times.

At MCC, recruitment occurred through a sign up sheet and at Casa Latina recruitment depended upon involvement in the organization. People that had recently volunteered at CL to help with advocacy work were eligible to participate in training. The three people who participated in the focus group at the unorganized site provided University of Washington with their phone numbers. One gave an incorrect phone number, another was unavailable, and one found full-time employment prior to our training sessions. Therefore, no one from the street participated in the workshops.

Two of the three trainings were conducted bilingually, in English and Spanish, for both centers. One training was facilitated monolingually in Spanish for workers from Casa Latina. Each of the trainings lasted four hours. The trainings were co-facilitated by an OSHA regional trainer, with expertise in construction and state regulations, and a public health graduate student, with experience in participatory union and agricultural safety training. All participants were provided with a light breakfast, lunch, a \$50 incentive, and a bag of personal protective equipment that included a tool belt, dusk mask, earplugs, safety glasses, and leather work gloves. There were two formative evaluations used in the trainings. The first evaluated the role-play exercises. These role-play exercises attempted to gauge whether or not the objectives of the course had been met. Workers were asked to confront hazards and were evaluated based on whether information from the trainings was incorporated into the role-play.

A more direct evaluation also followed the training. During this formative evaluation, people were asked the following three questions about the training.

- 1) Did we cover the right material?
- 2) Did you like the training? Was the information presented well?
- 3) What should we do next?

The final training included two additional questions

- 4) How can this information be utilized at work?
- 5) What would you do differently after this training?

These were both considered to be formative evaluations because the feedback was used to modify subsequent training sessions.²¹

PROJECT ACTIVITIES

Focus Groups

The first focus group was conducted in Spanish for eight male participants at Casa Latina's offices. Some of the concerns mentioned were roofing, not knowing how to operate machinery and equipment, not getting paid, and co-workers or bosses not paying attention to safety. Day laborers expressed their ignorance of their rights, and felt that those able to speak English had better working conditions. They noted that employers and supervisors take advantage of workers who do not speak English. As one person said, "I don't speak much English. I'm afraid to ask for [protective equipment]. I need to work, and I don't want to lose work." The workers agreed that they feared immigration problems, had limited knowledge of their rights, and were often at the mercy of their employers because of their lack of ability to speak English and request PPE. They requested to be trained in the following areas, in order of frequency 1) rules, laws, and workers' rights on the job, 2) proper use of equipment, 3) training on personal protective equipment, and 4) English classes. Most people agreed that workshops should be conducted between 7–9am.

Eight workers, seven male and one female, from Millionair's Club participated in the second focus group conducted in English at the Seattle Labor Temple. Hazardous materials, ladders, and lifting were mentioned as frequent safety concerns. Another issue revolved around the difficulty of receiving payment for a job. Individuals stated the importance of having the right equipment for the job, but that employers often do not provide equipment. Workers commonly arrive at a job only to realize that they are unaware of how to perform the task.

The Millionair's Club Charity focus group participants agreed with the survey results about reporting hazards, namely that they should bring hazards to the attention of employers and other workers. Some said that if workers report problems, employers might try to improve the dangerous situation. But, other participants believe that employers might let a worker go if she or he requested

more equipment. One important concern was that most homeowners do not know about OSHA regulations. Thus, employers should be educated about their responsibilities for safety. Issues that day laborers believed should be part of the trainings included 1) proper and safe use of equipment, 2) rules, laws, and workers' rights, 3) hazardous materials and hazard recognition, 4) body mechanics, and 5) training on personal protective equipment. Overall, participants seemed to prefer shorter and more frequent trainings. It seemed that day laborers agreed with having specialized trainings for a full day with "intermittent refresher courses."

Three men participated in the focus group outside of Home Depot. Some of their concerns included fear of breaking tools or electrical equipment. In concert with the survey, participants stated that injury is common and that there is often faulty equipment used at the worksites. Participants at the Home Depot focus group said that trainings should include information about the 1) proper use of equipment, 2) proper use of personal protective equipment, 3) rules, laws, and worker's rights on the job, and 4) injury and illness prevention. The participants at the Home Depot requested training once a week at a worker center at 5 or 6 pm. However, they felt that day laborers on the street might not be interested in these trainings. The participants suggested that the UW improve its relationships with workers on the street by visiting them as they waited for work. Only by visiting and building trust from these employees could the UW staff expect them to attend the trainings. The focus group suggested the staff inform workers about the trainings on the morning of each afternoon session and provide transportation to the classes.

Overall directives that emerged from the analysis of all three focus group discussions included a curriculum focused on 1) proper use of equipment, 2) use of PPE, 3) rules, laws, and workers' rights, and 4) English language safety phrases. Because of the variety of possible work assignments, discussing all possible types of tools and equipment used by these day workers might be impossible. However, the group suggested that the sessions train them to better assess whether tools were in proper condition and methods to learn to use new tools. Participants suggested that one-hour classes be conducted on an ongoing basis incorporating a variety of instruction methods that appeal to all learning styles. Incentives like lunch, payment, and PPE could aid in recruitment. Workers at Casa Latina and Millionair's Club suggested that future work for the UW Day Labor

Project should also include training homeowners and other employers about OSHA rules and regulations.

First Training

Sixteen people—fifteen men and one woman--attended the first training. There were eight people from each worker center, varying in age and experience. Some had worked as day laborers for years, while others were new to the work. Most had moved to Seattle in search of work. This commonality of motivations and goals connected these individuals despite barriers of language, national boundaries, and cultures. The first training included activities that were designed to connect people's job experiences to their personal lives. Through creating life maps, participants depicted the effects of work on their everyday lives. Next, participants made body maps by placing dots on a sketch of a body where they felt pain or discomfort when lifting or carrying heavy objects. They discussed these maps in small groups, which provided a segue to the lifting activity. One of the facilitators modeled the principles of lifting and had participants take turns in small groups lifting boxes.

Following the lifting activities, each small group was charged to identify the hazards depicted in one of four photographs. After identifying the hazards and discussing safe procedures, they were asked to generate potential solutions and strategies to some of the hazards identified. This activity stimulated considerable discussion about the right way to work at heights. Instead of refusing to do this job, participants used what was visible in the photograph to improve the conditions of the work. Next, workers tried on harnesses and set up extension ladders. An activity planned to demonstrate the proper method for setting up a ladder jack scaffold had to be cancelled because vehicles had parked in the designated set up area.

At the first workshop, participants created four plays. They were allowed to create any scenario they wished, but the role-plays depicted similar scenarios: Quitting work to protest hazardous conditions and using personal protective equipment rather than improving the workplace using better controls and better tools. This demonstrated the need to teach workers to help create a safer worksite. Need for income continues to be the strongest drive to do a dangerous job and must be incorporated into effective strategies for confronting hazards at work.

During the evaluation someone expressed that they liked the connection made between work and personal life, but three comments were made that suggested that workers were more interested in focusing on personal protective equipment, tools, and rights. Therefore, the life maps activity was removed from the curriculum. Lifting boxes were not considered representative of the lifting done by day laborers, and some people felt that they had already learned to lift correctly. This activity was therefore modified to more accurately meet the needs of participants.

Second Training

Sixteen men attended the second training, eight recruited from each worker center. Introductions were similar to the first training, and there was a variety of experience and ages among the group.

Feedback from the first training affected the design of the second training. The second training eliminated life maps and body maps. These were replaced with a section focused solely on workers' safety and health rights whether working for a company or homeowner. In addition, the personal protective equipment section was expanded to include limitations of safety equipment. The lifting activity was modified to review safe lifting principles and eliminate carrying boxes. Because harnesses were rarely used or needed at worksites, this section was shortened. Training in carrying paint cans onto ladders and scaffolds was added, to stress the combined risk of working at heights and lifting.

Participants were very interested in discussing and asking questions concerning their rights. Questions focused on the responsibility for workers' compensation, the role of the worker centers if a day laborer is injured, and filing of injury claims. For one activity, workers built a ladder jack scaffold, and a participant climbed the ladders carrying the paint can. The participants critiqued his actions to problem solve a safe solution to carrying materials up ladders.

For the role-plays, participants were asked to give examples of hazardous jobs they have done. Workers then voted on two scenarios to recreate theatrically. They chose scaffold construction and work in trenches. For the role-play regarding scaffold construction, participants developed a mechanical method using a crane to limit hazardous exposure. The worksite was on the fortieth floor of a building, which participants believed was too dangerous. The play depicting a trench

worksite involved a day laborer who worked in the trench while others labored on the roof and dropped tools into the trench. Participants agreed that protective equipment, including a hard hat, could not shield a worker from the hazard involved and suggested refusing this work assignment. While similar themes to the first training were revealed during these plays, there seemed to be a deeper analysis of the situations than the first training provided. Participants did not rely on personal protective equipment alone and explored creative solutions.

Evaluation questions revealed that the section on worker rights was well received. One worker commented that he would reconsider accepting a hazardous job from a homeowner because of the lack of legal protection. Participants mentioned that the training had not provided information about tools, chemicals, and first aid. The workers suggested topics for subsequent education programs and requested more regular more in-depth sessions. Most people expressed that they liked having the training conducted bilingually. Participants from the Millionair's Club said that having sessions together allowed for them to meet Spanish speaking workers that they might have been taught to compete against. Workers noted that everyone learned words in another language and the use of two languages stimulated people to help one another. One Spanish speaker with minimal English language skills preferred monolingual sessions because translation disrupted the flow of the sessions.

The modifications from the first training influenced the design of the second workshop. Participants' feedback from the second training indicated that the content was more appropriate than the first session. Participants were pleased to learn about personal protective equipment and the differences in legal protection between homeowners and company worksites. The lifting activity remained in need of improvement concerning lifting principles and the importance of ergonomic risk factors including force, repetition, awkward posture, and contact stress.

Third Training

The third training was conducted in Spanish for twelve participants being dispatched from Casa Latina. The purpose of this training was to have a monolingual Spanish training to compare with the bilingual sessions. However, a white English speaker pressured the staff at Casa Latina to let him participate. He was told that the training would be conducted in Spanish and he said that he

knew Spanish since he always worked with Spanish speakers. However, his Spanish was limited and he needed interpretation. In addition, it may have ruled out a comparison between monolingual and bilingual trainings, since parts of the monolingual training had to be interpreted for this man.

The third training followed the same format as the second training, but excluded the piece on lifting. Participants were interested in understanding Casa Latina's role in injuries. Clarification of Casa Latina as a referral agency for workers and not an employer was given. In addition, the technicalities that homeowners are exempt from safety and health laws was explained, but the importance of bringing injury to the attention to Casa Latina staff was highlighted.

For the role-play, participants were asked to share their hazardous experiences when working at heights while lifting heavy objects. Participants voted on the scenarios and chose roof work and cement as the themes for their plays. One group had people cutting roof tiles on the ground, handing them to a worker on the ladder who lifted them over the guardrail, and then handed them to the person on the roof. While the actors incorporated effective controls into their role-play, they noted that fewer workers are usually at such a job site. In the role-play about cement, the cement was pushed up a ramp. To control the lifting hazard, they suggested using a pulley to raise the cement to higher levels.

As compared with the previous groups, no worker in the plays left the jobsite in protest. This may have resulted from the different directions given – to choose personal scenarios of working at heights and lifting. Participants may have also viewed this work as less dangerous than those depicted by the earlier role-playing groups who dealt with falling scaffolding and falling objects. Workers did not rely on protective equipment as the best way to reduce hazards. This may have resulted from the explanation that protective equipment is limited. Part of the training emphasized that there are better hazard controls that can protect more workers. Both plays highlighted administrative controls that would protect more workers than personal protective equipment.

The final evaluation questions identified that PPE, setting up ladders, and knowledge about limitations of PPE are useful training topics. One participant expressed an interest in having more practice and less theory.

PROJECT RESULTS

The main results of this project included the development of a 25-page curriculum for day laborers and three pilot tests of this curriculum. The final iteration of the curriculum (see Appendix A) includes eight sections that can be implemented over a four-hour training session. The curriculum begins with an icebreaker to help workers relate to each other. Section B is an overview of personal protective equipment. This introduces workers to the most common forms of safety equipment – including ear plugs, safety glasses, work gloves, dusk masks, hard hats, and safety vests – while also focusing on their limitations. Workers are able to test the use and fit of this equipment, which was provided by the University of Washington to each participant. Section C discusses the rights of day laborers. Since there is a distinction of rights between day laborers who work for companies and those who work for homeowners, the differing rights and protections are explained. While working for an officially recognized employer, one is considered to be an employee and therefore covered by safety and health laws. Those who work for homeowners are considered to be independent contractors and are not guaranteed coverage of Washington State Department of Occupational Safety and Health (DOSH) regulations. Discussion of both safety equipment and rights allows for follow up activities in which workers must test this knowledge to confront imagined hazards.

In Section D, participants divide into smaller groups and identify hazards and safe procedures in photos of working at heights. Day laborers are asked to come up with strategies to improve the dangerous situations. Since all the situations in the pictures include working at heights, Section E covers fall protection. Following this section, participants set up extension ladders as well as a ladder jack scaffold in Section F. This allows for a more in depth discussion about working on ladders and scaffolds. Additionally, Section F allows for a hands-on ladder and scaffold skills experience.

Section G uses Body Maps to identify the tasks that are causing people pain. In this way, patterns of overuse are illuminated. Participants can then discuss whether similar tasks are causing the same pain and think about ways to change the work. The final activity, Section H, includes a role-play. Workers choose two real situations from people present at the training. They then divide into

groups and create a role-play in which they confront the hazardous work situation and present their solutions to the whole group.

The training was conducted for a total of 44 people over three sessions. While limited, the formative evaluations enabled an assessment of the training.

DISCUSSION AND REFLECTION

The social and political context of day labor has contributed to the high injury and exposure rates cited in the day labor surveys. While not explored directly in this project, some effects of globalization should be explained to provide context. Day labor is one manifestation of globalization, a force that has enabled resources and wealth to be amassed by industrialized nations and corporations while devastating workers and the poor. Globalization has amplified the disparity between rich and poor. Unemployment, poverty, hunger, displacement, war, and other side effects of this disparity have fueled increased migration. U.S. economic and foreign policies exacerbate these conditions that force people to migrate. In the United States, globalization has led to a loss of American manufacturing jobs, a threat that often discourages workers from organizing. This threat has enabled employers to control wages and ignore hazardous work conditions. United States farm subsidies, free trade, and flooded foreign markets have pushed many people to migrate to the United States for work. As long as these policies continue, migration will persist. Immigration policies criminalize migrants, using the threat, force, and absence of law enforcement to deny migrant worker's rights. Immigration policy reacts to the belief that migrant workers are to blame for the problems created by massive migration of undocumented laborers; instead of taking responsibility for the role U.S. economic and foreign policy plays in creating a climate which forces migration. This project has demonstrated the need to create a forum in which day laborers identify hazardous conditions, learn more about their rights and safety principles, and strategize around improving workplace conditions. Current U.S. policy is leading to "increased abuse, discrimination, and human rights violations", and trainings could address these issues.¹⁵

As the context of day labor contributes to hazardous work conditions, understanding the environment in which it occurs is critical. Domestic workers and immigrant workers are both affected by globalization. Both have limited access to other employment options, which has resulted in higher injury rates found both in the National Day Labor Survey and the Seattle survey. The results of the Seattle survey and focus group emphasized workers' experiences with discrimination and economic pressure to accept available jobs with little room to refuse or improve unsafe conditions.

Currently, there are no active safety and health training programs at the worker centers. Many day laborers are unable to benefit from more formal training experiences. Therefore, capacity and skills building workshops focused on safety and health are not commonplace amongst these workers. Day laborers repeatedly expressed their thanks for the trainings and for the focus of the project, sighting that they were often neglected. The first step to an effective program is building trust. This was done by continually visiting the worker centers, informing workers of the progress of the project, and following through in a timely manner. Workers were receptive to the program as they viewed it as beneficial. A trusting environment was key to making this successful. This template might eventually aid in creating a program that will have an effect on injury and illness rates as it increased the comfort workers feel with becoming involved.

The role-play exercises that were created during the safety trainings uncovered that workers' solutions to hazardous conditions were incomplete. They either used protective equipment if available or refused the work altogether. During the third training, workers created scenarios in which their solutions were more nuanced; they reduced the hazards of working at heights while lifting. But, these scenarios were not realistic as they involved many more people than typically work on a job. The majority of the role-plays did not involve ways that workers could potentially use available materials to make the job safer. This reveals the lack of time available to workers for creating plausible effective solutions. Because of how the work is organized, workplace safety is not a priority. Employers are not focused on safety and therefore day laborers have little protection from workplace hazards and little opportunity to strategize together for improving workplace conditions. Safety trainings provided a needed environment in which workers could organize; share

experiences and problem solve to confront hazardous workplace conditions. In this way, workers identify hazards and create solutions.

Overall, the sessions were able to educate day laborers about safe workplace practices when climbing and working on ladders and scaffold. Participants learned some basic rules and laws about ladder and scaffold safety and put them to use while setting up ladders and scaffolds. Information was given about worker rights and about using personal protective equipment. The workshop also elucidated the different rights applicable to worksites and their lack of applicability to homeowner sites.

The training module included multiple activities. Some of the activities were better accepted than others. The activities that dealt with rights were most appreciated. Additionally, the activities concerning personal protective equipment were well received. The trainings focused on information that respondents expressed were critical to their work--employee rights and use of personal protective equipment, as identified in the focus groups. According to the participants, identifying work hazards in photographs and creating methods to reduce hazardous conditions was an effective activity. Discussing the benefits of improving conditions at the jobsite rather than refusing to work provided an opportunity to strategize ways to confront hazardous conditions.

The first iteration of the training included a lifting activity in which participants were asked to model lifting techniques. Participants responded that they already knew ways to lift and that we were not necessarily modeling the best methods. There seemed to be resistance to this session because many felt they were aware of proper lifting of heavy objects and did not wish to learn new methods. The strengths of the project were incorporating feedback into curriculum development and training methods. Participants shared their opinions about the information to be covered in the trainings both in focus groups and formative evaluations, and this was used to design subsequent workshops.

Workers expressed wanting more hands on information, but it is difficult to present information about workers' rights without short lectures. Since scientific studies did not include participant-based evaluations of safety and health trainings for day laborers, there is not a comparison to be

made between this project and other day labor training programs. Worker trainings that have been conducted and reported have generally been more participatory. After conducting these trainings, it was important to cover workers' rights in a way that clearly demonstrated limitations of the laws. Day laborers are often uninformed about how rights differ at their various worksites. Authorities also seem unclear about how laws affect worksites differently. This is critical knowledge as it helps workers decide whether or not they should take a job, based on their rights to workers compensation or safety coverage for that specific worksite. The feedback in the trainings mirrored that found in the scientific literature; people continue to accept hazardous work due to economic pressures.

Limitations

There were many limitations to this project, which may have affected the results and conclusions. These included voluntary recruitment, lack of popular education methods, and group evaluations. Since the worker centers recruited people who either signed up to participate or had volunteered with the center in the past, participants may have been more outspoken and focused on safety than their colleagues. This may not be representative of day laborers, because they were self-selected and had a strong interest in participating. Another possibility is that the financial incentive drove participation in the trainings. In general recruitment for follow up trainings may be an issue, especially because it is not sustainable to pay all participants.

People who participated in the trainings had experience working in a variety of occupations and settings. Popular education attempts to integrate and use people's knowledge. While body maps, life maps, and identifying hazards in photographs used popular education methods, other activities did not center on participant's knowledge enough. This may also explain why certain activities such as the lifting exercise may have been less successful, as participants knowledge of lifting techniques was not incorporated into that exercise. The difficulty with day labor training is that everyone has a different skill set. Often workers are dispatched for particular jobs. Therefore, trainings should incorporate a variety of skills using popular education methods to best serve the goal: workers creating strategies to confront hazardous workplaces.

Another limitation was the final group evaluation. The evaluation was conducted verbally in a large group, so only people who felt comfortable speaking in front of others did so. The majority of the

feedback is therefore from outspoken participants, while quieter people's voices may not be represented. The evaluation was also limited in that it was unable to measure any change in safety-related behavior in future jobs, which is ultimately the goal of the training.

Limitations to continuing this project include recruitment issues, compensation, and highly mobile populations. There may be an interest in training workers to be worker trainers, but with a highly mobile population this may be impossible.

Future Work

The main findings from the focus groups and trainings for the future direction of the program are that people want 1) more constant and regular trainings, 2) more intensive training for some, 3) shorter trainings for more people, 4) training for employers. Feedback from these trainings indicates that workers are interested in continuing to learn about ways to protect themselves on the job. They would like to know the laws and the tools with which they can protect themselves. In addition, they would like to know about their access to healthcare should they be injured. In all three trainings day laborers expressed an interest in continued training and more intensive skills building. The main findings that both focus groups and trainings emphasized are to have continued regular trainings for anyone who is interested. Participants in the trainings expressed that they wanted more in depth, hands on training on other topics outside of construction. Many participants were interested in completing an intensive OSHA 10 hour course. Other workers mentioned the importance of employers being trained about their responsibilities in regard to safety and health on the job. The findings have influenced the future plans of the UW Day Labor Project to continue ongoing trainings, and to create a plan to work with employers.

REFERENCES

1. Valenzuela, A., N. Theodore, E. Melendez and A. L. Gonzalez (2006). "On the corner: Day labor in the United States." Los Angeles, UCLA Center for the study of urban poverty.
2. Seixas N.S., J. Camp, H. Blecker and J. Tseng (2006). "Occupational health and safety experience of day laborers in Seattle, WA." Seattle, WA, University of Washington Department of environmental and occupational health sciences.
3. Quinlan, M., C. Mayhew, and P. Bohle (2001). "The global expansion of precarious employment, work disorganization, and consequences for occupational health: a review of recent research." *International Journal of Health Services* (31) 2: 335-414.
4. NELP (2002). Written statement of the National Employment Law Project on the subject of employment and labor protections for day laborers. Washington, DC, NELP.
5. The National Mobilization Against Sweatshops. "Workers' centers and the new labor movement." Available at URL: www.nmass.org. Accessed April 15, 2007.
6. Martínez, E. (2006) "Unite and rebel! Challenges and strategies in building alliances." *Color of Violence: The Incite! Anthology*. Cambridge, Massachusetts: South End Press.
7. AFL-CIO (2006). "Death on the job: The toll of neglect." Washington, DC, AFL-CIO.
8. Pegula, S.M. (2005) "Occupational injuries among groundskeepers, 1992-2002". Washington, DC: Bureau of Labor Statistics.
9. United States Department of Labor. Washington State Plan Profile. Available at URL: www.osha.gov. Accessed April 15, 2007.
10. Brady, M.J. and E.R. Nadeau (2004). "Do state OSHA regulations apply to homeowners?" *FDCC Quarterly* 54 (2): 183-195.
11. Brown, L. (2007). "Bill may affect day-labor sites." *The Dallas Morning News*. Available at URL: www.dallasnews.com. Accessed April 20, 2007.
12. Buchanan, S. (2004) "Day labor and occupational health: Time to take a closer look." *New Solutions*. 14:253-260.

13. Walter, N., P. Bourgois, M. Loinaz and D. Schillinger (2002). "Social context of work injury among undocumented day laborers in San Francisco." *J Gen Intern Med* 17: 221-229.
14. Bacon, D. (2002). "Paolo Freire hits L.A.'s mean streets: Organizing day laborers." *Teaching for Change: Popular Education and the Labor Movement*. Los Angeles: UCLA press.
15. Cho, E.H., F. Arguelles Paz y Puente, M. Ching Yoon Louie and S. Khokha (2004). *Building a Race and Immigration Dialogue in the Global Economy: A Popular Education Resource for Immigrant & Refugee Community Organizers*. Berkeley, CA: National Network for Immigrant and Refugee Rights.
16. Delp, L. (2002). "Building a worker health and safety movement." *Teaching for Change: Popular Education and the Labor Movement*. Los Angeles: UCLA press.
17. Fine, J. (2006). *Worker Centers: Organizing Communities at the Edge of the Dream*. Ithaca, NY: ILR Press.
18. The Millionair Club Charity. Available at URL: www.millionairclub.org. Accessed April 20, 2007.
19. CASA Latina. Available at URL: www.casalatina.org. Accessed April 20, 2007.
20. Krueger, R.A. (1998). *Developing Questions for Focus Groups: Focus Group Kit 3*. Thousand Oaks, CA: SAGE Publications, Inc.
21. George, J. and J. Cowan (1999). *A Handbook of Techniques for Formative Evaluation*. London: Kogan Page Limited.

APPENDIX A



University of Washington

Day Labor Project

Working at Heights and Lifting

The funding for this project comes from the Harry Bridges Center for Labor Studies and The Department of Environmental and Occupational Health Sciences of the University of Washington.

Working at Heights and Lifting**3 hours, 50 minutes**

Module Objectives

- Demonstrate safety principles for lifting and carrying
- Define hazard
- Identify hazards of working at heights
- Learn basic safety principles regarding ladders and working at heights
- Demonstrate ability to use ladders and scaffolds safely
- Define controlling hazards
- Discuss personal protective equipment (PPE) appropriate for working at heights
- Demonstrate ability to use PPE
- Strategize different ways to enforce workers' rights around working at heights

Explanation of the Module

- This module is based upon the hazards of working at heights and lifting.
- The module attempts to integrate safety principles for working at heights as a way to inform workers' about occupational safety laws
- The module uses the activities as a means to facilitate dialogue amongst day laborers about their work conditions

Instructions for Using this Module

- Each activity has an estimated time frame
- Each activity lists the items needed for conducting the activity
- Each activity includes ideas for what the person facilitating the workshop might ask or say, all in *italics*.

In this Module

A. Ice Breaker: Let's Move	15 minutes
B. Introduction to Personal Protective Equipment	20 minutes
C. Day Labor Rights Regarding Safety	30 minutes
D. Identify Hazards and Discuss Potential Controls in Pictures	45 minutes
E. Using a Harness	10 minutes
F. Practice Using Ladders and Scaffolds	35 minutes
G. Where Does It Hurt?	25 minutes
H. Strategize ways to enforce workers' rights around working at heights	45 minutes

Total Time: 3 hours, 50 minutes

A. Ice Breaker: Let's Move

15 minutes

Explanation of this activity

Many day laborers have migrated for a variety of economic, social, and political reasons. Especially with a group that includes both immigrants and citizens, this activity highlights similarities and connects people's personal migration experiences with global migration.

Materials needed

- None

How to lead this activity

1. Let's form a big circle, facing inwards
2. Have each participant say her name, a place she lived, and make a motion while stating a reason for moving.
3. Have facilitator model and go first.
4. Often, in a group in which people come from different countries, we make assumptions that people's experiences are not similar. We have been taught to not relate to each other, yet this activity displays that we all have very similar reasons for migration (highlight those that came from the group). The reasons that we moved also affect us at work, so today we will have the chance to learn and strategize together about our similar situations.

Adapted from the BRIDGE curriculum.

B. Introduction to Personal Protective Equipment

20 minutes

Explanation of this activity

Day laborers have few ways to protect themselves on the jobs, and often their only safety precautions are their personal protective equipment. Therefore, this activity covers the way to use safety equipment, but also stresses that this equipment has many limitations and there are more effective ways to protect yourself from hazards.

Materials needed

- Safety glasses
- Hardhats
- Boots
- Gloves
- Safety vests
- Dusk mask
- Ear plugs

How to lead this activity

1. Large Group

- Give out the bags of PPE to each participant
- *Rest of the time we'll talk about your safety and health, but first we'll talk about PPE.*
- *If you know how to use PPE and you know its limitation, you can use PPE most effectively*
- *You should know when PPE can protect you and when it can't*

2. Short Lecture

- Safety glasses – *regular glasses and sunglasses won't protect flying debris or nails from entering your eyes. Regular glasses will shatter, but safety glasses are tested to make sure that they can protect your eyes to reduce the possibility of having an eye injury.*
 - Tested and approved by ANSI
- Hardhats – Many of you work around heavy objects that could potentially fall on your head. Protect yourself.
- Boots – more stable footing
- Gloves – *We've all used leather gloves before, but tell me when wearing gloves is not helpful*
 - Moving furniture, Operating drill press- caught in machine,
 - Helpful for working with chemicals?
 - No, because they would absorb the chemical and hold more against your skin.
 - For good ole fashioned shoveling, they work well
- Dusk Mask
 - *Pick the right respirator for the job, so that the mask properly filters out the contaminant*
 - *Only for use with dust or particles*
 - *Can you think when this mask wouldn't be helpful?*
 - Chemical vapors, wouldn't filter vapor, gases, solvents
 - What if an employer sent you into a sewer line and told you that mask would help generate oxygen in sewer line - NO
 - *Fit test – make sure that the mask is adjusted to fit correctly so that you are not breathing out the sides of the mask*
 - Use both straps and nose clip for a tight seal
 - Can you clean or wash the mask?
 - No, get a new one, don't try to clean
 - Number on side of mask N95

- N means not for oil
- 95% reduction of airborne particulates
- But, reduces gases and vapors by 0%

4. Setting the stage to Discuss Safety at Work for Day Laborers

- *The reality is that day laborers often find themselves in unsafe conditions, so we will be realistic and discuss ways that workers themselves could potentially make working situations safer*
- *The safety principles we will be using come from Washington State safety laws*
- *We believe that since these are the laws they should protect all workers since they have legal backing.*
- *But, it's very important to remember that PPE provides minimal protection, it doesn't make you safe in a hazardous situation.*

C. Day Labor Rights Regarding Safety

30 minutes

Explanation of this activity

Day laborers' rights can be very confusing, and differ depending upon whether the employer is a homeowner or business owner. This activity is intended as information sharing, to let people know about their rights and ways to file complaints. It's also an introduction to Labor and Industries, Division of Occupational Safety and Health (DOSH).

Materials needed

- Number and closest address of DOSH
 - 1-800-4BE-SAFE

How to lead this activity

1. Some Statistics

- About 2 workers die a week on the job in Washington
- 100 workers die a year at work

2. What Rights do Day Laborers have?

- *The right to a safe and healthy workplace*
- *If working for a company, covered by DOSH laws*
 - *If working for a homeowner your are not covered by DOSH laws as a homeowner is not considered to be an employer under Washington State law*
- *No fault workers compensation law in Washington State since 1911*
 - *Doesn't matter whose fault an injury is, if someone gets hurt on the job, the employer is responsible for payment*
 - *Workers comp means that you give up the right to sue an employer*

- *Company can take up to 20% out of worker's paycheck to pay for worker's comp*
- Regarding inspections
 - *DOSH will inspect official Employers of 1 or more employees.*
 - *If a company hires one worker then they have to buy workers compensation on them and they have to follow the WISHA Act and are subject to DOSH inspections.*
 - *Federal OSHA does not routinely inspect those smaller employees of 10 or less unless there is a fatality or serious worker complaint in writing.*
 - *Homeowners are exempt, not considered employers by DOSH: cannot be cited or inspected*
 - *DOSH can cite a roofing contractor for not being tied off on a residential job*
- Filing a formal complaint with DOSH
 - *Must be in writing*
 - *Provide name, address (to be kept confidential)*
 - *Within three days of incident*
 - *Must be current employee*
- Reporting a hazard to DOSH
 - *May or may not respond, no legal obligation to respond to call*
 - *Can call after leaves a job*
 - *Anyone can make an anonymous call*
 - *Trenching and fall protection could be imminent hazards and DOSH could come out for these*
- Filing a wage claim with labor and industries

- *Labor and Industries puts pressure on employers by sending them letters. If the claim is more than \$4,000 then L&I assigns a lawyer to your case.*
- *Keep as much information as possible on every employer*
 - *Name, address, number, license plate number*
 - *Business name and address*
 - *Location where worked*
 - *Hours worked*
 - *Pay stubs if available*
 - *Copies of any contracts signed*

Are there times that a threat to call DOSH would be helpful or a time when DOSH should be called?

3. Strategies

- *If you go to the hospital the first thing you'll be asked is whether the injury occurred at work. If you say yes, then a comp claim will be filled out*
- *If the injury occurred at a company site, then the name of the company will be asked*
 - *The way the comp system works is that the state will then pay your bills and the company's workers comp will go up for 3 years*
 - *This is why companies often try to give injured workers money for their injury, instead of having the injury reported – to avoid comp claims*
- *But, if you have the information for the homeowner, give this information to the hospital as well. This way the hospital can call the homeowner to try to get payment*

C. Identify Hazards and Discuss Potential Controls in Pictures

45 minutes

Explanation of this activity

Day laborers arrive at worksites with limited knowledge of work conditions. There are many hazards that workers confront when doing work at heights and/or on roofs. This activity uses photos of working at heights to explore some of the dangers of working at heights. This provides participants the opportunity to think of strategies to improve these situations using what's available in the photo.

Materials needed

- Hazard Pictures of Working at Heights
 - Working on Roofs
 - Working on Ladders
 - Working on Scaffolds
 - Constructing a Roof
- Copies of all 4 photos on one sheet
- Copies of Individual Photos on Transparencies
- Projector
- Markers
- Paper
- Pens

How to lead this activity

1. Small group activity

- Break participants into smaller groups of 3-5 people so that each group has a different picture of working at heights
- Instructions:
 - *Each group has a different picture related to working at heights.*

- *In your small group look at the picture together and talk about the different hazards that you recognize.*
- *What is going on in the picture that shows that attention was paid to worker health and safety?*
- *Are there ways to reduce or eliminate these hazards that you identified?*
- *After a few minutes we will return to the larger group and ask you to report back to all of us what you discussed.*
- After 10-15 minutes in the small group, have people return to larger group to present the hazards in their pictures

2. Large Group Presentation

- Ensure that each group presents hazards, what was done well, and ways to make changes
- Use the projector to project each group's photo upfront so all can see while each group presents
- Ask other groups whether they have additional ideas for making the pictures safer using what they see in the photos.









A.



B.



C.



D.



D. Using a Harness

10 minutes

Explanation of this activity

Since the previous activity highlights working at heights, this section introduces workers to some of the protective equipment, like harnesses, used to prevent injury from falls. Other ways to prevent falls are introduced as well.

Materials needed

- Harness
- Rope
- Rope belt
- 6 foot lanyard
- Self-retracting lifeline
- Guardrails

How to lead this activity

1. Short Lecture

When working on a roof, there are a few very important things that you can do prevent a fall. The law requires guardrails or harnesses for work above 10 feet.

- *Catch board/catch platform*
 - *May be more typical, because there is no need to put anchor point holes in the roof*
 - *Pieces of wood like 2x4s are examples of catch boards*
- *Anchor point (explain how to check whether it's a good anchor point or not)*
 - *Attach the harness to the anchor point behind your neck to keep you from falling*
 - *Fall arrest anchor point holds 5,000 lbs*

- Fall restraint anchor point should be strong enough to catch your weight
- *Harness*
 - *While they might not be that common, you might start to encounter them more often*
 - *How many jobs have ever provided you with a harness?*
 - *What kind of job was it?*
 - *Did the company buy it?*
- *Don't use a rope belt because it can cause lower back injuries and if you do fall in can literally cut your body in half.*
- 6 foot lanyard
 - Use on roof if working off of a cable
- Self retracting lifeline
 - Similar to a seatbelt in a car, can hook on

If you fall, it will catch you

2. Demonstrate How to Use a Harness

- Ask someone to volunteer to put on a harness in front of the class
- Help them put on the harness
- Explain how to tie off

E. Practice Using Ladders and Scaffolds

35 minutes

Explanation of this activity

This activity provides hands-on practice of setting up ladders and scaffolds. Basic safety principles for ladder and scaffold set up are introduced.

Materials needed

- Ladders
 - Extension ladder
 - "A" frame ladder
- Ladder jack scaffold

How to lead this activity

1. Ask participants:

- *We have just discussed fall protection*
- *Climbing a ladder is also working at heights*
 - *Therefore, would you tie yourself to a ladder?*
- *What are some safety principles regarding ladders?*

2. There are safety laws regarding the use of ladders, their maintenance, and their use. These laws are regulated by OSHA, or here in Washington State by DOSH, and are for all private sector employees. Today, we're talking about these issues, as safety principles that research and government has decided are effective to prevent injuries. We will frame our conversation with these principles in mind, so that we are all aware of the rights that are given to most workers in the United States, but we will also be realistic about the situations in which day laborers work.

3. Explanation of ladder/scaffold principles

- Extension ladder

- *Makes sure your footing is secure*
- *If aluminum ladder, make sure you are at least 10 feet from power lines*
- *Extend the ladder so that there is at least 3 feet (1 meter) higher than where you will climb on the ladder. This way you will have something to hold onto.*
- *Set up at an angle of 4:1 ratio*
 - *If a person stands with their toes at the base of the ladder (at the end of the safety feet) and puts their arm out horizontally, the tips of their fingers should be touching the ladder*
- *There are extension ladders that go as high as 60 feet*
- *"A" frame self supporting step ladder*
 - *Fully extend ladder until it snaps or clicks into place*
 - *Do not stand on the top 2 rungs of the ladder*
 - *Don't fold and put it up against a house because then only the tops of the ladder are supporting it*
 - *Instead, you can rotate the ladder to be next to the house*
- *Ladder jack scaffold*
 - *The blank between two ladders has to support your weight*
 - *Its safe up to 10 feet*
 - *Above, 10 feet, need an anchor point and some type of fall protection*
 - *Would be best if you have another ladder to get onto scaffold, so that you don't have to climb onto it.*
 - *If there isn't a third ladder, it might be best to just use a ladder and move it instead of the ladder jack scaffold*
- *Pump jack scaffold*
 - *Pump up scaffold to reach higher heights*

- Above 10 feet there must be a guard on the side of the scaffold not touching the house
- Baker scaffold
 - One person set up
 - Platform with sides that fold out
- Frame scaffold
 - Has cross bars
 - Make sure its fully planked
 - There should be a rail on the outside, the side of the scaffold not touching the house or building
- Mobile scaffold
 - Similar to frame scaffold, just on wheels
 - Since its on wheels, make sure the wheels are locked before climbing up scaffold

4. Demonstration of using ladders safely

Explains to participants:

- *Take turns at each station; try out the different ladders and scaffolds.*
- *Also, there are objects to carry up the ladder, how would you lift them?*

F. Where Does it Hurt?

25 minutes

Explanation of this activity

This activity identifies where people feel pain and root causes of pain, by highlighting them on body maps. By identifying the risk factors, participants can strategize ways to do job that will reduce pain and injury.

Materials needed

- Copy of 8 x 11 small individual body map for each participant
- Large plastic body map
- Small colored adhesive dots

How to lead this activity

1. Individual Activity

- Hand out small body maps.
- *Where do you feel pain or discomfort that you relate to something you do at work?*
- *Place dots where you feel that pain*

2. Small Group Activity

- Pair people into groups of 3-5 people.
- *Discuss your small body maps with others. What specific tasks are you doing on the job when you feel the discomfort or pain? It might be best to actually act out the movement.*
- *Or do you feel pain do you feel when you go home?*
 - Emphasize that while you might feel pain at work, the pain may come later as a result of the task/movement or repetition of the movement
- *Next transfer the smaller dots onto the larger body maps.*

2. Debrief/Large Group Activity

- Have each group put their large body map up on the wall.
- Explain what are some of the tasks that are being done to cause the pain
- *What patterns do you see? Where does it seem that most people are feeling pain?*
- *What kinds of tasks are people doing that is causing their pain?*
 - Here elicit risk factors from participants
 - Categorize the tasks into the following risk factors
 - High force
 - Posture
 - Repetition
 - Contact stress
- *What can you do to reduce these risks? In an ideal world what could you do?*
- *Realistically, many day laborers only have control over their body mechanics, but this isn't the first and best way to address hazards*
- *Are there ways that you could get an employer to fix any of these jobs? To reduce the risks?*
 - *Could use the strategy of telling an employer that the jobs would go faster with better tools*
 - *With heavy weight: lifting aids and the help of another worker (but remember there needs to be coordination with the other worker)*

G. Strategize ways to enforce workers' rights around working at heights

45 minutes

Explanation of activity

This role-play exercise incorporates all information covered in the training. Participants use the information learned in the training to confront hazardous conditions in their role-plays.

Materials needed

- Flip Chart paper
- Markers
- All materials used throughout the module

How to lead this activity

1. Role Play

- Choose 2-4 scenarios
 - Ask participants to give examples of personal hazardous work situations when working at heights and lifting
 - Vote on scenarios that participants wish to use
- Have groups create a role-play of a few minutes in which they create a less hazardous situation by answering the following questions
 - Is the situation hazardous?
 - Should you refuse to do this work?
 - What are some of the alternatives to do this job safely?
- Use the safety principles and ways that you discussed confronting the boss
- Participants can also include some of the resistance they might get from employers
- Give the groups 15 minutes to create their role-plays and then have each group present their skit to the larger group.

2. Present Role-Plays

- After each presentation ask everyone whether this seems like a feasible solution
- *Are there other possible solutions?*
- Have participants act out other potential solutions
- Continue with potential solutions until people feel comfortable with the ending

Sources

1. Campbell, P. and B. Burnaby, Eds. (2001) *Participatory Practices in Adult Education*. Mahwah, New Jersey: Lawrence Erlbaum Associates, Publishers.
2. Cho, E.H., F. Arguelles Paz y Puente, M. Ching Yoon Louie and S. Khokha (2004). *Building a Race and Immigration Dialogue in the Global Economy: A Popular Education Resource for Immigrant & Refugee Community Organizers*. Berkeley, CA: National Network for Immigrant and Refugee Rights.
3. United Food and Commercial Workers International Union, Train the Trainer Manual. Washington, DC.