



Poverty Reduction Coalition

Understanding Day Labour: Issues and Solutions

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The Poverty Reduction Coalition is a community collaborative, supported by United Way of Calgary and Area, aimed at reducing poverty in Calgary. We work together in the belief that poverty **can** be reduced in Calgary and that we have the human and capital resources to do it.

In 2004, the Sustained Poverty Reduction Initiative was formed with the hope of instigating thoughtful social innovation in government policies, in the provision of social services, in systems reform and within the business community. Since that time, our name has changed, but not our intention.

The newly-coined Poverty Reduction Coalition works with all orders of government, the business community, social service organizations and community members to address the systemic barriers and policies that prevent low-income individuals and families from moving beyond the cycle of poverty.

We partner and collaborate with others to ensure sustained change.

EXECUTIVE SUMMARY

Issue: Addressing informal day labour in Calgary

Informal day labour (commonly known as “cash corner” or casual labour) in Calgary is a term used to convey an unauthorized and temporary form of employment, characterized by the daily search for employment in public spaces, such as street corners or parking lots. There are two types of day labour: formal and informal. Formal day labour is thought of as casual labour with the use of temp agencies or casual labour offices. This report focuses on informal day labour due to its increasing visibility in Calgary and the high risk factor associated with it.

The issue of informal day labour is complex with different perspectives and various interests. On the one hand, there is growing public concern about the solicitation of work in public spaces, which some public and businesses view as having a negative impact on the community. Concerns expressed *about* day labourers include incidents of vandalism, drug and alcohol abuse, harassment and intimidation, and inappropriate public behaviour. On the other hand, some feel that day labourers are the ones routinely subjected to abuse. Concerns *for* day labourers include: regular wage violations; inadequate basic amenities such as shelter and bathroom facilities; incidents of discrimination, social exclusion, workplace abuse, and workplace injuries; and inadequate safety training, work breaks, and pay, compounded by scarce resources to facilitate resolution when abuses do occur.

What solutions exist?

Basic Day Labour Centre

The most widespread solution is to create a day labour centre. It is a sheltered, safe location with basic amenities, used by individuals who are searching for daily work. The following types of day labour centres differ either by design, implementation, or level of sophistication.

- a. **Social Service Model** - Not-for-profit agencies fund and manage the centre, which can be accessed by anyone. The focus is to provide a range of services is offered, including ESL training, not employment.
- b. **Day Labourer-Designed Model** - The day labourers organize and manage the centre. With day labourers in control of daily operations, the centre acts as a citizen empowerment model. However, it lacks an outside staff person, and so it may not be any safer for day labourers.
- c. **Partnership with Business Model** - Businesses such as Home Depot have funded centres which are established on their property (many informal sites are located on retailer property). These businesses try to establish a better relationship with the workers. The advantage is that employers seeking day workers will often buy their supplies from the partnering businesses (often hardware stores) when they are picking up the workers.
- d. **The Glendale Model: Police Collaboration** - This model is a collaborative effort between the municipality, police, and community. Police assist in setting up a centre and then enact an ordinance making it illegal to solicit day work anywhere but at that centre. In such a setting, workers are

provided with additional services and connections to the community, as well as information regarding their employment rights.

- e. **Community Casual Labour Pool** - This model is unregulated, and is like a matching service with no fee. Day workers must call in daily to show they are available for work; when an employer calls in, they are matched with an available worker. The benefit of such a program is that day workers can be anywhere while waiting for a call, as long as they have a phone with them; the disadvantage is the high level of commitment and that workers need a phone to participate in this model.

What are we recommending?

- The Poverty Reduction Coalition will support the establishment of a day worker centre, in accordance with the best practices researched and community collaboration. It will be a two-part strategy including both re-location and establishment of a day labour centre.
- A Calgary-based social partnership must review the opinions and interests of stakeholders regarding day labour.
- The City of Calgary should actively support and promote amendments to Employment Standards Regulations, specifically recognizing and safeguarding day labourers. The City should also support programs and ordinances that better protect day labourers.
- Government agencies should develop partnerships with Workers Centers to plan and carry out outreach and educational awareness commitments.
- Available resources and remedies for day labourers should be increased. Day workers should have access to legal services in cases of labour violations.
- Input from a focus group made up of day labourers must be solicited to find out how best to address their concerns.

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INTRODUCTION

What are “cash corners”?

Informal day labour, commonly known as “cash corner” in Calgary, is a term used to convey an unofficial and very temporary form of employment, distinguished by the absence of benefits, the daily search for employment, and hard labour conditions in many instances (Valenzuela, 2003). Informal day labour is mainly characterized by men who gather in public spaces, such as street corners, parking lots, store fronts, or specifically designated public spaces to solicit daily work (Valenzuela & Melendez, 2003).

There are two types of day labour that exist: informal and formal. Formal day labour is considered to be casual labour facilitated by profit-making temp agencies; whereas informal day labour is “curb side” day labour. Although both types of day labour are similarly vulnerable and risky, with low wages, hazardous work conditions, workplace injuries, exploitation and no benefits, this report focuses on informal day labour due to the unacknowledged and unregulated nature of it, which lends itself to even greater exploitation and abuse. An additional concern related to day workers who use informal sites is the reality that they may have even less attachment and inclusion in the community than casual labourers using temp agencies (Svensson, 2004). Further research needs to be conducted in order to determine if informal day labourers are in fact less connected to the community, or if they have developed informal grass root support systems.

Unlike formal temporary agencies that find casual or temporary work for willing employees, cash corners (informal hiring sites), have no cost of entry to these sites, no obvious formalized rules or regulations, and workers and employers come and go when they please. However, the supply and demand for employment is highly unstable and it is a very competitive environment (Valenzuela, 2003), which may contribute to day labourers taking on any dangerous jobs as a result of a lack of options.

Why do “cash corners” exist?

The growth of day labour can be understood through the interrelated systems of globalization, economic restructuring, economic expansion, immigration, and the escalation of informality (Sassen, 1998; Williams & Windebank, 1998; Portes & Rumbaut, 1996). These processes have resulted in a specific labour niche for low-skilled, sporadic, and “quick” labour. Sassen (1991, 1994) explains this in part by the restructuring of global cities that have expanded their transnational business and tourism trades; this has led to the creation of a tiered economy and demand for informal employment. He further explains that informal employment exists at each spectrum of the “hourglass job strata” and informality has grown significantly since the 1970’s (Sassen, 1998). He argues that informalization is embedded in the structure of our current economic system, especially visible in larger cities.

In addition to employing low-wage workers, the expansion of the service sector also indirectly creates additional low-wage jobs via demands by high-income professionals for day labourers to assist with personal home improvements and other daily tasks in and around the home (Hondagneu-Sotelo, 2001). For example, almost half (49%) of day labourers are employed by homeowners/renters (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

On the demand side of the labour market, there has been a push for greater flexibility in all sectors of the economy, and cost pressures in the industry have induced construction contractors to adopt alternative hiring practices (Valenzuela, A. et. al, 2006, p.1). Companies are increasing their use of contingent workers who are hired on an as-needed basis; this has fostered an outgrowth of the demand for contingent workers especially within the construction, landscaping and material hauling industries (ibid, 2006: 1).

Some day workers are attracted to informal systems for a number of reasons, including previous experiences of social exclusion or discrimination in the work place, a lack of understanding of formal processes, or an inability to commit to formal systems. Cooper and Bartlett (2006) also report that temp agencies often have a service fee which is a disincentive to employers to use the agency, and discourages day labourers. Casual labourers who have used temp agencies have reported negative experiences (Cooper & Bartlett, 2006) which may be an additional reason day workers are attracted to the informal process.

In addition, research suggests that workers are increasingly turning to day-labour hiring sites following the deterioration of stable job opportunities in the local economy. However, in an Alberta context, the main attraction to day labour may not be an inability to find employment elsewhere, but may be partly due to personal circumstances and preferences, and discrimination in the workplace. In Alberta, the boom of the housing market and the construction industry's labour pressures have also contributed to the presence of day labourers.

Who are day labourers?

Although research is limited on day labour in Canada, recent and comprehensive American literature indicates that on any given day in the United States, over 117,600 day labourers are seeking work (Valenzuela, Theodore, Melendez, Gonzalez, 2006). In the United States, 36% of day labourers are married, 7% are living with a partner, and 63% have children (Valenzuela, Theodore, Melendez, Gonzalez, 2006). Additionally, 49% of day labourers are employed by homeowners/renters and 43% are employed by construction contractors (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

According to Valenzuela, Theodore, Melendez, and Gonzalez (2006) in a study within the United States, the top five occupations of day labourers are construction worker, gardener or landscaper, painter, roofer, and drywall installer. 83% of day labourers rely on their day-labour work as their sole source of income, while 70% search for work five or more days a week, and 9% seek work only one or two days a week. Additionally, 74% of day labourers have worked in the day-labour market for less than three years, suggesting that many use day-labour as a platform for transitioning into jobs in other sectors of the economy (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

In a Calgary context, there are approximately 30 to 40 day labourers on cash corner on any given day, with cash corner operating seven days a week (Cash Corner, Relocation study, 2004). A small study of informal day labour in Calgary also notes that there appeared to be two types of workers: those that use cash corner to supplement regular, seasonal or part-time employment, and those that exclusively use cash corner as their only source of employment.

It should be noted that day labour in the United States is contextually different than day labour in Canada, due to the overwhelmingly large presence of illegal immigrants working as day labourers in America. This confuses the research slightly, as public outcry is for different reasons in the States than it is in Canada. Thus, day labour research in the States is usually intertwined with immigration issues and illegal employment, whereas the situation in Calgary does not appear to be one of illegal immigrants seeking work. In the States, only 7% of day labourers were born in the United States (Valenzuela, Theodore, Melendez, Gonzalez, 2006). No comparable data is available in a Canadian context, but it appears that this is not the case in Calgary.

WHAT IS THE ISSUE?

Day labourers and the public tend to disagree on why the day-labour system is an issue. In Calgary and elsewhere throughout North America, the public has often complained of problems with day labourers including issues of noise, public disturbance, alcohol and drug consumption, urinating in public, harassment and intimidation. However, many others assert that the behaviour of day labourers is stereotyped; this group believes that the labourers are commonly subjected to abuse themselves (Scherer, 1999). Many day labourers are desperately seeking work; in an unregulated industry, this often leaves this workforce vulnerable. They are often assigned dangerous jobs that permanent employees have refused. As well, day labourers disproportionately have their occupational health and safety rights violated, and usually do not receive any safety training (NELP, 2003). Further, this population commonly lacks access to health care, which aggravates their situation. Research also shows that day workers are routinely subjected to wage and hour violations, without available remedies (NELP, Summary, 2003: 1).

In a study completed by Valenzuela, the leading expert on day labour, (Valenzuela, Theodore, Melendez, Gonzalez, 2006) it was found that in the United States:

- almost half of all day labourers experienced at least one instance of wage theft within the prior two months
- 44% were denied food or water or breaks while on the job
- 1 in 5 had suffered a work-related injury
- more than 50% of those who were injured in the past year did not receive medical care
- over two-thirds of injured day labourers had lost time from work
- 1 in 5 (19%) of all day labourers had been subjected to insults by merchants
- 15% had been refused services by local businesses
- 58% of day laborers had experienced at least one instance of non-payment or a bad check from an employer
- 33% had been abandoned at a worksite
- 23% had experienced violence at the hands of an employer
- 73% were placed in hazardous work conditions

Some of the public are against informal day labour sites, contending that it makes residents feel uncomfortable or unsafe; they claim that this gathering of workers degrades a community's quality and appearance (Scherer, 1999). Many local tax

payers disagree with the concept on an economic basis as day labourers get paid in cash and as a result may evade paying taxes.

However, proponents of securing better standards and rights for day labourers argue that day labourers are the most vulnerable and abused workers in society; that they have limited means to secure full-time, sustainable employment. In the United States, the issue has also become a human rights matter, as day-labour advocates claim that the prohibition of day labourers from seeking employment in public violates their First Amendment right of freedom of expression (Schrerer, 1999). Additionally, many workers' rights groups feel that the opinion of detractors of day labourers is too negative; they believe that their days are difficult and often subject to abuse, when their sole objective is to find work.

WHAT SOLUTIONS EXIST?

Although there is no single solution to bring adequate social and employment protection to this population, while at the same time appeasing the public's concerns, many solutions to this intricate subject have been posed. The most widespread solution put forward is to organize day labour centres.

Day labour centres

Generally, a day labour centre is a sheltered, safe location with basic amenities, used by individuals who are searching for daily work. The first organized day labour centres started in California in the 1980s (Economist, 2003). There are now over 100 such centres throughout the U.S.; most are run by community-based organizations. The first two taxpayer-funded centres were set up in 1989 in North Hollywood and Harbour City. Austin, Texas was another day labour centre pioneer; they now spend \$250,000 a year on their centre. Dozens of other municipalities have followed their lead and established their own day labour centres. Some states have decided to respond through legislation-proscribing protection for day labourers (U.S. General Accounting Office, 2002).

Although day labour centres are a rather recent phenomenon, they have been catching on throughout the States since 2000, with different models being proposed and utilized, depending on the local environment. This has presented an opportunity to gather promising practices for day labour centres, and identify practices that would fit a community's specific need. Day labour centres are being recognized as the most comprehensive response to the challenges of day labour growth (Valenzuela, Theodore, Melendez, Gonzalez, 2006). The following section outlines the benefits and disadvantages of these centres, and then focuses on the different models of day labour centres and the solutions to the day labour issue.

Benefits of day labour centres

The obvious benefit of day labour centres is that they provide a safe and sheltered environment for day workers. At such centres, basic amenities such as bathroom facilities, drinking water, heated shelter and sitting areas are available. Many day labour centres also monitor the actions of employers, increase the transparency of the hiring process and provide a foundation for holding employers accountable for workplace abuse. On the supply side, day labour centres organize and normalize the hiring of day labourers, monitor

worker quality and provide opportunities for worker incorporation into the mainstream economy through employment assistance and, in some cases, skills training (Valenzuela, Theodore, Melendez, Gonzalez, 2006). They are also beneficial to the public in terms of solving any public disturbance or intimidation issues, which can have a negative impact on local business.

Another advantage of day labour centres is that they give recognition to the rights and concerns of day labourers. Day labour centres acknowledge that trying to prohibit day labourers from seeking work is not an adequate solution, and thus the centres are trying to accommodate the concerns of both day workers and the public. There are aesthetic benefits to establishing a centre, as well as promoting a greater sense of community and inclusion for the day labourers. As the Day Labour Research Institute stated (2004), "The purpose has two sides that are mutually concordant: day labourers want more employment at higher wages, and protection from unpaid wages; the City, local residents, businesses, and police want an end to the problems associated with unorganized day labour in the streets" (p.4).

Concerns with day labour centres

The main concern with day labour centres is that more research needs to be completed on the long-term effectiveness of these programs, (e.g. do centres help promote attachment to the formal economy, or do day labourers continue to use them long-term). Also the benefit to the workers in terms of wages and stable employment is still unclear. More research needs to be carried out in order to be certain of the benefits.

An additional concern of opening up a day labour centre is the appearance of condoning tax evasion. Research is again limited as to whether day labour centres increase the population of day labourers; a situation some people present as an argument to oppose the establishment of a centre. Generally though, day labour centres have been established and replicated throughout the United States, suggesting support from the public.

The formalization of a traditionally informal process could lead to unresponsiveness among day workers, as many workers are attracted to the informal system. Furthermore, when this market is formalized, it decreases the incentives for employers to hire from within this population rather than hiring a full-time or contract employee. Thus, supply and demand could both be affected with the creation of a day labour centre. This may lead to a deeper underground culture of day labourers resisting a day labour centre.

Further research is imperative to examine the negative and positive impacts of the attachment of more formal procedures to day labour systems. In order to give credibility to day labour centers, it would be beneficial to conduct a cost-benefit analysis of the costs associated with informal sites (e.g. frequent police calls, loss in sales if customers are intimidated, higher costs for city for cleaning, and vandalism), compared to the costs with establishing and maintaining a day labour centre.

MODELS OF DAY LABOUR CENTRES

Day labour centres have been organized through a variety of sectors. The most common being the non-profit sector and community organizations. In some cases, such as in Austin, Texas, and in Phoenix, Arizona, the government funds the program, and in other cases, day workers organize, run and fund the centres themselves. The primary purpose of day labour centers is twofold: to regulate the day labour market by establishing rules governing the search for work and the hiring of labourers; and to provide better protection to labourers than is available through informal hiring sites.

Again, centres vary widely in their aim and what the services they provide, but usually the day centre is in an accessible location to workers and employers, provides basic amenities such as bathrooms, water and shelter, and offers some sort of formalized method of obtaining day employment. Some centers are considerably more sophisticated than this, providing English language training, workers' rights activities, emergency services, and leisure outlets for the day labourers such as sport teams (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

In the last twelve years there have emerged five main models of day labour programs. The *social service agency model* is the traditional model that San Francisco, Los Angeles, and many other cities based their programs on. The *day labourer-designed model* is seen in cities including Austin, Texas, and Glendale, California. Although all the models are day labour programs, they are different in purpose and function (Day Labour Research Institute, 2004).

Some sites employ a lottery system that incorporates the categorization of job skills, ensuring that a labourer is suited for a particular job, and that jobs are obtained in a fair and orderly manner. None of the centers get a cut of what the workers earn, nor is there a charge for the services they provide. This is the main distinction between day labour centres and temp agencies.

The social service model

In this model, the municipality or social service agency funds the centre and the workers do not financially contribute. Typically, anyone who applies to the program is admitted, regardless of their employment status or geographical location. They have standard social service agency hours of operation. Usually, their focus is more on providing social services to the workers while they wait for work. The city of Los Angeles spends close to \$900,000 a year on their six programs, and San Francisco spends over \$400,000 a year (Day Labour Research Institute, 2004).

Day labourer-designed model

The purpose of a day-labourer designed model is to let day labourers decide on the mission and focus of their centre, the hours and the policies. Employment is emphasized and jobs are distributed typically on a first come, first served basis, relying on a morning sign-in.

Partnership with business model

Many communities have entered negotiations with home improvement stores to support day worker centers (e.g., Burbank, California). These centers are funded by the home improvement stores for two reasons: first, many

informal sites have been set up in home improvement store parking lots, making these businesses central in the day labour issue; and second, many of these businesses have realized the potential profit of allowing a center to be established on their property, as employers will often pick up material when they pick up an employee, thus, sales can increase. It can also be a way to incorporate social responsibility into business, as these businesses have recognized the lack of basic amenities available for day workers, and have sought to assist in making the environment safer for both day labourers and customers.

The Glendale model: police collaboration

The Glendale model's pilot project was extensively researched and replicated in several cities. In Glendale, California, the local business community, consultants and the Glendale Police Department worked with informal day labourers to invent a "worker-designed" center. The result is Glendale's Temporary Skilled Worker Center across the street from Home Depot. It stays open 365 days a year, and employers and employees are matched in an orderly process, with an established minimum wage of \$7 an hour. Although this may not seem adequate, day labourers reported they had been earning an average of \$2 to \$5 an hour before they came to the centre. Additionally, 90% to 100% of employees in the centre on a given day find employment (Svensson, 2004).

The police were actively involved in establishing and maintaining the worker's centre, and designed this model around the concept of Problem-Oriented Policing (POP), from the Centre of Problem-Oriented Policing. POP is designed to identify and remove the causes of recurring crime and disorder problems, and implement solutions. The Glendale Model arose from this concept. With minimal public funds, a managed site was developed where labourers could secure employment in a safe and orderly environment.

What differentiates this model from others is the "No Solicitation" ordinance that was enacted in combination with the centre to require both labourers and employers to utilize the facility exclusively. If day labourers are found to be soliciting work elsewhere, they will be fined. In its early days, a public education plan promoted the program throughout the community to inform both employers and employees of the new centre and the new ordinances. This model was effective because it combined protection of the day labourers, with the establishment of a safe place for them to seek work, day labourer participation, police enforcement of the "No Solicitation" ordinance, and a public awareness campaign. However, the greatest disadvantage of this model is police enforcement, which is an aggressive strategy and should be used after the other strategies have been exhausted.

Research shows that there has been a significant reduction in the number of incidents requiring a response from emergency services such as police and fire, following implementation of this model, bringing about dramatic savings to the community (Glendale Police Department, 1997). It is important to note that the interests and welfare of the labourers were also considered when developing a solution to the problem. COPPS officers were committed to designing a comprehensive response that included day labourer participation and buy-in of the project. The day labourers' acceptance of the program was considered a crucial component necessary to ensure successful resolution. Officers met with the labourers routinely to become familiar with their perspectives, needs and concerns.

Attempts to involve the private service sector were complete failures. In one instance, Catholic Charities used their offices as a day labour center; the center's distance from any building supply stores and the lack of incentive to use the facility doomed the project.

The main objective of the Glendale model is to develop, manage, and operate a permanent hiring site where prospective labourers can assemble to lawfully solicit temporary employment without facing an outcry from the surrounding community (Glendale Police Department, 1997). The Glendale Police Department in partnership with the community, proposed a five-step approach for solving the problems related to day labourers as follows:

1. **Locate a site for a facility:** The facility must be in a location that attracts the greatest number of day labourers. In a Calgary context, this would be the downtown core, as near as possible to the original informal site, and close to C-train and bus routes. It is highly recommended that the new facility remain as close to the original site as possible.
2. **Develop the site:** The Glendale model has incorporated a drive-up section, staff office, waiting area, access for the disabled, telephones, benches, a shade awning and health and sanitary facilities such as fresh drinking water, rest rooms, hand washing areas and trash receptacles. Other models also have basic food services including coffee stations, donuts or sandwiches.
3. **Provide paid staff:** The police found that there was a need for full-time staffing in the centre. If the facility was left unsupervised, the same problems would arise there that arose on the streets. Workers staffing the site employ a lottery system, which ensures that no labourer receives preferential treatment. Labourers are divided into areas of specialty skills - a plus for potential employers. Staff provide additional services and supports to the workers such as emergency food access, clothing, shelter assistance, immigration services, English language classes, legal services, wage negotiation monitoring and a host of other programs. In addition, staff maintain records pertaining to the number of individuals hired, wages offered, and the number of contractors making use of the facility. This last duty is allows for comparative and longitudinal research to be carried out on the long-term effectiveness of day labour centres.
4. **Create a new ordinance:** The Glendale Police Department considered it crucial to support the worker centre with an ordinance that would require labourers and employers to use the site. In the absence of a municipal code section, labourers or employers would not be motivated to make use of the facility. The enactment of a municipal code made both the solicitation and the offering of day labour employment, anywhere other than the facility, unlawful. The No Solicitation Zone in Glendale covers all public and properly posted private places, 24 hours a day. Employers or workers who refuse to use the site are subject to citation or arrest. Such an ordinance ensures that workers use the facility, eliminating the sometimes-fierce competition for jobs and the "survival of the fittest" culture that had been evident on street corners (Glendale Police Department, 1997). This ordinance has been struck down for being too vague, but is under appeal.

5. **Establish an outreach program:** An intensive education program informs employers and labourers of the benefits of using such a facility. Employers learn that their labour pool is divided according to specialties (painters, framers, plumbers, etc.). Labourers are offered a safe, organized environment in which to solicit work and access a variety of social services. Volunteers are used for the outreach education plan.

The Glendale team felt very strongly that if any one of their five proposed components had been eliminated, the success of the project would have been threatened.

After evaluating the implementation of their centre, the Glendale team believed their program could have been even more effective with a broader marketing strategy in place prior to the opening of the center. The majority of their education efforts were directed toward the labourers, with less emphasis on contractors, other employers, and the community at large. This resulted in some confusion regarding usage of the center and application of the ordinance. As well, there was public backlash against Home Depot, one of the original funders of the centre, for supporting "illegal immigrants". More effective public awareness could have helped temper such hostile responses. One year later, the Glendale Police Department statistics have shown that on an average day the hiring rate of labourers has risen from 10% to approximately 90% (Glendale Police Department, 1997). In order to ensure the continued success of this project and adherence to the rules, an Advisory Board was tasked with monitoring its day-to-day operation and facilitating education and outreach program efforts.

Community casual labour pool

The Community Casual Labour Pool (CCLP) in Victoria, British Columbia, has effectively matched those who are seeking short term work placements with employers seeking their services. Coordinators meet with each new applicant to determine their skills, interests and abilities, but do not act as employers or become involved in any employer obligations. They do require that minimum wage be paid, but are not responsible if this does not happen. CCLPs are best described as a matching service with no fee. The disadvantage to this model is that day labourers must call in every day as an indication of their commitment to the labour pool and to inform the coordinator of their availability. This presents two challenges to day labourers: first, they must have access to a telephone, it cannot be a pay phone as CCLP needs to be able to reach the worker when a job becomes available; second, calling the service every day requires a high level of commitment, especially for casual labourers who tend to be non-committal in nature. This may discourage day labourers from using the service. Another disadvantage is the requirement of a Social Insurance Number to join the service, which some workers do not have, or have lost and have been unsuccessful in renewing. There is also a level of fear and distrust in giving one's Social Insurance Number to an agency. Casual labourers are characteristically attracted to the low level of commitment and little bureaucracy that day labour offers. Although this service has the advantage of acting as a virtual "cash corner", allowing day workers to make use of their day while awaiting employment, and removing the need to stand outside all day, it may not be the most effective model as there is still little in the way of support for these workers, coupled with a high level of expected commitment.

Enact legislation

Another form of addressing the day labour issue is to enact legislation or policies. There are two ways this can be handled: enacting legislation to protect day labourers; or enacting legislation or ordinances to prohibit solicitation. The latter method has been found to be ineffective (Glendale Police Department, 1997) for a number of reasons. It is difficult to enforce the legislation as freedom of expression challenges any ordinance prohibiting individuals from seeking work in a public space, and it emphasizes the day labourers' violations instead of placing emphasis on the protection of their rights.

Employment standards regulations could be amended to better reflect the prevalence of day labourers and include specific protection for them. However, it is absolutely necessary to include available and low cost legal remedies for the day workers, as well as public education as to their rights.

In 2003, a bill was proposed in the United States entitled *Day Labor Fairness and Protection Act*. This would be the first legislation in the States to address the regular violations and vulnerabilities that day workers are subjected to, and better protect their rights. Wages, overtime, minimum daily rates, waiting times, payment schedules, breaks, and health and safety are all covered under this proposal. It also outlines that soliciting for day labour is a form of freedom of expression and therefore protected under the law. Most importantly, it details remedies available for day labourers, including the right to sue an employer, and upon prevailing in court, the right to get court costs reimbursed. However, this proposal could be strengthened by detailing legal aid, as most day labourers would not have the preliminary funds available to initiate legal action.

BEST PRACTICES FOR DAY LABOUR CENTRES

Location is key

Day worker centers should be visible and centrally located, near the location where day labourers naturally gather to search for jobs and where employers traditionally look for workers (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

Citizen engagement

When day worker centers are raised as a local policy response, day labourers and employers should be involved in those discussions (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

Cost-sharing strategies

As most day worker centers operate on minimal budgets, efforts should be made to generate creative cost-sharing strategies that include public-sector resource contributions, local business involvement, private donations and foundation grants, all in order to ensure the sustainability of the centers (Valenzuela, Theodore, Melendez, Gonzalez, 2006).

Emphasize employment

Limit the center's services to employment. Day labourers are in the streets waiting for work. The main reason they will attend a center and leave the street is for more work at higher wages. To attract more employers, use proven, low-cost methods such as passing out flyers at home improvement stores.

Provide a complaint process

Take complaints seriously and have a formal complaint process. Have complaints written up, and ensure that there is follow-up. Even better, have free legal aid workshops once a month, if possible.

Create a sense of ownership

Let day labourers choose the rules and hours of operation.

Balance everyone's interests

Day labour centres must balance the interests of the community equally with the interests of the workers (Glendale, 1997).

Exhaust other alternatives

Before a day labour centre is created, all other possible alternatives should be exhausted (City of Mesa, 2004). Begin a centre as a 6-12 month pilot project with the location and procedures under strict scrutiny.

RECOMMENDATIONS

The issue of day labour, as is the case with many concerns, must be addressed at multiple stages, and should be approached a collaborative effort involving the community, municipality, police force, employers and day labourers. Our primary recommendation is to two-fold: first, establish a basic day labour centre; and second, establish this in an area that is agreeable to both the public and day labourers. This may involve re-locating the original, informal hiring site.

The next step is to determine a location for a day labour centre, and assess the costs.

Recommendations for the Government

1. The City of Calgary should actively support and promote amendments to Employment Standards Regulations, specifically recognizing and safeguarding day labourers. The City of Calgary should support programs and ordinances that better protect day labourers.
2. Government agencies should develop partnerships with day worker centers to plan and execute outreach and educational commitments.
3. The municipality and the police department should undertake a targeted response to ensure that workers are getting paid for their doing.

4. Available resources and remedies for day labourers should be increased. Day workers should have access to legal services that assist workers in cases of labour violations.
5. The Government of Alberta should specifically include day labourers in the work force labour strategies, and devise a plan to help transition day labourers into the formal economy. Specifically, skills training and education programs should be offered with more availability and accessibility for this population.

Recommendations for the Poverty Reduction Coalition

1. Conduct research to determine the most suitable location for a day labour centre; ensure a strategy is in place to promote the new location.
2. Establish a Calgary-based social partnership to research the views and interests of stakeholders regarding day labour. The partnership should evaluate key stakeholders, examine the underlying assumptions and concerns held by the public, and address the concerns of the day labourers. It should also assist in determining the effectiveness of an implemented solution, and promote the solution through public education and awareness of the issue.
3. Ask for input from a focus group made up of day labourers as to how to best address their concerns.
4. Support the establishment of a day worker centre, in accordance with the best practices researched throughout North America pertaining to day labour centres.
5. Collaborate with the City of Calgary, businesses and other organizations to create a day labour centre available to all workers in a geographically-appealing location to both day labourers and employers.
6. Engage the public and social agencies in an awareness campaign highlighting the abuses and difficulties routinely faced by day labourers.
7. Carry out comparative research to explore the employment standards regulations, occupational health and safety codes, human rights codes, and labour codes in a cross-provincial context, to determine the strengths and weaknesses of Alberta's employment standards.
8. Initiate a primary quantitative research project to determine the distinctions between the informal and formal day labour market, including a component of participatory research with our key population. Further research is also recommended to assess which type of day labour centre would be most suitable for Calgary. Additionally, more research on where day labourers live, and their daily form of transportation to the site would be helpful in assessing the specific requirements a day labour centre should meet.

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Backgrounder
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