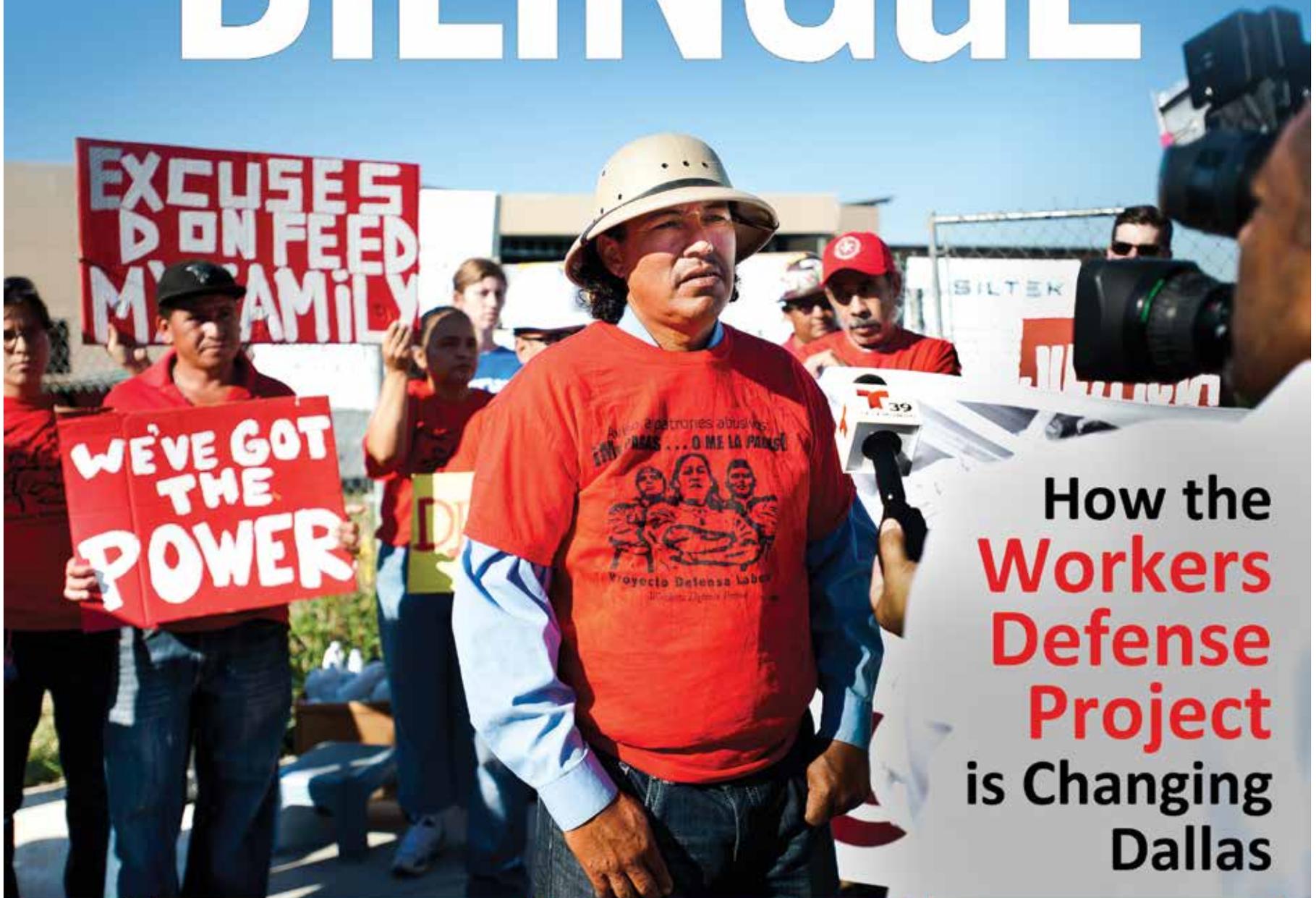


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MERCADO BILINGÜE



How the
**Workers
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The Workers Defense Project: Organizing for Justice

by Phillip Morales

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Driving over the awe-inspiring Margaret Hunt Hill Bridge in Dallas or admiring the architectural wonders of the Irving Convention Center or enjoying a baseball game at the Ballpark in Arlington, it's easy to forget that millions of dollars and buckets of blood and sweat went into the building of those structures. Unfortunately, when there's more blood than sweat or when those millions of dollars are not distributed correctly into the hands that built the actual building, it's the construction workers who suffer. Thanks to an organization that's fairly new to Dallas, workers who have had their wages stolen or had injustices done upon them in the workplace have a place to go – a place that not only helps but empowers.

At the Workers Defense Project (WDP), a non-profit organization headquartered on W. 10th Street in Oak Cliff, raising standards for low wage workers is a mission that began in Austin by employees and volunteers of *Casa Marianella*, a local shelter. Designed to aid those who had claims unpaid wages, the WDP became a membership-based organization that provides resources to those who have been victims of workplace abuse, such as unpaid wages or treatment for workplace injuries that went unpaid by the employer.

“Our organization, Workers Defense Project, is an organization that's fighting to raise standards for workers – specifically low wage workers and specifically construction workers,” says Juan Cardoza-Oquendo, Workplace Justice Organizer for the Dallas branch of the WDP. A son of Puerto Rican immigrants and a life-long advocate for

those affected by social injustices, Juan is passionate about the work he does with WDP and is sympathetic towards the plights of the Dallas construction worker.



“The average wage for a construction worker in the state of Texas is 10 dollars an hour and 1 out of 4 workers here in Dallas is robbed of their wages. They are not paid at all or paid below the minimum wage for his or her work,” says Juan. 52% of construction workers in the state of Texas make wages that place them below the federal poverty line.

On top of poor wage standards and practices, on the job injuries are also something that the Workers Defense Project sees as a huge

problem in Dallas. In the state of Texas 1 out of 5 construction workers are injured on the job and have to go to the hospital. In most instances, injured workers are not paid for the time off due to an injury nor are their hospital bills compensated.

Many of construction workers who come to Workers Defense Project for guidance tell similar stories of work place injuries. “I can’t tell you the amount of workers these past few years who have gotten injured and their foreman just drops them off at Parkland. And that’s it. Then the worker is in tens of thousands of dollars of debt and they don’t know what to do because their employer doesn’t have workers comp insurance,” says Juan.



In the state of Texas, employers are not required by law to provide workers compensation to help pay for workplace injuries and accidents. Construction sites are prime areas for workplace injuries and according to Juan, cases of workers becoming injured on the job and not being compensated for treatment for those injuries is common. “That’s the way business is done. That’s the norm, unfortunately,” says Juan.

The Workers Defense Project co-authored a report with the University of Texas in Austin, that examines working conditions in the Texas construction industry. For more than a year, WDP staff and University of Texas faculty canvassed Texas construction

sites, surveying hundreds of workers and gathering information about pay, benefits, working conditions, employment and residency status. Kristina Morales, local human rights advocate and an active WDP volunteer, was one of the staff conducting these surveys on Dallas construction workers.

“Many of the workers I administered questionnaires to were really apprehensive at first about sharing information with me but it was only because they were not aware of their rights as workers,” says Kristina. Research collected during this study was crucial in the development of the Dallas branch of the Workers Defense Project. This unfortunately also

meant that workplace injustices were taking place, on a regular basis, at Dallas construction sites.

“With our study on the construction industry we were able to encounter a lot of the lies general contractors and

They have a huge swath of the construction market work here in Texas. If they change the way they do things the implications are industry wide

developers say about the industry. They say “yeah people are paid a decent wage” or “yeah we take care of our workers when they’re injured”, says Juan. “With this study we’re able to counter those lies and say “actually workers are not getting paid, they are getting injured, workers don’t have medical treatment, and they are not getting training.”

This outcry for justice was the needed ground work for the Workers Defense Project to open its Dallas branch so that local construction workers have a place to turn to when they need help. Workers, who eventually become members, are invited to attend weekly introductory workshops at the WDP headquarters to learn more about

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the organization and what resources are provided for them. Often, during these weekly general assemblies, lawyers, professionals, community leaders and advocates volunteer their time to guide victimized workers into the process of reclaiming lost wages. This process can include calling the employer directly over the phone, writing a demand letter, filling out a wage claim form with the Texas Workforce Commission and the Department of Labor or

Something that distinguishes the Workers Defense Project is that we are in the business of organizing

calling a press conference to draw attention to the matter. The process to reclaim wages can take anywhere from a few months to several years.

“There was a 33 million dollar, publicly funded affordable housing project in South Dallas and we had five workers come in last February and they still haven’t gotten paid for two weeks of work on that project,” Juan says to give an example of how long the process can take. The WDP filed a claim in this case and the City of Dallas conducted an investigation. The case was closed in favor of the contractor despite the fact that the investigators never questioned the five construction workers who filed the claim.

“When the department of labor has a wage investigation, they talk to the

worker,” Juan explains. “When the Texas Workforce Commission gets a wage claim, the investigator talks to the worker. It’s only logical to think: if you don’t get paid on a city funded project you should be able to make a complaint to the city. The city investigates and the worker is still left out to dry. It’s just another example of how unprotected workers are.”

The WDP is still working to recover the lost wages on the South Dallas construction case; meanwhile the five workers have become members of the organization, assisting the cause in other ways. Workers like these who come to the WDP for help will find three main areas of assistance within the Worker Defense Project: adult education & training, employment & legal services and policy change. Taking legal action against wage theft, such as in the South Dallas construction case, falls in with the WDP’s employment and legal services program. In adult education & training, the WDP connects workers with resources that will assist in building that worker’s level of education and personal enrichment so that in turn, they become empowered and lead their own charge.

“We want our members to be out in front - talking to the press, speaking to policy makers, to other workers. They’re the ones we focus on because they’re the ones that go through the injustice; they’re the ones who can speak about it. It’s their fight,” says Juan.

As part of its adult education & training programs, the WDP offers English classes,

computer classes, leadership classes and public policy classes where members explore law and concepts ranging from how to pass a bill in the capital to the history of racism in the U.S. All these courses, Juan explains, are meant to encourage WDP members so that they grow as individuals and one day become organizers themselves. Organizing is key to the WDP’s mission.

“Something that distinguishes WDP, is that we are in the business of organizing,” explains Juan. “A lot of non-profits in the Dallas area do some really important, crucial work that makes a big difference in

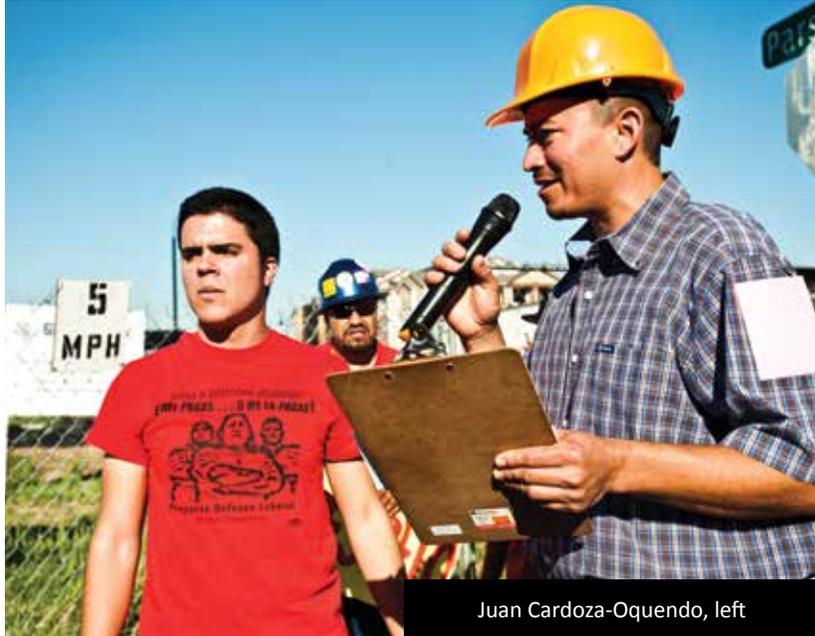


people’s lives but they’re not necessarily doing organizing.”

Juan uses immigration reform as an example; he explains that if someone comes to the WDP seeking help with filing a work visa, the organization will not only help process that visa application but also encourage the individual to tell their story through a press conference or attend a protest about immigration reform. In essence, through education, encouragement and a little practice, the Workers Defense Project empowers its members to not only know their rights but to fight for them as well.

The WDP knows that this battle for justice sometimes means changing the law, which is where their policy change program comes in.

To ensure that their members do not have to continuously endure workplace injustices, the WDP often takes the fight to city councils and to the state capital in



Juan Cardoza-Oquendo, left

Austin by demonstrating and speaking to legislators. Their aim is to raise standards for construction workers across Texas by implementing higher wages and better protection from wage theft and workplace injuries. This year, the WDP is utilizing a more direct approach to policy change and taking the fight directly to construction companies.

"In February we're launching our corporate campaign - instead of asking the government to put regulations on corporations, we're going ask the corporation itself to raise standards, to raise wages, to give workers benefits and training on their own," explains Juan. The WDP has spent the last year building a case against one of the largest construction

and development companies in Texas and they believe they now have enough public support to stage a demonstration at the company headquarters in Austin. In April, the WDP plans to demonstrate at the company's Dallas headquarters.

"This corporation has projects all across Texas and on any given day has thousands of workers working for them. They have a huge swath of the construction market work here in Texas. If they change the way they do things the implications are industry wide," say Juan.

That's the big picture. However, it's apparent that some of the most important and worthwhile changes that the WDP hopes to make are happening within their community - in the hearts and minds of their members. It's the reason why advocates like Kristina continue volunteering on a weekly and why she encourages others to do the same.

"This is the city we're living in and we need to be aware of what's happening," Kristina says. "It's important for young professionals to be involved in the community and I really like that the WDP doesn't just help its members once. It encourages them to keep coming back every week and to be involved."

It's clear that through participation and involvement that the Workers Defense Project empowers its members to own the outcome of the injustices done upon them. Through education and by awakening a call to activism within their members, the WDP seeks to bring justice

through organization - by giving power back to the people.

"The WDP gives people knowledge of their own power," says Juan. "It's not just about **us** helping **them** get their wages. No, we want them to say 'I fought this with my *compañeros* and *compañeras*. It's about *vamos a hacer esto juntos*, we're in this together."

For more information on The Workers Defense Project and to find out how you can help, visit www.workersdefense.org, send an email to info@workersdefense.org or call 972-479-5080.

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Make sure to pick up the next issue of Mercado Bilingüe for part two of our two-part feature on the Workers Defense Project.