

Governor Blagojevich Announces Measures to Protect Latino Workers

**From the Office of Governor Rod Blagojevich
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CHICAGO – Building on his commitment to create safer working environments in Illinois, Governor Rod R. Blagojevich today announced several measures that will help protect the state’s Latino workers from workplace injuries and fatalities. According to national and state research, Latino workers are more likely than other workers to be killed or injured on the job, and foreign-born Latino workers account for two-thirds of all workplace Latino deaths.

The executive and legislative measures recommended by the Panel on Latino Workplace Injuries and Fatalities which released its final report at Instituto del Progreso Latino in Chicago’s Pilsen neighborhood, include working with state agencies and community organizations to train and educate workers about workplace dangers and other safety issues; making state government more efficient by moving a workplace safety team to the Illinois Department of Labor; developing an updated workplace injury and fatality database; and strengthening enforcement of existing laws, including the Day Labor Services and Workers’ Compensation Acts.

“Latinos work very hard to provide for their families and realize the promise of the American Dream. But when they get hurt, their dream is put on hold. Latino workers suffer more injuries and fatalities on the job than other groups. We have to make sure they work under safe conditions,” said Gov. Blagojevich. “We will be able to create safer workplace conditions through executive and legislative action. I commend the Panel on Latino Workplace Injuries and Fatalities who, under the leadership of Congressman Luis Gutierrez and Esther Lopez, have performed an invaluable service that will help us better protect Latino workers.”

The panel, comprised of government officials, local community advocates, union representatives, and occupational health specialists was appointed by the Governor to review the disparity in fatality rates between Latino and non-Latino workers and to develop recommendations on creating a safer working environment for Latino workers. The panel worked for a full year, compiling nationwide and statewide data, and conducting public hearings at which dozens of Latino workers testified. The report also includes job fatality trends and other factors among the Latino population that may heighten their risk of job-related injuries and fatalities.

"These recommendations are designed to better protect the most vulnerable men and women in our workforce and to permanently put a stop to the growing number of Latino workplace injuries and fatalities," said U.S. Representative Luis V. Gutierrez (D-IL) "I applaud the Governor for his unwavering commitment to our community. The work of this panel is another shining example of how he has made protecting and advocating for the hard working families of Illinois a cornerstone of his administration."

"Organized Labor is in complete support of this panel's recommendations to improve the safety of our Latino workers in all industries, including construction, manufacturing, service and agriculture. Earlier this year Illinois updated its Workers' Compensation Act to include a work stoppage order for employers who do not provide coverage for their employees and we will work in the coming year to create and pass legislation that requires coverage for all day laborers. We must protect all workers – documented and undocumented, keeping them safe on the job so they can go home to their families at the end of the day safe and sound," said Margaret Blackshere, President of the Illinois AFL-CIO.

According to the Bureau of Labor Statistics, Latino workers are more likely than other workers to be killed or injured on the job. A national study found that fatalities for workers on the job have fallen 16% since 1994 while workplace fatalities for Latinos have increased by 21% between 1994 and 2003. In 2002, 225 Latinos were fatally injured at work in Illinois, for a rate of 4 per 100,000 full-time Latino workers compared with 3 per 100,000 non-Hispanic workers. As of 2004, the death rates on the job for all workers have increased and injuries are nearly twice as high for Latino workers. Recent data from the Illinois Trauma Center shows that approximately 10 per 10,000 Latino workers in Illinois were seriously injured on the job, a rate nearly double that for whites and blacks.

According to the report, such disparity exists because foreign-born Latino workers are more often day laborers or temporary workers who face cultural and language barriers at the worksite. Newer Latino immigrants in particular suffer an alarming rate of workforce fatalities and injuries, and tend to cluster in low-skilled, and often dangerous jobs that require less education. Compared with other racial-ethnic groups, Latinos earn the lowest wages nationwide. Many of these workers also fear retaliation if they report unsafe conditions and often work multiple jobs, which can lead to fatigue and errors. As a result, foreign-born Latino workers account for about two-thirds of the Latino workplace deaths in the state.

The Panel's top five recommendations are:

- Creating a Worker Safety Fund to support a collaborative partnership and outreach strategy statewide between community-based organizations and government agencies to, among other things, develop worker safety materials in Spanish and provide health and safety training in Spanish.
- Streamlining and coordinating government services for workers and business in the state by relocating the On-Site Safety and Health Consultation team to the Illinois Department of Labor (IDOL) from the Department of Commerce and Economic Opportunity (DCEO).
- Strengthening enforcement of the existing Day Labor Services Act, including increased penalties against unlawful day labor agencies, and allowing workers to sue employers for damages.
- Developing a statewide data collection system to help centralize and analyze occupational injury and fatality data among Latinos gathered by agencies, community-based organizations, and educational institutions and convene in annual conferences to assess and review data.
- Supporting further reforms to the Illinois Workers' Compensation Act, including 1) establishing a stop-work order when an employer is uninsured; 2) establishing an injured workers' benefit fund; 3) providing workers' compensation to agricultural workers; and 4) ensuring adequate workers' compensation coverage at worksites that use temporary labor.

In Illinois, Latinos have become an increasingly larger part of the state's workforce. In 1997, they composed 8.5% of the Illinois workforce and by 2002, they represented 11.3% of the workforce.

"The Illinois Department of Labor's greatest mission is to safeguard the rights and welfare of all Illinois workers by enforcing state laws. As Latinos make up a large percentage of the workforce, this report will help our agency in its outreach efforts in the Latino community, to ensure that workers know their rights while on the job and make sure that they work in safe and healthy environments. We hope to extend our enforcement by assuming responsibility for the On-Site Safety and Health Consultation team as well," said Director of the Illinois Department of Labor Art Ludwig.

"All religious traditions call us to 'welcome the immigrant.' The Latino Worker Safety Panel has helped make Illinois workplaces more welcoming and more just places for Latino workers," said Kim Bobo, Executive Director of the National Interfaith Committee on Workers Justice.

Since the beginning of his administration, Governor Blagojevich has made protecting workers' rights one of his top priorities. Through executive or legislative action, the Governor has:

- Signed legislation making Illinois the most aggressive state in the nation when it comes to safeguarding day laborers from abuses at the hands of day and temporary labor agencies. The legislation gives the Illinois Department of Labor stronger enforcement tools, including stiffer penalties on violators, to protect over 300,000 day laborers across the state.
- Signed legislation that strengthens the Prevailing Wage Act by increasing penalties against contractors who unlawfully fail to pay construction workers the wages they have earned.
- Signed legislation that broadens picketing rights for labor unions and other workers involved in labor disputes with their employers, allowing workers to picket, post temporary signs, park vehicles and set up tents or other temporary shelter areas for the picketers on public rights of way without having to obtain a permit.
- Signed legislation that dramatically changes the workers' compensation system to increase benefits for workers, reduce costs for businesses, and fight fraud. After the Governor made workers' compensation reform a top priority in his 2005 State of the State address, he convened negotiations over several months with business and labor leaders and members of the General Assembly that resulted in the first major overhaul of Illinois' workers compensation system in nearly 20 years.
- Raised the minimum wage to \$6.50 an hour, benefiting an estimated 450,000 Illinois workers. The raise made Illinois one of several states in the nation to increase the minimum wage above the federal level of \$5.15 an hour, which hasn't changed since 1997.
- Signed legislation protecting hundreds of thousands of workers from being stripped of their right to overtime pay by new federal regulations.
- Signed legislation to protect workers from employer indoctrination and confinement, making Illinois only the third state in the nation to enact card check recognition of public employees. The law provides that if 50 percent or more of workers sign union authorization cards, union recognition is automatic.
- Signed legislation to help ensure that women receive equal pay for equal work. Under the law, if a man and a woman do the same job they must be paid the same.
- Signed legislation to protect U.S. jobs by requiring companies bidding for state business to certify whether the terms of the contract will be performed in the United States, and encouraging state agencies to buy products that are manufactured in the United States.
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- Expanded rights of Illinois workers to join a union. This directly benefited 50,000 home childcare workers, 20,000 personal care assistants and thousands of graduate students and court reporters.
- Signed legislation to improve the structure and funding of the Unemployment Trust Fund.
- Signed legislation that requires every contractor providing equipment, materials or supplies to the State of Illinois to specify that no foreign-made equipment, materials or supplies be produced by children under the age of 12. Provides for penalties for a contractor who knowingly furnishes goods to the state produced by foreign child labor.
- Signed legislation increasing protections for hotel room attendants to take rest breaks during their workday. The law requires that hotel room attendants in Cook County receive two 15-minute paid rest breaks and one 30-minute meal period so they can eat, drink water, or use the restroom