



Fighting for Worker and Immigrant Justice since 2005

Fall 2017

Workers Center launches new campaign

Losing a finger from a meat slicer, losing an arm making pallets, crippling tendonitis from folding pizza boxes, broken shoulders from fallen tree limbs, aching back pain from packing lotion boxes, or lifting patients. Since 2014, Ohio has surpassed the national average in workplace deaths. And the number of injured workers calling the CIWC hotline is growing.

Health and safety is precious. It is fundamental. And for immigrant workers and temporary workers, workplace injuries are all too common. We need safety now, for all. This year the CIWC launched a new campaign – Safety Now For All (Seguridad Para Todos Ahora) at the



May Day brunch by recognizing Dr. Eula Bingham, former OSHA administrator and Cincinnati native. We have also improved our training capacity. The CIWC staff became certified OSHA trainers – qualified to provide OSHA 10 hour and 30 hour trainings in both Spanish and English. This makes the CIWC the only organization in this region

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Workers Compensation Under Attack

While we were busy lifting up immigrant workers and promoting safety for all in the workplaces, nativist forces headquartered in Cincinnati were determined to lash out in the opposite direction.

In May of 2017 legislators from Cincinnati (Brinkman and Seitz) tried to kick immigrants off the workers compensation system in Ohio and to reduce the amount of time all workers have to file claims. The Worker's Compensation program is essential to creating safe workplaces. It moves employers to keep accident rates and insurance costs low, and contributes to a culture of safety precisely because it covers everyone.

An amazing coalition, led by groups like Policy Matters Ohio, the ACLU, the AFL-CIO, the Catholic Conference of Bishops and the League of United Latin American Citizens united for a major victory for workers, preventing the immigrant exclusion. Thanks to Senator Cecil Thomas, the CIWC was invited to provide testimony opposing these injustices. But while the powers that be attracted great attention around the "lightning rod" issue of immigration, they managed to sneak in serious limitations to the rights of all Ohio workers. Now, injured workers only have one year to file for compensation, down from two years which is the national average.

Training Now For All!



To schedule a training in your community or help become a community trainer, sign up today to be a **Safety Now For All** activist.

Zero Tolerance Starts Now!

On October 31st workers filed the first complaint under Cincinnati's new Wage Enforcement Ordinance. Fidel Huerta and his co-workers were all unpaid after working long hours at a 3CDC developed project on East 14th Street. Under the ordinance the owners and developers will face new and significant financial penalties if the wage complaints are not resolved and Fidel and his co-workers are paid in full.

Small Victories: Jesus Castaneda



Restaurant cases make up 20% of the calls to the worker rights hotline of the CIWC (513-621-5991). This fall Jesús

Castañeda heard about the CIWC when he went to get his MARCC ID card. As a labor leader in his hometown of Veracruz, Mexico, he was not going to let his bosses steal his wages. When Jesus stood up, the El Rancho Grande Restaurant paid back over two years' worth of overtime wages.

Good Food Purchasing Program

In the last edition of Justice Now, we announced a new policy effort to bring worker protections to the school food supply chain, a program called the Good Food Purchasing Policy (GFPP). In September, the Cincinnati Public School administration agreed to take the first step by allowing a third party to perform a "baseline evaluation" to assess the current purchasing practices at CPS. The coalition's active members now include: Cincinnati Slow Food, ASPCA, Sierra Club, the UFCW, the AFL-CIO Central Labor Council and Black Lives Matter Cincinnati. Most of our local school board trustees and candidates have endorsed the program.

Immigrant Ironworkers Leading the Way

One day in March 2016 two rodbusters named Edward Gonzalez and Gandhi Merida walked into the Center and shared with us the abuses they were facing just a few blocks away. They were working on a prevailing wage project for R&R Steel, a company that was already well known for cheating iron workers. Edward and Gandhi told us about how they weren't given proper training and certifications to perform some very dangerous work. They told us about their supervisor's harassment, the lack of water to drink. And they also told us about how they were only making \$18 an hour on a job that was prevailing wage - way below the \$46.80 they should have been making.



Left to right: Victor Maradiaga, Gandhi Merida, Dave Richardson, Greg Whitlow and Edward Gonzalez at the May Day Brunch

When R&R Steel refused to pay them the back wages we calculated for them over a year ago, Edward and Gandhi, joined by Victor Maradiaga went on strike. Together, the three have been picketing, conducting delegations, and doing interviews for television and magazines. More than anyone else in the region, these iron workers are changing the conversation locally. They have been on the local news, interviewed on Spanish radio, and featured in Cincinnati Magazine. In response to this activism, R&R Steel has been fined \$35,000 by OSHA for disregarding worker and public safety by falsifying training records. Almost \$300,000 in back pay and penalties have been assessed by the state of Ohio. The city has retained almost \$100,000.00 to help pay the 63 employees who have been cheated. This victory is momentous - and it's all thanks to the courage of Victor, Gandhi and Edward.

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providing this training in Spanish and English. We now provide ten-hour OSHA classes for construction industry workers. Recent classes have been sponsored by the Ohio Bureau of Worker Compensation. Completing the class adds earning power and improves safety through education. We are looking forward to hosting 2-4 of these trainings a year.

Other safety programs include trainings with the Sierra Club for workers and community members who are exposed to hazardous materials from sewage and other exposures. And we are partnering with University of Cincinnati job safety experts to establish a hotline where at-risk workers can access confidential, expert advice on the safety issues they are facing.



Members of the OH River Valley IWW after receiving basic Safety & Health Training with Pam Dixon & Paul Breidenbach



Visas For Labor Leaders & Whistleblowers

The process took several agonizing years, but three former local undocumented workers have received lawful temporary residence in the United States, with the option to make their residence permanent. The case of the three men originally from Mexico had ended with a settlement from their veterinarian employer in 2011. But it didn't quite stop there - with the help of Anne Lucas, managing attorney of the Legal Aid Society of Greater Cincinnati, and the person who handled the three workers' cases, Salvador Martinez and Pedro Jose Rojas received U visas in March, just shortly after Jose Aguilar won his.



The U nonimmigrant status is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in investigating or prosecuting criminal activity. A U visa recipient receives a work permit and can apply for lawful permanent residence after staying in the United States for three years. The three workers were at the center of a high-profile case, reported first in 2010 by The Enquirer. In June 2011 Officials from the U.S. Labor Department received more than \$108,000 in payments from the owners of the Hamilton Avenue Animal Hospital in Colerain and the Sycamore Animal Hospital in Symmes. Twenty-one Hispanic immigrant workers at these animal hospitals received over \$85,000 in back wages and damages as the result of an agreement reached between the Cables' lawyer and the Labor Department. "It's a relief," Martinez, 27, said from his home in Maryland, where he is working in landscaping and now has a wife and a 2-year-old son. "Now I can make plans. We stuck up for what was right."

Immigrant Dignity Coalition Launch



In collaboration with the Intercommunity Justice & Peace Center, the CIWC called for a city-wide meeting to launch an immigrant led coalition, to stand united in opposition to unjust deportations and to anti-immigrant harassment of all kinds. Since that time, a massive coalition with 26 member organizations has emerged: the Immigrant Dignity Coalition of Cincinnati. Over the past few months hundreds have gathered together in general assemblies. Dozens have joined Coalition committees. We are citizens and immigrants united - committed to fundamental human rights and human dignity for all.

Lead by immigrants and first generation families, the Coalition is building local power, forging a community that will last. In the face of the fear, racism, and confusion emanating from our nation's capitol the Coalition says: stand united, stay calm, get informed, get active.

We know that to be safe, we must be organized, knowing our rights and knowing our resources. Together, we can cultivate an environment free of fear, bullying, and harassment, including harassment by immigration officials and their agents. So to build our resources and empower the community, the Coalition has created a set of local "Quick Guides" for Coalition members: Neighborhood Dignity, Workplace Dignity, School & Campus Dignity. These are part of our training program that we encourage people to bring to their own communities on all levels. Part of these tools are policies that all local institutions - large and small, public and private - can adopt to create effective, loving, pro-immigrant communities that prevent unjust deportations and unnecessary harassment of immigrants.

The Immigrant Dignity Coalition mobilizes to oppose the deportation and detention of all those allied with our members. Cincinnati has a municipal ID program, also known as the MARCC ID card. We are working to expand the use and acceptance of this card that makes identification accessible to all members of our community. In conjunction with Immigrant Dignity the CIWC has also been meeting with Sheriff Neil to push his officers to stop collaborating with Immigration & Customs Enforcement in Hamilton County. Cincinnati adopted a Sanctuary City motion in January of this year. The Immigrant Dignity Coalition brings immigrants and their allies together to ensure that Cincinnati can truly be sanctuary for all its residents.

If you want to get involved, the Coalition provides an **Immigrant Dignity Report** – a regular dispatch collecting news, events, and calls to action. Sign up via email: immigrantdignitycoalition@gmail.com.



215 East 14th Street
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News & Announcements

Willows Education and Organizing Center



We are pleased to announce the opening of the Willows Community Center, which will be hosting an immigrant rights and worker rights training later in October. This was made possible through our partnership with the AFL-CIO, whose Paul Breidenbach organized this amazing community resource over the past year. The Willows is an apartment complex with hundreds of immigrants living there. Paul and others negotiated with the landlord to have the space upgraded and made available for free. This will be an amazing resource for the CIWC going forward.

Staff Spotlight

Earlier this year the CIWC grew by 30% when we added Magda Orlander (Miami U. class of 2017) to the staff. As an immigrant who is also the child of a working class immigrant, Magda's commitment to workers and immigrants rights is very personal. She's also comfortable

talking to workers from all backgrounds in English, French, and Spanish. Welcome aboard Magda!

CIWC goes to the Radio!

Tune in every third Thursday from 3-5pm to WAIF 88.3 FM's "Boiling Point" with Phil Amadon when the CIWC will co-host the radio show and get you caught up on all the latest news and views.

Volunteer Spotlight

Attorney Claire W. Bushorn Danzl won two CIWC cases for three different immigrant workers through federal litigation regarding unpaid wages and benefits for damages of over \$40,000.00.



CIWC volunteer law clerk Dave Tynes is publishing an e-book - Sanctuary Communities: History & Contemporary Issues. The book discusses the causes of the large-scale movement of immigrants into the United States, as well as community, social, and legal responses to

this phenomenon. One response to the presence of undocumented immigrants is "Sanctuary," where communities, local law enforcement agencies, churches, and employers have often chosen to prevent undocumented immigrants from being removed by agents of Immigration and Customs Enforcement (ICE). The e-book will be available on our web-site: www.cworkers.org.

Partnership Spotlight

Attorneys Katie Kerch and Emily Brown of Advocates for Basic Legal Equality served as the volunteer intake attorneys at three of the CIWC's weekly intakes (every Wednesday from 3-5pm). They are getting great results and helping the CIWC labor rights clinic speed up its recovery process for workers.

Student Spotlight

Nancy Ngoc Giao Ly, a graduate student with the Department of Occupational and Environmental Medicine, University of Cincinnati, OH led a team of student researchers in developing a safety survey for CIWC members. The survey covered health and safety issues including lifting heavy objects, dust exposure, and personal protective equipment (PPE) availability. 56% indicated they had worked in a job where they feared they might be injured. 65% indicated no PPE provided and 60% never received training on how to use PPE correctly. The majority of participants responded that training to prevent work-related injuries would be useful. Nancy's study and related presentation were awarded a prize at a juried competition for emerging safety researchers.

Contact us!

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