Book Review: Suburban Sweatshops by Jennifer Gordon

The book Suburban Sweatshops by Jennifer Gordon (2005) is a much-needed account of the rise of worker centers – organizations that are organizing and serving the low-wage immigrant workers neglected by the trade union movement. Gordon uses the Workplace Project, an immigrant worker center she founded in Hempstead, Long Island, as a case study to explore the challenges that low-wage immigrant workers face both in their jobs and in their attempts to organize against disrespect and abuse on the job. Gordon writes detailed depictions of the lives and perspectives of immigrant workers and explores the ideas of merging lawyering with organizing. That is, she discusses supporting and empowering immigrant communities to collectively lead their own fights, rather than resorting to lawyers to solve individual problems. Gordon also analyzes the Workplace Project’s victories, including the passage of the New York Unpaid Wages Act, and the “citizenship” roles that the Project’s members played to assure the Act’s passage. While she fails to adequately highlight the parts that allied groups with citizen constituencies play in supporting immigrant rights, Gordon correctly concludes that noncitizens can still participate politically as self-proclaimed “rights-bearers” (p. 278). Ultimately, Gordon persuasively argues that immigrant worker centers, as sources of creative lawyering and organizing in the absence of workplace protections, are integral to expanding opportunities for immigrants and encouraging participatory democracy, but they must be tailored to local needs and customs. This book is an extremely valuable contribution to the area of low-wage immigrant workers and should be read by both advocates and opponents of immigrant rights.
The book highlights the challenges that low-wage immigrants face, particularly those that have recently arrived in the U.S. Gordon describes the “two year myth,” where immigrants come to the U.S. thinking that they will save enough money to return to their countries of origin in two years and live comfortably (p. 36). However, the subpar wages combined with the high cost of living force many immigrants to stay in the U.S. much longer, though they never give up their intentions to return to their home countries. Thus, they become “sojourners in mentality and settlers in fact,” viewing their adoptive homes as temporary stops only (pp. 36-7). This mentality makes low-wage immigrant workers particularly difficult to organize for improved worker rights, since many do not see the payoff in fighting a perceived “temporary” employer (p. 37). Difficulty in worker organizing is furthered by the multitude of industries in which low-wage immigrants work—one day as a bricklayer, the next as a dishwasher in a restaurant (p. 91). Nonetheless, Gordon notes a compelling history of immigrant organizing: between 1888 and 1995 when the American Federation of Labor (AFL) issued direct charters to independent worker organizations, which allowed transient workers to have their primary affiliations be with their unions, not their employers (pp. 59-60). Gordon persuasively argues for applying this model to modern-day worker centers, as the Workplace Project has done somewhat successfully (pp. 284-85).

The book also covers immigrant identity and the difficulties and opportunities it presents in organizing. Gordon explains that although most of the immigrants she worked with were Latina and Latino, there was no natural unity among the workers because most identified more strongly with their countries of origin than with the unifying “Hispanic” or “Latino” terminology (p. 162). They also came from varying class and political backgrounds. Gordon explains the phenomenon of middle class immigrants with advanced degrees arriving to the U.S. where they
enter the working class but maintain their middle class identity (p. 159). In some cases, she worked with former soldiers who had fought on opposite sides of civil wars in their countries of origin (p. 157). However, as Latina and Latino workers began to organize for workplace rights together, many of these differences began to matter less than their common language and their collective desire to change their working conditions (p. 162).

Workplace rights struggles do not usually happen spontaneously, and Gordon makes a particularly compelling argument for “rights talk” (i.e. educating workers about their rights) as a starting point for social change (p. 329). Gordon explains that lawyers or community groups usually educate workers about their rights in a group setting, intending them to act individually in protecting their rights (p. 148). The legal clinic at the Workplace Project offered rights education as part of its legal services, but many at the Project opposed the clinic because it did not serve as a bridge to collective action for change; workers simply left the organization after their individual legal problems were resolved (p. 196). The Project leadership eventually eliminated the legal clinic and much of the rights education curriculum, which Gordon correctly pointed out as a mistake (p. 217). Nonetheless, she leaves the reader hanging, because she does not suggest how a proper balance could be met between rights education, individual legal services, and collective action. Instead, she simply notes that tensions between them will always exist and we must learn to deal with them as they arise (p. 238). In the end, Gordon suggests that legal clinics can be useful when a worker center is starting up, to attract new potential members, but as the organization grows and builds a track record of winning campaigns, the organizing will become the major attraction and the clinic can be scaled back or eliminated (p. 231). Her suggestion, while wise, is useful only if the group is truly able to get its organizing program off.
the ground, possibly through a successful drive for a collective bargaining agreement like the United Farm Workers’ campaign in the 1970s (p. 231).

Indeed, there is room for lawyering in worker centers, particularly in helping with strategic research and choosing winnable campaigns, something the Workplace Project has not always succeeded in doing (p. 288). For example, the Coalition of Immokalee Workers, a Florida-based worker center, has won major improvements in working conditions for farm workers through strategic, target-based campaigns against Taco Bell, Burger King, and McDonald’s. And as Gordon points out, the Steelworker Organizing Committee (SWOC, later the United Steelworkers) and United Auto Workers (UAW) successfully took advantage of creative lawyering to engage in (then-legal) sit-down strikes (p. 297). I agree with Gordon that in areas where few workplace protections exist, particularly for those where labor laws do not apply such as domestic work and farm labor, the presence of creative lawyering and rights education can be more, not less, supportive of collective action (p. 298). However, Gordon does not mention that the UAW and the SWOC were both unions that won contracts with employers, whereas worker centers like the Workplace Project are not unions and do not intend to sign collective bargaining agreements with any of the small employers of their members.

An unanswered question that Gordon poses is “what are the workers organizing for?” — an internal democratic structure and the encouragement of citizenship through rights education or an external campaign victory for more concrete workplace rights? (p. 226). Gordon uses the example of Workplace Project members successfully lobbying for the Unpaid Wages Act, passed by the New York Legislature and signed by Governor Pataki in 1997. The Act requires the New York Department of Labor to assess enhanced penalties against employers that violate existing state labor laws. Writes Gordon, “[the campaign for the Unpaid Wages Act] created a group of
people disenfranchised by law but more politically active than most citizens” (p. 280). While the passage of the Act was an external victory in the form of a State commitment to more vigorously enforce rights, it was also a victory in internal democracy and political participation for the Workplace Project and its mostly noncitizen membership. Gordon correctly highlights the need for a democratic culture in an organization and contends that the formation of internal group democracy through a campaign can be a sufficient victory, even if the campaign is not victorious—that is, a democratic and participatory process should be a goal in and of itself (pp. 291-2). I agree with this emphasis on democratic process, though if concrete benefits are not won, the organization may lose focus, its strategic edge, and its ability to recruit new members.

I disagree with Gordon’s assessment of why the New York Legislature passed the Unpaid Wages Act. Gordon argues that it was the combination of Republican Long Island senators recognizing their growing Latino constituencies and the power of moral suasion—including the senators’ ability to see their own immigrant heritage in recognizing the plights of modern-day immigrant workers—that assured the Act’s passage (pp. 262, 265). She states that Republican Senator Carl Marcellino, the grandson of immigrants and the Act’s co-sponsor, along with other Republican senators—some of whom sponsored draconian anti-immigrant legislation—recognized the common obstacles that their ancestors and current immigrants faced: “work and hard knocks.” Writes Gordon, “[i]t was hard for the senators to separate these immigrants, sitting before them with dignity and talking about their struggle to be paid for their labor, from their own families and their experiences of building a life in the United States” (p. 267).

However, Gordon fails to insert a race analysis, crucial in today’s immigration debate. Today’s low-wage immigrants are more often Black and Brown than were immigrants two or three generations ago, and racism causes us to continue seeing today’s immigrants as categorically
different—and less desirable—than past waves of immigrants. Furthermore, I have learned from working in Long Island politics that, regardless of what elected officials say, they generally do not take the concerns of their Latina and Latino constituents seriously because: 1) they do not think their Latina and Latino constituents vote and 2) they believe the anti-immigrant voters in their districts are more numerous and more powerful.

In my opinion, the New York Legislature passed the Unpaid Wages Act because of the support from the Workplace Project’s strong allies, including 1199/SEIU and the Long Island Building Trades, which have citizen constituencies and political clout in Long Island and Albany (p. 253). Throughout the book, Gordon overlooks the importance of a worker center having allies that will effectively push the center’s political agenda. Last summer, I asked Gustavo Torres, Executive Director of CASA de Maryland, another worker center with an almost exclusively noncitizen membership, how they have become such a powerful force in state politics. He explained that it was because strong alliances with organizations like the NAACP, the Catholic Church, and unions (all of which are composed of mostly citizens) have supported their work and fought for their legislation. He conceded that without those groups’ support and coalition-building work, none of CASA de Maryland’s legislation protecting immigrant rights would be possible. Gordon omits this crucial element in her analysis of the Unpaid Wages Act victory.

Another point where I disagree with Gordon is her contention that people receiving legal services from a worker centers like the Workplace Project should not be required to join the organization and pay dues (p. 233). César Chávez, a founder of the United Farm Workers, was known for requiring all workers to pay dues to the union, even if it was their last dollar. Paying dues builds ownership in an organization, and it allows the group to head down the path of self-
financing instead of being subject to the whims of foundations. Gordon argues that joining an organization and paying dues in exchange for legal services—not a legal ethics violation (p. 204)—would cause the person to join just for the benefit of legal services, “not the desire to organize” (p. 233). But few people have the initial desire to organize, let alone the knowledge of what organizing is. The clinic Gordon ran at the Workplace Project required workers to participate in a worker education course, but retention was still low. There should be room to experiment with a membership and dues requirement, since at the very least, it would allow a certain amount of self-financing for the worker center.

Gordon gives minimal treatment to the similarities between low-wage immigrant workers—both documented and undocumented—and low-wage, native-born workers. As Gordon points out, it is true that undocumented immigrant workers face increased risks when organizing for workplace rights, including the loss of work and potential for deportation (pp. 32, 46). However, undocumented workers already face the daily danger of deportation and many more immigrants are put into deportation proceedings as a result of run-ins with the criminal justice system than as a result of workplace immigration raids. Thus, immigrant workers have little more to lose in fighting for workplace rights than do citizen workers, and organizers should not treat workers differently based on immigration status.

Overall, Gordon’s writing style is persuasive and easy to read, as she fluidly weaves short personal narratives with more theoretical policy analysis. The detailed diary-style description of the passage of the Unpaid Wages Act is particularly effective and fun to read. And I respect her choice to interview the staff and members of the Workplace Project as opposed to academics or policy wonks. After all, who would be more of an expert in worker centers than an active member? Gordon’s sources are extensive, pulling from updated statistical analyses, relevant
legal cases, literature on worker centers, and interviews with elected officials. Indeed, the footnotes are an interesting read in and of themselves and provide ample resources for anyone looking to research this topic further. Since the book is not arranged chronologically, save for the chapter on the Workplace Project, the book can be somewhat disjointed. It can be hard to distinguish Gordon’s main points. She introduces new concepts in the conclusion, such as her analysis of democratic structures and cultures of an organization, making the book seem less conclusory. Perhaps Gordon did this intentionally, as demonstrated by her posing unanswered questions and declining to present a singular model for all worker centers, admitting that tensions between law and organizing will always exist, no matter how hard a group works to resolve them.

Gordon’s humble analysis of her experience with the Workplace Project and its development over the years is a much-needed contribution to the literature about the low-wage immigrant worker rights movement. Gordon rightly asserts that the activities of a worker center should be tailored to the needs of the local immigrant communities in which they operate. And her analysis of worker centers filling crucial gaps between immigrant workers and trade union organizing is spot-on. Worker centers should lead the movement to organize low-wage immigrant workers in sectors traditionally neglected by unions, and Suburban Sweatshops is critical reading for any group considering undertaking such an effort.