

Health Disparities Among Undocumented Workers in the United States

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INTRODUCTION

The majority of immigrants relocate in order to find better employment opportunities and improve their economic status (Leong, Eggerth, & Flynn, 2014). A large proportion of immigrant workers in the U.S. are employed in sectors such as those involved in service, production, transportation, construction, and maintenance (Bureau of Labor Statistics, 2012). These occupations often involve higher safety hazards than most jobs held by native-born workers. Consequently, significant occupational health disparities exist between immigrant workers and native-born workers. Latin American immigrants, for example, have significantly higher rates of work-related injury and mortality than native-born workers (Orrenius & Zavodny, 2009).

The undocumented immigrant population, which is estimated to be over 11 million people (Passel & Cohn, 2011), are more willing to accept low paying jobs that entail hazardous working conditions. With the constant fear of deportation, they are willing to take undesirable jobs with employers who do not always uphold labor rights. Working under these disagreeable conditions and being subjected to labor abuses has resulted in a negative effect on the health status of undocumented workers. This brief reviews the current situation of undocumented immigrants in the workplace, the difficult working conditions they are subjected to, some of the major health concerns that originate from the workplace, and the current laws that exist to address these concerns.

BACKGROUND

Immigration and Work

Work and economic opportunity is the strongest driving force of immigration. With the aging population of the United States, immigrants are becoming more important to the economy as they perform work that native-born workers do not find appealing, most of which are low-skilled jobs. Due to the recent financial crisis, the weak economy and low job availability have pushed employees, especially low-skilled undocumented workers, to accept jobs with lower pay, longer hours, and other reductions in the terms and conditions of employment (Wishnie, 2004). Thus, the distribution of jobs among immigrants is different from that of the native population.

More native-born workers generally hold professional specialty occupations while foreign-born workers are found in more service, operator, fabricator, and laborer jobs (Schenker, 2010). In 2013, 24.8% of foreign-born workers were employed in service populations compared to 16.7% of native-born workers. Within service occupations, about one-third of the foreign born were employed in building and grounds cleaning and maintenance occupations, about twice the proportion for the native born. Meanwhile, 39.5% of native-born workers were employed in management, professional, and related occupations compared to only 30.3% of foreign-born workers (Bureau of Labor Statistics, 2014).

Furthermore, in 2004, 30.2% of agricultural workers in the U.S. were Hispanic. In some regions, such as California, over 85% of farmworkers are immigrant Hispanics (Schenker, 2010). Thus, they make up the largest portion of the U.S. agricultural workforce, with most being male, poor, and undocumented. Immigrants, especially those who are undocumented, participate in "day labor," in which a worker is hired and paid one day at a time. In Southern California, there are around 15,000 to 20,000 day laborers. They are almost entirely comprised of men, a large proportion of which are undocumented immigrants, who wait patiently on street corners, empty lots, or home-improvement stores every morning to informally exchange labor for the day for individually negotiated wages (Valenzuela, 2000).

LITERATURE REVIEW

Stress in the Work Environment

Upon arriving to the United States, immigrants begin the process of acculturation. Acculturation entails changes in one's behavior, attitudes, beliefs, and/or self-image, which can translate into changes in their ways of doing business, social interactions, and political activities (Leong et al., 2014). Oftentimes, the environment in which immigrants are most exposed to is the workplace. The process of adapting to their work environment is stressful as they not only have to adapt to the culture, but they also have to acclimate themselves into a new job that entails new responsibilities, rules, and social interactions that immigrants might not be accustomed to. The fact that immigrant workers, especially those who are undocumented, are more likely to work in riskier

jobs is partly due to the language barriers and their low educational attainment (Orrenius & Zavodny, 2009). Language is central to daily life and is vital to communication in the workplace (Leong et al., 2014). The inability to comprehend certain tasks puts a great risk on the health of immigrant workers, especially those who hold more hazardous occupations. In terms of education, more than one-quarter (27%) of foreign-born workers age 25+ lack a high-school diploma, compared to only 6% of native-born workers (Congressional Budget Office, 2009). Immigrants may also be unfamiliar with some of the common practices in their host country, such as workplace relationships, standard procedures, safety protocol, operational guidelines, etc. Employers may fail to provide adequate training in observing safety and proper use of equipment, resulting in employees not having a full comprehension of how to perform their tasks properly (Leong et al., 2014).

Threat of Deportation

The undocumented worker's residence in the United States without the proper immigration status limits his or her ability to fully participate and integrate into society. Many undocumented immigrants are often called "illegal", with the legal, sociocultural, and political atmosphere of the host country dictating the general treatment of immigrants (Leong et al., 2014). Because of their "illegal" status, many undocumented immigrants live in a constant state of vulnerability and fear of deportation. The threat of deportation adds to the many stresses that undocumented immigrants already bear. Due to some hostility targeted towards them, they often assume that they have fewer rights than they actually do (Leong et al., 2014). The lack of formal work contracts often results in increased likelihood that abusive labor practices will result. Employers can avoid compliance with federal and state employment regulations such as payroll taxes, social security, worker's compensation, and immigration requirements.

Health Implications

Numerous reports and studies have detailed the consistent pattern of higher occupational morbidity and mortality among immigrant workers (Schenker, 2010). This is due to the distribution of occupations among immigrants. According to the U.S. Department of Labor (2006), the three occupational groups with the highest rates of occupational fatalities

are transportation, construction, and agriculture, all of which have the highest proportion of immigrant workers in the U.S. A study of occupational fatalities among Hispanic construction workers from 1992 to 2000 found that Hispanics made up 15% of the construction work force, but they made up 23.5% of the total fatality rate. Hispanic construction workers have 1.84 (95% CI: 1.60-2.10) times more chance of having occupational fatality than non-Hispanics (Schenker, 2010). Similarly, although no data exist on immigrant-specific fatalities in agriculture, fatalities among agriculture occupation rank among the highest for U.S. workers (Hard, Myers, & Gerberich, 2002), and Hispanic immigrants dominate the agricultural workforce.

Undocumented immigrants often feel an economic pressure to maintain their job, which contributes to increased occupational injury risk despite the fact that they may be too tired or too sick. The precarious job status of immigrant workers is associated with increased rates of occupational injuries, lack of health insurance and limited worker's compensation. The lack of legal status places undocumented immigrants at a disproportionate risk for work injury by restricting them to jobs that are often low-paying, dirty, and dangerous, and involves physical hard work. The labor market they participate in often does not adhere to health and safety regulations and in which training is often inadequate (Walter, Bourgois, Loinaz, & Schillinger, 2002). Specific risk factors for occupational fatalities among immigrant workers include the assignment of more hazardous tasks to immigrant workers, failure of employers to invest in safety training and equipment, greater risk-taking by immigrant workers, and failure to complain about unsafe conditions by workers who may have precarious job status (Schenker, 2010). Immigrant laborers, for example, are recruited to work with hazardous material such as asbestos or carry very heavy loads without adequate training or protection. Furthermore, the constant fear of deportation that many immigrants have prevent them from utilizing some of the available services and resources legally provided for them, further exacerbating their isolation, exploitability, and psychological stress (Leong et al., 2014). A street level ethnographic study of 38 undocumented day laborers in San Francisco found that despite the high incidence of work injuries and prevalence of work-related health conditions, undocumented laborers are frequently reluctant to use health

services due to anxiety regarding immigration status, communication barriers and economic pressure (Walter et al., 2002). It is not uncommon that employers exploit this fear among their undocumented workers, taking advantage of the unauthorized immigrants by depriving them of health care and basic labor rights because they know that undocumented workers are willing to take on difficult, undesirable jobs.

Undocumented immigrants also face direct and indirect barriers to health care in terms of ineligibility to government social programs and limited mobility arising from fear of deportation (Leong et al., 2014). Working nine straight hours in the field under extreme heat without access to water or shade caused the preventable death of Maria Isabel Vasquez Jimenez, a 17-year old farmworker in California. She was prevented from taking a break and died three days later. This incident captures some of the many labor abuses that undocumented immigrants are subjected to, especially those who work in agriculture.

Conclusion and Policy Implications

Many of the determinants of occupational health for undocumented day laborer are ultimately political. The economic reasons behind the migration of undocumented immigrants, the implications of what it means to be undocumented and their exclusion from the formal workforce are socially determined factors that shape day laborers' risk and experience of work injury and health care (Walter et al., 2002).

The rights extended to immigrant workers, especially those who are undocumented, and the degree to which these protections are implemented and enforced will dictate the extent to which occupational health disparities existing in the undocumented population can be alleviated. Especially since most analyses suggest that immigration is a net economic benefit to the receiving countries (Schenker, 2010), it would be wise for the government to reform immigration laws to allow a proportion of undocumented people in the U.S. to have some form of legitimate status (Walter et al., 2002), but also minimize future illegal inflows by increasing enforcement of immigration laws in the worksite and by providing more legal avenues for workers to enter the U.S. The government can increase the number of temporary and permanent visas available to high- and low-skilled workers to

boost economic gains from immigration. They can also simplify the rules for obtaining temporary worker visas to encourage employers to use these programs instead of hiring unauthorized workers. (Orrenius & Zavodny, 2013).

Additional Resources:

Immigration Legal Resource Center -

<http://www.ilrc.org/for-immigrants-parainmigrantes/know-your-rights>

Center for American Progress -

<http://www.americanprogress.org/issues/immigration/view/>

Migration Policy -

<http://www.migrationpolicy.org/>

Federation for American Immigration

Reform – www.fairus.org

National Immigration Law Center -

<http://www.nilc.org/immigrantsshr.html>

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