



A CITY OF IMMIGRANT WORKERS:

Building a Workforce Strategy to Support All New Yorkers

ABOUT THE AUTHORS



The Center for Popular Democracy works to create equity, opportunity and a dynamic democracy in partnership with high-impact base-building organizations, organizing alliances, and progressive unions. CPD strengthens our collective capacity to envision and win an innovative pro-worker, pro-immigrant, racial and economic justice agenda.

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A City of Immigrant Workers: Building a Workforce Strategy to Support All New Yorkers

Executive Summary

New York City is a city of immigrants. New York is home to the most diverse immigrant population of any major city in the world¹ and immigrants make up nearly half of the city's workforce. Yet the city is faced with a paradox: while immigrants are employed at higher rates than native-born New Yorkers, they are disproportionately clustered in low-wage occupations and are frequently taken advantage of by both exploitative employers and predatory employment agencies. As the city government has begun restructuring its workforce development system, it has created an important opportunity to address these inequities faced by immigrant New Yorkers.

Commendably, New York City Mayor Bill de Blasio is leading a shift in the city's approach to workforce development by moving away from a system that prioritized rapid job attachment regardless of job quality and working instead to create a more equitable career pathways framework—a system-wide framework that aligns and coordinates education, training, credential attainment, and early job exposure opportunities to serve workers at various stages of the job continuum.² In November 2014, the Jobs for New Yorkers Task Force, convened by Mayor de Blasio, issued the *Career Pathways* report, recommending a sector-based strategy to build skills among workers based on employer needs, improve access to quality jobs, and feature greater system and policy coordination.³

This report argues that to succeed in this transformation, the de Blasio Administration and the philanthropic community must fully account for the needs of New York's immigrant workforce and incorporate a population-focused strategy to complement its sector-based approach. Specifically, the workforce development system should build the right career ladders while raising workplace standards and job quality for immigrant workers, and improve immigrant access to workforce development services through enhanced systems coordination.

At stake in this shift is not only the economic empowerment of immigrant New Yorkers, but also the economic vitality of the city as a whole. Immigrants already contribute significantly to the city's economy. These contributions could be even greater if immigrants were ensured access to workforce development services that meet their needs. A coordinated strategy for immigrant inclusion is critical for the long-term success of public and private investments in workforce development and local poverty-fighting efforts, and the overall continued economic growth of our city.

A City of Immigrant Workers

At almost 40 percent of New York City's population and nearly half its total workforce, immigrants are undeniably integral to the city's economy. Immigrants bring diverse skills and multilingual assets to the workforce. They also make up significant percentages of key sectors where the city is investing

tremendous resources to build industry partnerships and career pathways, including food service, construction, healthcare and retail. Yet at the same time, too many immigrant workers are trapped in lower-wage occupations within these sectors and lack opportunity or access to tools for advancement.

An inclusive approach to workforce development should address all of the most common barriers to immigrants' ability to advance along a career pathway and fully contribute to the local economy. These include:

- Significant rates of limited English proficiency among immigrant workers across all levels of formal education, skills, and work experience
- Lower levels of formal education compared to the native-born population
- Difficulty transferring or translating credentials in the United States for immigrants with higher education or professional experience from abroad, resulting in under-employment or "brain waste"
- Vulnerability to workplace exploitation related to immigration status
- Limited knowledge around navigating the US job market and adult education system and lack of familiarity with American workplace norms
- Lack of access to, or awareness of, available workforce, adult education, and social support services, resulting in vulnerability to predatory employment agencies

A workforce development system that can help immigrants address these barriers would allow the city to fully benefit from immigrants' diverse skill sets and work experiences while making it possible for immigrants to reach their full potential as workers and residents of New York City.

A Fractured Workforce Development Ecosystem

The lack of coordination and of an immigrant-specific approach at the city level makes it difficult for immigrant New Yorkers to access the workforce development system. In addition, publicly funded workforce programs have not tracked or evaluated how immigrants in particular are being served by the current system. In interviews for this report, immigrant providers stated that publicly funded workforce programs tend to be poorly suited for immigrant needs, and are often nonexistent in the most immigrant-dense neighborhoods. In addition, undocumented immigrants are often ineligible to receive services from publicly funded programs due to federal funding restrictions. And while privately funded efforts have had success in reaching immigrant populations, they have generally done so only at a small scale. Community-based organizations that do serve undocumented immigrants rarely specialize in workforce development, and are faced with limited resources.

More coordination among and between public and private actors, both from within and outside of the city's formal workforce development system, is needed to improve the system for all users, but particularly for immigrant workers who have specific needs.

Recommendations

To be effective in a city where half of the workforce is foreign-born, New York City’s workforce development system must leverage sector-based and population-based strategies to ensure that immigrant workers and job-seekers can take advantage of workforce development services and thus participate more fully in the labor force. This will also ensure the overall success of the *Career Pathways* plan, given the sheer number of immigrants in the sectors it prioritizes.

New York City and the philanthropic community must address barriers to immigrant inclusion and the fractured workforce development ecosystem by adopting the following recommendations:

- 1) Build the right career ladders for immigrants. Meet the unique educational and training needs of immigrant New Yorkers within a sector-based framework by:
 - a. Making additional investments in ESOL and adult basic education that emphasize quality experiences and measurable positive outcomes in terms of educational and skills gains
 - b. Building bridge programs—defined by the city as programs that prepare individuals with low educational attainment and limited skills for entry into a higher education level, occupational skills training, or career-track jobs⁴—and training opportunities for LEP immigrants, particularly in key sectors where the city is creating industry partnerships
 - c. Reducing “brain waste” among high-skill immigrants through soft skills training, referrals to accreditation services, and investments in networking and mentoring programs
 - d. Connecting immigrants to social services and other wraparound supports that will enable them to actively pursue education and training
- 2) Improve immigrant access to workforce development through systems coordination by:
 - a) Filling service gaps in immigrant-dense neighborhoods, particularly where predatory employment agencies are most prevalent
 - b) Building robust linkages and referrals to incorporate smaller community-based organizations that specifically serve immigrants
 - c) Enhancing funding coordination to serve the full immigrant workforce, including undocumented workers
- 3) Raise workplace standards for immigrant workers. Protect workplace rights and improve job quality in low-wage occupations where vulnerable immigrants predominate by:
 - a) Supporting advocacy to hold employers accountable to labor law in partnership with the recently created New York City Office of Labor Standards Enforcement
 - b) Engaging with employers to improve job quality and connect immigrants to additional services, such as immigration legal services to help immigrant workers advance along a path to US citizenship
 - c) Developing the leadership skills and organizing power among workers



Introduction

As Mayor de Blasio leads critical efforts to fight income inequality and increase access to well-paying, stable employment, the inclusion of the city's 2.4 million working-age immigrants⁵ in its workforce development strategy will play a crucial role in determining the ultimate success of the city's efforts.

In November 2014, the Jobs for New Yorkers Task Force, convened by Mayor de Blasio, issued the *Career Pathways* report, recommending that the city align its \$500 million in workforce investments with a career pathways model that emphasizes skill building and career progression over the previous approach which prioritized rapid job attachment. The Task Force identified three main policy pillars: (1) "building skills employers seek" by investing in training based on employer needs and developing strong industry partnerships that provide feedback loops with companies in priority sectors; (2) "improving job quality" by supporting New Yorkers in lower-wage jobs to improve economic stability; and (3) "increasing system and policy coordination" by bringing the city's economic development investments and contracts in tandem with training and employment services to benefit workers and jobseekers.⁶

The *Career Pathways* report provides a promising framework for workforce development as a whole. One year in, the city has taken several positive steps towards realizing its vision with new investments in college support, subsidized jobs, and training.⁷ The next step is to ensure that immigrant workers and jobseekers are fully integrated into the sector-based career pathways approach.

Because immigrants comprise nearly half of the city's workforce, their population-specific needs are vital to the success of the city's workforce system. Without a coordinated approach to ensure that workforce development services are reaching immigrants, the city's plan risks overlooking an enormous population of workers and jobseekers who are employed in large numbers in precisely the sectors highlighted by the Jobs for New Yorkers Task Force and prioritized in the *Career Pathways* report.

A Portrait of New York City's Immigrant Workforce

Immigrants make up a significant proportion of the city's population and an even greater proportion of the total workforce. Transforming the workforce development system requires understanding the characteristics of the foreign-born population and the unique barriers to economic stability confronted by immigrants.

A City of Immigrant Workers

New York City is a city of immigrants. Approximately 37 percent of the city's population (or three million people) is foreign-born.⁸ The city's immigrants are the most diverse of any major city in the world, with 33 percent hailing from Latin America, 28 percent from Asia, 19 percent from the Caribbean, and 4 percent from Africa.⁹

Notably, New York City is a city of immigrant *workers*, with immigrants making up almost half of the city's workforce (47 percent). Immigrant workers and have been growing both in number and as a proportion of the percent of the workforce in 2000).¹⁰ Immigrants participate in the labor force at higher rates (66 percent) than their native-born counterparts (61 percent),¹¹ with undocumented immigrants working at even higher rates.¹²

Immigrant Economic Contributions

Immigrants' economic contributions are integral to the economic vitality of the city. According to the Office of the State Comptroller, immigrants accounted for \$210 billion in economic activity in New York City in 2011, or approximately 31 percent of the city's gross product. From 2000 to 2011, immigrants' economic contributions grew by 63 percent, compared to a 53 percent rate of growth by their native-born counterparts.¹³

Moreover, these contributions are not limited to naturalized citizens and/or immigrants with lawful immigration status. According to a 2016 study by the Institute on Taxation and Economic Policy, undocumented workers in New York add \$1.1 billion in local and state taxes per year.¹⁴

Immigrant Income Disparities

Despite higher labor force participation rates and significant economic contributions to the city, immigrants have lower incomes than their native-born counterparts. Median household income for foreign-born New Yorkers (\$43,700) is significantly lower than that of native-born households (\$54,700).¹⁵

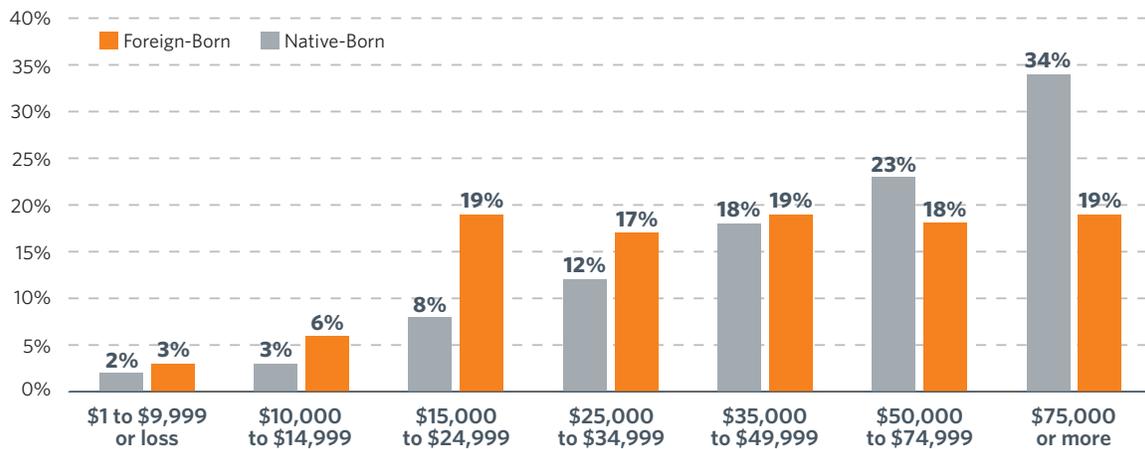
Among the foreign born, certain groups have higher than average poverty rates, including immigrants from the Dominican Republic, Mexico, Bangladesh, Pakistan, and El Salvador.¹⁶

Overall, foreign-born New Yorkers are more represented at the lower end of the income spectrum. For example, 28 percent of immigrant workers earn less than \$25,000 annually, which is more than double the rate of native-born New Yorkers in that income range.¹⁷

Summary of Key Data

- Immigrants comprise 47 percent of the workforce in New York City.
- Immigrants have lower median household incomes than their native-born counterparts, with 28 percent of foreign-born New Yorkers earning less than \$25,000 annually, compared to 14 percent of native-born New Yorkers. Immigrants from certain countries or regions of origin experience significantly higher poverty rates than the city average.
- Immigrants dominate multiple occupations within priority sectors in the city, including food service, construction, health care, manufacturing, and retail. A majority of immigrant workers are concentrated in just 27 different occupations.
- Though New York immigrants reflect a diverse range of educational and professional achievement, many face significant language barriers. About 1.7 million adult New Yorkers are limited English proficient (LEP), and 23 percent of all New York City workers are LEP.
- Overall, immigrant New Yorkers have lower levels of formal education than the native-born. Only 38 percent of foreign-born workers in New York City ages 25 and older have a bachelor's degree or higher, compared to 56 percent of native-born workers. Moreover, 21 percent of foreign-born workers have less than a high school degree, compared to only 6 percent of native-born workers.
- While most immigrants are naturalized US citizens, many are permanent residents, have another form of immigration status, or are undocumented. Undocumented immigrants dominate the informal economy where workplace violations are endemic.

Earnings in the Past 12 Months for Full-Time, Year-Round Workers in New York City



Source: American Community Survey, 2010–2014

Occupations of Immigrant Workers

Immigrants drive growth in the majority of the city's occupations and outpace native-born workers in more than half (253) of the 460 Census-identified occupations citywide.¹⁸ At the same time, immigrants are disproportionately represented in blue-collar jobs and low-wage occupations that do not require high levels of educational attainment. (See Appendix A, Table A-1 for the top occupations of foreign-born workers.)

In each of the six sectors identified by the Jobs for New Yorkers Task Force as priorities for building industry partnerships, immigrants make up a significant proportion, and in many cases the majority, of the workforce for a number of occupations within each sector. Many of these occupations are low- and moderate-wage. Immigrants are overrepresented in a number of occupations, for instance as cooks, construction workers, home health aides, and cashiers.¹⁹

Table 1: Percentage of Immigrants in Career Pathways Sectors²⁰

Construction	Drywall Installers, Ceiling Tile Installers, and Tapers	85%
	Painters, Construction and Maintenance	81%
	Construction Laborers	77%
	Plasterers and Stucco Masons	71%
Food Service	Cooks	80%
	Waiters/Waitresses	61%
	Food Prep Workers	76%
Healthcare	Nursing, Psychiatric and Home Health Aids	76%
	Registered Nurses	58%

Table 1: continued...

Manufacturing	Pressers, Textile, Garment, and Related Materials	96%
	Sewing Machine Operators	92%
	Jewelers and Precious Stone and Metal Workers	83%
Retail	Retail Salesperson	43%
	First-line Supervisors of Retail Sales Workers	48%
	Cashiers	56%
Tech ²¹	Programmers	50%
	Software Developers	48%
	Computer Operators	39%
	Computer Support Specialist	38%

Language Skills and English Proficiency

New York City has a highly valuable asset in its multilingual workforce: workers who speak languages other than English can provide access to a larger market of customers and clients. However, a significant proportion of workers who speak languages other than English are limited English proficient (LEP), meaning they speak English “less than very well.”

Citywide, 1.7 million people are considered LEP.²² Twenty-three percent of all New York City workers (about 697,000 people) are LEP, including 27 percent of workers who reside in the Bronx, 24 percent in Brooklyn, 13 percent in Manhattan, 31 percent in Queens, and 12 percent in Staten Island.²³

To an even greater extent than immigrants in general, LEP New Yorkers are concentrated in low-wage occupations, including the priority sectors identified by the Jobs for New Yorkers Task Force in *Career Pathways*.

Table 2: Percentage of Limited English Proficient Workers in Career Pathways

Food Service	Dishwashers	80%
	Food Prep Workers	65%
	Combined Food Preparation and Service Workers, including Fast Food	58%
	Cooks	63%
Construction	Painters, Construction & Maintenance	63%
	Construction Laborers	61%
Manufacturing	Pressers, Textile, Garment and Related Materials	93%
	Sewing Machine Operators	86%

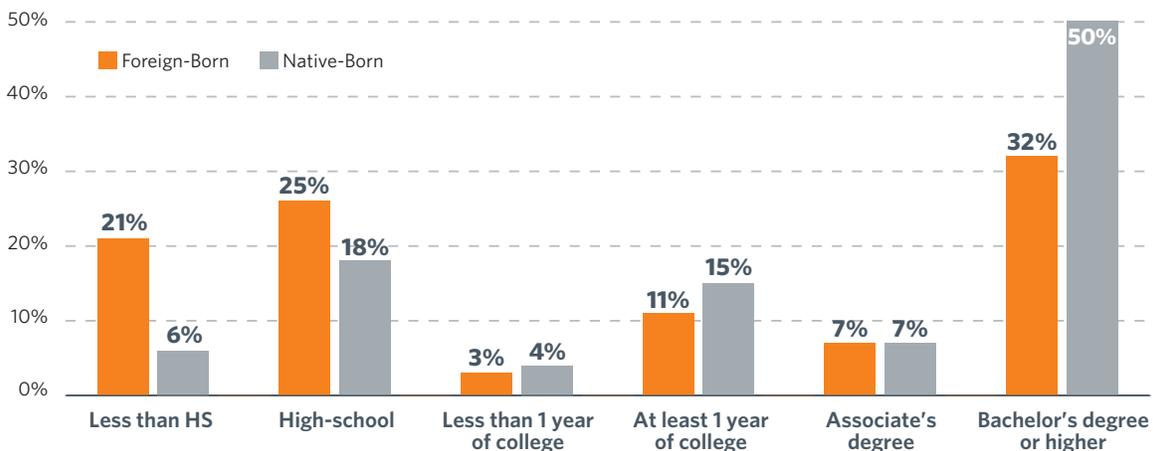
It is important to note that immigrant New Yorkers who are LEP, including those in low-wage occupations, have a diverse range of educational backgrounds and skill levels, meaning that language skills are not necessarily consistent with educational and professional training.

Educational Backgrounds

In New York City overall, immigrant workers have significantly lower levels of formal education than do native-born workers, which greatly limits opportunities for well-paying jobs with opportunities for advancement. Approximately 21 percent of foreign-born workers have less than a high school degree, compared to only 6 percent of native-born workers.²⁴ In addition, immigrants tend to be disproportionately between the ages of 18 and 64, with 80 percent of the foreign-born population in this age group in 2011.²⁵ This means that for those who have not completed high school, further educational opportunities must be sought through the adult education system.

At the same time, nearly 590,000 New York City immigrants have college and/or professional degrees, with around 280,000 of this group having been educated abroad.²⁶ Approximately 26 percent (156,000 people) of immigrants with a college degree are unemployed or working in low-skill occupations, contributing to significant “brain waste.”²⁷

Educational Achievement of Foreign- and Native-Born Workers in New York City, 2011



Source: IPUMS ACS, 2007-2011

Immigration Status

Foreign-born workers have a range of immigration statuses which determine their authorization to work legally in the US, as well as a number of other important rights and privileges. Currently, the majority of immigrants in New York City are naturalized US citizens.²⁸ Many others are legal permanent residents, also known as green card holders, or have another form of work authorization such as asylum or refugee status. New York City is home to an estimated 700,000 lawful permanent residents who may be eligible to naturalize.²⁹

Approximately 574,000 immigrants in New York City are undocumented.³⁰ Of that number, some 60,000 immigrants have been granted or are eligible for temporary work authorization under the 2012 Deferred Action for Childhood Arrivals (DACA) program. The Obama Administration has made efforts to expand DACA and establish a new program, Deferred Action for Parents of Americans, through executive action. This expansion may allow an additional 143,000 undocumented New Yorkers to obtain permission to work.³¹

Despite not being authorized to work in the US, undocumented workers participate in the labor force at significantly higher rates than other groups including both native- and foreign-born workers,³² often in the informal economy. Due to their marginalized status, these workers are particularly vulnerable to workplace violations, including wage theft and improper health and safety protections.³³

Informal Work

Though immigrants work throughout the formal economy, foreign-born workers, both documented and undocumented, dominate the informal economy in New York City.³⁴ The informal economy generally refers to workplaces that are largely unregulated, unmonitored, and unorganized. These workplaces are often sites of systemic violations of core employment and labor laws. Informal working conditions often mean that workers are paid substandard wages, that there are no guaranteed minimum or maximum hours of work, no health or safety protection on the job, and no meaningful career pathways.

A National Employment Law Project (NELP) study found that the informal pay systems that characterize much of the informal economy are often predictive of workplace violations (for example, minimum wage and other violations) and workplace violations are often “bundled”—in other words,

A Snapshot of Immigrants and the City's Workforce Ecosystem

The ecosystem of workforce development services in New York City comprises initiatives and programs run or supported by government, business, labor, and philanthropy. The Jobs for New Yorkers Task Force included representatives from many of these entities. However, the ecosystem also comprises entities relied upon by many immigrant New Yorkers that are less often accounted for in workforce discussions, including private employment agencies that many immigrants rely on for help finding work.

Public entities include 15 city agencies (from the Department of Education to Small Business Services to the Human Resource Administration and the Department of Youth and Community Development), as well as the City University of New York and two of the three public library systems.³⁵ These entities administer federal, state, and local funding streams totaling approximately \$500 million each year.³⁶ In the de Blasio Administration, the Mayor's Office of Workforce Development plays a key coordinating role.³⁷

The city's business community, labor unions, and foundations also play a significant role in workforce development. Philanthropy in particular has also helped bring various stakeholders together, with the New York City Workforce Funders group supporting demonstration projects, capacity building, and policy initiatives, as well as forging

partnerships among city agencies, industry, and others to develop new approaches to training and employment. Philanthropic funding for workforce programs in the city was \$72 million in 2014,³⁸ an increase from \$65 million in 2013.³⁹

Despite significant public and private investment, there is limited quantitative data about how public and privately funded workforce services entities connect with immigrants in New York City. Most programming targeted at immigrants consists of ESOL classes, funding for which has not kept pace with the city's growing immigrant and LEP population.⁴⁰ Other immigrant-specific programs, such as sector-specific bridge programs for LEP New Yorkers or entrepreneur training programs for immigrant business owners, are limited in scale and scope. Comprehensive data on the numbers of foreign-born New Yorkers accessing large-scale publicly funded services, including Workforce1 Career Centers, is not available, though some programs do collect information on LEP participants.⁴¹

The presence of many private, for-profit employment agencies in immigrant-dense neighborhoods suggests that many foreign-born New Yorkers rely on these entities for help accessing work opportunities in the absence of access to, or knowledge of, public or non-profit services.⁴²

when one type of violation occurs, it is likely that there are also other types of violations. Further, employers who break the law rarely provide other benefits, such as health insurance or pay increases.⁴³

The informal economy is an essential part of the economic fabric of the city and plays a significant role in several priority sectors identified in the *Career Pathways* report. Workers in the informal economy, however, are generally underserved by the city's workforce services. In addition, immigrants without work authorization are excluded from several federally funded workforce services. Strategies to enforce and improve workplace protections and reorganize low-wage industries to improve job quality are therefore essential components to a meaningful workforce development plan.

Predatory Employment Agencies

Private employment agencies are effective competitors to public and non-profit workforce services. Filling service gaps in immigrant-dense neighborhoods, employment agencies often prey upon the financial vulnerability and/or instability of a worker's immigration status—particularly those who have immigrated recently.

Commonly cited practices include:

- Charging up-front fees (sometimes up to a month's worth of pay) for a job placement;
- Charging application fees but failing to connect workers to jobs;
- Offering meaningless certifications that are not recognized by an industry;
- Sending workers to job sites where no jobs are actually available; and
- Connecting workers to jobs that pay far below the minimum wage.⁴⁴

State law allows for a two-tiered system in which employment agencies can charge lower-skilled workers fees before being placed, while those eligible for middle-skill jobs are not charged advance fees.⁴⁵ Advance applicant fees are permitted in low-wage occupations where immigrant workers cluster and/or workplace violations are common: domestic workers, household employees, untrained manual workers, and non-professional trained industrial workers or mechanics.⁴⁶ Despite the egregious practices of many employment agencies, immigrant workers note that in particular industries (namely domestic work), employment agencies have strong relationships with employers and are therefore unavoidable.⁴⁷

Hot spots for predatory employment agencies include Corona, Jackson Heights, Elmhurst and Woodside in Queens; Flatbush, East Flatbush, East New York, Bensonhurst, and Sheepshead Bay in Brooklyn; West Bronx, University Heights, Port Morris, Morris Heights, Melrose, and Castle Hill in the Bronx; and Washington Heights and East Harlem in Manhattan.⁴⁸

“With these placement agencies, they're already charging us one month of our salary to place us in a job. And even just to apply, you pay \$25, \$50 and they don't even give you a job.”

—Domestic Worker

“Some students have gone and paid \$1,000 to an agency and ended up getting the same job that we would have gotten them. But then students have come to our classes and programs because they have heard from others that we can help them.”

—Ned Gardner, Program Coordinator, ESL Services, Henry Street Settlement



Addressing Barriers Faced by Immigrants

To ensure inclusion and equal access to economic opportunity, the city’s workforce development system must address some of the major barriers faced by immigrant New Yorkers—barriers that contribute to lower incomes⁴⁹ and, for several of the largest immigrant groups in the city, higher poverty rates.⁵⁰ Only by taking these barriers into account will the career pathways approach succeed among immigrant New Yorkers.

Workforce barriers faced by immigrant jobseekers and workers can be organized into three broad categories. First, immigrants with varied levels of formal education and English proficiency have specific educational and training needs that are distinct from those of native-born workers. A comprehensive workforce strategy must address these needs to build appropriate career ladders for immigrants through programs that develop the skills and credentials that employers seek.

Second, to keep people from getting trapped in low-wage survival jobs, immigrant New Yorkers require better access to services and networks that can help them attain quality jobs and advance along a career pathway. To improve such access, government and philanthropic sectors must 1) enhance systems coordination to better reach immigrants where they are, and 2) increase support for successful and promising organizations that are already deeply embedded in immigrant communities.

Third, immigrants are particularly vulnerable to workplace exploitation, especially in the informal economy, due to inadequate enforcement of labor law, a lack of awareness of workplace rights, and unstable or unauthorized immigration status. A workplace rights strategy to raise the floor for immigrant workers is thus necessary to improve job quality in low-wage occupations. Raising the floor includes both enforcing and improving current laws, as well as engaging employers in developing strategies for making poor-quality jobs better.

The following sections address each of these categories and make specific recommendations for the city’s workforce policymakers to adopt to better incorporate immigrants in the workforce system.

Build the Right Ladders: Meeting the Educational and Training Needs of Immigrant New Yorkers within a Sector-Based Framework

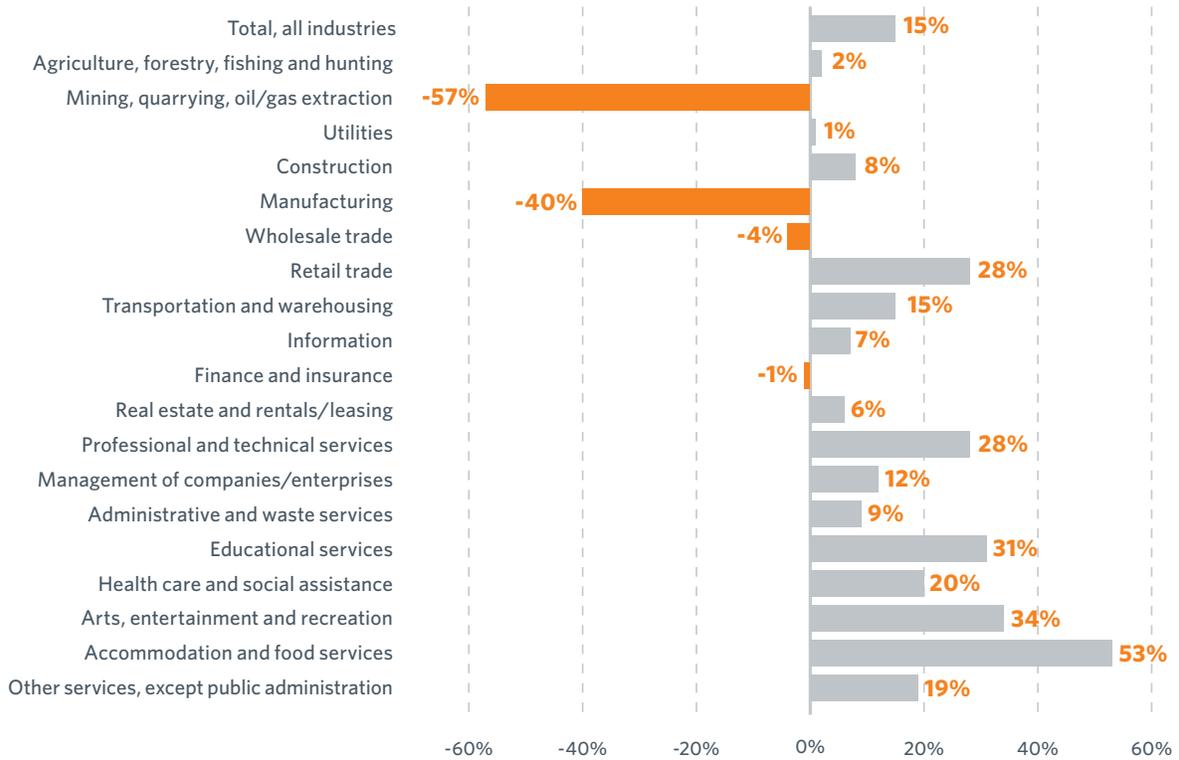
As recognized by the Jobs for New Yorkers Task Force, building skills that employers seek is essential to a career pathways strategy. Adopting the recommendations of the Task Force, the City of New York has committed to substantially increasing its investments in training, with the goal of investing \$60 million annually in bridge programs for low-skill workers and \$100 million annually in training for middle-skill workers by 2020.⁵¹ The city’s proposed investments in bridge and training programs reflect crucial improvements for immigrant workers and jobseekers, however the city has not yet outlined its plan for investing in these resources.

As plans are developed, policymakers must account for the educational and training needs of immigrant workers, as informed by a sectoral approach. Twenty-three percent of the working people in New York City have limited English proficiency,⁵² and immigrants have lower levels of formal education than native-born workers.⁵³ Moreover, the city’s economy has fundamentally changed in recent decades, with the city’s fastest growing industries increasingly requiring English proficiency and soft skills that render many job opportunities inaccessible to a significant number of immigrant workers.

For example, between 2003 and 2013, the accommodation and food services industry added the highest number of jobs citywide, followed by health care and social assistance, and then professional

and technical services.⁵⁴ Meanwhile, manufacturing lost the greatest share of jobs among all industries citywide (a 40 percent decline between 2003 and 2013).⁵⁵ Though immigrants are still finding jobs, without educational opportunities, workers are often stuck in low-wage positions with little room for advancement.

Change in Number of Jobs by Industry in New York City, 2003–2013



Source: US Bureau of Labor Statistics, 2013 Quarterly Census of Employment and Wages

To build skills and increase opportunity among immigrants, public and private workforce leaders must invest in high-quality adult education, bridge and occupational training programs that are accessible to immigrants—e.g. offered in immigrant-dense communities and with flexible hours—and that are responsive to their needs and the demands of the city’s fastest-growing industries. There have been promising moves in this direction. For example, the New York City Human Resources Administration is restructuring its programs to align with a sector-based, career pathways approach and will contract with providers to offer basic education and training to its customers who are LEP.⁵⁶ However, greater investments are needed.

Key priorities are ESOL classes and adult basic education, which provide the building blocks for future success, as well as sector-specific bridge programming and other training and certification opportunities for LEP immigrants. In addition, culturally competent support for job search navigation and “soft skills” development will help new Americans acclimate to unfamiliar norms and networks, and connect to support services that can help them succeed. Finally, targeted strategies for immigrant professionals and those with higher education degrees earned abroad will address the issue of “brain waste” and help immigrants reach their full potential.

Invest in ESOL and adult basic education

For immigrant workers, English proficiency is necessary for accessing sustainable wages and moving up a career ladder. Workers with limited English proficiency are unable to communicate with English-speaking employers, which also means they are less able to know and enforce their workplace rights or negotiate higher wages and better working conditions. Once in a job, workers with limited English proficiency also struggle to move into middle-tier positions. For example, even in the manufacturing sector, a lack of English proficiency prevents frontline workers from moving up into mid-level management positions. Low levels of English proficiency also prevent workers from accessing the bridge and occupational training programs that are emphasized in the *Career Pathways* plan as the “on ramps” to quality jobs with family-supporting wages.

Despite high demand, ESOL programs in the city serve only a fraction of workers who need them. In 2013 there were 28,862 seats in state-funded ESOL programs citywide compared to a total LEP population of 1.7 million (counting both workers and non-workers 18 years or older).⁵⁷ This population is only growing: between 2005 and 2013, the number of New Yorkers who speak English “less than very well” has increased by 14 percent.⁵⁸ At the same time, Employment Preparation for Education (EPE) grants, the primary source of funding for ESOL in the state, have not increased in the last 20 years.⁵⁹ Further, some of the most important providers of ESOL services—including public libraries, CBOs, and postsecondary institutions—are ineligible to receive EPE funding.⁶⁰ Without opportunities to become English proficient, workers have less ability to increase their pay or move up a given career ladder.⁶¹

In addition to English language skills, a need among immigrants of all education and skill levels, many immigrant workers (21 percent in NYC) also lack a high school degree.⁶² Basic adult education and high school equivalency (HSE) are prerequisites for many workforce opportunities, including bridge programs. Basic education offered in non-English languages makes critical literacy and numeracy skills more accessible for foreign-born New Yorkers.

Recommendations:

- Restore and increase levels of investment in ESOL and adult basic education. Programs for this population should be delivered in spaces that immigrants already have access to, such as libraries, schools, worksites, worker centers, and community-based organizations. In particular, immigrant-serving CBOs are often the first stop and entry point for immigrant jobseekers and workers. These institutions have the flexibility to offer services during evening and weekend hours to accommodate the schedules of individuals who seek to improve their English and basic education but must also work survival jobs to support themselves and their families.
- Support advocacy efforts to encourage the Governor and State Legislature to overhaul the current Employment Preparation Education (EPE) funding formula. EPE funding suffers from an outdated reimbursement system that pays providers according to a formula based on local property values rather than where the need is. While property values provide some measure of a community’s wealth, they do not account for recent spikes in immigration and the enormous demand for ESOL services. EPE should be tied to more relevant measures, such as the number of adults with limited English proficiency.⁶³ As discussed above, some

“These days the truth is it’s very hard to get a job, because wherever you go, the first thing they ask you is, ‘Do you know English?’ And you have to be truthful and say “just a little bit.” And they say, “Oh no, we want someone who is experienced and speaks perfect English.”

—Domestic Worker

of the important providers of ESOL services—public libraries, CBOs, and postsecondary institutions—should be eligible to receive EPE funding.

- Increase attention to the quality of adult education services, ensuring that outcomes of skills gains, education gains and high school equivalencies are being met by all providers.⁶⁴ Innovation in the field of adult education, including contextualization, stronger partnerships with employers, and on-the-job ESOL and training is not funded by state funding streams. New York City workforce leaders must fill this gap.

Build bridge programs and training opportunities for LEP immigrants in key sectors

In the year after the release of *Career Pathways*, public and private funders have laudably increased investments in training and bridge programs,⁶⁵ including additional bridge programming for LEP New Yorkers. Going forward, further investments in training and certification opportunities for immigrants are needed to ensure that they are not left behind as the city's investment in bridge programs and other training for low- and middle-skill workers continues to grow.

Bridge programs are defined by the city as programs that prepare individuals with low educational attainment and limited skills for entry into a higher education level, occupational skills training, or career-track jobs. The curricula are informed by specific sectors and pair educational instruction with workforce development services.⁶⁶ For immigrants, bridge programs that integrate English instruction with occupation-specific training can yield positive workforce outcomes, from attainment of an industry-recognized credential, to entry into advanced training, or employment. (For example, see “Best Practice: LaGuardia Welcome Back Center.”)

The city has made some important new investments in immigrant-accessible bridge programming, particularly in health care where the New York Alliance for Careers in Healthcare has supported an ESL Bridge to Home Health Aide Training in partnership with 1199's SEIU Home Care Education Fund and an ESL Bridge to Medical Assistant Training.⁶⁷ The anticipated launch of four new Industry Partnerships in construction, industrial/manufacturing, food service, and retail present an opportunity to develop additional bridge and occupational training programs tailored to the needs of the many immigrant workers in low-wage, low-skill jobs within these priority sectors.⁶⁸

Recommendations:

- Develop new integrated bridge and occupational training programs that provide workforce training and English language instruction using knowledge generated through the city's new Industry Partnerships. One successful example is LaGuardia Community College's Welcome Back Center, the largest provider of integrated English and occupational skills training in the city.
- Develop and fund “bridge to college” programs that help immigrants overcome admissions hurdles to CUNY (see for example “Best Practice: Colloquium Series”). These intensive, short-term programs can help prepare immigrants—many of whom may possess the requisite knowledge for entrance but have difficulty with the English portion of the admissions test—for higher education.
- Make strategic investments in training and certification programs offered in English, as well as other commonly spoken languages like Spanish and Chinese, to support low-wage immigrant workers in priority sectors improve work conditions and wages in their current occupations. For example, the Occupational Safety and Health Administration (OSHA) 10 training is

required to perform entry level construction work in New York.⁶⁹ Many immigrant construction workers lack this certification and are either unable to obtain certain jobs or work without such certification at great risk. In fiscal year 2016, the City Council funded a day laborer initiative to support worker centers that engage this population⁷⁰ and, among other things, connect them to free or low-cost OSHA 10 trainings. The city should continue to support programs that connect immigrant construction workers to free or low-cost OSHA 10 trainings and should identify and support other certification and training programs that lead to an industry-recognized credential for incumbent immigrant workers in key sectors.

Best Practice: Colloquium Series

To access the City University of New York (CUNY) system, students must pass an admissions test, which can be a barrier for many adult learners and for immigrants in particular. Even when they possess the requisite knowledge and experience, LEP students often need additional support to pass the English language portion of the exam.⁷¹

The Colloquium Series is a one year “bridge to college” program that seeks to increase the number of Spanish-speaking healthcare workers in direct patient care jobs and allied health professions. Sponsored by the 1199SEIU Training & Upgrading

Fund in coordination with Lehman College, the initiative helps bilingual and Latino healthcare workers pass the CUNY entrance exam without the traditional remediation that typically delays the start of college. In three courses offered by Lehman College, students earn nine college credits and acquire math, writing, and critical thinking skills while learning about health care issues that specifically affect the Latino community. Classes are accompanied by comprehensive personalized services, including tutoring, individual case management, and peer support.⁷²

Reduce “brain waste” among immigrants with professional degrees and credentials

While for many of NYC’s immigrants, a lack of English or low education levels present the primary workforce barriers, a significant number enter the country with higher education and credentials from their home countries, but are unable to formally transfer or otherwise make use of these credentials once in the US. Approximately 156,000 college-educated immigrants in New York City work in “low-skilled” jobs or are unemployed.⁷³ This creates significant “brain waste,” inhibiting the full realization of this population’s talents and contributions to the detriment of the city and its economic vitality.⁷⁴

Addressing “brain waste” will require targeted strategies. For high-skill immigrants, it can be difficult to demonstrate the transferability of their international experience to employers in the United States. In some professions, formal re-credentialing or licensing is necessary. Achieving high levels of English proficiency can also be a challenge for immigrants with otherwise advanced education and skills. Lastly, immigrants may also lack professional networks and “soft skills” regarding job search and application norms in the United States.⁷⁵

“I once did an experiment with an employer with whom I had a close relationship. I presented them with a resume where I left the name the same, but changed their prior experience from their country to companies located in the immediate NYC area. And the hiring manager said, ‘Oh my God, this person is perfect!’ When I revealed [my experiment] there was a long uncomfortable silence on the other side of the line.”

—Anonymous workforce services provider

As for adult education and workforce providers, there is often a lack of clarity about how to assess the education level and credentials of high-skill and professional immigrants, where to send participants for this type of assistance, and what other referrals are appropriate. And employers generally have few resources for evaluating foreign credentials and tend to prefer candidates with more recognizable US credentials.⁷⁶

Recommendations:

- Renew and expand Immigrant Bridge, a program piloted by the New York City Economic Development Corporation, to help high-skill immigrants transfer their skills and credentials to a US setting and develop the linguistic and soft skills (i.e. interpersonal and communication skills specific to the US job market) to enter their fields of training. While many immigrants—not just those with professional degrees or advanced education—can benefit from English and soft skills training, creating such opportunities for immigrants with degrees and credentials is an easily achievable target that can go a long way in building opportunities for these workers.
- Train frontline workforce providers to conduct robust assessments and appropriate referrals for immigrants with professional degrees and credentials. In particular, staff should be trained to refer immigrants with postsecondary credentials to accreditation services when possible. Though there is little funding to help immigrants obtain accreditation in the US, there are several groups in the city that do this work: Upwardly Global, WES, and La Guardia Community College, for instance. As a part of their training, frontline workforce staff should become oriented with these resources and should convey the message that foreign education and work experiences have value—and that participants may not need to start from scratch.⁷⁷
- Because social and professional networks play such an important role in professional success, invest in networking and mentoring programs to connect otherwise job-ready high-skill and professional immigrants to colleagues in their field.

Improving Immigrant Access to Workforce Development through Systems Coordination

The Jobs for New Yorkers Task Force rightly identified increased system and policy coordination as a pillar of its *Career Pathways* report. Though all workers and jobseekers will benefit from a more coordinated workforce development system, immigrants in particular will benefit, as many remain beyond the reach of publicly funded programs and are vulnerable to predatory employment agencies and/or exploitative employers. To better reach these workers and fulfill the goals of training a workforce for quality jobs in priority sectors, improved systems coordination must strategically fill service gaps, build more robust linkages and referrals, and account for complex funding streams to maximize immigrant inclusion.

Strategically fill service gaps in immigrant-dense neighborhoods

City workforce leaders have a challenge in reaching immigrants and connecting them with adult education, training, and employment services. The challenge is in part geographic: immigrants are impacted by a lack of funding for effective programming in areas of the city where immigrants reside. Workforce1 Centers, which are run by the New York City Department of Small Businesses Services

and connect candidates to job opportunities, do not offer tailored services for immigrants. In addition, HRA One Stop Centers, which serve recipients of public assistance, are mostly located outside of the most immigrant dense neighborhoods. (See Appendix C, “Workforce Centers” and “HRA One Stop Centers” for locations.) There are some entities that provide ESOL classes and other workforce-related services in these neighborhoods, including public libraries and immigrant-serving CBOs (see Appendix B, “All Workforce Providers” and “Public Libraries”)—but many of these entities have limited capacity, resources, and connections to robust employer networks.

Commendably, the city is already considering how to bring greater diversity to the workforce vendors with which it contracts in order to better serve immigrants through the public system.⁷⁸ In addition, strategic investments should be made to increase the capacity of the smaller organizations that offer workforce programming in immigrant-dense neighborhoods.

Best Practice: LaGuardia Welcome Back Center

The New York City Welcome Back Center within LaGuardia’s Center for Immigrant Education and Training assists immigrant healthcare professionals in navigating the re-credentialing process in New York State and obtaining employment. At the same time, the program builds participants’ English language skills and offers advice on local career pathways in healthcare.

The program’s NY-BEST National Council Licensure Examination (NCLEX) courses are modeled after the Integrated Basic Education and Skills Training (I-BEST) program for English Language Learners in Washington State. Instead of a sequential model in which students must progress through advanced English courses before participating in a credentialing program, the NY-BEST model accepts students at lower levels of English proficiency (7th-grade reading level) and moves them directly into the healthcare field. Intensive 8-month, 16 hour-a-week courses offer concurrent English and professional skills training that prepares participants for complex licensing exams in phlebotomy, EKG, or nursing. Team-taught courses are led by ESOL education

instructors and health science faculty enabling students to develop English language and workplace skills simultaneously.⁷⁹

A key component of the NY-BEST model is its robust intake process. During intake, program expectations are clearly communicated so that participants understand the investment they are making and are fully equipped to determine whether the program is the right fit. Participants continue to receive individualized case management throughout the duration of the program, which is crucial to the program’s high retention rates. In individualized advisement sessions, participants track their personal goals and receive assistance in obtaining certification.⁸⁰

The NY-BEST program has experienced great success to date, including a 98 percent course retention rate among participants, and a nurse re-licensing exam pass rate of 93 percent for LPNs, which is significantly above the 46 percent national average for immigrant professionals. In addition, more than 70 percent of NY-BEST NCLEX graduates have found permanent employment with family-sustaining wages.⁸¹

Best Practice: Immigrant Access Fund and Immigrant Bridge

Canada has developed an innovative model for funding skills-building and credential validation for skilled immigrants called the Immigrant Access Fund (IAF). Originally based in the province of Alberta, it first spread to the neighboring province of Saskatchewan before scaling up to become a national program.

IAF provides character-based loans of up to \$10,000⁸² to immigrants with foreign credentials, which are used to devise a learning plan that can include obtaining licenses and accreditations and taking tests and paying for test prep courses. Occupational-based English language classes are counted as part of the learning plan and any costs associated with them can be paid by the loans. In addition, the program supports workers who may need to take time off work to engage with the program.⁸³

Loan applications are assessed based on 1) whether the loan can help an applicant move into the same type of work she had previously had in her country of origin without a significant financial burden, and 2) whether the loan is a manageable risk for IAF. The program acknowledges that some individuals may need to take time off of their transitional jobs to fully engage with their learning plan, so the program helps to support workers with living expenses. During the first two years participants pay only interest as they pursue their learning plans. According to Fernando Cala, Director of the Loan Program, “the costs of going for training are not contained only in the classroom. People who are working transitional jobs like retail need to take time off to engage with their learning plan, so we come in and provide

living expenses so they can complete their learning plan. We are all about making sure people follow through their learning plans.” Recipients have four years to pay off the loans, though 80 percent of recipients pay them off in 2.5 years. This successful program makes about 600 loans a year, which is ten percent of the potential market in Canada.⁸⁴

In 2013, the NYC Economic Development Corporation launched the Immigrant Bridge Program, a \$1 million citywide pilot program modeled after Canada’s Immigrant Access Fund which has helped clients develop long-term roadmaps to target positions and offered individualized career advisement up until the time of placement. The program reported over 720 percent return on investment, generating \$8.2 million in annual new income directly attributable to the program. The overall job placement rate was 42 percent, with a 56 percent placement rate for those in high-demand industries who had been in the country for less than a year.⁸⁵

While the Immigrant Bridge had many successful programmatic components, the program’s loan component was less successful. Participants had to have a co-signer who earned at least \$60,000 annually, which created a barrier to participation for many. In addition, many immigrants had poor credit (for many, due to predatory lending), and as a result did not qualify for the program. The loan component could be strengthened if it were modeled after Canada’s “Immigrant Access Fund,” in which a Community Development Financial Institution gave character-based loans to low-income and underbanked participants.⁸⁶

Recommendations:

- Map New York City workforce resources to identify service gaps in immigrant neighborhoods. A resource map will help identify where public and private funders should direct investments to support the immigrant workforce. A dynamic and current map can also help immigrants and those who work with them navigate available adult education and workforce services instead of utilizing predatory employment agencies.⁸⁷
- Build the capacity of community-based organizations in immigrant neighborhoods to 1) serve a greater number of jobseekers and workers through workforce development programming, 2) make appropriate referrals to training and job placement services, and 3) establish robust partnerships with larger adult education and workforce service providers to increase offerings

in the areas of the city where immigrants live (see “Best Practice: Colors Hospitality & Opportunities for Workers (CHOW) Institute” for one example of a successful partnership between a CBO and community colleges).

Build robust linkages and referrals to better incorporate smaller organizations

The Career Pathways plan envisions a well-coordinated workforce system that leverages providers’ particular strengths to serve the workforce.⁸⁸ To do this for the immigrant population, public and private workforce funders should not only build the capacity of smaller community-based organizations that already work with immigrant communities, but should also work to establish robust linkages and referral networks among such groups to maximize their investments.

The role of smaller, community-based organizations is crucial for serving hard-to-reach immigrant populations. These groups are embedded within the community, have high levels of cultural competency and trust among immigrants, and are thus able to reach foreign-born New Yorkers in ways that other providers are not. Many already provide workforce related offerings, often designed to meet people “where they are,” for example by accommodating schedules to provide services on evenings and weekends.

However, not all community-run programs have equivalent levels of capacity or workforce expertise. Even the most successful programs are often under-resourced and unable to deliver services at sufficient scale to meet demand. In addition, many CBOs are not fully aware of other existing workforce programs or their offerings and need to establish stronger connections to other programs in order to make effective referrals and in order to leverage one another’s strengths.

Robust linkages with larger nonprofit workforce providers will help smaller groups do what they do best without having to reinvent the wheel. Larger organizations have the capacity to serve a larger volume of participants, often with more specific workforce expertise than some of the smaller, immigrant-focused CBOs. For example, PHI’s (Paraprofessional Healthcare Institute) Cooperative Home Care Associates, a worker-owned home care agency in the Bronx, enrolls more than 600 low-income women annually, of whom 74 percent are immigrants.⁸⁹ Such organizations are assets for immigrant workers and should be linked to small groups and immigrant intermediaries to ensure access.

Both private and public funders can play an essential role in better resourcing successful programs and building robust systems for encouraging groups to work together on referrals.

Recommendation:

- To incentivize collaboration, invest in stronger coordination among smaller groups and credit organizations for referrals that lead to ultimate job placement (see “Best Practice: Lower East Side Employment Network” for an example of an effective referral network).

Best Practice: Lower East Side Employment Network

The Lower East Side Employment Network (LESEN) is a collaborative model that aims to create a seamless referral process in order to provide youth with complementary wraparound services.

LESEN's six member organizations work together to combine their skills training, job readiness, and educational enrichment services to prepare Lower East Side youth for jobs created through the large economic development projects within the community in hospitality and other sectors. The network benefits from having a central employer engagement coordinator, paid through private funding, who receives job orders from employers and works with all six member organizations to fill them. Thus while no one organization may have had enough qualified candidates to fill a large job order, the collaborative as a whole is

often able to do so. The job coordinator serves as the providers' eyes and ears with employers, providing feedback to organizations about their performance. LESEN also works strategically with the local community board and elected officials to identify opportunities and engage new employer and provider partners.⁹⁰

LESEN's early results are exceptionally positive. The average starting wage for LESEN-referred employees is \$10.56 per hour, and for every three candidates recruited and prescreened through the network, one is hired. In its two years of operation, the network has facilitated 94 hires, 43 percent of whom were young adults ages 26 and under. The executive director of one LESEN partner estimates that member organizations' job placement rates have risen by 10 percent.⁹¹

Enhance funding coordination to serve the full immigrant workforce, including undocumented workers

To build the cohesion of a true workforce ecosystem, the workforce development field must also account for complex federal and state funding streams to meet the needs of undocumented immigrant workers who may not be eligible for some of the major federally funded workforce development programs due to a lack of work authorization.

Undocumented immigrants currently work in significant numbers in priority industries, including construction, food service, and manufacturing, but are limited from accessing federally funded occupational training and employment services due to their immigration status.⁹² The Workforce Investment and Opportunity Act's (WIOA) workforce services require that participants be legally work-authorized, though its adult education services are typically open to individuals regardless of immigration status.⁹³ Failure to account for funding gaps in workforce services for this population impacts not only undocumented workers and their families, but all New York workers and the city's overall economy. As noted previously, undocumented workers contribute significantly to the New York economy, adding \$1.1 billion in local and state taxes according to a 2016 study by the Institute on Taxation and Economic Policy.⁹⁴

Public and private workforce leaders should account for the exclusion of undocumented workers from federally funded programs by including them in the city's overall workforce strategy and directing resources to groups that already work with these populations in ways that support their economic empowerment.

Many worker centers and community-based organizations that work with a largely undocumented population have sector-focused programming that support the career pathways and employment rights of these workers. New Immigrant Community Empowerment (NICE) in Jackson Heights, Queens, for example, is a worker center with an almost entirely immigrant membership, primarily in

the construction and domestic work industries. Many of NICE’s members are undocumented and work in the informal economy, often as contingent workers or day laborers. NICE offers ESOL classes, US job market orientation and soft skills development, OSHA 10 certification classes, and connections to employment opportunities. NICE also offers leadership and know-your-rights training, legal assistance, and organizes workers to advocate in support of pro-worker, pro-immigrant policies.⁹⁵

In addition, because undocumented workers lack work authorization and are therefore barred from formal employment, some models to support this population have instead focused on their work as entrepreneurs or independent contractors or as workers in contingent, non-traditional employment relationships. For example, investments in day laborer centers and worker cooperatives provide models for the inclusion and support of undocumented, low-wage immigrant workers, and should be kept in mind when discussing strategies to improve job quality and career pathways for all (for more discussion of day laborer centers and worker co-ops, see the following section, “Raise the Floor:” Protecting Workplace Rights and Improving Job Quality for Vulnerable Immigrant Workers”).

Recommendations:

- Recognize the important role of undocumented immigrant workers in priority sectors and account for federal restrictions so as to ensure that this population is not excluded or marginalized from overall workforce planning to the detriment of the city’s economic health.
- Increase support and technical assistance for community-based organizations and worker centers that already work with populations of undocumented immigrant workers to help them improve their skills and protect their rights in the workplace.
- Support the entrepreneurial skills of immigrants who may be excluded from formal employment by connecting them to small business programming and services, including but not limited to support for worker cooperative models.

Raise the Floor: Protecting Workplace Rights and Improving Job Quality for Vulnerable Immigrant Workers

As detailed in the “Portrait of New York City’s Immigrant Workforce” above, immigrants dominate low-wage occupations in key *Career Pathways* sectors, often in jobs that do not pay family-sustaining wages or provide important benefits like health care. However the job quality challenges confronting many immigrant workers go beyond low wages and no benefits; in industries such as construction, food service, and domestic work where informal work flourishes, low-wage immigrant workers often work for entities where wage theft, misclassification, occupational health and safety violations, unpredictable scheduling, and a general lack of enforcement run rampant. *Career Pathways* commendably prioritizes improvements to job quality as a key focus of the workforce development model.

According to a National Employment Law Project study on wage theft, which includes the underpayment of wages (including failing to pay the minimum wage or failing to pay overtime, outright non-payment of wages, illegal deductions, and/or the denial of tips), foreign-born workers in New York City were more than twice as likely

“For me, workforce development is about building career ladders but also building up opportunities for all people. And, at the end of the day, it’s about creating better wages. It’s also an opportunity to be transformative to specific industries that are not traditionally organized.”

**—Ligia Guallpa, Executive Director,
Worker’s Justice Project**

“The pay is just insulting for the work we do.”

—Domestic Worker

Workers are more likely to die on the job in construction than in any other industry, representing 20 percent of occupational fatalities in the state. The significant number of immigrant workers in parts of the industry (for example, 77 percent of construction laborers are immigrants) means that the sector’s struggle to maintain safety standards disproportionately impacts immigrants. A study by the New York Committee for Occupational Safety and Health (NYCOSH) found that two-thirds of OSHA construction inspections in New York between 2010 and 2012 found “serious” safety violations, defined as violations that result in serious physical harm or death. NYCOSH also found that immigrant and Latino construction workers were disproportionately at risk of dying while on the job, comprising 25 percent of all construction workers statewide, but 38 percent of fatalities.⁹⁷

“An overemphasis on career ladders is a mistake for this workforce; there needs to be an equal emphasis on raising the floor and raising the job quality of entry level jobs.”

—Steven Dawson, Strategic Advisor, PHI (Paraprofessional Healthcare Institute)

as native-born workers to experience minimum wage violations, with higher rates concentrated among unauthorized immigrant women.⁹⁶

New York’s construction industry provides a particularly grim example of how immigrant workers are harmed by workplace violations.

For many, undocumented immigration status and a lack of work authorization makes workers especially vulnerable to exploitation. In focus groups conducted with immigrant workers, workers emphasized that a lack of work authorization is inextricably linked to job quality and the violation of workers’ rights. Undocumented workers struggle to access higher wages and often experience high frequencies of wage theft, blatant discrimination in the workplace, and an inability to advocate for their rights due to fear of retaliation. A lack of work authorization also leads many low-wage immigrant workers to contingent, short-term work or day labor in the informal economy.

To further compound vulnerabilities due to immigration status, many low-wage immigrant workers work for small, non-union employers and worksites, or in industries that are largely unorganized, such as domestic work, which severely limits workers’ ability to hold employers accountable for upholding or improving labor standards. For these reasons, finding a job that leads to career advancement is often secondary to finding a job that affords basic dignity and pays a living wage.

Support advocacy to hold employers accountable to labor law

Strategies to protect workplace rights are integral for workforce development initiatives to succeed for the low-wage immigrant workforce, particularly for undocumented workers. Without simultaneous efforts to enforce labor standards and advocate for stronger and improved laws, a career pathways framework is unrealistic and a sizeable proportion of the New York City workforce will remain excluded from basic economic opportunities.

“Low-wage workers want more skills to get a better job, but if you ask them what they want in their jobs right now, it’s usually higher wages, dignity, respect and better conditions. These critical needs must be addressed as part of any workforce development strategy.”

—Valeria Treves, Former Executive Director, New Immigrant Community Empowerment (NICE)

With the creation of the New York City Office of Labor Standards Enforcement, the city is well-positioned to support ongoing efforts to expand and rigorously enforce existing labor laws. The office, which was created by the City Council in 2015, is charged with advancing worker education, safety and protection, and recommending efforts to achieve workplace equity for women, communities of color, immigrants and refugees, and other vulnerable workers.⁹⁸ Coordination between the office and the larger workforce “ecosystem” will be crucial for the systems change and coordination needed to address job quality issues among immigrant workers.

Recommendations:

- Support workplace rights advocacy as a cornerstone of a successful workforce development model for immigrants. Community-based organizations and worker centers consider efforts to protect workers’ rights and improve job quality to be core to workforce development. This is borne out in their mix of programming, from ESOL classes and soft-skills development to know-your-rights training and sector-based organizing and advocacy. City and private funders should support ongoing advocacy efforts to expand and rigorously enforce existing labor laws—for example, supporting fights to raise the minimum wage and efforts to bolster enforcement of laws concerning wage theft and paid sick days.
- Prioritize a shared workers’ rights and workforce development agenda. This will require leadership from the city government in identifying levers for increasing employer accountability. For example, the city can raise compliance with wage and hour laws by requiring employers to disclose and resolve any outstanding wages owed, judgments or orders of unpaid wages, and occupational health and safety violations when applying for or renewing business licenses.⁹⁹ In addition, public procurement rules should prohibit convicted wage thieves from bidding on public contracts, or from receiving public subsidy, with permanent removal from bidding or eligibility lists in cases of egregious wage theft.¹⁰⁰ In close partnership with community groups, the city should explore employer registration requirements for non-licensed employers of domestic workers as a starting point for imposing baseline standards and promoting high road employment in this industry.

Engage with employers to improve job quality and connect immigrants to additional services

Supporting workers’ rights and job quality will require strategies to connect high-road employers with skilled, committed workers. The public workforce system has taken significant steps on this front. For instance, Workforce1 Career Centers provide free recruitment services only to employers who offer jobs that pay at least \$13.40 per hour or are full time.¹⁰¹ Workforce1 and other public workforce providers can continue to strengthen and upgrade these policies in a way that will benefit all workers, but especially low-wage immigrant workers.

Recommendations:

- Prioritize placement efforts with employers that have responsible contractor policies and neutrality agreements. Responsible contractor policies are agreements which ensure that employers are providing high quality employment, including living wages, and health benefits to their workforce. Neutrality agreements ensure that employers have agreed to be neutral with regard to unionization. Employers with these kinds of practices should be prioritized in placement efforts, which stands to increase participants’ access to ongoing training opportunities that are offered through union membership.

- Leverage *Career Pathways*' industry partnerships to implement a range of strategies to make poor quality jobs better. The workforce system can engage employers in developing and implementing a wide range of interventions, including, for example: cross training of front-line workers so that they can advance within the workplace; management training for supervisors; emergency loan funds for workers; and employer-based programs to help workers access credits like the earned income tax credit (EITC), childcare tax credits, and public benefits, among others. The city could also work with employers to offer English classes or citizenship classes on-site. Through industry partnerships, employers can also help their workforce connect with city programs that support immigration legal services, so as to help immigrant workers advance along a path to US citizenship.
- Leverage city-administered programs to spread worker rights awareness and information about protections in the workplace. For example, Workforce1 and HRA job centers—some of the largest workforce providers in the city—could serve as a hub for information about workers' rights and occupational health and safety.

Best Practice: Colors Hospitality & Opportunities for Workers (CHOW) Institute

Restaurant Opportunities Centers' (ROC) CHOW Institute provides advanced professional training in both front- and back-of-house restaurant skills to workers across the country. The institute provides a multi-tiered curriculum, certificates, and support services to help workers move into living wage jobs in the industry, particularly fine dining wait staff, bartending, and management positions.¹⁰²

The institute, which is free to workers and employers, trains approximately 300 workers annually in New York alone. Courses are intensive, eight-week long programs that equip workers with not only the specific skills they need on-the-job, but also the appropriate soft skills for the fine dining industry. To participate, workers need only demonstrate a desire and commitment to learn; there are no educational requirements, though courses are currently offered only in English.

ROC works with Kingsboro Community College and Hostos Community College to develop the curriculum and CHOW participants are eligible for college credit at both colleges.¹⁰³

CHOW boasts a 72 percent placement rate. Placements are made at restaurants that are part of the Restaurants Advancing Industry Standards in Employment (RAISE) network, comprised of high-road restaurant owners that support sustainable business practices for employees while boosting their bottom line.¹⁰⁴ For example, RAISE employers pay back-of-house workers a minimum of \$10 an hour and offer half of new job openings to internal staff to encourage career pathways. Collaboratively, ROC and RAISE employers are charting the future of high road practices in the restaurant industry and advancing industry standards.¹⁰⁵

Develop the leadership and organizing power of workers

There are a number of workforce development models that build the organizing power and leadership capacity of workers themselves, who are then better equipped to identify workplace violations and advocate for themselves and others on the job. Active communication among workers is crucial to identifying bad actors within an industry, and organized workers can exert pressure on employers to raise industry standards.

The New York City Council has made recent investments in two models that build the leadership and organizing power of workers—day laborer centers and worker cooperatives. For fiscal year 2016, the City Council funded NICE (discussed above on page 22) and several other worker centers to support

their workforce development efforts through the Day Laborer Initiative in order to expand job centers for day laborers,¹⁰⁶ who are frequently hired informally and are subject to a multitude of exploitative labor practices, including wage theft.¹⁰⁷ In the previous fiscal year, Mayor de Blasio and the City Council launched an initiative to support the worker cooperative business model in New York City, distributing \$2.1 million to support such cooperatives, administered by the New York City Department of Small Business Services.¹⁰⁸

Recommendation:

- Invest in the leadership development of workers and measure outcomes that reflect workers' gains in development outcomes rather than merely advocacy outcomes. For instance, when workers are able to negotiate wages with an employer or demonstrate that they have developed leadership skills in the workplace, workforce funders should consider these achievements to be workforce development outcomes.

Best Practice: Worker's Justice Project

Through its day laborer center, the Worker's Justice Project (WJP) organizes workers in industries where there are generally no traditional employment relations. WJP also creates economic alternatives that build career pathways in industries where there are few relations, including the development of worker cooperatives to build community wealth.¹⁰⁹

WJP's Day Laborer Center provides a way to fight wage theft and health and safety violations while also developing career pathways for construction workers by enabling them to obtain critical occupations and leadership skills through on-site training. For workers who, because of their immigration status, do not have a clear pathway and cannot access certain union trainings or city programs, the Center is a hub that provides training to build necessary skills. WJP also partners with progressive unions to connect qualifying members to opportunities for continuous training and skill-building.¹¹⁰

At the Center, workers collectively set the wage floor at \$15 per hour, but wages can go up to \$25 per hour. Employers who wish to do business with the Center must sign an agreement to pay the Center's minimum wage, provide health and safety equipment, and allow the Center access to the job site for inspection if necessary. Employers must also agree to an eight hour work day with a 30 minute break for lunch and provide water for workers.¹¹¹

The Center makes itself appealing to employers by prescreening all members to make sure workers have the qualifications and skills to do the work well. Because employers know and trust that workers can provide skilled labor and have been trained and assessed, they are willing to pay the higher wages. The Center also plays a role in revitalizing the local economy—creating over a million dollars in revenue in 2014 through increased wages. WJP reports that some day laborers have been able to increase their salaries by 30 to 40 percent.¹¹²

Conclusion

The city's immigrant population is rich in its diversity, with long-standing contributions to the economic and cultural vibrancy of this great city. By including the perspectives of New York City's diverse immigrant workers and jobseekers in all stages of workforce design, planning, and implementation, the city will build the capabilities and increase the coordination across the workforce development system as a whole. The following recommendations will contribute to the economic success of workers, employers, and all New York City residents.

- 1) Build the right career ladders for immigrants. Meet the unique educational and training needs of immigrant New Yorkers within a sector-based framework by:
 - a. Making additional investments in ESOL and adult basic education that emphasize quality experiences and measurable positive outcomes in terms of educational and skills gains
 - b. Building bridge programs—defined by the city as programs that prepare individuals with low educational attainment and limited skills for entry into a higher education level, occupational skills training, or career-track jobs¹¹³—and training opportunities for LEP immigrants, particularly in key sectors where the city is creating industry partnerships
 - c. Reducing “brain waste” among high-skill immigrants through soft skills training, referrals to accreditation services, and investments in networking and mentoring programs
 - d. Connecting immigrants to social services and other wraparound supports that will enable them to actively pursue education and training
- 2) Improve immigrant access to workforce development through systems coordination by:
 - a. Filling service gaps in immigrant-dense neighborhoods, particularly where predatory employment agencies are most prevalent
 - b. Building robust linkages and referrals to incorporate smaller community-based organizations that specifically serve immigrants
 - c. Enhancing funding coordination to serve the full immigrant workforce, including undocumented workers
- 3) Raise workplace standards for immigrant workers. Protect workplace rights and improve job quality in low-wage occupations where vulnerable immigrants predominate by:
 - a. Supporting advocacy to hold employers accountable to labor law in partnership with the recently created New York City Office of Labor Standards Enforcement
 - b. Engaging with employers to improve job quality and connect immigrants to additional services, such as immigration legal services to help immigrant workers advance along a path to US citizenship
 - c. Developing the leadership skills and organizing power among workers

Appendix A

Table A-1: Top 20 Occupations by Number and Share of Foreign-Born Workers¹¹⁴

	Occupational Category	# Jobs	# Foreign-Born	Share Foreign-Born	Increase from 2000-2011 (# FB)	Increase from 2000-2011 (# Jobs)
Nursing, Psychiatric, and Home Health Aides	Healthcare Support	107,741	82,233	76%	47%	35%
Janitors and Building Cleaners	Building and Grounds Cleaning and Maintenance	78,358	50,106	64%	47%	40%
Maids and Housekeeping Cleaners	Building and Grounds Cleaning and Maintenance	48,010	39,994	83%	49%	44%
Taxi Drivers and Chauffeurs	Transportation and Material Moving	42,788	37,509	88%	36%	33%
Construction Laborers	Construction and Extraction	47,355	36,556	77%	109%	90%
Cashiers	Sales and Related	63,803	35,689	56%	33%	31%
Retail Salespersons	Sales and Related	76,836	32,674	43%	20%	31%
Cooks	Food Preparation and Serving	36,068	28,737	80%	31%	24%
Childcare Workers	Personal Care and Service	43,775	28,684	66%	51%	44%
Driver/Sales Workers and Truck Drivers	Transportation and Material Moving	42,681	28,352	66%	19%	2%
Accountants and Auditors	Financial Specialists	61,853	27,430	44%	23%	25%
Registered Nurses	Healthcare Practitioners and Technical	45,836	26,423	58%	13%	10%
Waiters and Waitresses	Food Preparation and Serving	42,746	25,976	61%	43%	41%
Secretaries and Administrative Assistants	Office and Administrative Support	91,948	25,825	28%	-5%	-9%
First-Line Supervisors of Retail Sales Workers	Sales and Related	47,413	22,691	48%	-1%	5%
Miscellaneous Managers, Including Funeral Directors, Funeral Service Managers and Postmasters and Mail Superintendents	Management, Business, Science, and Arts	61,379	20,850	34%	46%	42%
Security Guards and Gaming Surveillance Officers	Protective Service	44,354	19,864	45%	38%	28%
Personal Care Aides	Personal Care and Service	22,246	15,973	72%	279%	252%
Food Preparation Workers	Food Preparation and Serving	20,382	15,496	76%	117%	102%
Elementary and Middle School Teachers	Education, Training, and Library	59,891	15,118	25%	6%	2%

Table A-2: Selected Occupations with the Starkest Disparities in Educational Achievement Between Native- and Foreign-Born¹¹⁵

Occupation	Percent Foreign-Born	Native-Born < HS	Foreign-Born < HS
Sewing Machine Operators	93%	19%	67%
Dishwashers	78%	9%	47%
Helpers, Construction Trades	66%	32%	51%
Food Preparation Workers	76%	31%	54%
Construction Laborers	77%	19%	48%

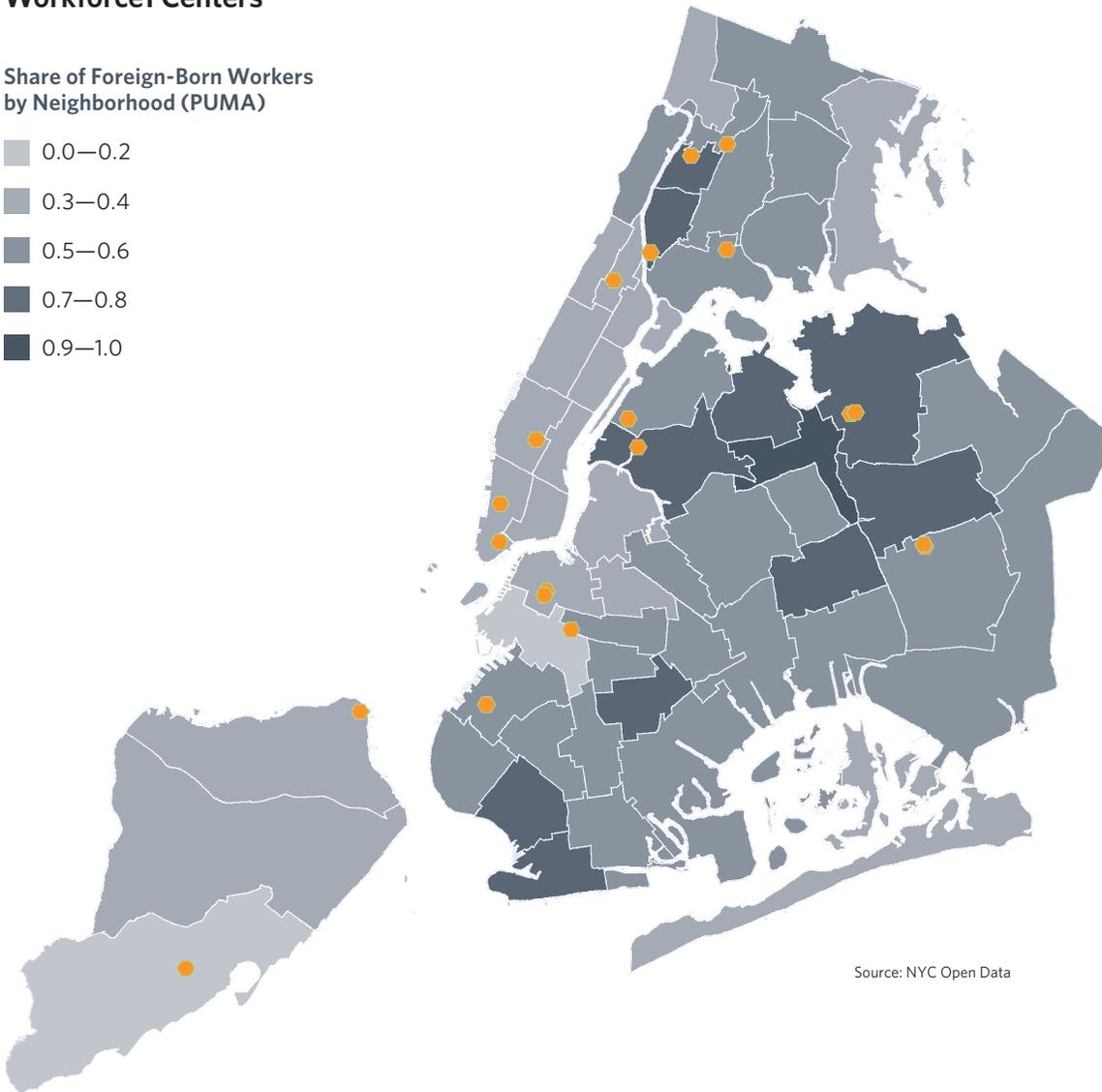
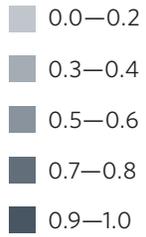
Table A-3: Limited English Proficiency (LEP) by Language Spoken for Workers in New York City¹¹⁶

	TOTAL # workers	% LEP	# LEP
Spanish	761,670	49%	371,520
Chinese	196,591	63%	124,364
Russian	91,370	55%	50,223
Hindi and related	109,155	36%	39,755
French	110,517	33%	36,989
Korean	45,305	56%	25,555
Polish	33,510	53%	17,696
Arabic	25,196	43%	10,867
Filipino, Tagalog	40,582	24%	9,636

Appendix B

Workforce1 Centers

Share of Foreign-Born Workers
by Neighborhood (PUMA)

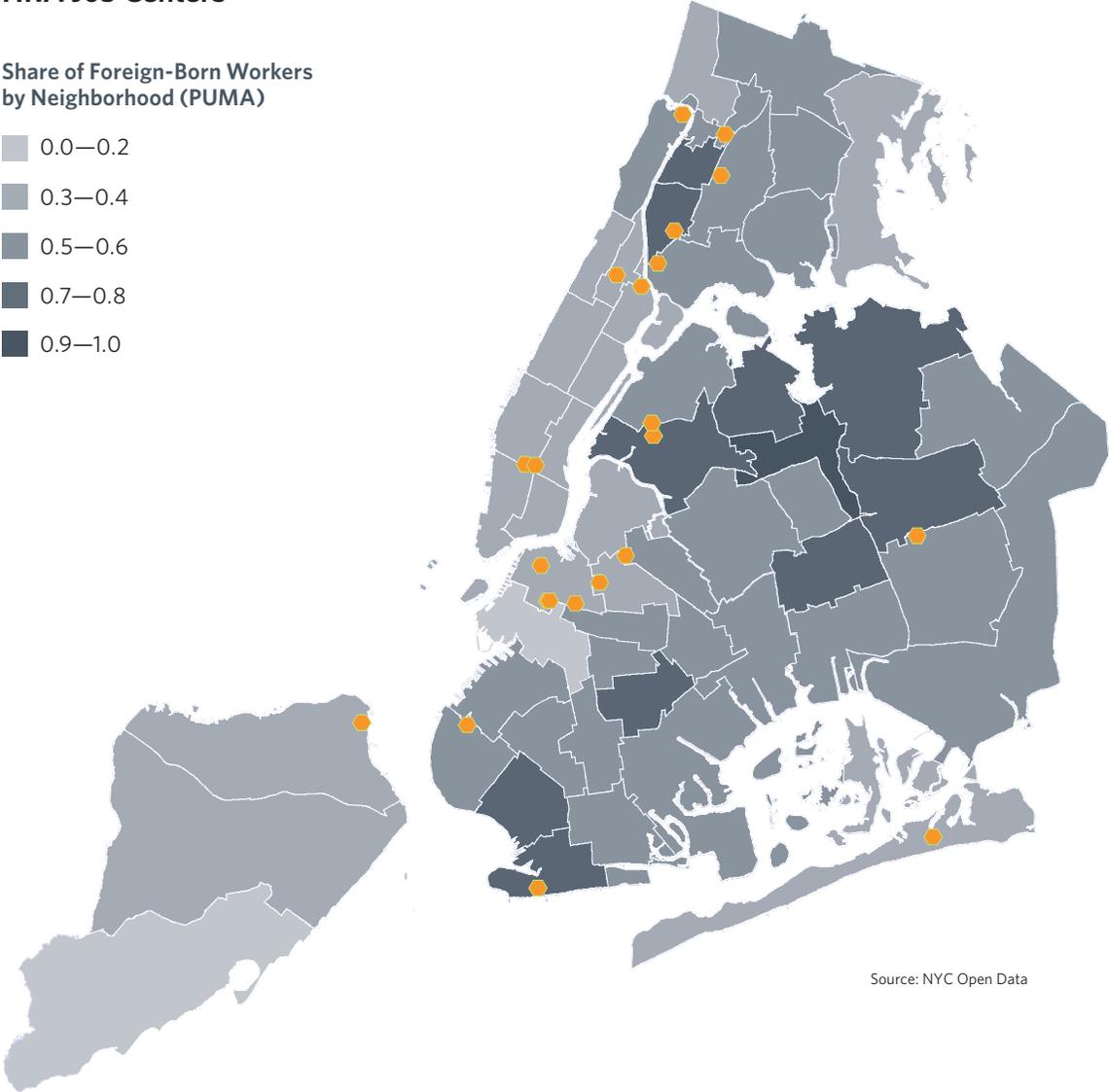


Source: NYC Open Data

HRA Job Centers

Share of Foreign-Born Workers
by Neighborhood (PUMA)

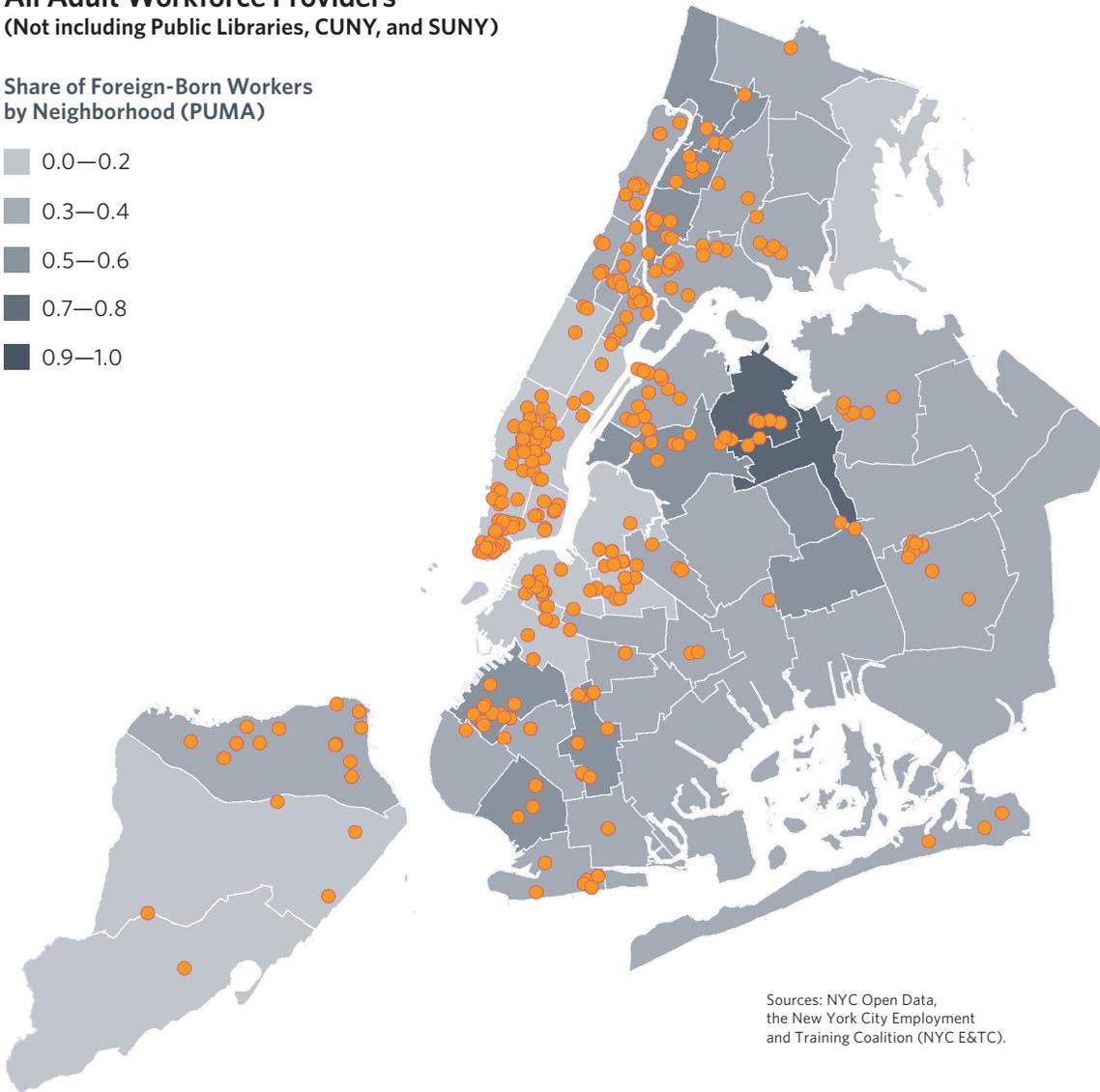
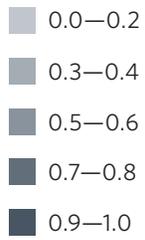
- 0.0—0.2
- 0.3—0.4
- 0.5—0.6
- 0.7—0.8
- 0.9—1.0



Source: NYC Open Data

All Adult Workforce Providers (Not including Public Libraries, CUNY, and SUNY)

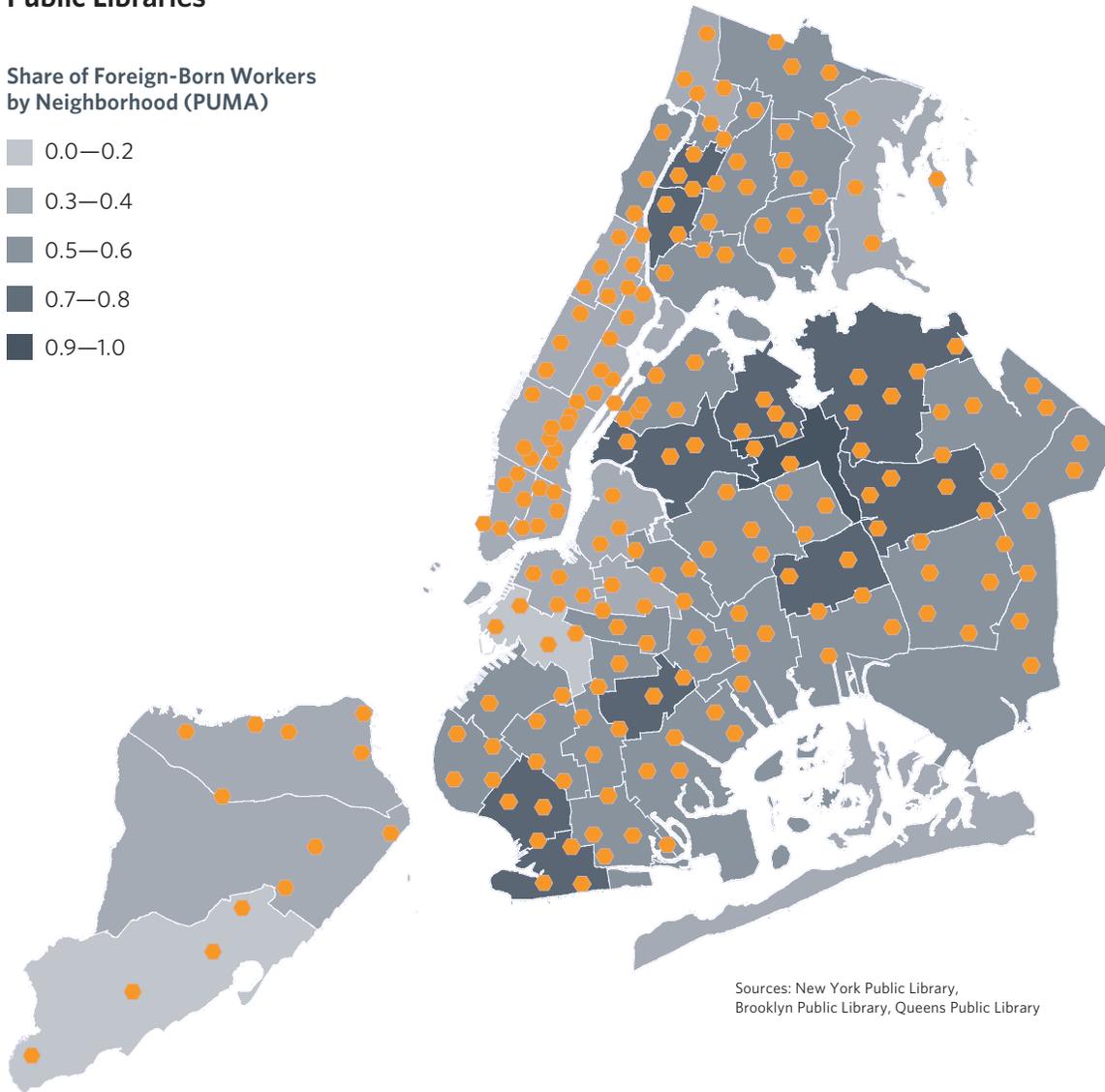
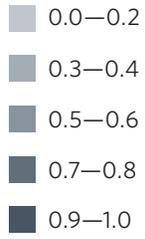
Share of Foreign-Born Workers
by Neighborhood (PUMA)



Sources: NYC Open Data,
the New York City Employment
and Training Coalition (NYC E&TC).

Public Libraries

Share of Foreign-Born Workers
by Neighborhood (PUMA)



Sources: New York Public Library,
Brooklyn Public Library, Queens Public Library

Appendix C

Methodology

To identify the current barriers that prevent immigrant workers from accessing New York City's workforce development system and prioritize recommendations to help promote immigrant workers' access, the authors analyzed population, labor force, and geographic data from the US Census and the Bureau of Labor Statistics.

Between June and July of 2015, CPD and CUF conducted more than 40 stakeholder interviews with directors and staff of city agencies involved in the workforce development system, non-profit workforce development providers (including unions), community-based organizations serving immigrant communities, and employers.

In addition, CPD conducted three focus groups comprised of immigrant workers convened by the National Domestic Workers Alliance, Make the Road New York, New Immigrant Community Empowerment, and Catholic Migration Services. Two focus groups were industry-specific (construction and domestic work), and the third group was comprised of workers in mixed industries. Focus groups were conducted in Spanish and English.

Make the Road New York, the National Domestic Workers Alliance, and New Immigrant Community Empowerment served as Advisory Board members for this report. In addition to participating in in-depth interviews and convening worker focus groups, Advisory Board members helped to formulate interview questions, validate findings, and guide the recommendations.

Appendix D

Stakeholder Interviews

	Immigrant	Workforce Development	City	Union	Education	Policy	Employer	Funder
Andrew Romay New Immigrant Center, The English Speaking Union of the United States	✓				✓			
Bronx Lebanon Hospital		✓						✓
CAMBA		✓						
Catholic Migration Services*	✓							
Center for Family Life	✓							
Center for Frontline Retail/ RWDSU				✓				
Chhaya CDC	✓							
Chinese American Planning Council	✓	✓						
Coalition for Queens		✓						
Community Health Care Associates		✓						
Fiscal Policy Institute						✓		
Goodwill Industries of Greater NY and Northern New Jersey		✓						
Henry Street Settlement		✓						
Hispanic Federation	✓							
Hot Bread Kitchen		✓					✓	
Immigrant Access Fund	✓	✓						
IMPRINT	✓	✓						
John A Twomey and Associates		✓				✓		
Make the Road New York*	✓							

	Immigrant	Workforce Development	City	Union	Education	Policy	Employer	Funder
Mayor's Office of Workforce Development			✓					
National Domestic Workers Association*	✓							
National Skills Coalition		✓						
National Day Laborer Organizing Network (NDLON)	✓							
New Immigrant Community Empowerment*	✓							
New York Immigration Coalition	✓							
NYC Center for Economic Opportunity (CEO)			✓					
NYC Coalition for Adult Literacy					✓			
NYC Department of Small Business Services			✓					
NYC Economic Development Corporation			✓					
NYC Employment and Training Coalition		✓						
NYC Housing Authority Resident Economic Empowerment Services (NYCHA REES)			✓					
NYC Human Resources Administration			✓					
PHI		✓					✓	
Queens Community House		✓						
Queens Public Library			✓					
Restaurant Opportunity Center		✓						
Robin Hood Foundation								✓

	Immigrant	Workforce Development	City	Union	Education	Policy	Employer	Funder
Southwest Brooklyn Industrial Development Corp		✓						
Sunset Park Industrial Development Corporation		✓						
The Working World		✓						
Upwardly Global	✓	✓						
Welcome Back Center, Center for Immigrant Education and Training, LaGuardia Community College	✓				✓			
Welcome Center, Westchester Community College	✓				✓			
World Education Services (WES)	✓	✓						
Workers Justice Project	✓							
Workforce Development Funders (Bret Halverson)		✓						
Workforce Professional Training Institute (WPTI)		✓						
1199SEIU				✓				
32BJ				✓				

Organizations with a star participated in focus group conversations. A total of 23 immigrant workers participated in three focus group conversations. Focus group participants had jobs primarily in construction and domestic work. Organizations with a star participated in focus group conversations. A total of 23 immigrant workers participated in three focus group conversations. Focus group participants had jobs primarily in construction and domestic work.

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