

BUILDING YOUR AMERICAN DREAM

Building Your American Dream:

An Ethnographic Study of the Exploitation of Undocumented Laborers

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INTRODUCTION

Today's conservative ideological rhetoric is currently tapping into and further propagating many of the myths and stereotypes that have circulated for years serving to stigmatize and oppress undocumented migrants. Examples of this discriminating and oppressive rhetoric include such phrases like, they are; "stealing our good jobs", "not paying taxes", "milking the system", or simply, "thugs". Despite numerous studies showing the above statements to be untrue it has nevertheless led to government policies framing a structural discrimination that is largely anti-immigrant and rolls back workers rights, access to basic healthcare and other essential human services. Ironically enough, in the wake of stripping basic human rights and dignity away from the undocumented worker plays a large role within the informal labor markets of the construction and home services sectors. In doing do so they provide vital labor and support for a cornerstone of the U.S. economy and culture, one that embodies the most quintessential of American ideals and values that we hold dear in this country, the concept of the "American Dream" and homeownership.

I came to this area of research largely due to the fact I am in construction. I have always been interested in the stark difference between the myth and stereotypes about undocumented workers and the literal boots on the ground reality of my experience. An experience that directly contradicts the popular rhetoric and common stereotypes that exist. Using qualitative methods my research focused on the findings surrounding the variety of exploitive and marginalizing experiences of both documented and undocumented day laborers. More specifically, my research centered around the day laborers who gather along curbside locations or in parking lots outside home improvement stores waiting to get picked up by a variety of employers for

everything from general construction labor to a variety of other labor related odd jobs. My research methods included, observation and both formal and informal interviews of day laborers. Some of my interviews were with men I have worked with on and off for years in construction, and other informal interviews I conducted were with day laborers I met independently and in collaboration with the Border Angels immigrant advocacy group at the hiring sites of home improvement stores here in north San Diego County.

LITERATURE REVIEW

In, “ ‘As Good As It Gets’: Undocumented Latino Day Laborers Negotiating Discrimination in San Francisco and Berkeley, California, USA”, Quesada et al., use a qualitative approach to their research. Quesada et al., state, “This article is based on the qualitative medical anthropological portion of the study”(2014:3). Their data collection consisted of lengthy open ended interviews with 51 Latino migrant day laborers. In the article Quesada et al., document the various ways day laborers adopt to the social structures they find themselves in, adaptations that are not, “reflective of personal attributes, idiosyncratic behaviors or cultural ways of being(2014:14). Quesada et al., found that “Desesperacion”, or desperation is common in the lives of day laborers as they attempt to negotiate and adapt to the variety of structural inequalities and forms of discrimination(2014).

In, “Wage Theft Among Latino Day Laborers I Post-Katrina New Orleans: Comparing Contractors with Other Employers,” Waren takes a quantitative approach to gathering data. The method used were survey interviews with 304 Latino day laborers. The surveys findings included the percentage of day laborers who experienced wage theft and the percentage of wage theft between construction contractors, small business, and homeowners. This was done to find

out the difference in theft between different employers. Waren states, “One of the more significant findings of this study is that wage theft was not significantly different between contractors and non-contract employers-both committed wage theft in very similar ways”(2013:749) Waren’s study also reveals over 75% of the surveys respondents reported wage theft(2013:737). Broader connections from this data can be extrapolated to include other informal labor markets.

Morales’s article, “The utility of shared ethnicity on job quality among Latino workers”, used a qualitative grounded theory methodology. The data is based on analysis of 10 in depth interviews conducted with worker, labor and immigration activists and organizers. The study was conducted to determine if co-ethnicity in the workplace had a negative influence and if there was a connection between employment mobility and wages. One of the major finding in thus study found, “race/ethnicity of the supervisor matters and is associated with Latino wage outcomes”(2011:455) This is relevant to my research topic because it shows how discrimination owing to insider knowledge of the employees immigration status can be used against that employee in spite of shard ethnicity.

In the article, “Heterosexual Frontera: Immigrant Mexicanos, Sexual Vulnerabilities, and Survival” Gonzalez-Lopez does not state explicitly her approach. From her open ended interview question of 20 Mexican immigrant men regarding their sexual history(she is a sexuality researcher), I can reasonably infer she is using a social critical approach in her research. The major findings of her article show the exploitation of Latina/o immigrants include many examples of sexual exploitation. Same-sex exploitation resulting from structural

discrimination is a prominent form of exploitation. As Gonzalez-Lopez explains, “these men have been exposed to structural coercion and commercial sex within oppressive, racialized, and sexualized intra-male hierarchies and larger globalized socioeconomic forces, ... they have reported engaging in same-sex experiences within migrational context and through their own agency”(2006:79). It connects to my research because it shows how the vulnerability of migrant men places them into a situation where, as Gonzalez-Lopez explains, “Globalization, sexual tourism, and new forms of capitalism are interlocking processes prompting these sexualized processes.(2006:69)

SETTINGS

My research of day laborers took place in a variety of locations. I work in the construction industry and this allowed me to talk to day laborers in the cab of my truck as we drove to the different sites where we work. The day laborers I work with are both undocumented and documented. I have worked with these men on and off for years and maintain good relationships and rapport. Being a native English speaker was sometimes difficult. But I do know some Spanish and the men I work with also have some English competency and together we made it work.

Outside of my usual work, I met with day laborers through a Border Angels day laborer outreach as well as through additional research conducted independently on day laborers at hiring sites around North San Diego County. Border Angels is an advocacy group that works to raise awareness on migrant issues. There is a CSU San Marcos chapter club of Border Angels that I met with and helped during one of their outreach’s to day laborers. This was done in the parking lots of Home Depots where men congregate in order to pick up informal work for cash.

The men I interviewed in these locations were men who are actively pursuing work on a day to day basis and generally speaking are in a more vulnerable position than the men I work with. Communicating in this setting could have been very challenging. Without the entree and the easy communication facilitated by members of the Border Angels club, who were Latina/o, I doubt they would have felt as open or free to share with me their experiences. I was extremely lucky when I attempted further field research in this setting as I was able to connect with a day laborer who was Mexican American and spoke English.

I also conducted two formal interviews, one in my home and another over coffee at McDonalds on a Sunday morning. Both of these men I have worked with for almost 13 years. They were employees of a local general contractor and family friend who subcontracted work to me. The first formal interview was conducted in my home. This interview was conducted with Victor, an undocumented immigrant that has been here for many years and is now well established in the community. Victor's English was not enough for us to communicate effectively but my wife speaks Spanish and in this way we were able to exchange communication comfortably. The second interview was with Charlie, who has legal residency in the U.S., and his English is good and we were able to communicate freely without my wife as translator. We met at the McDonalds for coffee. Both of these men although not currently day laborers spoke with me about their early experiences and challenges when they were.

METHODS

For my data collection I used a variety of methods depending on the circumstances. In the case of the day laborers who are my employees I informed them I was a student and researching the experiences of day laborers and asked if I could interview them. These interviews were

informal and more conversational. I could not jot anything down as I was either working or was usually driving at the same time during these exchanges. My approach was a “participating to write” approach that Emerson, Fritz and Shaw explain, “begins earlier when the researcher is still in the field, perhaps in the immediate presence of talk and action that will be inscribed”(2011:23) With this approach in mind I was able get “mental notes or head notes” of key experiences shared but also later “jottings” that I would use to construct fuller field notes when I had time to make a more complete accounting of the experience.(Emerson et al. 2011:23) I would do this when I would arrive at a job site where I have random down times, or during a break or for lunch or even while sitting in line at the dump.

In the case of the other informal interviews I initially thought I would be able to conduct interviews while making jottings. But in the case of the independently conducted interviews with day laborers at the Home Depot stores I quickly discovered trying to write jottings during interviews was not going to work. My entree into that setting had me in a relational and linguistic disadvantage with trust not as forthcoming as it was the with interviews conducted alongside the Border Angels day labor outreach. Even in that case after disclosing we were students there was still an air of mistrust and shyness that made it inappropriate to pull out pen and paper. Additionally, after the first interview I realized how hard it was to stay in the moment and how awkward it was to the conversational flow and tone of the informal interview. At that point I decided it would be better to take my “researcher” hat off. By doing this I hoped to not distance myself from the person I was interviewing. I did not want to them to feel objectified or studied but to understand I was as genuinely interested in their person as I was with their experiences.

Although I wasn't an immersed 'participating in order' to write researcher I did become, as Emerson et al. write concerning this approach,

... deeply concerned about the quality of the relationships they develop with the people they seek to know and understand. In valuing more natural, open experience of others' worlds and activities, field researchers seek to keep writing from intruding into and affecting these relationships(2011:23).

After leaving the field I got to my laptop as fast as I could on the same day to write down a full set field notes in order to preserve the immediacy of my experience.

Using open coding I first analyzed my data by reading it and looking at my field notes as a "data set , reviewing, re-experiencing, and reexamining everything that has been written down"(Emerson et al. 2011:174). I did this initially as Emerson et al. suggest, "Without regard for how or whether ideas and categories will ultimately be used ... or how they will fit together"(2011:175). From there I began to sift and organize possible themes writing on the margins of my data set or separate in process memos until I had exhausted my possibilities. Physically cutting up my printed data I began moving the data chunks around in order to see a core theme. The data of my theme during focused coding expanded from a narrower focus to data that included broader examples that I didn't initially see. Moving from focused coding and writing some integrative memos allowed me how to see the data begin to tell a larger story.

The sociological tradition I used to approach my research was through a critical social lens. This approach was a pretty easy choice. Once I began my research I started to realize there was a lot more going on in the world of an undocumented migrant or day laborer than I anticipated. I knew from my own personal experience that the rhetoric and and myths and

stereotypes were wrong. They are hard workers, love their families, and are good honest people. But, through my research I realized what I thought I knew about their lived experiences in the shadow of oppressive myths and stereotypes was fairly shallow. When considering critical social research as a lens it was clear to me that it could not be otherwise this was my approach. An approach Esterberg writes, where “... the goal of critical social research is to work towards human emancipation”(2002:17). It is my sincere hope that by “emancipating” facts and sharing with those around me the effects of myths and stereotypes on undocumented migrants my small voice can join other small voices and together pushback against the oppressive rhetoric and structural discrimination to help emancipate lives.

LIVING WITH SEXUAL OBJECTIFICATION, WAGE THEFT, AND DESEPARACION

The stereotypes alongside the myths and lies surrounding undocumented labor in this country has resulted in an exploitation of day laborers that takes advantage of their bodies while leaving them with few rights or recourse against abuse. With their voices silenced from the threat of deportation and their human rights reduced their daily struggles are hidden while their informal labor is in plain sight. The workers that daily wait for work outside Home Depot are exposed to array of exploitative practices. The following are a small slice of the daily struggles that day laborers face.

Discrimination that leads to wage theft against day laborers is very common and a daily part of their lives. The following is an interview with an undocumented day laborer.

Every morning Charlie was curbside on Encinitas Blvd. trying to get his foot in the door. He would get a job here and another job there but nothing consistent. Largely due to his inexperience in construction. He finally landed daily work with a Mexican carpet contractor who was commuting from Santa Ana everyday to a job-site in San Diego. For six months his job was laying carpet at the Macy's fashion valley department store. After

the job came to a close he was told he'd have to wait for his final paycheck. After waiting awhile for his check he attempted phone calls that went both unanswered and unreturned. After months of this he finally gave up having never received his six hundred dollars for two weeks hard work.

Charlie's undocumented status gives him few legal protections making him vulnerable to various form of exploitation. In the "unregulated economic environment" common to construction, wage theft against undocumented day laborers is one of the most common forms. (Warren 2013:738) In addition, Quesada et al. explain that many of the day to day challenges of discrimination faced by migrants come from "compatriots" as well as U.S citizens(2014) Morales explains that as, "... an insider to the Latino immigrant community, the Latino manager/ supervisor has insights on who is undocumented and thus is more likely to use that information against the workers, creating an exploitative working environment(2011:11)". Charlie, an inexperienced day laborer at that time, learned the propensity for discrimination can come from any employer, even one with whom he shares the same ethnicity.

With little to no ability to recover lost wages, day laborers are very exposed to a variety potential wage theft, especially those who are undocumented. In the following excerpt an elderly and undocumented day laborer describes the experience of wage theft by a homeowner and his subsequent appeal to the local police.

Jesus went with a homeowner who picked him up at the Home Depot in San Marcos where they drove together to his house around Lake San Marcos. He worked for 10 hours digging fence post holes. When he went to knock on the door to let the homeowner know he was done, after a brief exchange, the homeowner closed the door in his face. He would not open the door even after repeated attempts at knocking. At this point Jesus decided to call the police. After they came and spoke to Jesus and to the homeowner the police told Jesus he'd be better off if he just got out of here. He replied he didn't know where he was or or

how he got there and that the homeowner had brought him there. The police then offered him a ride back to the Home Depot.

An undocumented day laborer's decisions to accept work can lead to wage theft, or other various forms of exploitation due to a lack of rights. Quesada et al. explain, "They must make instant decisions about whether the person in the car soliciting work is a good employer or not ... they carefully measure who to trust and not trust, whether or not it is wise to report a crime(2011:6)". Jesus's decision to accept work in this instance led to the employer attempting to steal his wages by refusing to answer the door. After working 10 hours combined with the wage theft and being stranded unaware as to his location the logical next step would be to call the police. However, with the federal government's current emphasis on strengthening the Immigration and Customs Enforcement arm of the law(Warren 2013:741) day laborers like Jesus can expect little to no help in these types of exploitive situations. So it's no surprise that Jesus's cry for help results in a police response that tells him to "get out of here" and provides him no restitution of his wages. Additionally Warren states, referring to Fussel's theoretical *deportation threat dynamic*, "The crux of her analysis, in terms of the familiar routine activity theory, is that the unstable legal position of the immigrant worker cuts off the connection between the victims and authorities, leaving criminal actors to operate freely(2013:741). In effect, even if the police had wanted to help Jesus right a wrong by filing a claim this could place him at risk to ICE from a retaliatory report by the employer. Immigration policy dictates Jesus's legal status stripping him the dignity or even basic human rights. His honest days work resulting in wage theft leaves him without a clear cut course of action to pursue restitution.

Day laborers face many struggles in addition to trying to find work once they have made it to the U.S. In an interview with Juan, a day laborer waiting to be picked up for some work outside a home improvement store, he shares a couple examples of these hardships.

After this he quickly got personal letting me know he was recently divorced and had children living in Texas with his ex who left him for another man. He said that he didn't understand his bad luck and why his wife left him for another man when he works so hard. I noticed three plastic grocery sacks stuffed with miscellaneous belongings and a sleeping bag tightly rolled up and secured with a piece of yellow rope. I asked if they belonged to him. His response was to gesture to just under the freeway overpass and where I came to understand he spent his nights.

The run of "bad luck" experienced by Juan puts him in danger of experiencing what Quesada et al., discuss as "Desesperacion", (2014). The authors define this as "a variety of angst-ridden feelings and situations . . ." that are a result of "the cumulative consequence of experiencing discrimination on multiple levels has the potential of driving day laborers to despair (Quesada et al. 2014:3)." As a result of his status there is little he can do to find work as the informal jobs found as a day laborer offer few possibilities. Furthermore, the work of the day laborer is largely characterized by temporality, lack of benefits, and potentially hazardous working conditions (Valenzuela 2003:308). The despair, homelessness and loss of Juan's marriage are connected to the stigma and vulnerability described by Valenzuela that make day laborers like Juan exploitable in other ways. Sadly, day laborers are increasingly facing a new class of exploitation of their bodies beyond the utility of their labor.

Another way day laborers vulnerability can be exploited is through the objectification of their bodies. In the following excerpt, Guillermo an undocumented day laborer and horse jockey, describes one of his early experiences being picked up for another day's work.

As we pull off the freeway at Palomar Airport Rd., Guillermo who is all of about five feet tall, smiles and starts to tell me a story about the time when a big guy in a big truck hires him. Guillermo figured the guy was in construction based on the look of the guy and the truck. The big American as he put it pulled into a parking lot near the flower fields at Palomar Airport Rd. Guillermo said he thought at this point he was going to be working in the fields for that day. But after he parked the guy starts to pull out his penis for sex, and Guillermo laughing as he tried to explain, “no no señor” its not my thing as best as he could in his broken up english. The guy was very nice about it and apologized as Guillermo let himself out. Guillermo said walked over to the flower fields, which he shared were much bigger then, and easily picked up some work.

One aspect of Guillermos’s vulnerability as a day laborer is highlighted by the uncertainty of just who he is getting in the car with and/or what type of work is in front of him. In the above excerpt Guillermo makes an assumption based on appearances and previous experiences. But as research reveals this aspect of his vulnerability make him susceptible to different types of same-sex sexual exploitation and it is not at all uncommon.(Gonzalez-Lopez 2006). In many of the, “same-sex interactions between an immigrant man and his employer(frequently a white gay man) ... the immigrant man is not only economically exploited but also sexually objectified(Gonzalez-Lopez 2006:69)”. The objectified view of day laborers like Guillermo inside the White gay male community is that they are, “exotic, dark, and passionate”(Gonzalez-Lopez 2006:69). Research also suggests that the sexual objectification that views Latinos as “exotic” can also be reflective of a more complex dynamic that provides the, " economic power to buy the cheap labor of a poor man may also give the employer a sense of sexualized entitlement over the poorer man(Gonzalez-Lopez 2006:74)”. In Guillermo’s instance he had sufficient enough English combined with an awareness of his location near the flower fields to remove himself from the sexually threatening situation. It’s also interesting to note Guillermo’s use of humor to negotiate his exit, a tactic commonly employed, “in order to maintain a sense of dignity as they deciphered

potentially abusive encounters and grappled with their multifaceted feelings, emotions and subjective interpretations(Gonzalez-Lopez 2006:72)".

CONCLUSION

To ignore the plight of the undocumented immigrant worker is to deny our longer history, as troubled as that may be, and the conceptualization of the ourselves as a country of immigrants that values justice and equality of opportunity for all. But we need not look farther back than the image of ourselves in the mirror to place ourselves in the proper context in relation to the undocumented refugees of today. We all want better lives, to have a job, to support our families, to be free, and to feel connected to the promise of this modern mythology called the "American Dream". A dream that is more a central archetype of humanity for stability, peace and happiness within in all of human consciousness. A dream where a rising tide of prosperity lifts all boats. However, the surging xenophobic rhetoric emerging out of right wing conservative circles within the U.S. comes dangerously close to replacing this ideal of ourselves as a beacon of refuge, shelter, opportunity and equality. This new nationalism that has surfaced fervently denies these values to "others" while denying the contributions of their labor that help support the very values we idealize in the first place. Its the height of hypocrisy for a people and its government to create structural inequalities that prevents recognition of those that in a not insubstantial way are contributing to the very fabric and basic viability of this grand experiment called the United States of America. By doing so not only are we dishonoring their humanity along with their labor and contributions to society but we are dishonoring ourselves if we let this nationalist political current continue to divert our attention from justice and morality. We can and must do

better. Previous immigrants, used to place the United States upon a pedestal and viewed us as a beacon of hope. But, as Gonzalez-Lopez shares, for undocumented laborers, “the country they had created in their imagination before migrating-that ideal society, it turned out, did not exist for them.”(2006:75) I am more inclined to agree than not. Moving forward from our country’s proverbial crossroads of leadership, the choices we make now will undoubtedly shape not just our country’s future, if we are to have one, but the rest of this increasingly smaller planet.

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