

Policy Matters

A Quarterly Publication of the University of California, Riverside

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Funding provided by the College of Humanities, Arts, and Social Sciences (CHASS) and the Public Policy Initiative at UC Riverside.

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Jason Struna, Kevin Curwin, Edwin Elias, Ellen Reese, Tony Roberts, and Elizabeth Bingle

Unsafe and Unfair: Labor Conditions in the Warehouse Industry

The warehouse industry is a major employer in the Inland Empire, hiring about 114,000 warehouse workers in Riverside and San Bernardino counties in 2010 (California Employment Development Department 2011). This workforce is mostly Latino, of which about half are immigrants. While the industry often claims that it provides good jobs in the region, temporary workers who lack benefits and are paid low wages do most of the work. Many warehouse workers also face unsafe and unhealthy employment conditions. Here, we examine and summarize research on the region's warehouse industry and efforts of Warehouse Workers United (WWU) to organize warehouse workers and improve their working conditions since 2008 through direct actions and legal channels.

Our study combines information from multiple sources and methods, including secondary literature, ethnographic field research, and survey data. We discuss the region's goods movement industry, drawing from relevant secondary literature, field research, and information from 17 semi-structured interviews with warehouse workers, warehouse managers, and representatives of temporary employment services. We also provide a broad overview of WWU's organizing campaign based on field research by three authors carried out between 2008 and 2012.

We also examine health and safety issues in the industry. Here, we compare findings from a 2011 survey of employers collected by the U.S. Bureau of Labor Statistics (BLS) with results from a survey of warehouse workers conducted in 2011 by members of WWU and Deogracia Cornelio of the Labor and Occupational Health and Safety program at UCLA (BLS 2011a, b; WWU and Cornelio 2011; WWU 2011). We also review the recent legal victories of WWU members who experienced violations in government workplace regulations regarding payment and health and safety conditions.

Our research strongly suggests that public policy changes and community support are needed to ensure workplace safety and fairness for warehouse workers. Federal and state officials need to closely monitor working conditions in the warehouse industry and to enforce protective labor laws. At the same time, community mobilization and support in the form of petitions, protests, and boycotts can make a big difference in whether large retail stores will push their contractors to improve working conditions.

Elizabeth Bingle is currently a graduate student of Sociology at the University of Cincinnati. Kevin Curwin, Edwin Elias, Tony Roberts, and Jason Struna are graduate students of sociology at the University of California, Riverside. Ellen Reese is Associate Professor of Sociology at UC Riverside.

For more information, contact Ellen Reese at (951) 827-2930 or by email: ellen.reese@ucr.edu.

Introduction

The advent of the shipping container and the introduction of information technology to the goods movement industry transformed world trade and the international division of labor in manufacturing (Bonacich and Wilson 2007; Dicken 2007). Instead of goods being manufactured in single locations for distribution in local markets, products are now often manufactured incrementally in different countries and then distributed in multiple regions of the world market (Dicken 2007; Gereffi 1994; Ietto-Gillies 2002). Those products being distributed globally require final assembly and packaging after arriving at port and before distribution to big box retail stores like Wal-Mart, Target, and Home Depot. And, they need to be aggregated and stored in a manner that makes them accessible to retail and wholesale outlets on a just-in-time basis. This work is often outsourced to outside vendors who run warehouses and distribution centers and who hire warehouse workers either directly or through temporary employment agencies. While warehouse workers help to store, deliver, and prepare products for sale by big box retailers, they are rarely employed directly by those retailers.

The proximity of the Inland Empire to the ports of Long Beach and Los Angeles coupled with the availability of relatively inexpensive real estate has led to the concentration of warehouses and distribution centers in the region (Bonacich and Wilson 2007; De Lara 2009). As a result, a large proportion of the goods arriving from the ports – which account for approximately twenty-five percent of maritime imports and exports in the US – flow through 800 million square feet of warehouses and distribution centers in the region (Gilmore 2011; Southern California National Freight Gateway Collaboration 2011). The Inland Empire's total proportion of the 100 million dollars of Gross Domestic Product contributed by the goods movement industry in the US is difficult to estimate. Yet, it is clear that the industry is vital to the local, national, and world economy (De Lara 2009).

Industry enthusiasts claim that the industry could replace the manufacturing jobs in the area lost to the globalization of production with jobs that enhance the “quality of life” (Husing 2011, 2008; Southern California National Freight Gateway Collaboration 2011). Yet, warehouses and distribution centers in the Inland Empire are far from an employment panacea. Many of the region's warehouse workers are employed through temporary employment services (Allen 2010; Bonacich and DeLara 2009).¹ This practice helps to keep wages low and minimizes access to benefits and promotions. The median hourly wages for blue-collar warehouse workers in the Inland Empire range from \$9.11 to \$13.08 depending on the type of job,

and temporary workers are frequently paid less than this. Overall, about 41 percent of all of these blue-collar workers are paid less than \$10.50 per hour (Bonacich and De Lara 2009).

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In the words of “Ana,” a young woman who had recently been hired as a temporary warehouse worker, workers often accept low wages and bad working conditions in the industry because of the lack of employment opportunities in the region: “this is a bad situation, but at least it's work, so we take it” (cited in Struna 2012). Even the official unemployment rate (which neglects the long-term unemployed) in the Riverside-San Bernardino metropolitan statistical area is quite high: 13 percent at the time of interview, and just under 12 percent at the time of writing (California Employment Development Department 2012).

To effectively compete for contracts and make profits, logistic companies seek to minimize their labor costs. Two chief operating officers for different third-party logistics companies in the region stated in separate interviews that the “razor-thin profit margins” in the industry put decreasing labor costs and the number of workers on the payroll front-and-center on the firms' agendas. The situation often intensifies the pressure for workers to work quickly. According to Juana, a middle-aged temporary worker at a proprietary warehouse, the company decreased the number of workers on the line from 300 to 120 after having merged with another firm. Further, Juana's production quotas increased in the same period from 250 garments per hour to 390: “I told my manager, ‘what is the [production manager] thinking, that we grow hands every year, or what? We have the same two hands from when they hired us’” (cited in Struna 2012). Despite changes in the number of workers and the increase in expected output, Juana, like other workers interviewed reported little to no change in wages during the period multi-year period of her temporary employment.

About half the workers in the Inland Empire warehouses are immigrants, while 80 percent are Latino/a (Allen 2010: 40). Organizers estimate that about 40 percent of warehouse workers are women. While the majority of the region's warehouse workforce has legal documentation, some workers are undocumented immigrants (Allen 2010). It is likely that the use of undocumented warehouse workers facilitates wage repression and mistreatment of workers in

this industry, as has been shown in research on other industries and the U.S. labor market (Pager, Bonikowski, and Western 2009; Rivera-Batiz 1999; Scott-Marshall 2010; Lozano and Sorensen 2011).

Testimonies by warehouse workers, at meetings and public forums organized by Warehouse Workers United, highlight the unfair and dangerous nature of their working conditions. They report being denied proper pay and bathroom breaks, being asked to lift heavy objects even while pregnant, having fire exits blocked, working in dusty and dirty places, and suffering from heat exhaustion and all sorts of workplace injuries. Female workers also report instances of sexual harassment at the workplace. Denying managers' advances can sometimes cost a worker her job or worsen working conditions. Although, she cannot be certain, Ana also reported in an interview that she was given a particularly onerous task for saying no to a manager's unwanted sexual advances: she was asked to clean hundreds of square feet of shelves with no dust mask on racks with a 5 foot shelf height, and was instructed to climb on to those racks to clean in spaces with less than four feet of clearance. Not provided with cleaning solution, she "decided to use [her] water bottle" to complete the job in temperatures over 100 degrees in the warehouse.

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Similar to what occurs in other industries, such as garment manufacturing (Bonacich and Appelbaum 2000), labor subcontracting obscures retailers' legal responsibility for poor working conditions within the warehouse industry. Retailers contract warehouses or distribution centers to handle goods, who in turn frequently contract employment agencies to handle labor oversight – the legal boundaries of each firm are distinct. But in practice, the retailer, the warehouse, and the temporary agency often have offices in the same facility and simultaneously direct daily operations (Struna 2012). In so doing, workers are often unable to determine who is in charge of, and responsible for, the labor process and working conditions. Further, the boundaries of the warehouse, the retailer and the temporary agency are blurred by sharing sophisticated warehouse management systems software that allow each actor to see every step of the goods handling process in great physical and financial detail. Retail, warehouse, and temporary employment firms may technically be distinct, but they often oversee operations in concert.

On the shop floor, the problem of firm boundaries has real outcomes: when an injury happens it is not uncommon for a worker to report to a manager employed by the warehouse who directs the worker to "speak to your employer" – the temporary agency. It is worth quoting "Alfredo's" interview again at length:

[Managers] are always there to push you to do the job and make more, and more...but when it comes to health and security, and safety — they're like, 'oh, go talk to your employer [the temporary staffing agency], because I work [for the warehouse] and you work for [the agency].... Say you are passing out, or dizzy or just don't feel well, they say, 'I can't touch you because you because I work for [the warehouse]. I can call your employer [in this case on premises], and they can help you out.'

Legal responsibility for workers' compensation insurance is held by the employer of record, the temporary agency. But, when workers complain about dangerous conditions in the warehouse to their temporary agency supervisors, they direct workers to complain about the facilities to warehouse managers.

In some cases, lawsuits have found warehouses jointly responsible with temporary agencies for wages and working conditions, as was the case with a Wal-Mart contractor, Schneider Logistics (see below). In practice, workers often do not understand who is legally responsible for their wages and working conditions. This lessens the chances that enforcement or oversight of labor laws would increase labor costs— especially for the retail giants who ultimately require workers' services.

Warehouse Workers United: Organizing for Change

The Change to Win labor federation² formed Warehouse Workers United (WWU) in 2008 with the purpose of improving work conditions in warehouses and distribution centers.

Our research on WWU's campaign is based on participant observation and informal conversations with its staff by three authors. As Chair of UCR's Labor Studies program, Ellen Reese has supervised more than 25 students completing internships with WWU since its inception. Since 2011, she serves as a member of the Warehouse Workers Resource Center Board, a non-profit organization that provides legal services, English classes, and other resources for warehouse workers and their families. Elizabeth Bingle completed a year-long internship with WWU between 2008 and 2009 for her undergraduate senior honor's thesis. Jason Struna completed an eth-

nographic study of WWU and other non-affiliated warehouse workers based on a year and a half of field- and interview-based research between 2010 and 2011 for his master's degree. He has continued this field research for his dissertation (Struna 2012). Altogether, these three authors participated in multiple actions, meetings, presentations, and tours of the warehouse district organized by WWU staff between 2008 and 2012. They also helped with worker outreach and carried out research on the warehouse industry.

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Recruiting members for WWU was no easy task. The decentralized structure of the warehouse industry along with the heavy reliance on labor subcontracting and temporary labor complicated the identification of potential members. Moreover, as research has shown, U.S. companies have become adept at preventing unionization and countering labor organizing through the intimidation and firing of labor activists, the hiring of union-busting consultants, and the dissemination of anti-union propaganda (Bronfenbrenner 2009, 1994). For these reasons, Change to Win organizers avoided traditional workplace-based organizing methods. Instead, they identified and recruited members through community-based organizing methods. They visited homes, neighborhood markets, and recreation centers, and even used an automatic telephone survey to identify the names and addresses of warehouse workers. Once they recruited members, they asked them to refer them to co-workers or friends and family employed in the industry.

By 2009, WWU organizers and members were able to successfully bring hundreds of warehouse workers and allies together for large public meetings and demonstrations. These early protests, targeting various distribution centers and temporary help agencies, brought public attention to the low wages, lack of benefits, and employment insecurity of warehouse workers, many of whom were losing their jobs as the recession deepened. These demonstrations also highlighted the need for national labor law reform to facilitate unionization and hinder employer retaliation against workers who organized. The early phase of WWU's organizing efforts culminated in the May 28, 2009 sit-in at the intersection of Etiwanda and Mission where WWU demonstrators brought freight traffic in the region to a standstill by handcuffing themselves to a forklift amidst hundreds

of supporters. Through that action, among others, WWU gained membership as well as community and student support. Since then, WWU has focused on documenting and addressing labor law violations in the industry, including health and safety and wage and hour violations, through both protest and litigation.

In response to their organizing efforts, WWU members have frequently faced hostile responses from managers, both in warehouses and temporary agencies. Alfredo, a distribution center worker in his mid-20s, reported in an interview that upon learning of efforts to organize the warehouse in which he is employed a temporary agency manager said in a meeting with workers that "whether you have papers or don't, or whether you are legally here or not...there's no reason for you guys to be [organizing] yourselves...because you guys should appreciate the fact that we have you guys working here at all." Some WWU members have even faced illegal firings following protests or litigation, some of which have been overturned through protest or legal cases. Despite such repression, WWU has continued to organize for improved working conditions for warehouse workers in the region.

Health and Safety Violations

Consistent with workers' testimonies, surveys also indicate that illnesses and injuries are relatively extensive in the warehouse industry. Here, we compare the results of a survey of 103 warehouse workers in the Inland Valley, collected by WWU and UCLA-LOSH (WWU and Cornelio 2011; WWU 2011), with the October 2011 findings from the Bureau of Labor Statistics (BLS) Survey of Occupational Injury and Illness census, based on employer reports (BLS 2011a, 2011b). Not surprisingly, the rates of reported work-related injuries and illnesses among warehouse workers are higher in the WWU's worker-based survey than in the BLS employer-based survey. Even so, both survey results show the warehouse injury is a dangerous one. Before presenting the findings from these two surveys, we first discuss their data and methods.

Based on a multi-stage cluster sample of 230,000 private industry establishments, the BLS compiled incident rates for all major and sub-major US industries. The BLS surveyed employers and other governmental agencies on reported injuries and illnesses of any industry workers, excluding self-employed and federally-employed workers. The number and frequency of workplace injuries and illnesses are based on logs written and compiled by employers, in which they record incidents only if they consider it work-related.

Table 1 reports the rate of injuries in four of the most dangerous US industries in 2009: warehouse, logging, mining (excluding oil

and gas), and building construction.³ Using average employment numbers and the number of injuries reported, we found that, at the industry-level, about 4.5% of the full-time warehouse workforce experienced an injury. Compared to the logging, mining, and construction industries, warehousing has a higher rate of injury. Further, compared to the white collar industries of finance and informational processing, where 1.2 to 1.5% of the workforce reported a work-related injury, the rate of injury among warehouse workers is significantly greater (BLS 2011c). This suggests that, on average, warehouse workers are exposed to more risks for injury than workers in other industries, and points to the need for greater enforcement of health and safety regulations within the warehouse industry.

Table 1. Work-Related Injuries Across Four Dangerous Industries, 2009

Industry	Employment	# of injuries	Percent
Warehouse	1,192,700	53,400	4.5%
Logging	52,500	1,800	3.4%
Mining	220,600	7,100	3.2%
Construction	1,552,000	48,500	3.1%
All Private Industry	111,469,100	3,111,500	2.8%

Source: Bureau of Labor Statistics 2010.

Table 2 shows the rate of illness across four dangerous industries in 2009, according to the BLS. Remarkably, none of these industries, including the warehouse industry, have a rate greater than 1%. In general, it very like these official results are based on gross under-estimates, where workers may not associate work with their illness or may fail to report illnesses. Since workers, especially contingent workers, can lose employment and income if they do not report to work, hiding or ignoring illnesses has become commonplace. More importantly, of the reported industries the warehouse industry had the highest rate of illness.

Table 2. Work-Related Illnesses Across Four Dangerous Industries, 2009

Industry	Employment	# of injuries	Percent
Warehouse	1,192,700	3,065	0.26%
Logging	52,500	92	0.18%
Mining	220,600	232	0.11%
Construction	1,552,000	1,040	0.07%
All Private Industry	111,469,100	201,759	0.18%

Source: Bureau of Labor Statistics 2010

The methodology employed by the BLS study contrasts with the method employed by the WWU report, which directly asks the workers about the nature and cause of injuries and illnesses. Given that the BLS statistics are based on employer recording, there is

potential for under-estimation of work-related incidents (Boden and Ozonoff 2008). In fact, a recent study on injury and illness in small, construction companies concluded that the BLS Survey of Occupational Injury and Illness under-reported the rate of injuries in that industry; only 25% of an estimated 14,600 injuries to Latino workers and roughly 54% of an estimated 39,000 injuries to white workers were recorded by employers, whose counts are used to produce the BLS estimates of injuries (Dong et al 2011). Since the BLS data is reliant on the recording practices and behaviors of employers, their results are susceptible to under-reporting. Employers have economic incentives to reduce the number of official workplace injury and illness claims (to minimize their workers' compensation costs). Many employees also fail to report injuries or illnesses to employers in order to maximize their work hours and employment opportunities. Further, establishments may not consider it to be their legal responsibility to file injury and illness claims of temporary workers since they are employed through temporary agencies.

To overcome the biases of official statistics based on employer reporting and to better understand the work experiences of temporary warehouse workers in the Inland Empire, WWU, UCLA Labor and Occupational Health and Safety program (UCLA-LOSH), and CLUE-California conducted a survey of these workers. Educators from the University of California Los Angeles Labor Occupational Safety and Health program (UCLA-LOSH) worked with WWU staff and members to train dozens of worker-organizers in the prevention of health and safety problems, workers' rights to a safe and healthy workplace regardless of immigration status, and ways that problematic workplaces can be brought into compliance with existing Occupational Safety and Health Administration regulations.

Over a four month period in 2011, WWU worker-organizers interviewed 103 workers in Riverside and San Bernardino Counties to assess the health and safety concerns of temporary warehouse workers in the Inland Empire. While the questionnaire failed to record respondents' gender, race, or ethnicity, 92 of the 103 surveys collected were conducted in Spanish. Workers were selected based on references and the location of their current work. Surveyed workers were asked a series of questions about work-related injuries and illnesses that they either personally experienced or witnessed among co-workers. Respondents were also asked about the nature of the injuries and illnesses, and their proximate and perceived causes.

Below, we combine key findings from two reports based on this survey of warehouse workers in Riverside and San Bernardino Counties. The first report, "Shattered Dreams and Broken Bodies" provides a descriptive analysis of the conditions related to workplace

injury and illness among temporary warehouse workers in the Inland Empire (WWU and Cornelio 2011). The second report, “Injuries and Illnesses Among Warehouse Workers in the Inland Empire,” analyzes the same interview data for the frequency and causes of workplace injury and illness (WWU 2011).

Table 3. Reported Injury Data for Inland Empire Warehouse Workers

Number of Incidents	% of Workers Reporting Personal Injuries	% of Workers Reporting Witnessed Injuries
0	34.95%	16.67%
1	54.37%	57.84%
2	6.80%	18.63%
3	2.91%	4.90%
4	.97%	1.96%

Source: Workers Warehouse United Survey 2011b
 Note: .N = 103

As Table 3 reveals, temporary workers at warehouses in the Inland Empire endure a significant amount of injuries and illnesses while on the job.⁴ According to Table 3, nearly 65% of workers reported experiencing or witnessing at least one injury in the workplace within the last year. Compared to the BLS injury rates reported in Table 1, the rate of injury was more than ten times greater for temporary warehouse workers in the Inland Empire than the national rates for warehouse industries. About 26% of workers reported observing 2 or more injuries at warehouses, while 11% of the workers reported that they personally experienced 2 or more injuries at the workplace. Overall, only about 35% of the 103 workers interviewed said they never experienced an injury while on the job, but only 17% reported never observing an injury at the workplace.

Workers experienced a variety of injuries. The three most common types of injuries were to the hand, foot or back. About 20% of respondents reported injuries to the hand or the muscles in the hand. About 14% reported injuries to their back, and 8% reported injuries to their feet. Other injuries range from amputations to burns and injury to skin, but no other category exceeds 5% of respondents. When interviewed if he ever saw an accident in the workplace, a respondent pointed to the vulnerability the worker is placed when moving pallets and working between forklifts. He stated, “a young man was pressed between two pallets because the forklift did not see him. They fired him after the accident.” Another male respondent, when asked if he ever experienced an injury at work, replied, “Yes, hurt my back, shoulders, neck, my left foot, and got a hernia by pushing a 1200 pound pallet.”

Table 4 provides the truncated count of self-reported work-

related illnesses observed and experienced by temporary workers as reported in WWU (2011). Respondents were asked whether they ever felt sick “as a result of your work” and if they had ever observed that a workmate had become “sick during work hours.” Of course, there are limits to this data since it is based on self-reported information; some of the reported illnesses might not have been work-related but simply contracted by the workers or experienced by the workers during work hours. Nevertheless, these survey responses give some sense of the magnitude and types of health problems that warehouse workers experience.

As Table 4 reveals, about 12% of the workers did not report experiencing a work-related illness, while 36% of the workers reported not observing an illness. Out of 103 workers interviewed, over 80% reported experiencing 1 to 3 work-related illnesses. About 65% of the workers reported observing at least one work-related illness. However, only 5% observed over 1 incident of work-related illnesses. Surprisingly, over 5% of the workers reported experiencing at least four different work-related illnesses. Similarly to the rate of injury, it appears that work induced illness is common to temporary work status in Inland Empire warehouses. The WWU findings suggest that illnesses are 94 times more prevalent for temporary warehouse workers in the Inland Empire compared to the national rates of illnesses for the warehouse, logging, mining, and construction industries as reported in Table 2.

Table 4. Reported Illness Data for Inland Empire Warehouse Workers

Number of Incidents	% of Workers Reporting Personal Illness	% of Workers Reporting Witnessed Illness
0	11.65%	35.92%
1	58.25%	59.22%
2	16.50%	4.85%
3	7.77%	0%
4	5.83%	0%

Source: Workers Warehouse United Survey 2011b
 Note: .N = 103

There was a wider variety and larger amount of illnesses experienced by the survey respondents. The six most common illnesses are respiratory-related illnesses (17%), headaches (13%), cold and flu symptoms (12%), stress and fatigue (10%), insomnia (10%), and general feelings of uneasiness (9%). Finally, 6% of respondents reported dizziness and anxiety, respectively, the remaining 5% reported a variety of other illnesses.

The contrast between the BLS findings and the findings of the WWU survey are notable. It is likely that the BLS figures, based on

employers' accounts, underestimate the actual rate of injury (Dong et al 2011). Indeed, the WWU survey found that 85% of respondents claimed that intimidation from management pressured them into not officially reporting work-related incidents (WWU and Cornelio 2011). Such pressure, along with the heavy reliance on temporary workers for whom employers are not always legally responsible, contributes to under-reporting of workplace injuries and illnesses among warehouse workers in the BLS surveys. The contrast in the BLS and WWU figures may also be due to the particularly dangerous conditions under which temporary warehouse workers operate. As research shows, temporary workers are given less safety training or equipment compared to full-time workers, which exposes them to greater risks of work-related injuries (Park and Butler 2001; Benavides et al 2006; Smith et al 2010).

Warehouse workers were also asked about what they believed "causes or can cause injuries and illnesses to warehouse workers." The most common responses to this question are summarized in Table 5. The data indicate that nearly 81% of these respondents identified dangerous machinery as a cause of these problems. More than half (55%) attributed them to substances, including dust, animal droppings, and chemicals such as ammonia. About 28% of respondents claimed that dust caused work-related injuries or illnesses, the most commonly identified substance. About one quarter identified dangerous conditions or tasks as the cause of workers' injuries and illnesses. When asked what are the causes for the health problems among warehouse workers, a male respondent from the WWU/UCLA-LOSH surveys stated "the chemicals that we use, the fumes from soldering, the light from soldering, and the unevenness of the floor."

About 40% of respondents reported that pressure from management led to injury or illness. When asked about the causes of illnesses or injuries among warehouse workers, one respondent claimed that they were "mostly" due to pressure. As the respondent explained, "We are pushed to work hard to meet production numbers we work up to 16 hours on some occasion [we] not only worked 16 hours we have to go home for only 4 hours and have to return to work after the 4 hours." Such work schedules contribute to sleep deprivation among warehouse workers, which increases the risks of workplace accidents and injuries.

Respondents also reported the perceived causes of actual incidences (observed or experienced) of work-related illnesses and injuries among warehouse workers. The most common causes reported are equipment accidents (23%), injury from heavy and sharp objects (22%), and dust (10%). Some respondents also reported that they

were subjected to chemicals without adequate protection. As one respondent described, "We once opened a truck that contained a sulfur and were suffocating due to its strong smell. They called the fire department and ambulances because they feared a lawsuit [from us]. Still, I was left with a really bad skin irritation that lasted a month-and I still went to work."

Table 5. Top Perceived General Causes of Injuries and Illnesses Among Inland Empire Warehouse Workers

Perceived Causes	# of Workers	% of Respondents Reporting Cause
Dangerous Machinery	83	80.58%
Substances	57	55.35%
Pressure from Management	41	39.81%
Dust	29	28.16%
Dangerous Conditions	28	27.19%
Dangerous Tasks	25	24.27%

Source: Workers Warehouse United Survey 2011b

Note: .N = 103

The report, "Shattered Dreams and Broken Dreams," highlights how working conditions have contributed to the prevalence of work-related injuries and illnesses for warehouse employees in the Inland Empire (WWU and Cornelio 2011). According to this report, 74% reported excessive heat or cold as a problem, and 70% pointed to inadequate ventilation. Workers reported temperatures ranging from as little as 10 degrees Fahrenheit to as much as 125 degrees, and over 45% reported that they had no easy access to drinking water. As one respondent to the WWU/UCLA-LOSH survey noted, "Yes, when it's hot, three or four female workers fainted due to the lack of ventilation. They rarely allow us to use the ventilation." The warehouses are also thick with dust, chemical pollutants and exhaust fumes. Given these findings, it is not surprising how common heat and respiratory illnesses are among these temporary workers. Unfortunately, only 22% of these workers felt that they had received adequate training before starting the job. Some reported being left to their own devices, teaching themselves to do the job as they went along. Even without proper training, 90% of these workers said that they received pressure from supervisors to work faster.

Findings from the 2011 survey of temporary warehouse workers in Riverside and San Bernardino suggest that these workers toil under dangerous and stressful conditions; most respondents claimed that they personally experienced a work-related injury and a work-related illness. The selective sample used for this survey, and reliance on self-reports, might be biased towards the over-reporting of workplace injuries and illnesses among warehouse workers, just as the BLS' employer-based survey is subject to problems of under-re-

porting. Even so, it is noteworthy that both the worker-based WWU survey and the BLS employer-based survey lend credence to the assertion that warehouse workers suffer relatively high rates of injury and illness when compared to other types of workers.

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Legal Victories for Workplace Safety and Fairness

Along with documenting health and safety concerns through surveys, WWU compiled personal testimonies and other supporting documents to build a strong legal case against health and safety violations in the warehouse industry. In 2011, WWU filed complaints with California's Division of Occupational Safety and Health (OSHA) that led to the assessment of fines of more than \$250,000 against the Wal-mart contracted warehousing firm, National Distribution Centers, and the warehouse's in-house temporary staffing agency Tri-State (Cal-OSHA Reporter 2012). Without the efforts of WWU worker-organizers to document the violations in the Chino warehouse complex, observed in the August 2011 Cal-OSHA inspections (Lifsher 2012), many of the more than sixty citations against the companies may have gone unnoticed.

Warehouse Workers United has produced legal victories in their campaign against wage and hour violations in the industry as well. In Mira Loma, Premier Warehousing, a firm contracted by Schneider Logistics (which provides logistics services for Wal-Mart), was fined over \$600,000 subsequent to their failure to properly document wage rates and payments as "part of a concerted effort to deny workers their hard-earned wages" according to California Labor Commissioner Julie A. Su (California Department of Industrial Relations 2011). Additionally, Schneider's in-house temporary staffing agency, Impact Logistics, was assessed a fine of \$499,000 on related charges as part of the same decision. Schneider, Premier, and Impact Logistics were also named in a lawsuit filed by WWU on behalf of workers subject to wage violations in the "U.S. District Court for the Eastern District of California on October 18, 2011 (Carrillo v. Premier Warehousing, et al.)" (Warehouse Workers United 2011).

Four days after WWU filed its employment lawsuit against Schneider Logistics, Premier Warehousing terminated its contract with Schneider Logistics "more than a year before it was scheduled

to expire" (Katzanek 2012) – effectively terminating 100 workers, including the employees who brought suit against the firms. In response, WWU mobilized a protest by workers and their allies against these firings. They claimed that the warehouse workers were illegally fired in retaliation for pursuing the employment law suit against Schneider. They also filed for, and won, a preliminary court injunction against the firings; the court injunction required Schneider to rehire the fired workers (Pierceall 2012). Afterward, Schneider hired the workers as full-time employees with hourly pay (WWU 2012). While facing an uphill battle, WWU is using these very visible cases to highlight the state of warehouse work in the Inland Empire.

Conclusions and Recommendations

The warehouse industry plays a vital role in the economy of the Inland Empire, but is also a vital center for national and international economies. Yet, many warehouse workers in this region, mostly Latino and about half of whom are immigrant, are paid low wages and work under relatively dangerous conditions. Many of these workers are also temporary workers who lack job security (Allen 2010; Bonacich and De Lara 2009; WWU and Cornelio 2011; WWU 2011). To shed light on the working conditions and struggles within this regional industry, we have combined research from multiple sources, including worker-based and employer-based surveys, participant observation of Warehouse Workers' United's campaign, newspapers, and other secondary sources.

Although Warehouse Workers United is not yet a recognized union, it has helped to improve the lives of warehouse workers through direct action. Recent campaigns have focused on improving working conditions within the industry by addressing unsafe and unhealthy working conditions as well as wage and hour violations. While WWU has successfully waged a series of legal complaints against warehouse and temporary help firms for violations in health and safety laws and wage and hour laws, there is much more to be done to address remaining problems of workplace safety and fairness among warehouse workers.

What kinds of policy changes would help to improve working conditions within the warehouse industry? Federal and state officials need to continue to closely monitor working conditions in the Inland Empire warehouse industry and to enforce protective labor laws. Such efforts are undermined, however, by inadequate state and federal funding for Occupational Health and Safety Administration and other Department of Labor offices, a problem that has only worsened in the recent wave of state and federal cutbacks. While there is no simple solution to increasing blue-collar wages and reducing

the rates of injury and illness in this industry, providing a pathway to legalization for undocumented immigrants would surely help to make the workforce less vulnerable to workplace abuse. So would reforming collective bargaining laws to better protect workers seeking to form a union and bargain collectively against employer intimidation and reprisals.

Further, broad community support for Warehouse Workers United's campaign would be beneficial. While the legal victories against warehouse and temporary help firms are laudable, big retailers, such as Wal-Mart and Target, ultimately control the warehouse industry and should be held accountable for the unsafe and unfair working conditions experienced by warehouse workers. Similar to the United Farm Workers' long struggle for better wages and working conditions for grape pickers in the 1960s, warehouse workers' struggle for economic justice requires broad community support for success. Such support can take many forms, including signing petitions, protesting, and boycotts.

While the use of labor subcontractors makes it difficult to hold retailers legally accountable for the working conditions of warehouse workers, similar problems have been overcome in other industries by labor and community organizers. The Farm Labor Organization Committee (FLOC), created in 1967 for farm workers in the Midwest, won their biggest victory in the mid 1980's in their campaign targeting Campbell's soup. Farm workers who picked vegetables for this company complained of sub-standard housing, poverty-level wages, and exposure to various chemicals and pesticides without access to health care or medical insurance. Campbell's soup initially argued they were not responsible for the working conditions since they were not directly employing the workers; instead, the growers were responsible for such changes. The company eventually succumbed to public pressure after workers went on strike and mobilized community support in the form of rallies, marches, and boycotts.

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In 1986, Campbell Soup and their pickle and tomato growers in Ohio and Michigan signed a three-way labor agreement that recognized FLOC as the farmworkers' union, improved wages, and classified farm workers as paid employees, granting them the same labor protections as other paid workers (Musynske 2009). Likewise, in 2005, Taco Bell agreed to pay tomato pickers, hired through tomato

growers, a penny more per pound, in response to worker organizing and a broad community boycott of the company (Leary 2005). Similar tactics of targeting brand-name companies, such as Nike, have been used by the anti-sweatshop movement to help garment workers to win union contracts as well as better wages and working conditions from labor contractors (Bacon 2004; Bonacich and Appelbaum 2000). Thus, only when big retailers, such as Wal-Mart or Target, feel economic pressure from both workers and the broader community are they likely to improve the conditions under which their goods are warehoused and packaged.

Notes

¹ Allen (2010) claims that most (blue-collar) warehouse workers in the Inland Empire are temporary workers, yet statistics on employment in this industry are difficult to state with precision. Many of the warehouse industry workers reported in the Bureau of Labor Statistics Quarterly Census on Employment and Wages are upper echelon workers like managers, and temporary workers are often excluded from these counts. Of the temporary workers reported in the Riverside-San Bernardino area by BLS, not all are warehouse workers. Luo, Mann, and Holden (2010) estimate that 20 percent of all temporary employees nationwide are engaged in transportation and material moving industries. The relatively high concentration of both temporary agencies and warehouses in the Inland Empire suggests that this figure is considerably higher for this area (Bonacich and De Lara 2009).

² Change to Win (CTW) is a national labor federation formed in 2005 as an alternative to the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) with the aim of focusing more energy and resources to organize unorganized workers. Currently, CTW is comprised of almost six million workers belonging to four unions: Service Employees International Union (SEIU), United Farm Workers of America (UFW), International Brotherhood of Teamsters (IBT), and United Food and Commercial Workers (UFCW).

³ Selection of industries was based on the annual fatal occupational injury rates. According to an August 2011 report on the preliminary findings of the National Census of Fatal Occupational Injuries by the BLS, the occupational injury fatality rates for all four industries were at least three times higher than the mean all-worker fatal injury rate. While workers in the deep sea fishing industry (NAICS Code 1141) have the highest mortality rate, these workers were not included in the comparison because comparable industry-level data on worker illness and the number of reported injuries were unavailable in the Survey of Occupational Injury and Illness data (BLS 2011c).

⁴ Because coders marked a non-response or a null response to questions about workplace injuries and illnesses as missing data, authors of the report considered it as if the interviewee never witnessed or experienced additional injuries. This strategy provided a conservative estimate of the prevalence of injuries and illnesses.

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For interviews or more information, contact:

Ellen Reese
Associate Professor, Sociology
(951) 827-2930
ellen.reese@ucr.edu

To contact editors via email:

Mindy Marks,* mindy.marks@ucr.edu
Karthick Ramakrishnan, karthick@ucr.edu

*Action editor for Volume 5, Issue 2