



## POLICY BRIEF No. 5

### ***Economic Human Rights Bus Tour in California May 29-31, 2001***

FOR THE RIGHT TO BE FREE FROM HUNGER

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## Table of Contents

1. Introduction .....	1
2. Background .....	2
3. Findings .....	3
- Human Right to Feed One Self .....	3
- Human Right to Housing .....	6
- Human Right to Health Care .....	8
- Workers' Rights .....	12
- Human Right to Education .....	16
- Call to Action .....	20



## **Introduction**

*“ Everyone has the right to a standard of living adequate for the health and well-being of himself (herself) and his (her) family, including food, clothing, housing, and medical care and necessary social services...”*

-Article 25 of the Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations on December 10, 1948

The gap between the richest and poorest Americans continues to widen, creating deep wounds in the body and soul of this nation. The economic and social policies of the United States’ government perpetuate these growing income disparities, often in clear violation of the tenets of the Universal Declaration of Human Rights (UDHR) and the human rights of tens of millions of struggling Americans.

Inspired by the principles embodied in the UDHR, Food First/ the Institute for Food and Development Policy, organized the 2001 Economic Human Rights Bus Tour in California to document the dire need for government policies that respect, promote, and fulfill the human right of every individual to food, housing, health care, education, and a living wage.

The 2001 Economic Human Rights Bus Tour in California was a part of Food First’s national campaign, Economic Human Rights: The Time Has Come!, to spur legislative action that meets the needs of the nation’s poor. The tour called for:

- Truly adequate federal funding for education, health care, and child care;
- A minimum wage that is a living wage;
- Measures to address the relationship between race and poverty;
- A re-ordering of federal priorities toward meeting the needs of the nation’s poor;
- Ratification of the International Covenant for Economic, Social, and Cultural Rights.

In the coming months Food First will continue working with policymakers, grassroots and community-based organizations to ensure the right to an adequate standard of living. Our goal is to build a national movement to demand economic and social human rights in the United States!

## **Background**

“After the military, I married and worked often 3 to 4 different jobs at a time to earn enough money to support my family. I suffered a heart attack in 1989 and now I receive \$691 in social security a month. I pay \$464 for my room. I struggle to get by and don’t have enough money for basic needs like food and clothing. It is unconscionable that there are so many people with even less than me. This isn’t the America I was led to believe existed or could exist.”

*– Richard Only is a client at St. Mary’s Center in Oakland, California*

The 2001 Economic Human Rights Bus Tour in California from May 29-31 drew public attention to growing poverty and hunger in this country, and to the powerful grassroots campaigns in urban and rural areas that are addressing these injustices. This follow-up to our successful 1999 Georgia Bus Tour was endorsed by the fifty-six member strong Congressional Progressive Caucus and more than two hundred partner organizations from across the country.

Congressional Representative John Conyers (D-MI) remarked in 1999 that "the most important thing I've done this year" was to participate in Food First's Georgia Bus Tour. In 2001 Rep. Conyers joined us again, along with Rep. Barbara Lee (D-CA) and Rep. Nancy Pelosi (D-CA); Carl Pope, Executive Director of the Sierra Club; and Rosalinda Guillen, Vice-President of the United Farm Workers, and several other leaders of the civil society. California state legislators, local officials, and the media heard testimonies and policy recommendations directly from grassroots communities and service providers, who called for bolder legislative initiatives and a greater community role in policy making.

The tour highlighted many of the dynamic campaigns for justice in California and expanded the call for economic human rights to a national level. Site visits and hearings included a downtown Oakland walking tour of low income housing slated for demolition led by Building Opportunities for Self Sufficiency (BOSS), testimonials by non-standard workers and a site tour at San Francisco’s Day Labor Program, and the fields of the Central Coast where the delegation witnessed the United Farm Workers’ fight for fundamental economic human rights to safe housing and safe working conditions, and basic health care.

The many testimonials by community members during the tour revealed the unconscionable reality that violations of people’s basic human rights continue to accelerate in the wealthiest nation on Earth. (please see the Appendix for Testimonials) The bus tour also documented the powerful community-based responses to these injustices and provided a dynamic opportunity to strengthen the national and regional networks coalescing in support of economic human rights for every single person.

## **Findings**

### **Human Right to Feed One Self**

“I was working full-time at a low-wage job and paying child support - most of my check went to child support. I would buy a little food with the small amount of money left over. Then I lost my job and that was when I was really hungry.

When I came to St. Anthony's, I was shriveled up, I weighed 125 pounds, and I thought I was going to die. Getting food gave me back my self-esteem, my motivation, and my health. Starvation is one problem we should not have in this country.”

– *Robert is a client at St. Anthony's Foundation in San Francisco.*

Robert's story is hardly unique. In the nation with the world's largest acreage of arable land, we're plagued with hunger in the midst of plenty. In 1998, thirty-six million Americans lived in households that did not have access to enough food to meet their needs.<sup>1</sup>

In December 2000, a survey of 25 cities by the U.S. Conference of Mayors showed an increase of 17 percent over the previous year in requests for emergency food assistance, with 83 percent of the cities registering an increase.<sup>2</sup> According to this survey the leading causes of growing food insecurity are low-paying jobs, high housing costs, unemployment, food stamp cuts, and welfare reform.

The 2001 Economic Human Rights Bus Tour delegation heard the heartbreaking personal stories behind these horrifying statistics. From the Food Bank of Monterey County on California's Central Coast to St. Anthony's Foundation in San Francisco, the voices of service providers and community members were different but the message was the same: hunger in the United States is widespread, intolerable, and the time for action is now!

### **Food Banks are Straining**

“Everyone ought to be able to feed themselves without worrying whether to buy food or instead pay for other necessities like rent and medications. If it weren't for the good bread and the lunches I receive from St. Mary's Center, I wouldn't eat very well,” said Lynn Hoberg, a weekly client at the food kitchen and housing services center in downtown Oakland. As the number of hungry Americans steadily increases and the government continues to slash the social safety net, the pressure on soup kitchens and food banks to meet these needs is growing.

In 1998, Second Harvest, the nation's largest network of Food Banks, fed nearly 10 percent

1 “Advance Report on Household Food Security, 1995-1998”, U.S. Department of Agriculture, 1999.

2 “Status Report on Hunger and Homelessness in America's Cities,” U.S. Conference of Mayors, 2000.

of the U.S. population and still had to turn away several million people. Most of those requesting assistance were children and their parents. The gap left each year by cuts in the federal food stamp program is four times the amount that Second Harvest can provide in a “best case” scenario.<sup>3</sup>

### *Food Stamp Program Needs Increased Funding*

“There have been months on end, I would only have \$20 to spend on food and often had to go without food. I became so sick due to not having enough to eat that a doctor finally intervened.

I went to apply for food stamps. After filling out pages and pages of forms and spending hours at the Food Stamp Office, I was angry to learn that I was only eligible for \$10 in food stamps because the small amount of money that I received in Social Security Disability disqualified me from obtaining any more. My small Disability sum went to pay for my rent, my Medical Co-pay of \$50, utilities, prescription pain medication, transportation, and food. Not having food was a very demeaning experience.”

– *Artensia Barry, a former Vocational Nurse now on Disability due to a chronic medical condition, is a client and volunteer at Alameda County Community Food Bank.*

For nearly four decades food stamps provided a safety net against hunger in the United States, with nearly 80% going to families with children. In 1996 the U.S. government cut \$20 billion from the food stamp program under the “welfare reform” and capped the food stamp budget with just a meager \$100 million a year for the following seven years.<sup>4</sup> A recent study shows that an estimated 12 million people, including at least one million children, are not receiving food stamps even though they are eligible.<sup>5</sup>

### *WIC as an Opportunity for Improving the Situation*

Another beneficial federal food assistance program known as WIC, the Special Supplemental Nutritional Program for Women, Infants, and Children, has never been fully implemented. WIC has proven to reduce infant mortality, low birth weight, and anemia: the U.S. government saves \$3.50 in future Medicaid and special education costs for each dollar spent on WIC for pregnant women.<sup>6</sup> But the program has been made available on a limited basis due to funding constraints.

In rural Hollister, the bus tour visited the farm of AMO Organics, where Co-founder Diego Vasquez described a program they have developed in conjunction with the local WIC office

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3 “Hunger 1997: The Faces and Facts,” America’s Second Harvest, Chicago IL, 1998.

4 Tufts University School of Nutrition Sciences and Policy, Data from website at <http://hunger.tufts.edu/us.html>

5 Becker, E., *The New York Times*, February 29, 2001.

6 “U.S. Hunger and Poverty Information,” General Accounting Office, 1999.

to ensure that community members adequate access to healthy and organic food. In San Francisco, the youth educators of the S.F. League of Urban Gardeners (SLUG) shared how they are meeting needs of the local community for healthy food through urban, organic agriculture.

“But its like we’re putting our finger in a dike that’s already exploding all around us,” lamented Paola Zuniga of the Eco-Center in San Francisco’s Mission neighborhood. Paola’s comment expresses the frustration and concern of every single service provider the delegation visited throughout the California bus tour.

### Conclusion

The Economic Human Rights delegation found that the food service providers are completely over-stretched, though the need for their vital work grows at a an alarming pace. Across the board, these professionals told us that action is needed to significantly increase government funding for food assistance programs, in conjunction with legislative measures to address the root causes of hunger and food insecurity. These firsthand accounts support Food First’s long-held position that a comprehensive and purposeful undertaking by the government of the United States, in principled partnership with service-providers and local communities, is required to remove the malady of hunger in the world’s wealthiest nation.

### **Proposed Recommendations**

- Support H.R. 2142 / S. 583, the Nutrition Assistance for Working Families and Seniors Act, which would provide essential nutritional assistance for America's hard-working families and Seniors and reinstate benefits for legal immigrants.
- Support a Farm Bill with comprehensive reform and adequate funding for re-authorization of the Food Stamp program.
- Support adequate funding to serve all women, infants, and children who qualify for the WIC program.
- In California, support AB 989 which would remove the annual sunset dates for CAPI (Cash Assistance Program for Immigrants) and CFAP (California Food Assistance Program), and allow the continuation of food stamps for low-income immigrants who came to the U.S. legally.
- Support California Assembly Bill 428 and/or AB 144, to allow people eligible for food stamps to own reasonably-valued cars, which are often needed to get to jobs.
- Streamline the application process for food stamps through changes in legislation, regulation, and practices.
- Sponsor legislation that would require schools with 30% or more of their students eligible for free or reduced-price meals to serve school breakfasts.

For more information on these initiatives and recommendations, please contact:

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### ***Human Right to Safe and Affordable Housing***

“I became homeless when my landlord decided to make our four unit building into a single family home. My three kids, my fiancé and myself were forced to move out. My fiancé and I together make a little less than \$30,000 a year, which is not enough to meet our basic expenses and move into a decent apartment for my family in the city. Right now my family is staying at a single-room occupancy hotel. I want to continue to work, live, and raise my kids in San Francisco where I was raised, but I don’t know what we’ll do if this housing crisis doesn’t stop.”

*– Christina Gomez is a Client Advocate with the Homeless Prenatal Program and mother of three children ages 5, 3, and 1. She has lived in San Francisco since she was 4 years old.*

The harsh reality faced by Christina Gomez and her family is just one example of the national housing epidemic that is forcing families to choose between feeding their families and paying their rent – resulting in increasing displacement and homelessness. In California, only 56% of tenants are able to afford HUD’s estimation of Fair Market Rent<sup>7</sup> and nationally, only 1 in 4 eligible households received any federal housing assistance in the year 2000.<sup>8</sup>

On a walking tour of low-income housing sites in downtown Oakland, Darren Noy of Building Opportunities for Self-Sufficiency spoke to the root causes of the crisis, “Real wages are declining while rents increase. Coupled with state and federal reduction of housing aid and housing construction, this leads us to the current housing squeeze that’s forcing our community members into crisis.” In fact, federal funding has dropped significantly over the last twenty years. In the mid 1990’s, Congress cut-off any new supply of Section 8 vouchers.<sup>9</sup>

The delegation met many individuals and families facing a housing crisis who are working full-time jobs, and often working more than one job. In Alameda County, the hourly wage required to reasonably afford a modest one-bedroom apartment at HUD’s Fair Market Rent, is \$15.10. This would require a minimum wage worker to work 105 hours per week to

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7 “State of the States: California,” National Priorities Project, 2001.

8 “Locked Out: California’s Affordable Housing Crisis,” California Budget Project, May 2000.

9 Ibid.

afford housing.<sup>10</sup>

### *The Crisis in Rural California... and a Promising Model*

Food First's delegation found the situation to be just as severe in rural California. Community members in Hollister, Davenport, Salinas, and Watsonville continually cited affordable housing as their biggest concern. Juan Uranga, Director of the Center for Community Advocacy in Salinas (CCA), detailed the unsafe and inhumane living conditions that many workers face – many living without indoor plumbing, electricity, or running water. Further complicating matters are government policies that deny undocumented immigrants assistance to meet their basic human right to housing.

In response, CCA has built a broad and powerful regional coalition of growers, workers, and elected officials to promote home ownership for farm workers. Recognizing that safe and affordable housing is central to the health of workers, their families, and thus the regional economy, this unique coalition has secured public and private funds for self-organized communities of workers to design, build, and own their houses.

### *Conclusion*

Food First's delegation found persistent and widespread violations of Californians' right to safe and affordable housing. An inadequate supply of affordable rental units, coupled with skyrocketing rents and stagnating wages, have resulted in displacement and extreme financial hardship for many. Immediate government action is needed to significantly increase funding for affordable rental housing and affordable home ownership initiatives. Legislative measures such as the ones below must be taken to ensure that every American's basic human right to housing is protected.

## **Proposed Recommendations**

- Increase federal and state spending on housing assistance, including the expansion of Section 8 programs.
- Pass the Public Housing Protection Act, providing for one-to-one replacement of all HUD housing units demolished by the federal government.
- Support federal funding of the Community Housing Investment Trust (Comm-Hit), which would subsidize the building of one million new homes nationwide for those making \$10,700 a year or less.
- Put teeth into state and federal fair share housing requirements.
- In California, support SB 1227 (Burton), ensuring adequate funding for programs assisting working families with rental costs and down payment assistance.
- In California, raise to 35% the percentage of property tax generated within a redevelopment area that goes to affordable and very affordable housing – current state law requires at least 20%.

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<sup>10</sup> "Out of Reach," National Low Income Housing Coalition, September 2000.

- Increase funding of loans for low-income residents to purchase housing.

For more information on these initiatives and recommendations, please contact:

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### **Human Right to Health Care**

“When Anacomp downsized my job I lost my health insurance and I wasn't able to get my medications or see the doctor. You see, I was diagnosed with severe psoriasis when I was 21. It started slowly, but it progressed until it was all over my body, and it's really resistant to treatment.

If you're sick or you have a disease, you should be able to get insurance, no questions asked. I wish that someone could find a cure for my condition, but until they do, I need to see the doctor and get the medications and treatments I need.”

– *Rene Castillo is forty-three years old and lives in San Francisco.*

Rene Castillo's dilemma is all too common in the United States. Access to health care is recognized as a human right under the Universal Declaration of Human Rights, yet an estimated 43 million Americans live without basic health insurance. Food First's delegation heard testimony from community members and health care practitioners in rural and urban California, suggesting that the health care system in the United States is courting disaster.

The 2001 Economic Human Rights Bus Tour also visited communities in California that are organizing to ensure their human right to environmental health, as recently recognized by the United Nations Commission on Human Rights.

The American health care system is the most expensive in the world, consuming 14% of the national income as compared to an average of 8% for other industrialized countries. However, unlike these other countries, one out of six of the population is left without health insurance.<sup>11</sup> In California, 21.3% of residents are without health insurance and 19% of children are uninsured.<sup>12</sup> Those who are gainfully employed comprise 85% of uninsured

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11 Weisbrot, M., “Non-Patients Need a Bill of Rights,” July 2001.

12 “State of the States: California,” National Priorities Project, Vol. 4, Issue 1, 2001.

adults.<sup>13</sup>

Our delegation found that even those with health insurance are at-risk due to the dangerously low quality of medical attention provided as a result of understaffing. The United States has steadily declined in the quality of care provided, dropping to 25<sup>th</sup> among the world's nations in rates of infant mortality and life expectancy.<sup>14</sup> While the Patients' Bill of Rights may provide some improved protections for those with health insurance, it will not help the 43 million uninsured or tens of millions more -- including chronically ill patients paying exorbitant premiums -- that are underinsured.

Overall, the delegation found the public health care system to suffer from an insufficient number of hospital beds and understaffing at all levels, sometimes resulting in the risky practice of employing unqualified personnel. Inadequate resources exist for substance abuse treatment and drug rehabilitation. Mental health services are seriously lacking. According to Frances Payne of Neighbor-to-Neighbor, 50% of community members seeking mental health treatment in San Francisco last year did not receive any.

### *Race, Class, and the Crisis in Youth Health Care Coverage*

“I have no medical insurance; nothing except for the free health services. I just got sent a bill from General Hospital and I don't know how I am going to pay it. I really don't.”

– *June is a young woman living in an SRO hotel in the Tenderloin.*

The latest figures show that 10.8 million children in the United States under 18 years of age lack health coverage.<sup>15</sup> Our delegation heard testimonies that support these statistics and found that this right is violated more routinely among communities of color and low-income communities. One out of six Black children and one out of four Latino children were uninsured in 1999, compared with one out of 11 White children. The Bureau of the Census determined that children who live in families with incomes less than \$26,500 were more than twice as likely to be uninsured as children in families with higher family incomes.<sup>16</sup>

However, a promising statistic suggests that there are programs which can improve the situation: one million fewer lower-income children were uninsured in 1999 than in the

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13 Weisbrot, M., Op.Cit.

14 Payne, Frances, “Health Care: A Right Not a Privilege,” May 2001.

15 Newacheck, P.W. et al., *The Unmet Health Needs of America's Children*, Pediatrics, 105(4): 989-997, April 2000.

16 Ibid.

previous year.<sup>17</sup> These numbers suggest that outreach efforts under the Children's Health Insurance Program (CHIP) are making progress in increasing coverage. Unfortunately in California the state government neglected to spend an estimated \$590 million in funds for CHIP from its 1998 allotment.<sup>18</sup> With more than 1.5 million children uninsured, this is an unconscionable example of mismanagement and neglect.

### Human Right to a Healthy Environment

“Health is an area where the gap between rich and poor is tragically evident. Study after study has shown that the root causes of poor health are largely economic. Lower income groups often live in substandard housing and are exposed to contamination and environmental factors that contribute to serious illness.”

– *Frances Payne is a nurse practitioner and a San Francisco-based representative of Neighbor-to-Neighbor.*

During the April 2001 meeting of the United Nations Commission on Human Rights, the commission concluded that living free from toxic pollution and environmental degradation is a basic human right. “Environmental conditions clearly help to determine the extent to which people enjoy their basic rights to health, adequate food and housing, and traditional livelihood and culture,” added Klaus Toepfer, director of the United Nations Environment Program.<sup>19</sup> This historic decision follows years of work by community-based organizations worldwide to address the health impacts of disproportionate siting of waste facilities, pesticide usage, and other environmental hazards in low-income communities of color.

During our visit to Bayview-Hunter's Point in San Francisco, a predominantly African-American neighborhood, Dana Lanza, Director of Literacy for Environmental Justice, told the delegation, “We are host to 325 toxic sites within a three mile radius. It's no wonder that 20% of our children have asthma and breast cancer rates here are twice the rate in the rest of the Bay Area.” City Supervisor Sophie Maxwell recently declared an Environmental Health State of Emergency in the Bayview-Hunter's Point, which will commit a variety of resources to the situation and is a positive next step in taking this health crisis seriously.

### Conclusion

“Our system should be able to deliver prompt primary care services without weeks or months of delay for an appointment. We need to have more health promotion, disease prevention and management programs, better health education in our schools, and

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<sup>17</sup>“Current Population Survey,” Bureau of the Census, March 2000.

<sup>18</sup> *State by State Analysis*, Children's Defense Fund website

<sup>19</sup>“Living Free of Pollution Called Basic Human Right,” Electronic News Service, April 30, 2001.

alternatives to the emergency department for those who are substance- addicted.”

– *Dr. Marc Snyder, Director of Emergency Services at St. Luke’s Hospital, San Francisco.*

A healthy population is vitally necessary for a vibrant and participatory democracy. The 2001 Economic Human Rights Bus Tour delegation found sweeping violations of the human right to basic health care and environmental health. Meaningful legislation must be enacted immediately to ensure health coverage for every single American and protect the population from environmental contaminants. A variety of well-researched solutions exist, some of which are included below, that can be undertaken to ensure the health and well-being of every individual.

## **Proposed Recommendations**

- Ensure basic health care coverage for every single American through a single-payer system found in most industrialized nations.
- Immediately support increased funding for a significant expansion of the Children’s Health Insurance Program (CHIP).
- Support S. 582, the Immigrant Children’s Health Improvement Act, giving states the option to cover legal immigrant children and pregnant women through CHIP and Medicaid, affecting approximately 130, 000 children and 50, 000 women per year.
- In California, support AB 969 (Chan), creating a plan to extend services to all Californians on a sliding scale, and AB 843 (Chan) making it easier to sign up for free health insurance.
- Nationally, oppose the privatization of medical care. Medical Savings Accounts are not the answer.
- Support initiatives to mitigate the use of pesticides and encourage organic farming.
- Support funding for increased health promotion, disease prevention and management programs, and better health education in our schools.
- Require employers using pesticides to provide appropriate protection for workers.
- In California, support the universal health care study process as called for in SB 480. Signed into law by Governor Davis in 1999, SB 480 requires DHHS to examine options for providing health care to the entire population and the results of this study must be acted upon by the legislature. A key component of the process is that it must be open to public participation and scrutiny, thus involving all interested parties.

For more information on these initiatives and recommendations, please contact:

Public Citizen, Health Resource Group – Ben Peck (202) 546-4996

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Assembly Member Wilma Chan’s Office – Garrett Dempsey (510) 286-1670

## Workers' Rights

“I was paid \$8 an hour and had no benefits. Manpower said they offered a benefits program but the premiums were way too high given the hourly wage. With the costs of housing being so high, I didn't know anybody at work who could afford to pay for those benefits. There were around 900 people doing assembly work like me at the plant. We were all Manpower temporary workers hired to make Hewlett Packard printers.”

– *Raj is a temp worker in the Silicon Valley region of California.*

In the last twenty years, workers have seen a steady erosion of their basic human right to a living wage, health benefits, and the right to unionize. From the Day Labor Program in San Francisco to the United Farm Workers in Watsonville, workers in different regions of California engaged in different occupations, all told a tale similar to Raj's. Adjusting for inflation, the average weekly wages for workers are 12% less than they were in 1973 when Richard Nixon was President.<sup>20</sup> Our findings indicate that the internationally recognized right to “just and favorable conditions of work” is being violated for millions of Americans.

Permanent, long-term employment with good wages and benefits is increasingly being replaced with non-standard or contingent work. The terms “non-standard” and “contingent” refer to various forms of employment including temporary, contract, day labor, free-lance, and part-time. In California employment at temporary agencies has risen 150% since 1984, reflecting the national situation in which there are now more than 5.6 million workers holding contingent jobs.<sup>21</sup> These workers toil without any job security, without any health or other benefits, and often for low-pay.

On August 22, 1996, President Clinton signed in to law, the Personal Responsibility and Work Opportunity Reconciliation Act, better known as Welfare Reform. This devastating legislation cut off billions of dollars in benefits to poor people and forced millions of former welfare recipients into contingent or non-standard employment. While welfare rolls have steadily declined since 1996, most former welfare recipients continue to live in poverty while working jobs with very low wages and no benefits.<sup>22</sup> Research shows that nationally two out of five former recipients neither have jobs nor currently receive cash assistance, many worse off than before the law was enacted.<sup>23</sup>

## Widespread Violations of Immigrant Workers' Rights

“I have to take care of my kids, feed all of us now, and keep a roof over our heads. And so,

<sup>20</sup> Shah, H., “The Rights of Workers,” May 2001.

<sup>21</sup> “A Progressive Caucus Campaign to Close America's Economic Divide”, *The Progressive Challenge*, 1999.

<sup>22</sup> Shah, H., Op. Cit.

<sup>23</sup> Edelman, P., “A Fairness Agenda for the Bush Era”, *The Nation*, April 23, 2001.

we work for whatever people are willing to pay us. We need to survive. We are hired for a job, and we will do it.

Our basic economic human rights have been violated many times. I expected more when I came to the United States.”

*– Amada is the mother of three children. She is from Oaxaca, Mexico and is an ethnic Triqui, living in the Central Coast region of California.*

Since its founding, the United States has relied on the steady flow of immigrants to work in the lowest-paid, least desirable jobs. Immigrant labor, guestworker programs, have been a cornerstone of the nation’s labor supply since World War II. The first guestworker program, the Bracero program, granted temporary visas to between 4 and 5 million Mexican citizens for seasonal agricultural work in the States. A Department of Labor officer in charge of the Bracero program referred to it as “legalized slavery.”<sup>24</sup>

Due to the administrative and bureaucratic costs of the current agricultural guestworker program, H-2A, the program has never been widely used and the industry instead relies on undocumented workers. These workers sustain the American economy but are incredibly vulnerable to violations of their rights due to their precarious immigration status. Agricultural workers in Watsonville, Hollister, Davenport, and Salinas told Food First’s delegation about jobs with no overtime, filled with hazardous conditions, and paying less than minimum wage.

### *Need for a Minimum Wage to be a Living Wage*

“Tens of thousands of people work full-time in San Francisco and still live in poverty. Anyone who works full-time should be paid enough to support their family without having to rely on the taxpayers or charity to make it through the month.

Paying a Living Wage is the right thing to do morally and economically. No job should pay less than it costs to survive. It’s a matter of basic fairness.”

*– Karl Kramer is the Director of the San Francisco Living Wage Coalition.*

Recognizing that the federal minimum wage is insufficient for the survival needs of a family, more than fifty cities and towns in the United States have enacted their own improved wage standards. The San Francisco Living Wage Coalition recently won approval of a \$9 per hour minimum for 21,000 city workers, with increases to follow at the end of this year and beyond. Opponents of increasing the minimum wage typically predict a range of negative consequences but these fears cannot be supported by the data:

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<sup>24</sup> Primus, W. et al., “The Initial Impacts of Welfare Reform on the Incomes of Single-Mother Families”, Center on Budget and Policy Priorities, Washington, D.C., August, 1999.

- A ballot initiative in Oregon raised the minimum wage in 1996 to \$5.50 and then to \$6.50 in 1999. Not only did workers' real income increase despite inflation, but data showed that unemployment simultaneously fell and the proportion of welfare recipients moving into employment actually rose from 1996 onward.<sup>25</sup>
- The federal minimum wage was raised in two stages, in 1996 and 1997, to a level of \$5.15. Opponents of the increase made dire predictions of job losses, but during that period unemployment came down steadily, and most dramatically among the very groups most affected by the minimum wage – minorities, teenagers, and people without college degrees. In 1999, the unemployment rate among Black men hit its lowest level ever.<sup>26</sup>

While raises in the minimum wage are absolutely critical to meet the needs of America's working families, Karl Kramer and several other living wage advocates reminded the delegation that the necessary goal is to institute a living wage for all workers. The National Priorities Project (NPP) defines a living wage as the minimum amount required to meet a household's basic needs, based on HUD's Fair Market Rent figures and other government data. The NPP recently determined that a living wage for a family of three in California would be \$17.27 per hour – still quite far from the significant headway made by the more than 50 local coalitions mentioned above.<sup>27</sup>

The gains that can result from paying workers a Living Wage go well beyond simply increasing their ability to pay their basic expenses. A recent study by the San Francisco Department of Health estimated that requiring contractors to pay city workers a living wage would prevent 229 deaths per year among those 16 to 64 years old and reduce the risk of premature death by one-third. According to the same Department of Health study, a Living Wage for full-time working parents would more than double their children's likelihood of graduating from high school.<sup>28</sup> Unions from HERE Local 2 to Teamsters 890 and from SEIU 535 to the United Farm Workers joined the tour to support the national call for a living wage for all workers.

### *Human Right to Form and Join Trade Unions*

“The owner paid everyone a week late, and when I was paid the check was more than 10 hours short. But I always did as the supervisor told me because I needed the money. Last year after some of the workers complained to the Department of Labor, the contractor held a meeting and threatened us. He said that if any workers did him any harm, we would all be harmed even more.

I have never been a member of a union but I know they help the workers. Last month a

<sup>25</sup> “Living Wage Law Wins S.F. Board OK,” *San Francisco Chronicle*, August 22, 2000.

<sup>26</sup> Ibid.

<sup>27</sup> “State of the States: California,” National Priorities Project, 2001.

<sup>28</sup> Kramer, K., “Policy Statement from the San Francisco Living Wage Coalition,” May 2001.

Teamsters representative introduced several of us to a lawyer and last week we filed a class action lawsuit to get all of the workers the overtime pay we are entitled to.”

– *Andres works full-time and lives with his family in the Salinas area.*

The union movement in the United States has played a vital role in addressing the daily violations of workers’ human rights, including the right to just and favorable conditions of employment. Though the human right to form and join a trade union for the protection of economic interests is internationally recognized, Food First’s delegation found widespread violations of this right. Workers in Oakland, San Francisco, South San Francisco, San Jose, Santa Cruz county, and Monterey County described intimidation and firings intended to block the organizing of workers for their basic human rights.

Chito Cuellar of HERE Local 2 in San Francisco detailed the frequent threats of firing and worse by the management of the Marriot Hotel to discourage low-wage workers in the hotels from joining the union. Paula Placencia described the exploitation faced by her and her co-workers at Valley Pre-Cut until the improvements that came along with their winning of a union election to join Teamsters Local 890 and the subsequent contract negotiations. Each of these workers, and many others who testified, stressed that their interests are in achieving the human rights and health of their co-workers, not in hurting the businesses for which they work.

### Conclusion

The 2001 Economic Human Rights Bus Tour found egregious, widespread violations of workers’ basic human rights in California. Fortunately there are numerous campaigns and legislative initiatives being advanced by organizations and coalitions that can remedy aspects of the situation. Our delegation found an immediate need for elected officials to take action to guarantee and implement workers’ rights as ensured in numerous international treaties and covenants.

### **Proposed Recommendations**

- Support H.R. 4353, the Federal Living Wage Responsibility Act, introduced by Congressman Luis Gutierrez, which would require for-profit firms holding a federal contract worth at least \$10,000 to pay all employees working on that contract at least \$8.20 an hour. This would raise the wages of at least 11 percent of federal contract workers.
- Support the Universal Living Wage Campaign through federal legislation that would tie the minimum wage to a formula allowing people to afford the cost of housing in different parts of the country – at least an efficiency apartment. The formula is based on HUD’s Fair Market Rent figures that are adjusted annually and would ensure that people spend no more than 30 percent of their income on housing.

- Conduct hearings on the re-authorization of TANF and take action to address the negative impacts of “Welfare Reform” upon low-income community members.
- Expand eligibility for unemployment insurance benefits for contingent workers.
- Expand the number of family-based immigration visas.
- In California, support AB 423 / SB 1125, which would extend the protections of workers defrauded by farm labor contractors.
- Support California AB 638, requiring written contracts between growers and the farm labor contractors they hire.
- Increase the state minimum wage and adopt local living wage ordinances.

For more information on these recommendations and initiatives, please contact:

Living Wage Coalition, San Francisco – KarlKramer (415) 243-8133

[sflivingwage@usa.net](mailto:sflivingwage@usa.net)

United Farm Workers – Rosalinda Guillen (916) 341-0612

[sqwrl@igc.org](mailto:sqwrl@igc.org)

Coalition for Ethical Welfare Reform – Martina Gillis (415) 239-5099

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### **Human Right to Education**

“Our school buildings are falling apart. Our children are dealing everyday with asbestos, lead paint chips, no soap or paper towels in bathrooms, broken windows, no handrails, too few of the outdated textbooks for students to bring home to study, very large class sizes, and unhealthy food.”

*– Sandra Estrada works at the Community Bridges Beacon Center and is the mother of three children.*

Access to a quality education is a basic human right under international law, but equal educational opportunity is a myth in today’s America. The abysmal condition of Sandra Estrada’s school is symptomatic of a national epidemic of neglect and dysfunction - especially in low-income, inner-city schools. During the 2001 Economic Human Rights Bus Tour, Food First’s delegation witnessed egregious violations of the human right to a quality education.

Public schools in America have long been touted as our democracy’s window to equal opportunity, but in low-income communities that window is increasingly shut and in

disrepair. The Children's Defense Fund has documented that the richest school districts in the United States spend 56% more per student than do the poorest.<sup>29</sup> Last year, the American Civil Liberties Union sued the state of California for allowing certain schools to function in a dilapidated state while other schools enjoy state of the art facilities and access to materials.

### *The Impact of Inadequate Funding*

“California is a case study for the national crisis,” said John Avalos, Director of District Organizing at Coleman Advocates for Children and Youth. “California’s public school system has been on a downward spiral since the passage of Proposition 13 in 1978. Prop. 13 dramatically cut the state’s funding resources for education and made it impossible to offer students the rich educational experience they’d enjoyed before 1978.”

Food First’s delegation found that this lack of funding negatively impacts all of the critical and interconnected areas affecting children’s development – from the physical setting of the school sites to staffing and class sizes, and from the number of textbooks available to child care that can support young people’s social and mental health.

“Yes, our job is rewarding, but we need a lot more support. We need a learning environment that allows us to meet the needs of these children. They’re engaged but they don’t have books, much less computers, and the buildings are falling down around them,” commented Sarah Bolden, a teacher at Everett Middle School in San Francisco. California ranks worst of all the fifty states in percentage of schools with at least one inadequate environmental factor, and third worst in percentage of schools with at least one inadequate building feature.<sup>30</sup>

Teachers told our delegation that overcoming a deficient learning environment is, by itself, a challenge that is difficult but surmountable. However, the situation is unbearable when coupled with the large class sizes that are standard practice today. In California, 93% of reading classes have more than 20 students, while nationally the average is a dismal 78%.<sup>31</sup> Class sizes of 35 children or more are not unusual.

“It was just plain impossible to meet the needs of all 28 of my students. When half of them were pulled out for a special class we’d make some progress, but when they returned it was just too overwhelming. And I had one of the smaller classes in the school. Even the very best teachers are in triage mode these days.

I came into teaching thinking the problem was that we needed better teachers. I left convinced that what we really need is to dramatically cut class sizes and get these young people the personal attention they deserve. Anything less and we’re failing

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29 “Key Facts About Education,” Children’s Defense Fund website

30 “School Facilities: Profiles of School Conditions by State,” General Accounting Office, June 1996

31 Children’s Defense Fund website, Op. Cit.

these kids.”

– *Andy Moffitt taught 6<sup>th</sup> grade at Pio Pico Elementary School and 5<sup>th</sup> grade at the J.P. Cornelius Magnet Elementary School.*

### *Child Care in Crisis*

One area of opportunity for meeting young people’s developmental needs is through child care. A recent major study found that children in high quality child care demonstrated greater mathematical ability, greater thinking and attention skills, and fewer behavioral problems than children in lower quality care. These differences held true for children from a broad range of family backgrounds, with particularly significant effects for children at risk.<sup>32</sup>

However, our delegation found that working families in California experience widespread difficulty in finding and affording quality child care. Full-day child care costs \$4,000 to \$10,000 per year, yet one out of three families with young children earns less than \$25,000 per year.<sup>33</sup> Even though some child care subsidies are available for low-income families, funds are severely limited. Nationally, only one out of ten eligible children who need help are getting any assistance.<sup>34</sup>

### *Successful Models for Meeting Children’s Needs*

“My grades have come from F’s to A’s. There were family problems in my home including divorce and alcoholism which my father was caught-up in. Too much of being in that situation would have had a bad effect on my future. I had no choice but to live at the BOSS Youth Housing Program after living with a family member for a couple of weeks. It allowed me a stable enough situation to bring my grades up.”

– *Andrew Baker is 18 years old and just graduated from Berkeley High School.*

Proven programs and successful models do exist, though they uniformly lack funding for full implementation. Our delegation visited the Community Bridges Beacon Center in San Francisco to learn more about the program’s use of public school facilities to provide tutoring, computer classes, ESL courses, youth leadership opportunities, citizenship classes, family counseling, parent education, and other services to the surrounding community.

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32 Peisner-Feinberg, et al., *The Children of the Cost, Quality, and Outcomes Study Go To School: Executive Summary*. Chapel Hill, N.C., University of North Carolina, 1999.

33 *Money Income in the United States: 1998* (Current Population Reports, (P60-206), U.S. Census Bureau, 1999.

34 “Access to Child Care for Low-Income Working Families,” U.S. Department of Health and Human Services, Administration for Children and Families, October 1999.

Partially funded through a unique citizen-driven municipal initiative, the Beacons have been tremendously successful in supporting the health and engagement of young people by strategically leveraging the limited resources of neighborhood service providers. It is important to note that every student, teacher, and parent we met at the Beacon Center bemoaned the poor condition of the building and the overcrowding of daytime classes at the host school.

Though the success of Head Start has been extensively documented, after nearly 35 years of investment the program is still under-funded and serves slightly less than half of the eligible children.<sup>35</sup> Less well known is the success of programs like the Youth House in Berkeley in meeting the needs of homeless students. Administered by Building Opportunities for Self-Sufficiency, this residential program offers services that enable young people to be academically and socially successful. The program's success flies in the face of the flawed legislation co-sponsored by Senator Boxer that seeks to segregate homeless children in separate schools as an attempt at supporting their development.

### Conclusion

The delegation found that immediate and significant action is needed to address violations of millions of young people's human right to equal educational opportunity. The crisis in America's public schools continues to deepen, especially for low-income communities and communities of color. Proven models and successful programs do exist, but funding is woefully inadequate. A re-ordering of national priorities is needed to ensure that there is funding to support every single young person's basic human right to a high quality education. The health of our democracy depends upon such necessary action.

### **Proposed Recommendations**

- Support the Act to Leave No Child Behind introduced by Senator Dodd and Representative Miller, which incorporates many policies and programs proven to improve children's lives, including providing for full funding of child care and Head Start for 3-4 year olds so that all eligible children can participate.
- Ensure a permanent and steady infusion of funding for the public school system. In California, amend the corporate tax provisions of Proposition 13 and institute progressive tax measures.
- Support HR 17, the Younger Americans Act, which would ensure that all youth have access to positive development activities in their community.
- Support measures to significantly address school funding equity and ensure the same high standard of education and school facilities for all students.
- Mandate class size of 20 students or less for all grade levels and provide adequate funding to meet the corresponding increase in number of teachers needed.
- Initiate a five-year program to fully fund the subsidized child care system. At least half

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<sup>35</sup> U.S. Department of Health and Human Services, Head Start Bureau, May 2000.

of the new child care should be based in subsidized centers in low-income neighborhoods in order to promote access to quality child care in areas most in need.

- Ensure that subsidized child care programs are high quality and enhance children's readiness for school by mandating a rigorous evaluation component, a method for making programs accountable, and a fiscal incentive structure that promotes the provision of quality care.
- Increase efforts to resolve the classroom teacher and child care staffing crises by allocating targeted support for staff salary increases and retention efforts.
- Veto legislation co-sponsored by Senator Boxer which would effectively segregate homeless students from the general student population.

For more information on these initiatives and recommendations, please contact:

Children's Defense Fund – Susanne Martinez or Mary Bourdette (202) 628-8787  
Coleman Advocates for Children and Youth – John Avalos (415) 239-0161  
[javalos@colemanadvocates.org](mailto:javalos@colemanadvocates.org)

### **Call to Action!**

Food First is taking steps to spur legislative action on the findings and testimonials documented in this report. The report of the Economic Human Rights Bus Tour has been distributed to Congressional and California state Committee Chairs, calling on them to conduct hearings on the findings and take immediate and significant action as recommended.

Thanks to a collaborative effort with the Alameda County Community Food Bank, a preliminary draft of the report has already secured our first hearing in California. Assembly Member Wilma Chan (D-Oakland) has committed to conducting a hearing this Fall 2001 on Child Hunger in California. We will be doing extensive follow-up with elected officials to secure further hearings.

Food First will continue to strengthen the relationships developed and furthered during the 2001 Economic Human Rights Bus Tour by supporting the ongoing campaigns of the participating organizations. Early examples of this work include providing support to the San Francisco Day Labor Program's struggle for a permanent site and phone banking to help the Living Wage Coalition secure new health care guarantees for city workers.

Principled coalition work of this nature, linking all sectors of civil society, is driving the growing movement for Economic Human Rights in the United States. Food First is proud to be playing a significant role in this work and we look forward to your participation and support.

For more information on our national campaign, *Economic Human Rights: The Time Has Come!*, please contact us (510) 654-4400 x235. [www.foodfirst.org](http://www.foodfirst.org)