

**COVID-19, Inequality,  
& the Past and Future  
of Low-Income  
Latinx Construction  
workers in  
Austin, Texas**



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# Articulating the problem

- Latinx workers predominate Texas' construction workforce; >50% of that population is estimated to be undocumented <sup>1</sup>
- Latinx construction worker vulnerability predates the pandemic <sup>2</sup>
- Construction designated “essential industry” by State of Texas, local override <sup>3</sup>
- Construction identified as industry “hotspot” for COVID-19 in Austin <sup>4</sup>
- Latinx and Black populations in Austin are disproportionately affected by COVID-19 across key metrics- cases, hospitalizations, deaths <sup>5</sup>



## Latinx Austinites With COVID-19 Are Twice As Likely To Be Hospitalized

By ANDREW WEBER | KUT • MAY 12, 2020



CORONAVIRUS

## Austin health officials seeing spike in COVID-19 cases among construction workers

May 6, 2020



# Articulating the problem: legal and political drivers

*Four broad frames of analysis as potential drivers:*

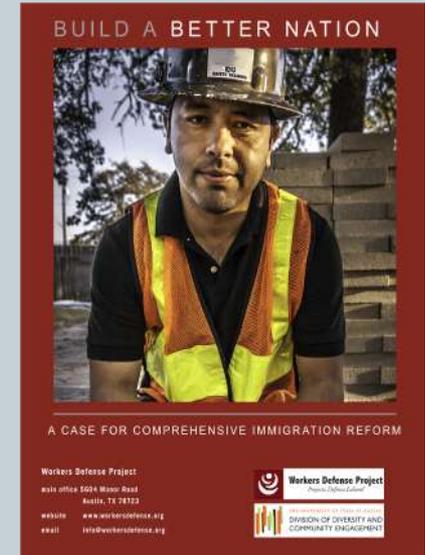
- 1) Anti-immigrant law & climate (rhetoric, surveillance, enforcement) interacting with access to relief services
- 2) Growth politics and regulation interacting with questions of whose prosperity is subsidized at whose expense
- 3) Household-level living conditions and economic security
- 4) Dynamics of preemption and multi-level governance

These are not the only frames that are relevant, they are also not new areas of concern unique to the pandemic.

# Context 1: Contribution to Ongoing Advocacy Work

Pandemic represents *an entry point* for highlighting the high levels of Latinx worker vulnerability

Attempting to be of service to ongoing worker advocacy efforts in Texas.



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**Building Austin, building justice: Immigrant construction workers, precarious labor regimes and social citizenship**

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## Context 2: Construction Industry and Worker Vulnerability

Subcontracting + dispersed, small-scale work sites are difficult to regulate and monitor <sup>1</sup>

US model of low investment in worker skills and safety training, high turnover <sup>2</sup>

Cutting labor costs to enhance profit margin <sup>3</sup>

Deferred safety net costs borne by society <sup>4</sup>

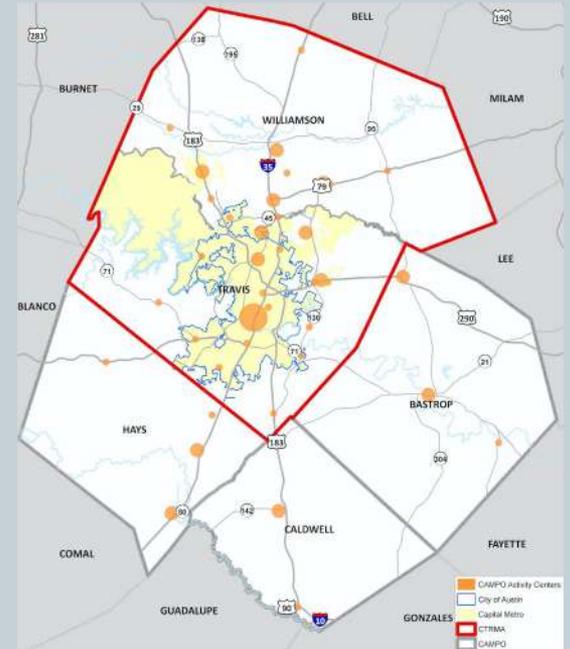
Migration status and labor racialization <sup>5</sup>

OSHA enforcement variable <sup>6</sup>



# Context 3: Greater Austin as Urban-regional Unit of Analysis

- High growth region, “**boomtown**” narrative
- Metropolitan fragmentation** + political diversity across 5-county region
- Segregation and redlining** + **contemporary gentrification** and POC displacement from central city 1
- Rising local costs of living** vs. “**low cost of living**” re national peer cities 2



Source: capmetroblog.com



# Context 4: Stakeholder Universe

## *Potentially Relevant Actors (Local)*

- Residents
- City of Austin
- Travis County
- Ring counties
- Ring municipalities
- Austin Chamber
- Firms (small, medium, large)
- Community organizations
- Worker advocates
- University of Texas at Austin
- Real estate/construction industry

## *Potentially Relevant Actors (Non-Local)*

- State Legislature
- Transplant residents (prospective)
- Transplant firms (prospective)
- Real estate/construction lobbying
- Workers advocates
- Texas Governor's Office
- Texas Department of Labor
- US Department of Labor
- US Department of Homeland Security
- US Congress



**Workers Defense Project**  
*Proyecto Defensa Laboral*

**ORACLE**



# Drivers Analysis: Anti-immigrant Law and Climate

Contextualizing Latinx labor & racial capitalism in US as an *expendable* labor force - 20th century historical overview

2020 Latinx workers are “**essential**” and “**heroes**” during the pandemic vs. scapegoated/targeted/attacked in times of stability

Latinx Surveillance and Enforcement

- Workers are **more afraid of state violence** (i.e. deportation) as opposed to labor exploitation
- Latinx communities, especially UndocuFolx, **reluctant to pursue resources**, medical treatment during the pandemic
- Fear of confirming a **stereotype**: Latinx and/or immigrants as “public charge”
- **ICE** interventions, TX Senate Bill 4, Sensitive Locations Policy



## ***‘We’re Petrified’: Immigrants Afraid to Seek Medical Care for Coronavirus***

Trump administration policies that discourage immigrants from coming forward could hamper efforts to contain the epidemic.

The People’s Community Clinic in Austin, Texas, a city with a handful of confirmed coronavirus cases, had already been struggling to manage spikes in no-shows among undocumented patients intimidated by recent ICE arrest activity, as well as by the public charge rule, when the first cases began to appear.

# Drivers Analysis: Urban-Regional Growth Politics

“Progressive” “creative” and “knowledge economy” identity as competitive advantage <sup>1</sup> + “low cost of living” narrative relative to national peer cities <sup>2</sup>.

...*Who pays the actual cost when fully accounted for?*

## Pro-growth/business friendly subsidies (micro and macro):

- 1) low tax burden (e.g. no personal income tax, favorable property tax assessment challenge process) <sup>3</sup>
- 2) low regulatory burden (no workers compensation requirement, low OSHA enforcement) <sup>4</sup>
- 3) state preemption of minimum wage laws <sup>5</sup>
- 4) public investment in high-skilled knowledge economy <sup>6</sup>
- 5) incentives for corporate relocation (e.g. Tesla) <sup>7</sup>

## Why the Austin region?



Austin is a one-of-a-kind place that defies stereotypes. It is progressive and fiercely entrepreneurial; pro-business and pro-environment; easy going and hardworking. The Austin region won't just welcome your business; it will make it better.

***Are corporate incentives appropriate amidst dramatically escalating community need where demand for relief is far outstripping available funds? <sup>8</sup>***

**11,000 Austinites Applied For Rent Assistance From The City. 1,000 Will Get It.**

By AUDREY MCGLINCHY | KUT • MAY 12, 2020



# Drivers Analysis: Preemption and Multi-level Governance

Four major categories:

- Vacuum
- Floor (may supplement)
- Ceiling (may not exceed and/or deviate)
- Capacity to coerce through levying fines, and/or conditioning or withholding resources.

Express or Implied, higher authority occupying the field, or conflicts direct or tangential

- Texas Governor Greg Abbott issued an EO to rescind local authority to impose local restrictions inconsistent with his executive orders.
- After much criticism and a surge in new infections, the Governor issued a new executive order to mandate face masks and restore local autonomy.

Preemption of local self-determination predates the pandemic, from zoning to optional workers comp

# Drivers Analysis: Household-Level Conditions

Accrued legacy of **segregation** and **redlining** <sup>1</sup> interacting with **POC exodus** from central city and **displacement pressure** on “eastern crescent” <sup>2</sup>

Different **Gentrification Contexts:**

- Longstanding Black & Latinx neighborhoods in central east Austin
- More recent Latinx immigrant enclaves around East Riverside

Federal **housing law** & state preemption of **inclusionary zoning**

**Living conditions** and **covid-19 vulnerability**:<sup>3</sup>

- multi-generational households
- multiple “essential” workers in the same household
- insufficient space for self-isolation/distancing
- digital household connectivity <sup>4</sup>

**Uprooted:**

**Residential Displacement in Austin's Gentrifying Neighborhoods and What Can Be Done About It**

**TEXAS**  
The University of Texas at Austin  
Center for Sustainable Development

The University of Texas at Austin  
Entrepreneurship and Community  
Development Clinic  
School of Law



# Interventions: Mitigation efforts to-date, general + pandemic

Innovative labor co-enforcement (e.g. WDP/COA wage theft task force, Better Builders Program) <sup>1</sup>

Statewide advocacy for worker protections <sup>2</sup>

Community benefits standards re tax incentives <sup>3</sup>

Discretionary municipal authority:

- “freedom city” policy reducing ICE enforcement opportunities <sup>4</sup>
- safety-net stop-gaps addressing federal/state exclusions <sup>5</sup>

Relief access without direct gov’t interface (e.g. RISE funds) <sup>6</sup>

APH construction site rules issued July 2020 <sup>7</sup>



**FREEDOM CITY**  
**POLICIES**

# Interventions: Shorter-term (no less challenging)

## Local:

- Increase public relief funding commensurate with community need (e.g. community groups proposed \$40 million in city rent relief<sub>1</sub>, not current \$17 million after recent increase<sub>2</sub>)
- Community vigilance re fast shifting federal law enforcement measures, attention to sensitive locations

## Local/State/Private Partnerships:

- Address immediate economic incentive to work while sick

## Federal:

- Lobby for OSHA Emergency Temporary Standard
- Lobby and litigate contours of corporate liability protection as part of federal stimulus aid
- Increase uniformity/regulatory floor of state-level OSHA enforcement



# Interventions: Wider Framings for Action

**Second- and third-order worker vulnerability** induced by firms' role in driving region-wide growth, not just first-order

Challenging **city/regional-branding** re “progressive values” + “low cost of living”, w/o addressing who bears costs

Tools and communication for **connecting externalized and internalized costs of growth.**

Advancing **action research on dismantling white supremacy** and **centering worker experiences**, cooperating across academic-practice-advocacy partnerships



DID SOMEONE DIE WHILE BUILDING YOUR OFFICE SPACE OR CONDO?

WAS THE PERSON WHO BUILT YOUR HOME ACTUALLY PAID FOR THEIR WORK?



**Workers Defense Project**  
*Proyecto Defensa Laboral*



The Bernard and Audre  
**RAPOPORT CENTER**  
For Human Rights and Justice

# Pathways Forward: Centering Worker Perspectives via Informant Interview Protocol

**General Information** (demographics; dependents)

**Worksite Conditions** (employment configuration; risk perception; safety precautions; worksite tests; access to employer-based assistance)

**Economic Situation** (economic impact of pandemic; processes and experiences of accessing relief support/services)

**Housing** (living conditions; household configuration; total household exposure via “essential work”)

**Economic Opportunity** (experiences of growth in Austin; perceived future in the region; locational choice)