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AAPI Nexus: Policy, Practice and Community

Title

Workforce Development: Its Potential and Limitations for Chinese Garment Workers

Permalink

<https://escholarship.org/uc/item/7cj832c4>

Journal

AAPI Nexus: Policy, Practice and Community, 3(2)

ISSN

1545-0317

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Publication Date

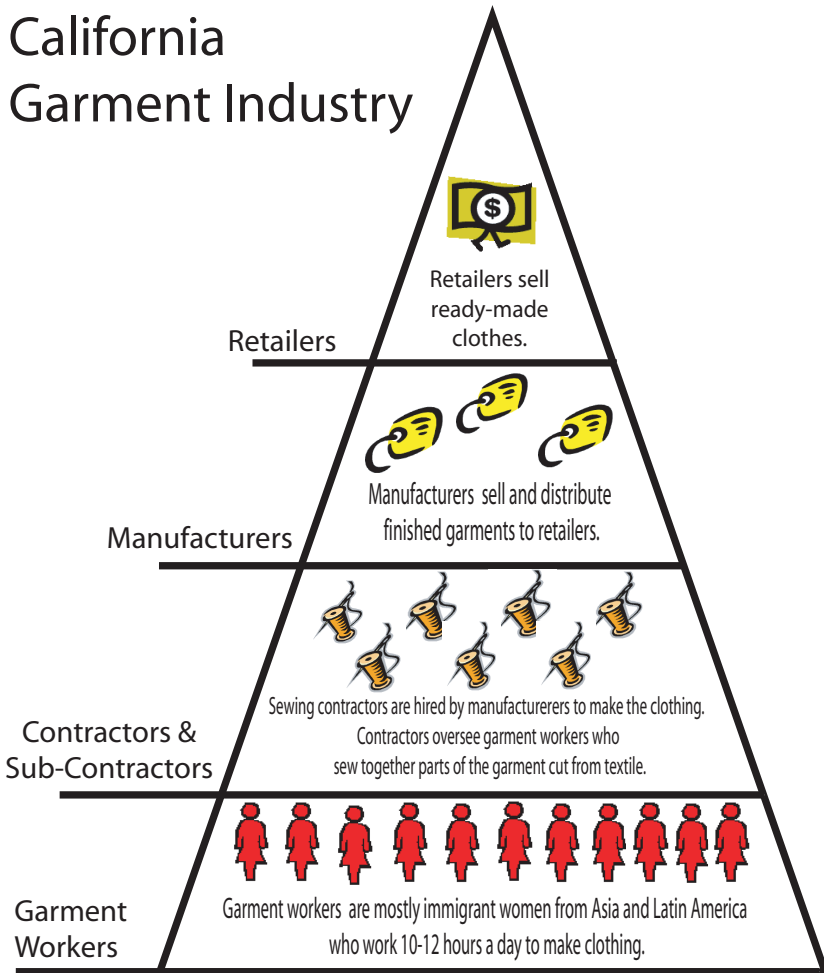
2005

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California Garment Industry



Pyramid of Power and Profit

(c) Sweatshop Watch, 2003

Practitioner's Essay

Workforce Development: Its Potential and Limitations for Chinese Garment Workers

Karin Mak and Grace Meng

Abstract

Today's changing political and economic environment requires new strategies and collaborations in order to effectively advocate for the rights of garment workers. Globally, a major restructuring of apparel production is anticipated in 2005, which will further enable apparel retailers and manufacturers to move production to countries offering the lowest labor costs. California could lose more than half of its industry, leaving 50,000 immigrants unemployed. Workforce development is a possible way to help transition garment workers into better jobs. The article reflects upon the experiences of Chinese garment workers with the workforce development system, and points out that workforce development alone is not enough to confront the challenges facing garment workers in the global economy.

Introduction

The garment industry is one of the most globalized industries in the world, employing over 30 million workers in 200 countries and generating over \$350 billion in trade (De Jonquieres 2004). The majority of production takes place in the Global South, but substantial garment work is also done in the United States—to the extent that garment production is one of the largest manufacturing industries in California. This low-skill and largely underground industry, where sweatshop conditions run rampant, serves as a vital entry-point into the American workforce for thousands of California's immigrants from Latin America and Asia.

California garment jobs are threatened, however, by free trade policies. As it is commonly known, free trade eases the flight of manufacturing to countries with cheaper labor and weaker labor

law enforcement. Free trade policies also eliminate tariffs and quotas in order to increase the flows of goods and services across borders, with little regard for workers' rights, environmental protections, or overall human rights. On December 31, 2004, quotas on garment imports were eliminated through the expiration of the global trade agreement known as the Multi-Fiber Arrangement (MFA). Without these quotas to regulate garment production, global garment trade will likely restructure, as retailing corporations are predicted to consolidate their production from forty to fifty countries down to five to seven countries (De Jonquières 2004). Workers in many different countries are expected to lose their jobs to China with its cheaper production costs, weak labor law enforcement, and a strong garment infrastructure to attract and maintain garment production. In California, up to 50,000 garment workers may lose their jobs as a result of the MFA's expiration. Already, California's garment workers have few opportunities to move beyond these highly exploitative, low-wage jobs.

In order to mitigate job loss on U.S. workers, federal and state workforce development programs exist to offer training and education. Though they are designed for workers with multiple barriers to employment, these programs rarely fit the needs of low-wage immigrant workers who comprise the majority of California's garment industry.

With this in mind, workers' rights organizations in California have been struggling to prepare for the impact expected by the elimination of garment quotas. Sweatshop Watch, and its coalition members the Garment Worker Center in Los Angeles, and the Asian Law Caucus and Chinese Progressive Association in the San Francisco Bay Area, have thus begun to examine workforce development as a way to allay globalization's impact on garment workers.¹ This article summarizes these organizations' experiences, and attempts to define the role of workforce development in advocating for workers' rights. It describes the recent experiences of former garment workers in their efforts to access government services, and the government programs' systemic weaknesses in addressing garment workers' problems. The article concludes with a brief discussion of why workforce development policies cannot be created in isolation, but must be coupled with deliberate, progressive economic development policy.

The workers rights organizations' experiences with workforce

development have largely been shaped by the experiences of the Chinese garment workers they organize. Their experiences only offer a glimpse of how monolingual low-wage Asian workers access workforce development. Therefore, greater research, discussion, and collaboration among academics, researchers, workers, and advocates in fields such as labor, immigration policy, community development, and housing would provide a much more complete picture, as well as help to shape advocacy in order to meet the needs of low-wage Asian workers. As shown by the experience of Chinese garment workers in California, workforce development offers only limited solutions to providing stable employment to workers displaced by free trade.

California's Garment Industry

Today, only about 500,000 apparel manufacturing jobs remain in the U.S., half of the 1990 workforce. Within the U.S., California has the largest portion of production, valued at \$24 billion, with 80 percent of manufacturing taking place in Los Angeles County and a small amount of work done in San Francisco.

Much of the garment industry operates in the underground economy. A 2003 study by University of California Los Angeles (UCLA) found that garment industry firms were most likely among other industries to be cited for labor code violations. Three-quarters of the firms cited were unregistered with the State Department of Industrial Relations, or had violated record-keeping requirements. The remaining firms were most commonly cited for paying workers cash under the table, or for failing to keep a record of payroll deductions. The study also found the garment industry is more likely than other industries to be cited for minimum wage and overtime violations (Ong and Rickles 2003). Although the current California minimum wage is \$6.75, few garment workers receive this amount. Clearly, sweatshop conditions are common in the garment industry: with people often working over ten hours a day, six to seven days a week, earning piece rates that amount to \$3-5 an hour. Garment workers are also often contingent workers, seasonally employed and paid by how fast they work and how much they can sew.

Intense competition among garment contractors is spurred by the structure of the industry's subcontracting system. Retailers, the companies that sell the clothing, like Wal-Mart and Target,

place orders with manufacturers, such as brand-name labels like Levi-Strauss, who design clothing. The manufacturers then hire contractors, who sometimes hire subcontractors, to assemble the clothing. Often, contractors and subcontractors recruit, hire, and pay the garment workers who cut, sew, and package clothing. Garment workers lie at the bottom of the chain, yet are the base and strength of the industry. Fierce competition puts most contractors, or factories, in a position where they must accept whatever low price is given to them by manufacturers, or risk seeing the work placed in another factory. Contract prices are driven down so low that factories are unable to pay legal wages or comply with safety laws. The industry structure forces most contractors to “sweat” profits out of the workers, cut corners and operate unsafe workplaces. Retailers and manufacturers exercise tremendous control over the garment production chain. Corporate responsibility advocates believe that retailers and manufacturers have the power to ensure fair working conditions.

California’s Garment Workers

Most garment workers in California are monolingual immigrant women supporting families on poverty wages. There are roughly 100,000 garment workers in California.² Statewide, nearly 70 percent of garment workers are Latino and 15 percent are Asian, with the largest Asian ethnicity being Chinese (Bonacich and Appelbaum 2000). Census 2000 data for garment workers in Los Angeles shows that garment workers earn a yearly average of \$14,000, which is below the poverty line for a family. Only 17 percent of workers received education beyond high school. Moreover, the majority of the workers are undocumented, with only 34 percent having U.S. citizenship (U.S. Census Bureau PUMS 5% Data 2000). Many come to the U.S. seeking economic opportunities, but are exploited due to core injustices that occur through racism, sexism, language barriers, and the lack of corporate accountability.

For garment workers in the U.S., post-9/11 anti-immigrant sentiment has made fighting for basic rights even more difficult. Government policies have led to increased criminalization of immigrant workers, associating their plight with terrorism. Cuts to social services due to federal welfare reform and cuts in state budgets have left particularly low-income Asian Pacific Islander (API) immigrants vulnerable. For example, federal welfare reform denies

Food Stamps both to immigrants and those who fail to meet new strict employment requirements. As a result, many citizen children of immigrants have also lost nutritional assistance through the loss of Food Stamps to their immigrant parents (Asian and Pacific Islanders' California Action Network 1998). As the garment industry shifts production, however, workers and advocates face an additional challenge in the struggle for workers rights: if jobs do not exist anymore, what do workers facing heightened racist scapegoating, a shrinking social safety net, and limited resources do?

Even though Chinese workers do not comprise the majority of garment workers in California, their experience with workforce development deserves examination for several reasons. First, a significant portion of the Chinese immigrant worker community tends to meet the eligibility requirements for workforce development programs, yet this community does not tend to participate in such programs. Second, the consideration of these workers' experiences can inform a potential campaign around issues of economic access, opportunity, and stability—which are all key issues in a rapidly globalizing economy that threatens all aspects of workers' rights. Third, the Asian American community and nonprofit organizations have been instrumental in providing community support for garment workers in their struggle to demand fair wages and justice from factory owners and giant retailers for whom they sew.

In the 1990s, Chinese garment workers in New York and California launched landmark campaigns, galvanizing public support for workers' rights. In San Francisco, Cantonese Chinese workers supported by the Asian Immigrant Workers Advocates won back wages and forced giant retailer Jessica McClintock to settle their campaign by providing an educational fund for garment workers, a scholarship fund, and a bilingual hotline for workers to report violations in factories sewing for McClintock (Louie 2001). In 1995, the discovery of Thai garment workers held in a slaveshop in the Los Angeles suburb of El Monte caused public outrage. Advocates at the Asian Pacific American Legal Center, Korean Immigrant Worker Advocates, Thai Community Development Center, the Coalition for Humane Immigrant Rights of Los Angeles, Sweatshop Watch, National Asian Pacific American Legal Consortium, and Asian Law Caucus led the coalition of mostly API groups to support the enslaved workers, and their story carries on within Asian

American history classes as an important lesson in exploitation. Hence, understanding and addressing workforce development barriers that the Chinese garment workers face is an extension of community support for garment workers' struggle for justice.

Job Loss Due to Free Trade

Sweatshop exploitation is facilitated by free trade. The agreement to eliminate garment quotas took place during the formation of the World Trade Organization (WTO) in 1994. Institutions like the WTO regulate global trade and support free trade policies. These policies create a global "race to the bottom," where factories around the world are forced to compete against each other to offer the lowest wage in order to attract a production order from a manufacturer or retailer. In turn, countries whose national economies are largely supported by the garment industry also feel pressure to provide weaker labor laws, thereby diminishing workers rights, wages, and organizing efforts. Workers of the world are, in essence, pitted against each other, competing for sweatshop jobs.

The expiration of the MFA³ will tremendously impact garment workers. It is predicted that China will gain most of the garment production in the post-quota world. Roughly half of the remaining jobs in the U.S. apparel industry may be lost after 2005.⁴ As a result, the jobs of some 50,000 California and 20,000 New York garment workers will be in jeopardy.

To imagine the impact of the MFA phase-out on California's garment workers, one can look at the impact of North American Free Trade Agreement (NAFTA). After the passage of the NAFTA in 1994, major retailers shifted much work to Mexico due to cheaper wages and weaker governmental enforcement of labor and environmental standards. One Chinese garment worker in Los Angeles commented that working in factories in California have been difficult since NAFTA. She said a garment worker today could work just as many hours and be paid the same piece rate as ten years ago, despite inflation and the rising cost of living. For San Francisco's garment industry, NAFTA's passage has been far more devastating. Twenty thousand workers have lost their jobs since NAFTA was passed (California Employment Development Department 2003). The industry there is currently so small that the Employment Development Department (EDD) no longer records the number of garment workers in the area. It is within the context

of a disappeared San Francisco garment industry, its thousands of displaced workers, and an already intensively cut-throat and exploitative garment industry in Los Angeles that the MFA phase-out has taken place. Therefore, it has been vital for Non-Governmental Organizations (NGOs) to explore other opportunities for garment workers.

Possibilities through Workforce Development

Workforce development aims to provide additional skills and training to help workers find jobs. Advocates see workforce development as a proactive way to move garment workers out of the low-wage, non-unionized, unstable industries. The Trade Adjustment Act (TAA) and the Workforce Investment Act (WIA) are the main sources of government funding for the economic advancement of workers. Advocates in the Bay Area discovered the complicated process of applying for assistance under TAA while advocates in Los Angeles examined WIA for immigrant workers.

Overview of TAA

TAA was established under the Trade Act of 1974, and was amended most recently in 2002, to help American workers who lost work as a result of increased imports. A federal program, it is administered by the U.S. Department of Labor (DOL) and cooperating state employment agencies. In California's case, it is administered by the EDD.

The TAA application proceeds in two stages. First, the displaced worker's former employer must be certified as eligible by DOL. The DOL then investigates to determine whether the workers have been displaced because production moved out of the country, or because of increased imports in the good manufactured (19 U.S.C. 2272a). Second, once the company is certified, each worker must individually apply to be determined eligible. The worker must have been laid off during the preceding three-year period, and have had wages of \$30 or more per week in adversely affected employment for at least twenty-six weeks of the previous year (EDD). The actual procedure for a determination of individual eligibility requires several steps, where the worker must request an application, return it, receive initial eligibility notices, and then set up interviews with a TAA Training Specialist to determine which benefits are appropriate for that worker. The statutes and regula-

tions are clear that the appropriate State agency, EDD in California, is responsible for delivery reemployment services, which include advising the worker and providing counseling and other supportive services.⁵

TAA benefits include free job training, if training is considered appropriate for the worker. Such training can involve remedial ESL, when taken as part of a plan that includes vocational skills that will make the worker “job-ready” (19 U.S.C. §2295). Training can be approved for up to 104 weeks, plus another twenty-six weeks for a total of 130 weeks, if remedial training, such as ESL, is needed before the worker can enroll in occupational training.

If the worker is enrolled in a job-training program by the end of the sixteenth week after separation, or the eighth week after certification, the worker is also eligible for Trade Readjustment Allowances (“TRA”), essentially an extension of the worker’s unemployment insurance benefits. This wage support is crucial for low-wage workers who cannot afford to forego income to train for new skills. A worker could end up receiving unemployment benefits for up to two years, plus another twenty-six weeks if remedial education is needed. Other TAA benefits include a job search allowance, a job relocation allowance, and a 65 percent healthcare tax credit.

Advocating for the JJ Mae Garment Workers in the TAA Process in San Francisco

In February 2004, the JJ Mae garment factory in San Francisco shut down its domestic sewing department, and thirty workers, primarily monolingual Chinese immigrants, lost their jobs. JJ Mae was an unusual garment factory in that it paid its workers the statutorily required minimum wage and provided health benefits. However, its decision to move its sewing department to Mexico was unfortunately very much in keeping with the general trend of the U.S. domestic garment industry. Many of the JJ Mae workers were over fifty years old, and few had skills that could be transferred to a different industry. Since garment factories throughout San Francisco were shutting down, the workers knew they had little hope of getting a new job, let alone one that provided decent wages and health insurance.

With the assistance of several community organizations, the JJ Mae workers applied for TAA under the Trade Act of 2002, which provides free training, extended unemployment insurance,

and other benefits for workers who have lost manufacturing jobs due to the pressures of free trade and globalization. After going through a convoluted process of applications and interviews, the workers were approved for TAA benefits and enrolled in training programs. Although the workers nominally received the benefits to which they were entitled, they were unable to take full advantage of the TAA program. As monolingual immigrants, they faced many obstacles, including difficulties communicating with state agency staff, extremely limited options for training, and a bureaucracy that was unable to respond flexibly and cooperatively to the advocates' efforts to increase these workers' options.

JJ Mae Workers' Demographics

In many ways, the JJ Mae workers are representative of garment workers in the Bay Area. Although they enjoyed better working conditions than most garment workers, their age, education, and English proficiency levels are similar to those of other garment workers.

An initial survey of the JJ Mae workers showed that only a handful had a working knowledge of English. Less than one-third of the workers had completed high school in China before immigrating to the United States. The rest were evenly divided between those who had completed middle school and those who had completed elementary school. Over two-thirds stated they were very interested in improving their English language skills.

When asked what industries they were interested in, however, the JJ Mae workers repeatedly stated they needed more information. Most of them had only worked in the garment industry, with a few having some agricultural experience in China. They knew that if they were able to improve their English skills, they would have much broader options, but they did not know specifically how fluent one had to be to gain a clerical job or to join a union career-ladders program.

During a focus group discussion on what kind of programs would be most helpful, one worker stated that she had never imagined she would be on unemployment insurance for so long. She had worked long hours for most of her life, but as hard as she tried now, there were no jobs available. She said, only half-jokingly, that the streets of Chinatown were much more crowded these days because so many people were unemployed. She was eager to train

for any industry, as long as it would enable her to find a new job.

Reports by current garment workers echo the difficulty the JJ Mae workers faced in finding new jobs in the garment industry. Current garment workers state employers are increasingly offering only piece-rate pay, which generally amounted to \$3-5/hour, far below San Francisco's local minimum wage of \$8.50/hour.

Major Obstacles for JJ Mae Workers

Several community organizations advocated on behalf of the JJ Mae workers as they sought to navigate their way through the workforce development system. The Chinese Progressive Association (CPA), the Asian Law Caucus (ALC), the San Francisco Labor Council, and Chinese for Affirmative Action (CAA) all sought to assist the workers and ensure that they received the full benefits to which they were entitled. TAA, however, was new to all of these organizations, and they soon realized that what TAA offered in theory was not necessarily what it offered in practice, particularly to monolingual immigrant workers.

Language Access

None of the letters, forms, or notices that EDD sends with regard to TAA applications is translated into Chinese. The San Francisco EDD office had a Cantonese-speaking TAA Training Specialist, but the Daly City office, to which several JJ Mae workers were assigned, did not have any Cantonese-speaking staff. Between February and August 2004, eight garment factories in San Francisco were certified for TAA purposes, affecting eight to thirty workers per factory. Nearly every worker at these factories was a monolingual Chinese immigrant. Given the state of the garment industry and anticipated increases in garment factory closures, it is clear that hundreds, if not thousands, of limited-English proficient immigrants will be eligible for TAA in the next few years. Without appropriate language services, most will not be able to access these benefits.

Limited Training Options

As limited-English-proficient (LEP) immigrants, JJ Mae workers faced few options in choosing a training program. Although TAA states that each worker is to be interviewed to determine which training programs are appropriate, severely LEP workers in San Francisco must essentially choose between programs that offer train-

ing in cooking, janitorial work, or in-home supportive services. Workers with higher levels of English ability, even if they are not yet fluent, are eligible to enroll in programs with better success rates, such as the Hotel Employees and Restaurant Employees' union (HERE), Local 2's Vocational English as Second Language (VESL) program for hospitality workers, as well as a wide range of programs offered by San Francisco City College. Because TAA does not require the state agencies to monitor outcomes of training programs, no information is given to workers regarding the job placement rates of these programs, which JJ Mae workers considered the most important factor in choosing a job-training program. Anecdotal evidence indicated that many "retrained" workers were unable to find full-time work that approximated even the low wages they previously had earned as garment workers.

Structural Deficiencies in the TAA Program and Bureaucratic Inflexibility

Although TAA states that reemployment services are to be provided, the regulations do not clearly indicate that TAA training funds can be used to provide these services. The costs of a training program "shall include tuition and related expenses (books, tool, and academic fees)," a list that does not explicitly include supportive services such as case management and counseling (20 CFR §617.22(a)(6)(iii)(A)). As a result, EDD has interpreted these regulations to state that TAA training funds cannot be used to pay for supportive services. Such services are clearly essential for low-wage workers with limited skills and experience in a non-Chinese language job market. One CPA member who received training for in-home supportive care stated during a focus group discussion that she would have appreciated more training on interviewing skills. Although she had the "hard skills" to provide in-home care, she felt she lacked the "soft skills" to get a job.

The regulations indicate some of these services are to be provided at the One-Stop Centers.⁶ There is general agreement among One-Stop staff and others in the workforce development community, however, that budget cuts have made it difficult to provide these services, particularly to LEP workers. Although one program offered by Jewish Vocational Services was able to find private funding to provide some of these services, such an option is clearly not readily available for all training providers. EDD staff and TAA

regulations are clear that TAA funds are meant to make workers “job-ready,” but TAA does not sufficiently provide explicit ways for workers to receive all the services that would make them truly “job-ready.” TAA’s system is likely to benefit only workers with the resources and initiative to pick out a training program with little help or support, and not the low-skilled dislocated workers most in need of Trade Adjustment Assistance.

Structural deficiencies were coupled with bureaucratic inflexibility. JJ Mae workers sought to enter a pilot program proposed by San Francisco City College that would provide an intensive ESL component based on a successful Welfare-to-Work curriculum, access to the wide array of City College vocational ESL programs, and case management services, provided by a community-based organization. Worker advocacy organizations such as the Chinese Progressive Association, the Asian Law Caucus, and Chinese for Affirmative Action initially requested that City College offer this program and further supported its approval by EDD.

EDD ultimately denied approval for this program, stating that lower cost programs were available from other providers and that TAA could not pay for supportive services. The program’s proposed cost, however, was comparable to the other programs when one factored in differences in the length of the program and the services offered. Perhaps more troubling was the way in which EDD did not cooperate with City College and the advocates to create an approvable program. Rather than actively working with community organizations to explore an opportunity to develop more choices and better programs, EDD staff repeatedly told JJ Mae workers that the pilot program would never be approved.⁷ The workers reported feeling immense pressure to pick any other already approved program, with little information provided on the outcomes of these programs. Their choices were not based on their interest in a given industry, but rather on their fear that they had no other options. When the advocates met with EDD staff to voice their concerns, one staff member readily admitted that he had waved his arms and raised his voice at the workers. The workers’ experience with staff members who were supposed to provide job counseling and guidance was anything but helpful.

Lack of Access to Information about TAA

Although JJ Mae workers did not have trouble finding out

about TAA, their experiences indicated that other garment workers would not be so lucky. States are supposed to assist petitioners in completing and filing petitions, and petition forms are to be readily available in all One-Stop Career Centers and other local offices of the state workforce agency, such as California's EDD (U.S. Department of Labor). Other garment workers, however, reported that they had gone to the One-Stop and had been given inaccurate information about how to apply for TAA, being told, for example, that ten workers needed to apply, rather than three. To address this problem, the Asian Law Caucus and the Chinese Progressive Association conducted outreach and workshops to garment workers in August 2004 to provide information on available benefits for dislocated workers.

While the lack of information is particularly stark for LEP workers, it is also a problem for all potentially eligible workers. It is estimated that less than 10 percent of all workers who lost their jobs in import-sensitive manufacturing industries in 1999 received benefits under the TAA program (Public Citizen).

Advocating Around Workforce Investment Act (WIA) in Los Angeles

Workers rights advocates in the Bay Area dealt hands-on with organizing displaced garment workers to receive benefits entitled to them. In Los Angeles, advocates have instead focused on possibilities for garment workers through the WIA, since no TAA cases have come up for advocates. Similar to the TAA, the WIA is a difficult system for a monolingual worker to navigate through because of structural weaknesses that limit it from fully aiding workers to find a good job.

Overview of WIA

The purpose of WIA is "to increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation" (29 U.S.C. 2801 §§ 2801-2945 (2001), § 2811). It is a federal program that funds \$454 million in activities for California's job seekers through three block grants set to specifically serve adults, youth, and laid-off workers (California Employment Development Department 2004). Admin-

istration of WIA services and funds is a complex system involving different government bodies. Funds are disbursed to states from the U.S. Department of Labor and the Secretary of Employment and Training Administration to states. The governor of each state creates a State Workforce Investment Board (WIB), composed of businesses, labor organizations, educational institutions, and community organizations. The State WIB advises the governor on creating a five-year strategic plan. The State Board has designated local Workforce Investment Areas and local WIBs. Because the majority of the funding is allotted for local areas, local WIBs have tremendous control over how funds are used, and services can differ among WIBs. The structure of the WIBs favors businesses; for example, the local WIB's Chair must be a business representative. The majority of the seats are held either by business or private sector representatives, although slots are also allotted to organized labor, community-based organizations, economic development agencies, and others (29 U.S.C. 2801 §§ 2801-2945 (2001), § 2832). This business-oriented and localized structure means it is difficult to implement statewide measures to improve the system for immigrant workers.

Garment Workers' Access to WIA

WIA consolidates 163 federal job-training services through a system of One-Stop Centers run by non-profit agencies. The aim is to streamline training services for businesses looking for workers and workers seeking jobs. One-Stop Centers⁸ operate a rigid system of service delivery. First, job seekers can receive core services, which include an initial assessment, job search assistance and placement. If a job seeker has not found a job through core services, the worker advances to receive "intensive services," which include a comprehensive assessment, development of individual employment plan, and short-term pre-vocational services such as interview and resume writing skills. If the job seeker still needs additional assistance, then she can receive "training services" that include occupational skills training, on-the-job training, and adult education and literacy activities. Chinese workers who have visited a worksorce center are skeptical of its benefits, as one Chinese worker explained:

I went to a center and filled out some forms in Chinese. At first I was very impressed because they had many ads of em-

ployers looking for workers. Some of them were in restaurant work, some in office work. I also attended a workshop on how to find a job. The information was interesting, but I did not find anything because the jobs were too far from where I live. I introduced my friends to this service, but none of them have been able to find a job out of it. I'm not sure how useful this service is. (Garment Worker Center Member 2004)

There is also a possibility of obtaining more specific services for garment workers, a special population that faces multiple employment barriers, by creating a customized training program. This could happen through a collaboration of the local WIB, community-based organization, local community colleges or adult schools. However, only 4 percent of training funds were allocated for training outside traditional training procedures offered by worksorce centers in 2001 (Mally 2003).

Limitations of WIA

The WIA system falls short of increasing employment and skills-building opportunities for garment workers due to significant barriers and structural limitations. One major barrier is that workers are only eligible for WIA services if they have work authorization. Some One-Stops Centers do provide core services for undocumented workers. However, the core services are so limited that they rarely provide the means necessary to help a low-wage immigrant worker find a meaningful job. Many Chinese garment workers are eligible for WIA, even though work authorization is a problem for others in the Chinese community. Even when workers are eligible, few have heard of One-Stops. This is one indication of a greater pattern of the system inadequately serving working immigrant populations. In 2000, only 2.5 percent of WIA participants were Asian and 25.8 percent were Latino. Only 7.3 percent of adult participants were LEP.

The WIA system also has been criticized for its work-first attitude (CLASP 2003). It is not uncommon for job seekers to be placed in jobs with little regard to the type of job. The strict sequence of services from core to intensive to training services makes it difficult for workers who sorely need training to access it readily. This is especially significant for garment workers who tend to have low educational attainment, who are LEP, and who need vocational skills-building opportunities. Moreover, most WIA programs are

for workers with at least a ninth-grade education (Chenven 2004). When training is available, few sessions fit the needs of garment workers. The majority of trainings are offered only in English and at times of the day when garment workers are at work. Advocates have identified the need for more offerings of ESL classes that are accessible for immigrant workers. This includes offering classes at a time convenient for garment workers, such as nights or on weekends, emphasizing VESL, or teaching English as it pertains to a workers' immediate workplace setting, rather than focusing on a grammar-based model in which it could take years for a worker to gain fluency in the language.

Beyond WIA, TAA, and Workforce Development

Workforce development programs through WIA and TAA provide essential services to displaced workers. In the case of the JJ Mae workers in San Francisco, TAA enables them to seek training and learn English. For Chinese garment workers in California, One-Stop services and a customized training program through WIA provide some paths to economic opportunities, though limited. The bureaucracy, language barriers, lack of access for undocumented workers, and lack of understanding of challenges immigrant workers face characterize the current workforce development system. There is commendable work being done by various WIBs, unions, and community advocates to improve the system to provide much-needed services, especially for immigrant workers who are a growing percentage of the American workforce and most vulnerable when economic shifts hit. However, as the experiences of the Chinese garment workers have shown, unless the system undergoes deep structural changes, it will not be adequate to provide economic opportunities for immigrant workers.

Perhaps the greatest structural weakness of WIA and TAA is that they lack linkages to economic development and job creation. WIA and TAA can technically train workers for a job, but there is no guaranteed job placement. Workers can train for specific jobs, but may not get them because the labor market is so tight and good jobs are so difficult to come by. In California, job growth is occurring in non-unionized industries with few benefits or advancement opportunities. These jobs include groundskeeping laborers, food service workers, hand packers, and janitors (California Employment Development Department 2004). Other occupations with

growth require English proficiency, education, and skill levels that bar a majority of garment workers from entry. Clearly, job-training and placement programs cannot focus merely on training workers for any growing industry, or workers will simply move from one exploitative industry to another.

Implications for the Asian American Community

Garment workers face many barriers to finding stable employment with fair wages and safe conditions. With the elimination of quotas, garment workers who stay in the industry will work longer hours while still earning low wages. Garment workers who leave the industry may transition into restaurant or domestic work, where wages are also low. In turn, garment workers' instability may lead to economic instability within often insular ethnic enclaves of immigrant workers. The elimination of quotas underscores the need for improved access to social services and education around labor rights and enforcement. For example, the Chinese Progressive Association campaigns to educate garment workers in San Francisco factories about the benefits of TAA, and at the same time is using the workforce development program as an organizing tool. By assisting groups of workers with TAA applications, the Chinese Progressive Association is building their base of workers and strengthening relationships with the Chinese community with the goal of workers eventually organizing to demand stable living wage jobs.

In addition to impacting Chinese garment workers' local communities, the elimination of the MFA impacts perceptions of Asian Americans by the general American public. The decline in manufacturing jobs, particularly in textiles, has alarmed manufacturers and lawmakers. The U.S. textile industry, an organized lobby, has been outspoken in blaming Chinese imports for the job flight. These industry executives and politicians point an accusatory finger at China as the "big winner" in the global economy. A statement by U.S. Senator Lindsey Graham, a Republican from South Carolina where textile jobs are a risk due to MFA phase-out, illustrates this tone toward China in which he asserts, "I have long maintained that China cheats on trade agreements. The practices of Chinese companies and the policies of the Chinese government are illegal and give them an unfair advantage in the textile market." The continual demonizing of China has the potential to rec-

reate the racist, anti-China mentalities of our past, and to heighten anti-immigrant sentiment even more. Racist undertones and accusations of the Chinese cheating obscure responsibility from U.S. government and retailing corporations that consciously choose where to place production in order to cut costs. Little is said about labor conditions and the labor movements in China. Recalling the xenophobia that led to the death of Vincent Chin, Asian Americans should also be cognizant of the growing racist scapegoating of China in taking away American jobs. This confluence between race and global labor trends is a site for more examination on the relationship between Asian American activists, Chinese immigrant workers in the U.S., and Chinese laborers in the homeland.

Recommendations

As garment workers experience the impact of MFA elimination, advocates and workers can continue to demand accountability from the government, which is supposed to serve the people, as well as from corporations, which benefit the most in the free trade, post-quota world.

- Reforms to workforce development: While the TAA and WIA have limited success in actually equipping immigrant workers with good jobs, these programs should be reformed so that immigrant workers can access them. This includes fighting for language accessibility, better cultural understanding of needs of LEP immigrant workers, and improved linkages between local economic development and the type of training they provide. Incentives should be provided so that there is greater participation by immigrant workers. However, these reforms should be coupled with a longer-term strategy of how to address the end goal of providing workers with the opportunity, knowledge, and power to have a good job as they define it. Workforce development can only address skill barriers that garment workers face, such as language barrier, yet more structural barriers also need to be chipped-away at before garment workers can truly access better employment.
- Legalization: Lack of proper immigration papers leaves many immigrant workers vulnerable to employer abuse, harassment, and exploitation. Undocumented workers are also denied basic life necessities such as medical care, social services, educational opportunities, as well as access to workforce development programs. Legalization of immigrants will protect workers rights and discourage the informal economy that exploits workers.
- Strengthening of the social safety net: Low-wage immigrant's access to social services like healthcare, unemployment benefits,

and housing are especially vital for workers earn-ing poverty wages. Currently, the cuts in welfare for immigrants and limited access for undocumented workers limit garment workers' access to safety nets.

- Increased economic opportunity through progressive economic development: Non-traditional forms of income through micro-enterprise businesses, worker-owned businesses, and community gardens are some worthwhile areas of exploration geared to assist garment workers in these times of economic uncertainty. Moreover, support for general educational opportunities for garment workers such as workers'-rights-based-English-as-a-Second-Language class or computer classes empower workers and expand their skills.
- Responsible trade policy, corporate accountability, and greater globalization of workers rights: Should undemocratic international institutions dominated by corporate interests make decisions without the say of local people? Obviously, no. Large retailers and manufacturers who move production should provide workers with adequate notice, a severance package, and training or general education classes. The U.S. government should disengage from free trade agreements and global trade policies that continue to give corporations more power. For the AAPI community, expanding knowledge around and support for the labor movement in China would prepare against xenophobic, racist attacks that occurred in the 1980s against Japan.

Whatever next steps that take place, they should be firmly rooted in supporting corporate accountability and worker empowerment. Before beginning to take actions and institute policy changes, however, an initial step will be to generally rethink how economic development takes place. Workers, advocates and allies must engage in progressive economic development policies that shift power from corporations to workers and civil society. In order to fully engage in a progressive economic development vision, greater research about the possibilities and collaboration to create them need to take place, and need to lead to a greater agenda for economic justice for garment workers. Collaboration among academics, researchers, workers and advocates is needed to answer the questions: "What are examples of job creation that benefit workers, the community, and businesses?" "How do U.S. retailers use tax breaks and how can concerned consumers use this information to reclaim how taxes should be used?" "What are some successful models of co-operative businesses and micro-enterprise businesses for immigrant workers?" "How have social justice movements in the Global South envisioned economic de-

velopment, and what role can U.S. activists play in furthering that vision?"

The potential displacement of 50,000 garment workers in California is a pressing issue for workers and advocates, but also reflects the greater problem of globalization on the American economy. Although the problem can be overwhelming, it can also be seen as an opportunity to challenge corporate globalization, show the devastation that the policies of non-transparent institutions like the WTO have on communities, and work in new ways to end sweatshop exploitation and provide meaningful economic opportunities for people.

References

- American Textile Manufacturers Institute (ATMI). 2003. "The China Threat to the Textile and Apparel Trade Report." ATMI Website <<http://www.atmi.org/TextileTrade/china.pdf>>, as of July 2.
- Asian and Pacific Islanders' California Action Network. 1998. *Welfare Reform Policy Paper*. May 18-19.
- Bonacich, Edna and Richard Appelbaum. 2000. *Behind the Label: Inequality in the Los Angeles Apparel Industry*. Berkeley and Los Angeles: University of California Press.
- California Employment Development Department. 2004. "Workforce Community." <<http://www.edd.ca.gov>> as of August 2004.
- _____. 2004a. "Labor Market Information." <<http://www.labormarketinfo.edd.ca.gov/cgi/databrowsing/?PAGEID=4&SUBID=111>> as of August 2004.
- _____. 2004b. "Occupations with Greatest Growth, 2001-2008." <<http://www.calmis.ca.gov/htmlfile/subject/occproj.htm>> as of August 18, 2004.
- _____. 2004c. "Trade Adjustment Assistance." <<http://www.edd.ca.gov/uirep/uinafta.htm>> as of August 2004.
- Chenven, Laura. 2004. *Getting to Work, A Report on How Workers with Limited English Skills Can Prepare for Good Jobs*. Washington, D.C: Working for American Institute.
- De Jonquierys, Guy. 2004. "Garment industry faces a global shake up." *Financial Times*. <<http://www.ft.com>> as of July 19.
- Ellis, Kristin. 2004. "Industry Loses While U.S. Adds 144,000 Jobs." *Women's Wear Daily*. 7 September.
- Garment Worker Center Member. 2004. Interview by Karin Mak. Los Angeles, California, 20 September.
- Louie, Miriam Ching. 2001. *Sweatshop Warriors: Immigrant Women Take on the Global Factory*. Cambridge, Massachusetts: South End Press.
- Mally, Tamar. 2003. "Workforce Investment Opportunities for Garment Workers in Los Angeles: An Initial Assessment of the Workforce Investment Act Resources and the Los Angeles Metropolitan Alliance Healthcare Careers Campaign Model." Presented at Sweatshop Watch

- Board/Staff Meeting. August.
- Martinson, Karin and Julie Strawn. 2003. *Built to Last, Why Skills Matter for Long-Run Success in Welfare Reform*. Washington, D.C.: Center for Law and Social Policy, National Institute for Literacy, and the National Education Professional Development Consortium.
- Ong, Paul M. and Jordan Rickles. 2003. *Analysis of the California Labor and Workforce Development Agency's Enforcement of Wage and Hour Laws*. Los Angeles: Ralph & Goldy Lewis Center for Regional Policy Studies. University of California, Los Angeles.
- Public Citizen. 2004. "Trade Adjustment Assistance." <http://www.citizen.org/trade/forms/taa_search.cfm?dataset=2> as of August 2004.
- Trade Adjustment Act of 2002, 107 Pub.L. no. 210; 116 Stat. 933; 2002 Enacted H.R. 3009; 107 Enacted H.R. 3009 (2002).
- U.S. Bureau of the Census. Census 2000, Public Use Microdata Sample 5%. <<http://www.census.gov>> as of August 2004.
- U.S. Department of Labor. 2002. "Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002." Training and Employment Guidance Letter No. 11-02, Oct. 10, 2002, at 10. <<http://www.doleta.gov/tradeact/directives.cfm>> as of August 2004.
- Workforce Investment Act of 2003, 105 Pub. L. no. 220; 112 Stat. 936; 1998 Enacted H.R. 1385 (1998).

Notes

The authors welcome your ideas and feedback on this article. Please contact: Karin Mak, Project Coordinator, kmak@sweatshopwatch.org, 213-748-5945.

1. Founded in 1995, Sweatshop Watch is a coalition of over thirty labor, community, civil rights, immigrant rights, women's, religious and student organizations, and many individuals committed to eliminating the exploitation that occurs in sweatshops. Sweatshop Watch serves low-wage workers nationally and globally, with a focus on garment workers in California. We believe that workers should earn a living wage in a safe, decent work environment, and that those responsible for the exploitation of sweatshop workers must be held accountable. The workers who labor in sweatshops are our driving force. Our decisions, projects, and organizing efforts are informed by their voices, their needs, and their life experiences.
2. 100,000 garment workers in California is a Sweatshop Watch estimate that accounts for workers in the underground industry.
3. The MFA was created to further regulate international trading of garments, with the intention of protecting garment production in the U.S. as it was threatened by the rise of garment industries in Asia in the 1970s. The MFA is a framework that provides for the imposition of quotas either through bilateral agreements or unilateral actions when import surges create market disruptions. When the U.S.

negotiates a bilateral trade agreement, it negotiates with the exporting country the amount of quota that can be imported into the U.S. For example, Philippines can only export to the U.S. 1.02 million dozen cotton/man-made fiber skirts (Ellis 2004). If the export quota for that country has expired, then it must go to another country. This limit leads retailers to place production in different countries, spreading apparel production to 200 countries.

4. The American Textile Manufacturers Institute (ATMI) predicts that 630,000 apparel and textile jobs will be lost due to the quota phase-out, about 87 percent of the jobs recorded by the U.S. Department of Labor in 2003. American Textile Manufacturers Institute, *The China Threat to the Textile and Apparel Trade Report*, July 2, 2003, (<http://www.atmi.org/TextileTrade/china.pdf>). The ATMI, which formally dissolved in March 2004, was a coalition of textile trade and lobby groups aimed to protect the U.S. textile industry from competition from imports. The authors believe that their prediction of job loss may be over-estimated. Based on the loss of roughly half the U.S.'s apparel jobs since the passage of NAFTA, 50 percent may be a more realistic projection of future job loss in the apparel industry.
5. Pursuant to 19 U.S.C. §2295, the Secretary of Labor "shall make every reasonable effort to secure for adversely affected workers. . .counseling, testing, and placement services, and supportive and other services. . .including the services provided through one-stop delivery systems. . . ." Accordingly, the relevant regulations state, "The responsibilities of cooperating State agencies. . .include, but are not limited to: 1) Interviewing each adversely affected worker regarding suitable training opportunities. . .5) providing counseling, testing, placement, and supportive services. . .8) developing a training plan with the individual. . ." 20 C.F.R. §617.20.
6. One-Stop Centers are part of the Workforce Investment Act, where centers are set up for workers to receive job search assistance, training, and other workforce development activities.
7. The regulations state it is EDD's responsibility to "explore, identify, develop and secure training opportunities." 20 C.F.R. §617.23(a).
8. To improve the image of these One-stops, California calls them "Worksource Centers."

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