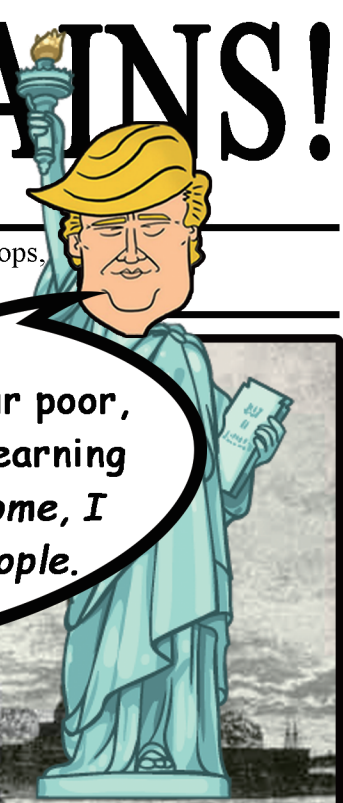


BREAK THE CHAINS!

MAY DAY 2017 issue

Published by: Chinese Staff and Workers' Association, National Mobilization Against Sweatshops, Flushing Workers Center. Contact: 212-358-0295, nmassworkerscenter@gmail.com



Give me your tired, your poor, your huddled masses yearning to work cheap. And some, I assume, are good people.



What Do We Want?

Trump's anti-immigrant policies have ignited fears in our communities, leaving many to ask what we can do. Liberal politicians like Mayor Bill de Blasio have quickly called for "sanctuary cities", posturing as the immigrant's savior from Evil Trump, conveniently ignoring the fact that deportations and raids were already rampant under the Obama administration. People are against deportations from a humanitarian perspective. Some also argue that "immigrants will do the work that no one else wants to do." Unintentionally, they are supporting the exploitation of immigrants as cheap labor.

In reality, the system uses laws like the Employer Sanctions provision of the 1986 Immigration Reform and Control

Act to deny undocumented immigrants their rights as workers. With this law, our government created an underclass of criminalized workers, forced to accept the most undesirable, inhumane working conditions. In turn, American-born and documented workers must lower their standards or else be replaced by cheaper labor, fueling a cycle of resentment and hostility. In fact, more and more U.S. citizens and documented immigrants are being forced to work up to 24 hours per day, and many aren't even paid for all the hours! Ultimately, the enslavement of a group of workers hurts all working people, driving down our working and living conditions and letting more wealth go to the top one percent.

We, as working people, must

come together to get rid of this modern-day slavery and demand: equal rights for all workers! Repeal Employer Sanctions! We want the 8-Hour Day! Learn more about leading the fight as working people, and get involved!

Demand Work Hours Control: The Origin of May Day.

Page 2

From Slavery to Employer Sanctions: The Modern-Day Slave Law.

Page 2-3

Unite to Fight for Equal Rights for All Workers.

Page 3-4

Reignite the Fight for the 8-Hour Day

The fight for the 8-Hour Day has historically been at the center of the U.S. labor movement. In the age of industrialization in the 19th Century, bosses imposed work schedules on laborers and forced them to toil for 12, 14 or more hours a day. Workers realized that, by spending long hours to labor for bosses, they gave away the wealth they produced to bosses while they themselves remained poor. And so, they started the movement to gain control of work hours.

The demand for a 10- or 8-hour workday spoke to the interest of workers regardless of race, gender, ethnicity, immigration status, employment status, skill and so on. Therefore this demand was able to unify and mobilize all working people. As a result, the fight for an 8-hour workday spread like wildfire. Hundreds of thousands of workers—miners, textile and sawmill workers, building tradesmen, machinists, blacksmiths, shipbuilders, gas men, store clerks, and federal workers—rallied or struck for the 8 hour workday; they also took political action by forming labor parties and running candidates, with 10- or 8-hour days for workers as the central demand. The 8-Hour Movement in the 19th century forged a U.S. working class consciousness of taking back control of their labor, and therefore their lives, so that they could truly be free. It led to the birth of the International Workers' Day on May 1, aka May Day.

The movement met strong opposition, since it shook the foundation of the system the country was built upon—the exploitation of labor for



2014, Brooklyn (Photo by CSWA)

profit. On one level, bosses refused to comply with various 8-hour laws being passed. On another level, the State violently suppressed protests and strikes for the 8-hour day by using the police and even the National Guard, and prosecuted lead organizers.

But violence alone could only spark greater conflict. So at the same time, the State applied reforms such as the Fair Labor Standard Act (FLSA) of 1938 to appease and divert the labor movement. The FLSA sets the federal minimum wage, and requires bosses to pay overtime wages for workers' time over forty hours a week, but gives no right for workers to refuse

overtime work. The message: long work hours are permissible as long as they're paid for. These reforms distracted the labor movement to fight for wage increases instead of the full value of their labor through controlling work hours. Since then, workers have remained impoverished despite various minimum wage increases.

From Slavery to Employer Sanctions, the Modern-Day Slave Law

For the roots of today's epidemic levels of wage theft, the failure of our government to enforce its own labor laws, and the super exploitation of immigrant workers in this country, we must look to our nation's history. During the post-Civil War era, when the white elite was trying to transition away from the slave-based economic system towards a more capitalist system, laws were passed throughout the Reconstruction South to force freed black slaves back on to the plantations. Any freed blacks who happened to be unemployed were criminalized, guaranteeing an underclass to rebuild and maintain one of the largest agricultural economies in the world destroyed by the war. The

oligarchic plantation-owning class and its allies sought to replace its former slave workforce with one coerced by State power into exploitative contracts.

Similarly, many of today's industries depend on an underclass of undocumented workers, criminalized for working by the Employer Sanctions law (in reality an "Employee Sanctions law"). Under this law, undocumented workers scrape to survive on sub-minimum wages

and long hours, with no rights. President Trump's recent immigration crackdowns are less about deporting the 11+ million undocumented and more about forcing immigrant workers into the shadows, to accept whatever exploitive working conditions employers offer. Now that our country is in a later, more decadent stage of capitalism, the system needs to criminalize undocumented immigrants in order to sustain itself. Not only do Trump

and other right-wingers clamor for this, but liberals and Democrats are quick to call for the enforcement of Employer Sanctions, repeating the racist cliché that "immigrants do the work that no one else will do." Even immigrant rights groups and unions don't dare to upset the system by calling for the repeal of this modern-day slave law. Below is a look at how the system criminalized workers in the 1800's and how it continues today.

THEN: The Black Codes and Vagrancy Laws

WHEN: Post-Civil War Reconstruction era (1865 onward)

WHAT: By law, black people, could be jailed for not working or for leaving the plantation, and subjected to forced labor. They had no choice but to return to the plantation because the law prohibited them from renting or purchasing land and limited the type of work to field or servant work. If they had no proof of employment, they could be arrested and jailed. Signing a labor contract – even an unfair one – was the only way to get out of jail.

WHO: Southern plantation owners, the Union Army, the Freedmen's Bureau, and Northern liberal politicians.

WHY: They passed these laws to force blacks to return to the plantation work they had done as slaves, protect jobs for whites, and ensure success of the new, post-emancipation economy.

But actually, the Black Codes and vagrancy laws forced black workers back into slavery to undercut white workers for the benefit of the plantation owners. They worked all day and non-payment was widespread. They were compelled to sign contracts to avoid prison labor or "convict leasing." With no rights, the brutal conditions of the plantation were difficult to challenge.

NOW: The Immigration Reform and Control Act's Employer Sanctions Provision

WHEN: 1986 to present

WHAT: The Employer Sanctions provision makes it illegal for employers to knowingly hire undocumented workers.

WHO: Right-wing politicians, the Reagan Administration, employers, Labor Unions and liberal politicians.

WHY: They argued that these laws were necessary to protect "American workers" from "illegal immigrants." Both liberal and conservative politicians still support this today. A N.Y. Times editorial recently argued for enforcement of Employer Sanctions. But actually, the Employer Sanctions provision enables employers to pit undocumented workers against documented workers. Employers refuse to hire workers who have papers unless they are willing to accept the same—or nominally better--conditions as the undocumented workers. When undocumented workers try to organize with documented coworkers to fight for their rights, employers suddenly ask to see their papers. We now have rampant wage theft. Without repealing Employer Sanctions it's impossible to change these conditions.

It's Time to Fight!

8 Hour Day! 40 Hour Week! Equal Rights for All Workers! Repeal Employer Sanctions!

It's time for workers to bring back the demand to the right to a 40-hour workweek and the only way to

do this is to repeal Employer Sanctions and gain Equal Rights for all working people. Workers from all industries and in each region of the US, across immigration status, are working 60, 80-hour weeks while others struggle to find full-time

work. The right to a 40-hour workweek means workers are healthier and happier. It also means as a whole, workers' income will rise and the disparity of wealth between rich and poor will decrease.

...continued on page 4

Past organizing attempts have exemplified Employer Sanctions' effectiveness in controlling groups of workers. At Flor de Mayo, a New York City restaurant, Chinese delivery drivers with papers earned \$25/day and were told the door was open if they didn't like the pay. Mexican bike delivery workers earned \$15/day working 12 hours, and were told the Chinese got more money because they had papers. If they didn't like it, the boss told them he could find others who'd work. When the Mexican delivery workers organized for stolen wages and to improve conditions, the boss asked for documentation, all the while continuing to employ other undocumented workers.

Photo by NMASS. 2008 May Day



Examples of citizen workers fighting for the right to 40 hours:

In Kearny, NJ, workers employed at a plastics factory, Pactiv, got together to fight for better conditions and join a union. The company retaliated by laying off 60% of the staff while forcing the remaining workers to work more shifts and increase the work load so the company could produce as much as before. Workers didn't have the right to say no to the overtime. At first they made a lot more money from all the overtime work, but soon, many of them developed debilitating injuries and had no choice but to take sick leave or quit. As a group, the workers' earnings sank and the company's profit soared. The workers who were laid off and those who remained were able to unite to demand the right to say no to mandatory overtime and the right for all the workers to have a 40-hour workweek.

All throughout NYC, employees of the Chinese-American Planning Council Home Attendant Program (CPC) are forced to work 24-hour shifts up to 7 days a week. If they refuse, CPC retaliates with a reduced schedule or by assigning difficult cases. To add insult to injury, the agency only pays them 13 out of 24 hours. At the end of the day the workers' pay is far below the minimum wage. Home attendants are coming together to fight against wage theft and mandatory overtime, winning

court victories one after another.

In both of these examples, it's easy to assume that the workers forced to endure such debilitating conditions are undocumented but no! They all have papers. Employer Sanctions doesn't just hurt undocumented workers, the long hours and low or no wages that are the norm for undocumented workers are now affecting more and more documented wor-



Home attendants in New York State are joining forces with women's rights activists to change the laws around forced overtime! Women workers around the state are calling for a new bill that would protect workers in the home attendant industry who dare to say no to overtime hours. This bill guarantees a 40-hour workweek for all home attendants and paves the way for other workers in other industries to propose their own bill.

kers. For the 8-hour day to become a national reality for all workers, we must radically unite working people in this country by repealing Employer Sanctions. If workers are divided between demands for higher wages for some, while others call for amnesty, we will not have a united workers' movement.

Editorial: What do we do now??

The ruling class's reform to save the system led to the formation of a "middle class" and divided the working class. But after the Obama administration, even the "middle class" is shrinking. With Donald Trump in office, working people are under a new round of attack. Trump and the media he manipulates are working hand in hand trying to shift people's attention to war, away from issues that help keep the system of exploitation intact.

But reformist tricks have lost their magic, and masses of people are waking up to see themselves on the same sinking boat. It's time for working people to put together a platform of real issues, and form a political party to advance working people's interest as a class. Let's break the chains that keep us down!