



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

Rebecca Torres<sup>a,\*</sup>, Rich Heyman<sup>b</sup>, Solange Munoz<sup>b</sup>, Lauren Apgar<sup>c</sup>, Emily Timm<sup>d</sup>, Cristina Tzintzun<sup>d</sup>, Charles R. Hale<sup>e</sup>, John Mckiernan-Gonzalez<sup>f</sup>, Shannon Speed<sup>g</sup>, Eric Tang<sup>h</sup>

<sup>a</sup> Department of Geography and the Environment, College of Liberal Arts, The University of Texas at Austin, 1 University Station A3100, Austin, TX 78712, United States

<sup>b</sup> Department of Geography and the Environment, College of Liberal Arts, The University of Texas at Austin, 1 University Station A3100, United States

<sup>c</sup> Department of Sociology, Indiana University-Bloomington, 744 Ballantine Hall, 1020 E. Kirkwood Ave., Bloomington, IN 47405, United States

<sup>d</sup> Workers Defense Project, 5604 Manor Road, Austin, TX 78723, United States

<sup>e</sup> Teresa Lozano Long Institute of Latin American Studies, The University of Texas at Austin, College of Liberal Arts, 1 University Station D0800, Austin, TX 78712, United States

<sup>f</sup> Department of History, College of Liberal Arts, 1 University Station B7000, Austin, TX 78712, United States

<sup>g</sup> Department of Anthropology, College of Liberal Arts, 1 University Station C3200, Austin, TX 78712, United States

<sup>h</sup> Department of African and African Diaspora Studies, College of Liberal Arts, JES A232A, D7200, Austin, TX 78712, United States

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### ABSTRACT

Neoliberalization of the construction industry, in combination with Texas' anti-labor climate, has resulted in "precarious employment regimes" in Austin's construction industry. Austin is currently the second fastest-growing urban area in the United States and depends heavily on a Latino immigrant workforce to meet its construction demands. In 2009 a community-based worker center in Austin, Workers Defense Project (WDP), in collaboration with the University of Texas students and faculty, undertook one of the most extensive studies to date on the U.S. construction industry in order to better understand working conditions and to promote fair labor practices and legislation. The study took a participatory activist approach to research and included a survey of 312 construction workers, as well as 37 qualitative interviews with workers and construction industry leaders. Findings revealed an industry characterized by poor and dangerous working conditions, low and stolen wages, limited benefits and racialized divisions of labor, resulting in weakened social citizenship and exclusion. The study exposes the often unaccounted for social, economic and bodily costs of these precarious labor regimes on workers, families, employers and taxpayers. We conclude that the emergent spaces of activism and collective response carved out by immigrant civil society, in particular the worker center movement, are resulting in new forms of social citizenship that are empowering for immigrant workers.

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### 1. Introduction

Increasingly, across the U.S., neoliberal regional growth models have relied upon "regimes of precarious employment" (Theodore, 2003), characterized by less regulation and enforcement of worker protections; greater flexibilization of labor; contingent temporary employment; low wages; poor working conditions; and racially segmented and polarized employment of vulnerable groups such as immigrants. In the Texas construction industry, the growth of precarious labor has been exacerbated by the state's historical lack

of regulation, lax enforcement and an overarching anti-labor climate. Texas' capital city, Austin, is one of the fastest-growing urban areas in the country and depends heavily on a Latino immigrant workforce to meet its construction demands. In 2008, the community-based worker center, Workers Defense Project (WDP) collaborated with University of Texas students and faculty in developing participatory activist research to better understand the conditions in Austin's construction industry and promote fair labor practices and legislation. The result of this collaboration was one of the most extensive studies to date on the U.S. construction industry. Study findings from a survey of 312 construction workers, and 37 qualitative interviews with workers and construction industry leaders, paint a portrait of an industry characterized by low and stolen wages, poor and dangerous working conditions, limited benefits and racialized divisions of labor – leading to weak social citizenship rights, vulnerability, marginalization and social and economic costs to workers, families and the community at large. Despite the

\* Corresponding author.

E-mail addresses: [rebecca.torres@austin.utexas.edu](mailto:rebecca.torres@austin.utexas.edu) (R. Torres), [heyman@mail.utexas.edu](mailto:heyman@mail.utexas.edu) (R. Heyman), [solangem@mail.utexas.edu](mailto:solangem@mail.utexas.edu) (S. Munoz), [laapgar@indiana.edu](mailto:laapgar@indiana.edu) (L. Apgar), [emily@workersdefense.org](mailto:emily@workersdefense.org) (E. Timm), [cristina@workersdefense.org](mailto:cristina@workersdefense.org) (C. Tzintzun), [crhale@mail.utexas.edu](mailto:crhale@mail.utexas.edu) (C.R. Hale), [tulua@mail.utexas.edu](mailto:tulua@mail.utexas.edu) (J. Mckiernan-Gonzalez), [sspeed@mail.utexas.edu](mailto:sspeed@mail.utexas.edu) (S. Speed), [erictang@mail.utexas.edu](mailto:erictang@mail.utexas.edu) (E. Tang).

study's findings, we conclude that the emergent spaces of activism associated with the worker center movement have resulted in new forms of social citizenship that are empowering for immigrant workers.

This comprehensive activist research initiative, titled *Building Austin, Building Injustice* (BABI), draws on the firsthand experiences of construction workers and employers, as well as existing data from government and industry sources to offer an in-depth perspective on the key issues facing construction workers in the city of Austin. Study results reveal that while the industry plays a vital role in the city's economy, most of the jobs in construction fail to meet the basic needs of workers and their families. Furthermore, the study reveals that many common construction workplace practices violate federal and state employment regulations such as not providing adequate breaks; and failing to pay hours worked, overtime or the legal minimum wage. Thus, despite progressive planning projects such as the promotion of sustainable development through green building initiatives, Austin has failed to ensure safe, healthy, and equitable work environments for the construction workers building the city (Witt, 2007).

The principal objective of the BABI study was to produce a report for advocacy purposes to lobby for improved conditions for Austin's construction workers (WDP, 2009). However, study results also serve to reveal how neoliberalism works on the ground in an important emergent node in the global economic system. The research project, initiated and directed by immigrant workers through WDP, shows how neoliberalism is contested at the urban scale by the reassertion of labor rights, social citizenship, belonging and incorporation. In contrast to the BABI study report, in this article we changed "building *injustice*" in the title to "building *justice*" to emphasize both the concrete policy victories since the report's release, as well as the emancipatory potential of WDP's continuing struggle to carve out spaces of activism, rights to the city and new forms of social citizenship among Austin's construction workers.

As scholars attempt to comprehend the complex intersections between neoliberal policy and migration, they warn against monolithic, hegemonic (Larner, 2003) and reductionist interpretations of neoliberalism. Instead, they urge researchers to construct nuanced and multi-layered conceptualizations of neoliberal practices as geographically situated and spatially differentiated. Neoliberalism here is viewed broadly as a political-economic regime that has at its center the suppression of labor costs and labor's power. It is a combination of governmental changes such as deregulation and sustained lack of enforcement; as well as the way that businesses operate within that policy climate (i.e. individual decisions of employers to flout regulations, to pursue segmented labor, etc.). In this case, Texas' historically lax regulation and enforcement, as well as its anti-labor climate has both facilitated and exacerbated neoliberal restructuring in the region to further deteriorate construction labor conditions. The application of multi-scalar community and regional case studies (Chase, 2002), the BABI study being one example, offers a more nuanced comprehension of the uneven and distinctive qualities of neoliberal practices across space and place. This industry-specific case study of how neoliberalism unfolds on the ground in a particular place, also demonstrates the increasing importance of "migrant civil society" (Theodore and Martin, 2007; Martin, 2010), in seeking political action and asserting claims to fair and dignified working conditions.

The article commences with a brief introduction to Austin's construction industry, including Austin's emergence as a new immigrant destination, to provide context for the research, as well as the backdrop for the experiences of construction workers in the city. Following a discussion of the activist research and participatory methodology employed, we present selected results to demonstrate the neoliberal nature of Austin's construction industry. We then demonstrate the often unaccounted for social, economic

and bodily costs of these precarious labor regimes on workers, employers and taxpayers. Finally, we reflect on the activist and participatory nature of the study, and the collective response and actions of WDP, as a workers' rights movement in Austin, creating new forms of social citizenship through the assertion of rights for improved working conditions and fair labor practices. Thus, this article concludes emphasizing the importance of worker organizations and immigrant civil society as a resource and progressive response to precarious employment and its impacts.

## 2. A city of cranes: Austin's construction industry and immigration

In recent years Austin has attracted tens of thousands of new residents, making the city the fastest growing urban area in the country (Fisher, 2011). The stability of Austin's economy, which is anchored by the University of Texas and the state capitol, has allowed Austin to weather the current economic downturn better than most U.S. cities, fueling Austin Metro Area's 2007–2008 population growth of 3.8% (Thompson, 2009). The construction industry in Austin plays an important role in sustaining this growth, filling the steady demand for new housing, commercial buildings and city infrastructure, while providing important employment opportunities to more than 50,000 Austin residents. The independent weekly, *Austin Chronicle* dubbed 2008 the "Year of the Crane" because of the numerous construction cranes that towered over the city's downtown skyline. While most Austinites are aware of the changing face of the city, they often overlook the important contributions that the men and women who literally build this rapidly growing city make to the local economy. Indeed, Austin's population and economic growth have been made possible, in significant part, by the cheap housing and low construction costs based on employment of primarily immigrant laborers subjected to poor working conditions and low wages.

Long-term job growth in construction has outpaced the overall job growth rate in the Austin area. Indeed, Austin's construction industry has increased over twice as fast as the city's private sector in general (Witt, 2007). In 2009, Austin had the second strongest housing market in the country, and its strength in residential homebuilding remains quite remarkable for a city of its size (Thompson, 2009). To put it in better perspective, Austin is responsible for more housing construction activity than Chicago, which has six times the population. However, construction workers have not benefited from the same rate of wage growth as other workers in Austin. Over the past 18 years, increases in construction workers' earnings lagged behind those of other private sector workers' earnings by 11% (TWC, 2008b). In 2010, Texas construction workers earned two to three dollars less per hour than their counterparts in other states who performed the same skilled labor (Bureau of Labor Statistics, 2010). The workforce continues to be predominantly male, and most construction workers have not received a vocational or college degree.

Since 2000 the construction workforce has increasingly been comprised of Latin American immigrant workers (U.S. Census Bureau, 2006). Indeed, in contrast to much of Texas, Austin (Travis County) is a relatively new immigrant destination city with foreign-born growth rates surpassing levels for Texas and the total U.S. population (18%, 16.1% and 12.4% respectively) (U.S. Census Bureau, 2012).<sup>1</sup> The latinization of Austin's construction industry is the outcome of several regional and global scale political economic trends associated with urban growth, economic restructuring and immigration that are not necessarily unique to Texas nor the U.S.

<sup>1</sup> Also, in 15 years the rate of foreign-born growth (230%) exceeded that of the total Travis County population (50%) (Travis County, 2007).

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