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"No Place for Old Men": Immigrant Duration, Wage Theft, and Economic Mobility among Day Laborers in Denver, Colorado

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Abstract

Day laborers are a highly vulnerable population, due to their contingent work arrangements, low socioeconomic position, and precarious immigration status. Earlier studies posited day labor as a temporary bridge for recent immigrants to achieve more stable employment, but recent studies have observed increasing duration of residence in the United States among foreign-born day laborers. This article draws on 170 qualitative interviews and a multi-venue, year-long street corner survey of 411 day laborers in the Denver metropolitan area to analyze how duration in the United States affects day laborers' wages, work, and wage theft experiences. Compared to recent immigrants, foreign-born day laborers with longer duration in the United States, we found, worked fewer hours and had lower total earnings but also had higher hourly wages and lower exposure to wage theft. We draw on qualitative interviews to address whether this pattern represented weathering, negative selection, or greater discernment. Rather than upward or downward mobility, long duration immigrant day labors had more jagged incorporations experiences. Interviews suggest that day laborers draw on experience to mitigate the risk of wage theft but that the value of experience is undercut by the fierce competition of daily recruitment, ultimately highlighting the compounding vulnerabilities facing longer duration and older immigrant day laborers. The article highlights duration as an understudied precarity factor which can adversely impact the economic assimilation of long duration immigrants who persist in contingent markets like day labor.

Keywords

immigration; labor; wage theft

Introduction

Day laborers are a highly vulnerable population, due to their contingent work arrangements, low socioeconomic position, and precarious immigration status (Valenzuela et al. 2006).

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In Colorado, day laborers dub street-corner hiring sites *liebres*, or jackrabbits, implying that workers require cunning and speed to compete with one another to land a job when employers drive by. The rapid, informal hiring process makes it inherently difficult for day laborers to negotiate their wages and working conditions (Ordóñez 2015; Theodore et al. 2015). The 2004 National Day Labor Survey (NDLS), using a nationally representative venue-based sample of 264 hiring sites in 139 US municipalities, systematically documented that day laborers experienced low earnings, unpredictable work, discrimination and victimization, high rates of workplace injury, and high incidences of labor abuses like wage theft (Valenzuela et al. 2006). Equally important, questions persist as to whether individual factors, such as human capital, legal status, or increased duration in the United States, can offer advantages to day laborers in the face of contingent work arrangements, discrimination, and enhanced immigration enforcement (Bernhardt et al. 2009; Flippen 2012; Massey and Gentsch 2014; Meléndez et al. 2014, 2016).

The potential significance of duration, or length of time in the destination country, to studies of immigrant incorporation has heightened with the shift toward an aging, longer-duration population of day laborers across the United States. The NDLS, conducted more than fifteen years ago, found that the majority of day laborers were recent immigrants (60 percent had arrived within the past five years), with only 11 percent having lived in the United States for more than 20 years, anticipating that day labor was a temporary bridge to more stable employment (Valenzuela et al. 2006, 18, 20). In contrast, more recent studies have observed increasing age profiles and time in the United States among foreign-born day laborers in various US cities (Crotty 2014; Organista, Arreola, and Neilands 2016; Theodore 2017, 2020; Boyas, Valera, and Ruiz 2019; Valdez et al. 2019). Duration is largely treated as a control variable in these studies, rather than being explored theoretically. Yet increasing immigrant duration reflects important trends since 2000 that impact incorporation experiences, including declining migration from Mexico, the 2008 recession's prolonged effects, escalating interior immigration enforcement, and declining return and cyclical migration resulting from enhanced border enforcement (Flippen 2012; Crotty 2014; Massey, Durand, and Pren 2016; Valdez et al. 2019). Increasing duration in the United States among immigrant day laborers raises questions about whether day labor can provide a transition to the formal labor market and what consequences arise from long-term exposure to day labor as immigrants remain in the United States.

Scholars of immigrant economic assimilation have generally found positive associations between increasing duration and improved economic outcomes (Chiswick, Lee, and Miller 2005). However, foreign-born workers' increasing market segmentation into low-skilled and low-paying jobs, in addition to heightened immigration enforcement, may diminish the reward of experience in the United States and subject immigrant workers to disadvantage over time (Flippen 2012). Furthermore, given day labor's physical and psychosocial toll (Haro et al. 2020), any returns to seniority may be offset by the negative consequences of weathering on day laborers' productivity and employability (Treas and Gubernskaya 2016).

This article analyzes how duration in the United States impacts day laborers' work, earnings, exposure to wage theft, and protective behaviors in a market where risk pervades the entire field (Valenzuela et al. 2006; Meléndez et al. 2016). Whereas much of this article focuses

on immigrant duration in the United States since first arrival, our grounded, mixed-methods study of day laborers in the Denver metropolitan area sought more broadly to understand patterns of employment, earnings, wage theft risk, and protective knowledge. Colorado provides an opportune case study to examine the labor implications of immigrant duration in a re-emerging immigrant gateway that is now, like other non-traditional destinations in the US Sunbelt, experiencing falling immigrant arrivals as migration from Mexico has declined (Massey, Durand, and Pren 2016). The introduction of new state-level wage protection laws in 2015 also offered the opportunity to evaluate their utility for low-wage and immigrant workers in the face of broader trends of increasing labor informalization and intensifying immigration enforcement (see Fussell 2011; Flippen 2012; Galvin 2016).

Any study designed to understand variation among day laborers requires not only rapport to connect with a highly vulnerable population but also attention to the *liebre*'s temporal rhythms as a setting for work acquisition. We augment the street-corner sampling methodology of seminal studies like the NDLS by conducting year-round fieldwork that can account for variations by season, day of the week, and time of day. Our approach, thus, addresses a key challenge of street-corner samples – namely, that those who work more are less likely to be surveyed (Gustafson et al. 2013).

We begin by contextualizing our research within scholarship on Latino immigrant economic assimilation, with a focus on the impacts of human capital, legal status, nonstandard work arrangements, and duration. We then introduce our mixed-methods and sampling approach and describe the research sites and day laborers' demographic profiles. We use bivariate and multivariate analysis of the survey data to assess the impact of legal status, protective knowledge, English abilities, education, age, homelessness, and duration in the United States on work, earnings, and wage theft, while accounting for workers' propensity to work and be present at the hiring site to be sampled. After finding longer duration in the United States to be associated with lower wages and less work, but also more protection against wage theft, we return to the qualitative narratives to explain how day labor's precarious nature undercuts potential advantages that otherwise might accrue to experience or time in the United States. Our results suggest the need to re-examine the economic assimilation of first-generation immigrants exposed to contingent work, discrimination, and immigration fear over time (see Valdez 2006).

Day Laborer Economic Assimilation

Past studies of immigrant economic assimilation have argued that recent arrivals experience an initial disadvantage because of the imperfect transferability of skills between home and destination but then, after making investments in human capital and acquiring local labor market experience, undergo upward mobility (Chiswick, Lee, and Miller 2005, 348). More recent studies of immigrant earnings based on tax record data have documented more consistently positive patterns of income returns to experience, although such studies exclude undocumented migrants and those working in the informal economy (Villarreal and Tamborini 2018). Studies based on the binational Mexican Migration Project that include undocumented immigrants found that immigrants' positive income returns from human capital acquisition disappeared after the 1986 Immigration Reform and Control

Act's (IRCA) criminalization of undocumented hiring and the intensification of immigration enforcement after 1996 (Phillips and Massey 1999; Massey and Gentsch 2014). After IRCA, legal status became a significant obstacle driving disparities between the wages of documented and undocumented Mexican immigrants (*Ibid.*).

When faced with blocked opportunities and discrimination in the reception context, certain subgroups – especially those with less human capital, low skills, and legal status barriers like Latino day laborers – may alternatively experience segmented or downward assimilation (Portes and Zhou 1993; Portes and Rumbaut 2001; Valdez 2006). For example, Valdez (2006) found that low-skilled and unskilled first-generation Mexican immigrants in the US Southwest suffered declining earnings with increased duration in the United States, but the earnings of immigrants with higher skills improved over time.

For low or unskilled immigrant workers, segmentation into low-wage sectors with significant numbers of unauthorized workers who lack bargaining power may further negate the benefits of human capital and potentially even legal status (Flippen 2012; Massey and Gentsch 2014). Flippen's (2012, 21) analysis of recently arrived Latino immigrants in Durham, North Carolina, for example, points to the significance of the growing concentration of Latino, especially undocumented immigrant, workers in nonstandard and low-wage employment sectors and how their labor market positioning shapes adverse employment outcomes. Legal status and human capital, however, produced mixed results: legal status, education, and duration in Durham were positively associated with higher hourly wages but did not affect employment stability or access to benefits (Flippen 2012, 38). Similarly, Fussell's (2011) study of Latino immigrants in New Orleans, Louisiana, found no association between legal status and exposure to wage theft because employers used ethnic and language identifiers to wield the "deportation-threat-dynamic" to exploit workers and silence complaints. Yet day laborers, due to their contingent employment arrangements, were more likely to experience wage theft than other Latino immigrants (*Ibid*). Valdez and colleagues (2019, 239) further demonstrate that heightened vulnerability in day labor markets was driven, not by legal status, but by race and nativity because authorized Latinos also suffered the impacts of racialized criminalization. Racialized immigrant workers' segmentation into contingent employment markets may, thus, override human capital accumulation or legal status as a driver of worker incorporation and disadvantage (see Bernhardt et al. 2009).

Within the specific contingent space of day labor markets, the notion that human capital, legal status, or duration can improve economic outcomes is, therefore, even more questionable (Valenzuela et al. 2006; Meléndez et al. 2014, 2016; Valdez et al. 2019). Using data from the NDLS, Meléndez and colleagues (2014, 842) drew on daily employment recall data to model participation and hourly wages in the day labor economy in the prior week among a sample selected on street corners across the United States. The authors interpreted declining participation in informal markets with increased duration (measured by years since first arrival in the United States) as possible evidence of transition into the formal economy (Meléndez et al. 2014, 842, 846). However, they were uncertain whether these workers experienced vertical or horizontal labor market incorporation, which would instead lead them to churn in and out of different informal markets (*Ibid.*; Hall, Greenman, and Yi 2018).

Given that these individuals were sampled while seeking work on a street corner and that only 17 percent reported having a formal job (Amuedo-Dorantes, Gonzalez, and Valenzuela 2007), a more plausible explanation is that these individuals were not working at all.

Meléndez and colleagues (2014) found clearer evidence that human capital and duration were positive predictors of higher hourly wages among day laborers who worked. Yet their subsequent study (Meléndez et al. 2016) found that the education and duration effects on hourly earnings were no longer significant after controlling for the wage premium paid for dangerous or high-risk work. In other words, the limited labor market successes experienced by the NDLS's short duration sample (mean years in the United States = 6.4 years) depended largely on dangerous jobs that could have potential long-term impacts on injury and physical heath that undermine future earnings capacity (Haro et al. 2020).

In the context of long-term exposure to contingent employment, could the increasing duration profiles of immigrant day laborers potentially be a liability? Instead of improvement over time, immigrants exposed to adverse occupational experiences accumulated in precarious work may experience "weathering," or even downward assimilation, in the face of cumulative disadvantage as they age and remain in the United States (Portes and Zhou 1993; Valdez 2006; Treas and Gubernskaya 2016, 155). Qualitative researchers, for example, have highlighted how the compounding impacts of day laborers' extreme structural vulnerability – including poverty, discrimination, and precarious immigration status – diminish well-being over the short, medium, and long terms (Quesada et al. 2014; Ordóñez 2015). Reconsidering duration's value reopens debate as to whether day labor can provide a gateway for immigrants into the US economy or whether its contingent nature may segment certain immigrant workers into more permanent disadvantage as they remain. Building on measures used by the NDLS (Meléndez et al. 2014, 2016), we focus on years since first arrival in the United States as our primary measure of duration, while using our analysis to explore other measures of duration (i.e., years in Colorado) and to address potential confounders of duration (i.e., age).

Mixed Methods Study of Day Labor

Given the methodological challenges of studying day laborers as a relatively hidden and transient population (Valenzuela et al. 2006), we pursued a mixed-methods strategy that intentionally connected qualitative research with a venue-based sampling strategy and a year-round survey aimed at maximizing the chance of representing the full population of day laborers. We begin with a description of the study venues at which day laborers seek work.

Sampling Venues

Sampling venues included five day labor hiring sites in the Denver metro area: the day labor center El Centro Humanitario (El Centro), Stout Street (across the street from El Centro in downtown Denver), Federal and 19th in West Denver, Dayton and Colfax in Aurora, and a parking lot in the suburban outpost of Lakewood[1] (Figure 1). Diverse site selection enabled

[1]According to workers, worker center staff, and our site scouting, these five are the only major day labor recruitment sites in the Denver metropolitan region (employers come from throughout the state, and even out-of-state, to recruit workers). However, we

us to observe potential location effects because older, homeless, and US-born workers tended to congregate more at downtown sites close to homeless shelters (Stout and El Centro), where there was a higher co-presence of substance abuse and a blurriness between who was searching for employment and who was not. The Federal hiring site, located in a historic working-class and Latino neighborhood near the Denver Broncos Stadium, attracted day laborers who, according to workers, were “more serious” about working. However, the area was also rapidly gentrifying, pushing long-term residents and Latinos out of the area altogether. Aurora is one of the country’s most diverse cities and a reception site for recent immigrants and refugees. Its hiring site was the largest, drawing Latino immigrants and some underemployed African-American workers. The Lakewood site was located farther from the city’s services, but Lakewood also has a significant Latino population. When workers could not find work through companies, past employers, or co-workers, most returned to the same hiring site due to proximity to home, perceived work opportunities, and relationships with fellow day laborers.

Qualitative Phase

The research began with Galemba’s ongoing relationship with Denver’s worker center, El Centro Humanitario, which identified wage theft as an emerging concern. In Spring 2015, she collaborated with graduate students under her supervision to conduct participant observation and unstructured interviews with workers at street corner hiring sites and at El Centro. Researchers inquired about labor and migration histories and developed trust with workers to delve deeper into experiences of labor exploitation, prevention, and redress.

Semi-structured interviews were developed in Summer 2015 to gather more consistent information on worker demographics, recent work histories, and wage theft experiences. Questions also targeted workers’ perceptions regarding the pervasiveness and causes of wage theft, recourse options, the accessibility of the Colorado Department of Labor, and legal remedies for wage theft. From 2015 to 2016, 170 interviews were conducted, with field outings lasting about an hour. Interviewees were selected based on convenience sampling, which biased the sample toward workers interested in learning more about labor rights but also offered researchers more in-depth knowledge about workers’ experiences. Interviews’ length and depth were somewhat inconsistent, due to respondents finding employment and the goal of encouraging more spontaneous group discussions. More open conversations provided workers with a sense of agency to highlight issues that were important to them rather than responding to a predetermined checklist. Additional serendipitous conversations also alerted interviewers to new insights and critical differences between what workers knew, said, and actually did as they recounted their work stories. The research team was frequently accompanied by a law professor and students, or occasionally worker center staff, to connect workers with wage theft cases with assistance.

cannot rule out that small numbers of day laborers may solicit work at other venues like home improvement stores. For the qualitative interviews and survey, we gathered first names and a middle or last initial, which were secured and anonymized through REDCap electronic data capture software (Harris et al. 2009). We kept separate databases for the qualitative and quantitative research because the studies were conducted sequentially. IRB approval was obtained for the qualitative research under protocol 684443 on January 20, 2015, and for the survey under protocol 945425 on September 9, 2016.

Some interviews were recorded and transcribed, but given the hiring site's rapid pace and more fluid conversations, we collected most interviews through field notes, which were then fleshed out, typed, and uploaded into Dedoose coding software. Coding was conducted by a lead graduate research assistant, then re-coded by Galemba to organize key themes, as well as patterns of wage theft, mitigation, and redress. The team kept a separate spreadsheet of individual wage theft incidences and site population counts to help target site visits according to density. Knowledge of the sites and themes uncovered during the qualitative research informed the survey approach and questions, but in iterative fashion, we returned to the qualitative database to help expand on, and explain, the quantitative results.[2]

Survey Phase

We conducted a venue-based survey of a target of 400 day laborers at the same sites from October 2016-August 2017 to gather more consistent data on themes that emerged in the qualitative research, as well to attempt to disentangle predictors of work activity, wages, wage theft, and protective behavior. Bilingual students were trained to administer the survey orally in English or Spanish, depending on the informant's preference. Responses were logged in the field on paper versions of the survey and then securely entered into REDCap software.

Kuhn designed the survey to ensure coverage of respondents at all sampling venues across different seasons, days of the week, and times of day. Prior to the survey, in Spring 2016, student researchers conducted systematic 15-minute interval counts at each site over a two-hour period to construct a sampling frame. To maintain adequate statistical power across location and time, we employed a relatively simple venue-time based sampling strategy and used capture-recapture methods (described below) to weight results according to the true time-location distribution of the target population. During each season, a target of 100 interviews were conducted over a five- to six-week period. Interviewers were assigned to one of the five venues, using a stratified sample based on location and day of the week. For each day of the week, interviewers were assigned to one site. Four sites had a 1/6 probability of selection, whereas the largest site in Aurora had a 2/6 probability. Overweighting the Aurora site represented the only effort to overweight a sample stratum and was done in response to evidence from the observational phase that the Aurora site had roughly twice as many workers than the other sites. For each venue-day, two surveyors were assigned to a site with the goal of collecting two surveys each from 7:30 to 9:30 am. Two time intervals were constructed to assess possible time-of-day effects (e.g., whether earlier respondents were more successful at finding work than those still waiting later in the morning).

Interviewers collected extensive paradata, or auxiliary data about the survey and sampling contexts, to enable the construction of weights that accounted for the tendency for people who find work to be less likely to be sampled because they were not present at the site and for those with less work to be sampled repeatedly. Upon arrival, interviewers took a headcount of all individuals at the site. From the total respondents present, they used

[2]Conducting qualitative research over the course of one year enabled validity checks over time. Results were shared with workers in a public presentation at El Centro in Spring 2018. Graduate students under Galemba's supervision also gathered feedback on results from workers at the Aurora site in Winter 2019.

modified Kish tables to select the *n*th individual (counting from the same direction at each site during each visit). If a respondent refused or had already responded to the survey, this information was recorded and another respondent was selected. Respondents who claimed they were not looking for work were excluded. Respondents were given a $10 grocery gift card and a Know Your Rights card on labor rights, upon completing the survey. After conducting one survey each, a second headcount was conducted, and each interviewer conducted another survey. Prior to departure, surveyors recorded a third headcount.

Our survey instrument included sections on demographic characteristics, housing, employment, lifetime and six-month recall of wage loss experiences, and questions to assess protective knowledge and attitudes. A five-day work recall matrix measured employment search, employment activity, working hours, and wages. Given the unique survey setting, a final section collected detailed data on weather, survey disruptions, and interference by others at the site.

Data Analysis

From an initial sample of 411, we excluded eight respondents who were coded as having great difficulty answering questions or whose interviews were suspended. We excluded another seven cases with missing values on one or more questions and three that could not be linked to the sampling paradata. The analysis sample, thus, included 393 day laborers. Given the small number of exclusions, none of the descriptive or multivariate results were affected by these exclusions.

We used survey paradata and knowledge gained in our counting exercises to develop sampling weights. Without a population-based sampling frame, it is difficult to know the target population's true size and, thus, to calculate weights. Yet weights are needed in a venue-based sample, given the likely negative correlation between the outcome of interest, work, and the probability of being sampled, which depends on not finding work (although it also depends on looking for work). The risk of repeatedly sampling the same individuals may be particularly important in areas like the Stout Street downtown site, which had a larger number of people standing on the corner with a low propensity to work and, thus, a high chance of being over-sampled. In contrast, downtown sites also served as gateways for new immigrants and, in this way, might offer unique individuals, particularly with the change of seasons.

For instance, suppose we observed 20 people on a particular street corner on a randomly selected day. Extrapolated across a 250-day working year, we might assume that we would have found a different 20 people each day, yielding an estimate of 5,000 people per year. Alternatively, we might assume that these same 20 people would have been present each day, meaning that the true population was 20. The true population size would probably be somewhere between 20 and 5,000. If you returned to the same site a week later and again counted 20 people, you would learn a great deal by knowing if these were 20 different people (thus supporting the 5,000 number), the exact same 20 people (supporting the lower estimate), or somewhere in-between. Our capture-recapture methodology conducted this exact calculation, using survey paradata. At each visit, we calculated the number of people observed at the site. Although it was not possible to observe whether each individual had

been seen during previous counts, the survey sample process produced data on whether the selected respondents had already been surveyed. Over time, the rate at which selected individuals had already responded rose, thus establishing the limits of the population's true size.

Figure 2 illustrates the stabilization of the running recapture estimates by the number of completed visits. In total, across all venues and days, we counted 6,251 individuals. Estimates were initially unstable because rates of recapture were initially low, but they eventually stabilized to reveal a total population estimate in the range of 1,400–1,600 day laborers. However, the 19 percent recapture rate and 18 percent refusal rate implied a true population of 1,554, meaning that the average respondent was present for four sampling episodes (6,251/1,554). Assuming the five sites studied are the only ones in Denver where day laborers significantly gather, then our survey constituted a 25 percent sample of Denver's day laborer population (393/1,554). Notably, the estimated population size trended upward with the arrival of summer (around day 85), presumably due to seasonal workers, because the headcount included an increasing number of unique individuals. Capture-recapture was conducted separately at each survey venue, allowing us to construct weights that accounted for higher levels of recapture at some sites (particularly the Stout Street site with high levels of homelessness) and a stronger inflow of summer job-seekers at certain sites.

Having developed estimates of the total population by venue, we calculated the sampling weight based on the probability that each unique individual was selected from the target population at the site. Application of the weights performed as expected. Compared to unweighted results, the weighted results produced a lower estimate of days seeking work (from 61 percent to 54 percent) because the weights corrected the tendency for people who spent more time at the site to be overrepresented. At the same time, the weights produced a higher estimate of hours worked (from 6.47 to 6.97, or an 8 percent change) and total earnings (from $102 to $108, a 6 percent change) because they adjusted for the tendency for those who acquired more work to have a lower chance of being present at the site to be selected.

The presentation of our results below begins with bivariate exploration of the relationship of work and wage theft outcomes with respondent duration and age, with attention to variations across study sites. We then conducted multivariate analysis of five-day reported earnings, using ordinary least squares (OLS) regression. We tested a wide array of additional controls for potential confounders, including survey location, season, day of week, time of day, interviewer effects, and interview conditions. After extensive model-building for the earnings models, we report comparable model specifications for the covariates of wage theft experience in the past six months (yes/no variable, logistic regression) and an index of protective knowledge (0–7 range, Poisson regression).

Variables

Work and earnings.—Our analysis focused primarily on work seeking, work effort, and wage data collected via a five-day work recall calendar. Because interviews were conducted on weekdays, all five-day recall periods included Sunday, a day on which much lower

work effort was recorded. We, therefore, excluded Sundays from our analysis, meaning that we analyzed four days of work recall. Our analysis included Saturdays, when levels of work activity were equivalent to other days, but our findings were qualitatively comparable whether Saturdays were included or excluded. To make our results from the four-day recall readily interpretable, we converted all work measures into a per-day basis so that if a respondent worked two of four days for 16 hours, we would report 50 percent employment (2/4 days), eight hours per working days (16 hours/2 working days), and four hours for each day (16 hours/4 days). Multivariate analysis then focuses on the single measure of earnings per recall day that captures the full effects of work search, hours, and wages. To follow the previous example, if the respondent earned $15 per hour across 16 hours, earnings across the four-day recall would have been $240, and earnings per reported day would have been $60/day ($240/4 days).

Wage theft knowledge and experience.—Additional multivariate models addressed the determinants of worker experiences of wage theft and their knowledge and behavior with regard to preventing wage theft. For wage theft experience, we measured whether the respondent had experienced wage theft in the prior six months and the total amount an individual had lost across all wage theft episodes. Respondent protection was scored in a simple eight-point index, with up to two points each for knowledge of three key legal protection items (the Fair Labor Standards Act, Colorado Wage Claims Act, and minimum wage), one point for recording employer information, and one for recording days/hours worked.

Duration in the United States.—Following the NDLS, our analysis focused on isolating the effects of duration in the United States from the effects of age, immigrant cohort, and immigrant experience. We measured duration, using a four-category variable indicating 0–9 years since first arrival in the United States (reference), 10–19 years, 20+ years, and US born. To speak to other indicators of duration and account for potential confounders of duration, we report alternate specifications that controlled for years in Colorado, for number of additional US states of residence, and return trips to the origin country.

Other control variables.—Our models controlled for key variables known to affect immigrant work and wage theft that also tend to vary by duration in the United States. We explored the effects of measures of human capital and immigrant incorporation, including schooling (< = seven years), legal status, English fluency, smartphone ownership, homelessness, and worker center membership. Bivariate analysis reported the extent of covariation in these measures with duration in the United States, and all multivariate models controlled for these measures.

Results

Day Labor Profiles

Table 1 shows that our respondents looked similar to the NDLS, whose national sample was 98 percent male, 93 percent foreign-born, 59 percent Mexican-origin, and 75 percent undocumented (Valenzuela et al. 2006, 17). Respondents in our sample were exclusively

male, 94 percent Latino (not shown), 88 percent foreign-born (ranging from 82–97 percent across the sites), majority Mexican-origin (69 percent), and 42 percent overall had legal status. At four of the sites, more than two-thirds of respondents were from Mexico, but the largest site in the more diverse Aurora had only 52 percent of respondents from Mexico, with large numbers coming from Guatemala, El Salvador, Honduras, and Peru.

However, our sample's age and duration profile departed substantially from earlier day labor studies like the NDLS but was more consistent with those conducted since 2010 that observed an older, longer-duration distribution of day laborers (e.g., Crotty 2014; Organista, Arreola, and Neilands 2016; Theodore 2017, 2020; Boyas, Valera, and Ruiz 2019; Valdez et al. 2019). Overall, 46 percent of respondents first arrived in the United States more than 20 years ago, another 26 percent arrived 10–19 years earlier, and just 10 percent first arrived in the past five years. In our sample, the mean duration in the United States was 22.5 years whereas in the NDLS, the mean duration was 6.4 years (Meléndez et al. 2016). We note that the NDLS was conducted only in summer, whereas our survey was collected year-round. The share of respondents reporting 20+ years in the United States was substantially higher in winter (55 percent) and fall (50 percent) than in summer or spring (both 41 percent), thus illustrating the utility of a year-round survey to estimate the true duration distribution.

We observed two distinct duration patterns across the sites. At Stout Street, El Centro, and Federal, about 60 percent of respondents had arrived 20+ years ago. The sites in Aurora and Lakewood had only one-third arriving more than 20 years ago. The shorter duration in Aurora may reflect its more diverse constitution, with more recent Central American arrivals and under-employed US born (mostly African-American) workers (see Crotty 2014).

The age composition of our sample offers a similar contrast to the NDLS. About one third of respondents were under 40, one third were 40–49, and one third over 50, with a mean age of 45.5 years. The downtown Stout Street and El Centro sites tended to have older populations, where the modal respondent was 50–59. Although detailed age breakouts were not available for NDLS, the mean age was 34.1 (Meléndez et al. 2016), so the mean respondent in our sample is 11 years older. We observed striking seasonality in age patterns, with a mean age of 42.6 in summer and 47.5 in winter.

Table 2 characterizes respondents according to duration in the United States. Those with 0–4 and 5–9 years since first arrival are pooled into a single 0–9 year category. Longer-duration respondents were much more likely to be from Mexico (90 percent) than more recent arrivals. Respondents were highly likely to have lived in another US state (76 percent overall), with some variation by duration (89 percent of those with 20+ years vs. 52 percent for recent arrivals). Overall, just 42 percent of all respondents and 34 percent of foreign-born respondents were authorized to live and work in the United States. Foreign-born workers with longer tenure in the United States were more likely to be authorized, though the share was still less than half (43 percent). Levels of English proficiency were also low among foreign-born respondents, ranging from 10 percent among recent arrivals to 27 percent among those with 20+ years.

We next look at the capabilities and resources of respondents by duration in the United States. Day laborers generally exhibited high levels of vulnerability, with areas of relative advantage and disadvantage for longer duration immigrants and US-born day laborers. Migrants with 20+ and 10–19 years since first arrival had fewer years of schooling (7.5) than recent migrants (8.7) or US-born respondents (11.8). Smartphone ownership was quite high (64 percent) but lower among long duration (56 percent) and US-born (59 percent) respondents than among more recent migrants, an effect largely driven by age variations (three-way analysis not shown). Experience of homelessness in the past year, a marker of disadvantage and exposure to high-risk behavior, was high for all groups (40 percent) but much higher for US-born respondents (66 percent) and somewhat higher for those with 20+ years since arrival (40 percent) than for recent migrants (31 percent). The rate of homelessness was especially high at Stout Street for both US- and foreign-born respondents. Membership in the worker center, El Centro, was low overall (28 percent) but higher among migrants with 20+ or 10–19 years since arrival (34 percent) than among recent migrants (11 percent) or US-born respondents (12 percent).

Work and wage profiles

Understanding wage theft begins with day laborers' precarious employment profiles, shown in Table 3 by duration since first arrival. Using the results of a five-day employment recall, we look at the proportion of days on which respondents either searched for or already had work, analogous to a labor force participation measure. Overall, respondents sought, or already had, work on 71 percent of days. We observed no variation in work search by years in the United States, though US-born respondents were less likely to search for work (54 percent). Respondents worked on 40 percent of reported days, which means that they found work on 56 percent of the days in which they sought work (40 percent out of 71 percent). We observed considerable variation in days worked by duration in the United States, with recent arrivals working on 56 percent of days compared to 35 percent of those with 20+ years and 28 percent of US-born respondents.

Conditional on having worked on a particular day, the number of hours worked was 7.0 hours per working day, with only modest variation between recent immigrants (7.8 hours) and long-term immigrants (6.8 hours). Taking into account both substantial variations in days worked and smaller variations in hours worked per working day, we found that the total hours worked per reported day were both universally low and strongly associated with duration in the United States. Overall, the average respondent worked 2.7 hours per reported day. If this figure is extrapolated out to the six-day work week typical of most day laborers, it would amount to a 16-hour work week. Recent migrants worked 4.4 hours per reported day, about double the daily work of those with 20+ years in the United States (2.4 hours per reported day) or born in the United States (1.8 hours/day).

Set against the lack of work opportunity, day laborers' hourly wages were relatively high before considering how difficult the work is and how unstable work, injury risks, and wage theft undercut earnings (Valenzuela et al. 2006, 10; Meléndez et al. 2014, 837–8). The weighted mean hourly wage was $15.60. Respondents were paid below the Colorado hourly minimum wage ($8.31 per hour in 2016 and $9.30 in 2017) on just 7.3 percent of work days,

meaning that one of the most prominent definitions of wage theft rarely applied. Immigrant duration was associated with a modest advantage relative to recent arrivals in hourly wages ($16.27 vs. $14.74) and frequency of sub-minimum wage (5.6 percent vs. 8.1 percent). In addition to working fewer hours, US-born respondents were also worse off in terms of wages, with a $14.46 average wage and 21.9 percent of days below minimum wage.

Combining hours worked and hourly wages, we arrive at an estimate of average daily wages, which was both quite low and strongly declining with duration in the United States. On average, respondents earned $42.38 per day, which would translate to $1,060 in a 25-day work month. Recent arrivals earned $63.59 per day, or $1,589 per month. Immigrants arriving 20+ years ago earned $38.01 per day, or $950 per month. Those born in the United States earned $22.43 per day, or $560 per month.

The final lines of Table 3 describe respondents' reported wage theft experiences and knowledge. Respondents were asked if they had ever been unpaid or been paid less than promised or owed, with 62 percent reporting lifetime wage theft experience. Since longer-duration migrants had higher exposure to lifetime risk of wage theft, we focused instead on workers' reports of wage theft incidents within the past six months, with 19 percent of respondents reporting experiences of wage theft. Here, we see an advantage among longer-duration migrants, with only 13 percent of those having 20+ years in the United States reporting recent wage theft compared to 34 percent of recent arrivals and 23 percent of those with 10–19 years. US-born respondents also had relatively low risk, at 19 percent. The average amount owed to respondents who experienced wage theft in the past six months was $348. We also observed higher levels of legal redress knowledge among US-born respondents and immigrants with 20+ years in the United States than among recent immigrants.

Multivariate Models

We next turn to multivariate models of earnings, self-protection knowledge, and wage theft, beginning with weighted OLS regression models of average daily earnings based on five-day recall (Table 4). The base model controls for duration since first arrival in the United States, age, and respondent resources, and vulnerabilities. The strong pattern of declining earnings with duration in the United States persists in the multivariate models. Compared to recent arrivals, immigrants with 20+ years since first arrival earned about $14 less per day, which would equate to $350 less during a 25-day working month, whereas those born in the United States earned $20 less per day. Once duration was controlled for, the association with age was not significant in any specification. We also observed a $8 increase in daily earnings associated with having seven or more years of schooling, with no significant effects for higher levels of schooling (model not shown). Respondents who owned a smartphone earned $12 additional dollars per day (significant at $p < 0.01$ level), and those who reported never being homeless earned $8 more per day ($p < 0.05$). We observed no earnings advantage for authorized immigrants, respondents who were fluent English speakers, or members of El Centro.

These effects all persist in the presence of additional control variables. After testing models that controlled for all sites and seasons, we focused only on the significant effects.

Respondents at Stout Street earned about $10 less per day. Respondents interviewed during winter reported earning $19 less per day, an effect that was significant at the $p < 0.001$ level. Accounting for these variations by site and season yielded only modest reductions in the effects of duration, smartphone ownership, and homeless experience, with all remaining significant. Similarly, we tested models that excluded the Stout Street site entirely to ensure that it was not driving the duration effects and found qualitatively similar results.

The remaining regression models explore the possibility that duration's effects on wages were proxying for another factor that was strongly correlated with duration. We do not show the coefficients for these variables because they are never significant. Specifically, we attempted to control for single-year age group (Model III), number of previous US states of residence (Model IV), and years lived in Colorado (Model V). We also tested models that replaced duration with two highly collinear variables that could not be entered simultaneously with duration (years since most recent arrival and age at arrival), and both produced a poorer fit to the data based on Akaike Information Criteria and Bayesian Information Criteria. Model VI adds the extended controls for interview context (described in the methods section), with no change. We also tested models that controlled for the number of employers in the past month, duration of employment in the last month, and types of work performed in the last month and found no significant effects (not shown).

To further illustrate the strength of association between duration and earnings and to isolate the effects from age, Figure 3 presents multivariate locally weighted least squares (MLOWESS) regressions on single-year age and duration since first arrival, focusing exclusively on foreign-born respondents. The MLOWESS regression moves sequentially through every point in the distribution of two independent variables, adjusting for collinearity at every point in the distribution to produce a clearer estimate of the non-linear relationship to a dependent variable without any confounding. The figure shows that when simultaneously relating age and duration to earnings, there is no effect of age but a clear and smoothly linear pattern of declining earnings with duration.

Table 5 explores associations of these same variables with the index of self-protection and experience of wage theft in the past six months. For self-protection knowledge, we performed Poisson regressions, which are considered appropriate for counts data (Cameron and Trivedi 2013), but the results look similar when using OLS regression. We did not find any association of duration or age with self-protection. Factors that were significantly associated with self-protection knowledge included authorized immigrant status (significant at $p < 0.001$ level), English fluency ($p < 0.05$), membership in El Centro ($p < 0.001$), and never homeless ($p < 0.10$). Legal status and worker center membership had particularly strong associations, although the differences in both cases amounted to only about 0.7 points on an eight-point scale.

The remainder of Table 5 reports on logistic regression models of the experience of wage theft in the past six months. Few respondents' resources/capabilities were predictive of wage theft, with the exception of never being homeless, which was associated with a 40 percent reduction in wage theft risk. After controlling for homelessness, which was highest among US-born respondents and those with 20+ years in the United States, we see a very

strong pattern of lower wage theft risk associated with age and duration. Compared to recent arrivals, respondents with 20+ years in the United States were about half as likely to have experienced wage theft, and respondents born in the United States were about 60 percent less likely. The association of age with wage theft is significant at the $p < 0.01$ level, with a 28 percent reduction in the risk of wage theft for each decade of age. One concern is that these individuals were less likely to experience wage theft because they worked less. Although the dataset did not include measures of total work activity over the six-month period, Model II controlled for hours worked in the past five days. Although the coefficient was positive, it was not significant and did not alter the association of duration and age with wage theft. Model II controlled for work effort – the number of employers in the past month, duration of employment in the last month, and types of work performed in the last month – and found no significant effects or changes in duration coefficients. Model III controlled for interview location and season, which were also not significant. Model IV controlled for the worker self-protection index to see if those with greater protection knowledge/behavior were less likely to have experienced wage theft; we found no association. Model V included extended controls for interview context, which did reduce duration effects below the 5 percent significance level while age remained significant.

In summary, our quantitative results depict the experiences of an aging generation of day laborers, most of whom had been in the United States for a long duration, and the vulnerabilities and advantages associated with US experience. Longer US duration was associated with higher hourly earnings and lower experience of wage theft but substantially lower working hours. Contrary to research on immigrant populations in general (e.g., Chiswick, Lee, and Miller 2005; Villarreal and Tamborini 2018), we, thus, observe a strong gradient toward lower earnings with increased duration, with longer-duration immigrants experiencing a deficit of about $14 per day, or around $350 per month, from the already-low wages of around $1,000 per month earned by newer arrivals. Our qualitative analysis explores whether these patterns reflect discernment or weathering on the work capabilities of long-duration immigrant day laborers and addresses how workers conceived of the benefits and costs of experience and protective behaviors.

Qualitative Assessment of Duration on Work, Earnings, and Wage Theft

The qualitative sample was heavily composed of long-duration and older workers, which helped contextualize their experiences but also made it difficult to parse variation by duration. However, interview narratives demonstrate how workers learned from experience and perceived the benefits of human capital and legal status. More time and experience in local labor markets (see Flippen 2012) can help workers learn new skills, form relationships with employers, negotiate higher hourly wages, and develop strategies to lower risk and ensure payment. However, experience, legal status, and even protective knowledge were ultimately of little utility in a competitive, contingent market that racially marked all immigrant Latino day laborers as “illegal” and exploitable (Valdez et al. 2019). The interviews,[3] thus, helped explain how duration in the United States, when it means persisting

[3]Case studies were selected from the qualitative database as typical portraits of workers’ experiences while also accounting for variation in terms of age, duration, national origin, and status.

in unstable work, can compound vulnerabilities of discrimination, mistreatment on the job, injury, low and under-payment, and housing insecurity. They also illustrate that regardless of how workers learn to protect themselves, these strategies could unravel when faced with desperation for work.

Researchers met Juan, a 19-year-old day laborer from Honduras, at the Federal and 19th hiring site. He had been in the United States for three years, when we spoke with him in 2015. Juan began to share his experience with wage theft with interviewers and what he learned. Eight months earlier, he had completed a 10-hour workday for an employer in Highlands Ranch, a Denver suburb. When they were returning to Denver, Juan told the employer he needed to pay his phone bill. The employer stopped outside a store so he could pay, but when Juan exited the store, the employer and Juan's payment for the workday had vanished. Juan recalled, "I didn't get his license plate, I didn't [even] know his name … I had just gone to work with him." There was no way for him to pursue his money. "I just left it with God," he stated, "because only God brings justice for people who don't have papers that are here undocumented." He attributed his exploitation to his lack of papers, but he also saw the value of gaining experience. Since this incident, he had learned strategies to avoid wage theft, including how to recognize when methods of payment appeared dubious: "And if they pay me badly, and it doesn't seem like a way of payment, well, I'm not going … I will look for another job." He would no longer take any job with unknown conditions. Juan summarized what he learned, "When I first moved here, I'd go with [any employer] … Not anymore. Now I have experience."

Workers like Juan learned how to prevent wage theft from experience: request clear terms up front, insist on payment in cash every day, work for known or repeat employers, get the employer's phone number, take pictures of completed work, and take a picture of the employer's license plate, even though license plates often proved unhelpful. Experienced day laborers taught newer arrivals different skills to land more jobs and earn higher hourly wages, whether it be in sheetrock, landscaping, painting, or roofing, recognizing that they had to be ready to take whatever job was offered. However, this knowledge was not necessarily useful when, by definition, day laborers are considered interchangeable and disposable (Theodore, Valenzuela, and Meléndez 2006; Doussard 2013; Ordóñez 2015). Discerning workers with experience may command a higher hourly wage and face fewer risks, but they may earn less overall because they end up working less. Regardless of experience and skill, older workers lamented that employers selected younger men or recent arrivals who asked fewer questions and were willing to work for less – $8 or $9 an hour, in contrast to $12–15. Even when workers believed that they had vetted an employer, employers could take advantage of trust to facilitate exploitation. For example, an employer might pay a worker at first and, once rapport is built, shift to paying weekly or biweekly. The employer then might begin gradually short-changing the worker, promising to pay later, and eventually disappear.

Experience and knowledge were insufficient to protect workers in the day labor market. Given their precarious work arrangements and under-enforcement of employment laws, even when workers knew their rights, they rarely recouped their money. Many day laborers reported that nothing could be done to prevent or redress wage theft. In the qualitative

database, the code *unable/unwilling to seek redress* was applied 52 times to patterns of workers not knowing where to report abuses, not seeking assistance from entities who failed to help, not wanting to fight or cause problems, and noting the opportunity cost of work. A common reason for not seeking redress was that it "takes too much time for too little." For example, one worker who was not paid had the employer's license plate and phone number. He called the employer multiple times, but the employer did not pick up. The worker was only owed $50, and it was not worth the time and effort to, as he said, "battle for it." He believed it was better to "leave it be … I want it to be over." Experience taught some workers that the most rational action was *not* to pursue unpaid wages and to look for another job instead. Chasing down payments with small chances of recovery posed a steep opportunity cost of missed workdays (Doussard 2013; Ordóñez 2015; Gleeson 2016).

Lack of legal status was certainly an obstacle to transitioning out of day labor, but documentation was not necessarily protective. For example, Victor was originally from Mexico but had been in the United States since he was a toddler. He had legal authorization, spoke English, and previously had a full-time job; as he said, "I had everything." After a bad turn of events, Victor became homeless. He was relatively new to the *liebre*, but from prior experience, he felt he could assess honest employers. However, he said that he protected himself from wage theft by only speaking English with employers. Victor explained, "I mean, I got my papers and everything, but some people … they see you talking Spanish or something and they … don't want to pay you because you're an immigrant. So they take advantage of you," speaking to the ways that Latino appearance and language are used to assume "illegality," discriminate against, and exploit Latino immigrant workers regardless of status (Fussell 2011; Valdez et al. 2019). Workers like Victor insisted on speaking English to avoid discrimination and assumptions of being unauthorized. As the interview was ending, a truck pulled up offering work, but no one would take it, a telltale sign of an employer who had exploited workers in the past. The driver yelled, "Do any of you actually want to [expletive] work?", after which Victor got into the truck. Despite his US experience, legal status, and English abilities, his homelessness and lack of experience in day labor made him willing to test his luck as unstable housing and insecure work viciously reinforce each other.

Claudio's case is further instructive regarding the limits of experience and knowledge, as well as the cumulative weathering impacts of duration in the United States as a day laborer. Researchers met Claudio at Federal and 19th in Summer 2015. He was 53, originally from Veracruz, Mexico, and had been living in Denver since 2003. Previously, he had found work at temporary staffing agencies, but after the wider implementation of E-verify,[4] undocumented workers like Claudio no longer had this option. In December 2014, he broke his foot after falling from a ladder on the job. Due to his injury, he could not work for over a month. He never told his employer because he wanted to avoid problems, but he was anxious about his outstanding hospital bill.

[4]E-Verify is a program that enables participating employers to verify their employees' eligibility to work in the United States by electronically corroborating their information with records held by the Social Security Administration and Department of Homeland Security (see US Department of Homeland Security 2019).

Claudio was planning to return to Mexico in Fall 2015. Life in the United States had simply become too difficult after his injury and the death of his US-citizen partner, upon whom he relied for housing, her disability benefits, and emotional support. He used to be a member of El Centro but lost faith after his accident. He called to ask for assistance, but no one returned his call. When interviewers followed up to ask Claudio if he had ever experienced wage theft, Claudio reported that he subsequently experienced wage theft from the same employer for whom he had been working when he broke his foot. Why would Claudio return to this employer? As a prior member of El Centro, he knew how to avoid unscrupulous employers, especially to never return to an employer with unsafe working conditions. He looked at the interviewers as if the answer were obvious, stating, "There is not much work." He could only work intermittently since his foot had still not healed, but the employer only gave him half the amount of pay he had been promised. The employer kept promising to pay him later, and Claudio kept working because he lacked an alternative. Claudio had a pocket full of business cards, one with the name of an attorney someone had given him. He tried calling, but the message was in English and he gave up. He grew tired of making calls.

Duration in day labor can exert compounding impacts on workers' bodies and livelihoods as they spend more time in the United States in nonstandard work with few protections and little employer accountability (Quesada et al. 2014). Even workers who claimed they rarely came to the *liebre* (they merely lacked work temporarily) or had prior formal employment like Claudio or Victor were not exempt from risk because regular residential construction jobs increasingly resembled the conditions of informal work. Residential construction exists in a symbiotic relation with day labor as it relies on short-term and flexible contracts, thereby creating a pool of workers displaced from, and willing to work in, compressed low-wage labor markets (Doussard 2013; Theodore, Valenzuela, and Meléndez 2006; Theodore et al. 2015). Contractors frequently dispose of workers once a job ends or when the weather turns, leading workers to cycle in and out of semi-formal construction work, a series of employers who might call them that day, and the corner (Theodore, Valenzuela, and Meléndez 2006; Theodore et al. 2015; Doussard 2013; Ordóñez 2015). Time and experience can help day laborers cultivate employer relationships, but they frequently turn out to be unreliable or ephemeral (Ordóñez 2015).

Day laborers called the daily search for work and uncertain wages an ongoing "struggle." One worker connected this struggle to his friend succumbing to mental illness. "Logically," he said, "from so much suffering … I too have suffered all these years here … It is pure struggle and struggle." In Ordóñez's (2015, xx) ethnography, workers embodied this commodification of their bodies by referring to themselves as "*un leibor.*"[5] Injuries, unstable work and housing, racism, precarious legal status, and low wages produce a cumulative toll such that duration in the United States in contingent markets may aggravate day laborers' socio-structural vulnerability, especially as they age (Quesada et al. 2014). For Claudio, who no longer had a place to live after his partner died, who was still nursing his injury, and who had hospital bills catching up to him, there was little choice but to depart. Another Honduran worker, who had been in Colorado for 13 years, summed up these cumulative impacts as he

[5]This term mixes Spanish and English to refer to a day laborer but also connotes being perceived "as a unit of labor" (Ordóñez 2015, xx).

considered returning home: “When the time comes, you have to go, because being here once you get to a certain age, when you’re older, you don’t work, you know? … The US is no place for old men.”

Discussion and Conclusion

Our results depict the experiences of an aging generation of day laborers, most of whom have been in the United States for a long duration, and the vulnerabilities and advantages associated with US experience. Whereas prior studies posited day labor as a potential bridge to formal employment (Valenzuela et al. 2006; Theodore et al. 2015), there has been less focus on the predicament on those who persist in the contingent space of day labor over time. Human capital and legal status did not appear to offer day laborers advantages in terms of income, work, or protection against wage theft. Yet our study demonstrated that longer duration in the United States may aggravate disadvantage for those exposed to precarious work over time.

Although duration in the United States may accord hypothetical advantages in terms of legal knowledge and protective behavior, our mixed-methods study suggests that increased knowledge and experience yield little advantage in the day-labor market. Experienced workers appear to exercise discretion in the form of higher hourly wages and reduced wage theft but may do so at a substantial cost in terms of hours worked and earnings. As in other studies (e.g., Flippen 2012), longer duration was associated with modestly higher hourly earnings. However, the detailed five-day recall of work effort revealed a larger deficit in working hours, resulting in much lower earnings overall.

Longer-duration immigrants were 40 percent less likely to experience wage theft, but at the mean frequency and cost of the cumulative wage theft episodes, lost wages would only amount to about $10 per month, relatively small in comparison to their earnings deficit. As workers observed, in many cases, it was “not worth the battle.” However, wage theft also carries profound negative consequences in terms of recovery effort, stress, and ultimately health (Haro et al. 2020). Not pursuing wage claims risks normalizing wage theft, which undermines working conditions for all workers in vulnerable industries.

While discernment was a real factor, the qualitative narratives show how workers experienced and understood years of insecure work and compounding disadvantage. It is difficult to conclude whether the negative outcomes of duration in the survey reflected weathering or accumulated experience in contingent markets, negative selection, or a combination of the two. Longer duration immigrants worked fewer hours and earned less overall than more recent arrivals. However, because they also exhibited a significantly lower incidence of wage theft, earned higher hourly wages than any other group, and had more protective knowledge, a negative selection argument fails to explain their predicament. Rather than improvement with duration (Chiswick, Lee, and Miller 2005) or downward assimilation (Portes and Rumbaut 2001), our findings paint a more jagged picture of day laborers’ trajectories. However, as long duration immigrant day laborers’ wage and work profiles increasingly resemble our sample of US-born day laborers who worked and earned the least and experienced high incidences of homelessness despite more education,

protective knowledge, and legal status, they may risk downward assimilation over time into an underclass of contingent workers (Portes and Zhou 1993; Valdez 2006).

This relatively small-scale study of a single metro area has some limitations, including the small sample size, lack of longitudinal data, and potential selection biases that do not account for individuals who permanently exited the day labor pool due to formal employment, return migration, or death. Our study included US-born and authorized workers, but larger samples would bolster the ability to control for legal status. It is also possible that we missed younger, more recent arrivals through refusals to participate. Our survey did not explicitly account for years of exposure to day labor, but our qualitative interviews demonstrated that even workers with formal employment experience cycled in and out of day labor over time.

Even with these limitations, our analysis highlights the need for real-time and longitudinal data on immigrants' cumulative exposures to contingent work and other adverse incorporation experiences (Valdez 2006). While studies of segmented assimilation tend to focus on negative outcomes affecting the second generation (e.g., Portes and Rumbaut 2001), it is also imperative to address how adverse incorporation experiences, including discrimination, immigration fear, and contingent work, shape first-generation incorporation trajectories over time, especially as older and longer duration Latino immigrants become an increasingly prevalent demographic group across multiple US states (Massey, Durand, and Pren 2016).

An aging and longer duration population of low-wage immigrant workers also poses practical challenges for worker centers and advocates. As day laborers' negative work experiences impinge on other aspects of their lives over time (Haro et al. 2020), worker centers with scarce resources also contend with addressing these accumulated social and psychological consequences. Indeed, the COVID-19 pandemic has highlighted many of these burdens and encouraged worker centers to incorporate a more direct role in managing emergency relief and safety net resources (Theodore and Chiarella 2020). Absent attention to the compounding impacts of day laborers' socio-structural vulnerability (Quesada et al. 2014), workers like Claudio understandably lose faith.

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References

Amuedo-Dorantes C, Gonzalez A, and Valenzuela A Jr. 2007. "Differences in Working Conditions by Undocumented Status: Evidence from the Day Labor Market." Unpublished manuscript.

Bernhardt A, Milkman R, Theodore N, Heckathorn DD, Auer M, DeFilippis J, González AL, Narro V, and Perelshteyn J. 2009. Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities. Los Angeles, CA: UCLA Institute for Research on Labor and Employment.

Boyas JF, Valera P, and Ruiz E. 2019. "Subjective Well-being among Latino Day Laborers: Examining the Role of Religiosity, Social Networks, and Cigarette Use." Health Promotion Perspectives 8(1): 46–53.

Cameron AC, and Trivedi PK. 2013. Regression Analysis of Count Data. Cambridge, MA: Cambridge University Press.

Chiswick BR, Lee YL, and Miller PW. 2005. "A Longitudinal Analysts of Immigrant Occupational Mobility: A Test of the Immigrant Assimilation Hypothesis." International Migration Review 39(2): 332–53.

Crotty SM 2014. "The Social Geography of Day Labor: Informal Responses to the Economic Downturn." Yearbook of the Association of Pacific Coast Geographers 76: 22–48.

Doussard M 2013. Degraded Work: The Struggle at the Bottom of the Labor Market. Minneapolis: University of Minnesota Press.

Flippen CA 2012. "Laboring Underground: The Employment Patterns of Hispanic Immigrant Men in Durham, NC." Social Problems 59(1): 21–42. [PubMed: 22844159]

Fussell E 2011. "The Deportation Threat Dynamic and Victimization of Latino Migrants: Wage Theft and Robbery." The Sociological Quarterly 52(4): 593–615.

Galvin DJ 2016. "Deterring Wage Theft: Alt-labor, State Politics, and the Policy Determinants of Minimum Wage Compliance." Perspectives on Politics 14(2): 324–50.

Gleeson S 2016. Precarious Claims: The Promise and Failure of Workplace Protections in the United States. Berkeley: University of California Press.

Gustafson P, Gilbert M, Xia M, Michelow W, Robert W, Trussler T, McGuire M, Paquette D, Moore DM, and Gustafson R. 2013. "Impact of Statistical Adjustment for Frequency of Venue Attendance in a Venue-based Survey of Men Who Have Sex with Men." American Journal of Epidemiology 177(10): 1157–64. [PubMed: 23639936]

Hall M, Greenman E, and Yi Y. 2018. "Job Mobility among Unauthorized Immigrant Workers." Social Forces 97(3): 999–1028.

Haro A, Kuhn R, Rodriguez M, and Valenzuela A. 2020. "Beyond Occupational Hazards: Abuse of Day Laborers and Health." Journal of Immigrant and Minority Health 22: 1172–83. [PubMed: 32989653]

Harris PA, Taylor R, Thielke R, Payne J, González N, and Conde JG. 2009. "Research Electronic Data Capture (REDCap)—A Metadata-driven Methodology and Workflow Process for Providing Translational Research Informatics Support." Journal of Biomedical Informatics 42(2): 377–81. [PubMed: 18929686]

Massey DS, and Gentsch K. 2014. "Undocumented migration to the United States and the Wages of Mexican immigrants." International Migration Review 48(2): 482–99. [PubMed: 27134328]

———,Durand J, and Pren KA. 2016. "The Precarious Position of Latino Immigrants in the United States: A Comparative Analysis of Ethnosurvey Data." The Annals of the American Academy of Political and Social Science 666(1): 91–109.

Meléndez EJ, Visser MA, Theodore N, and Valenzuela A Jr. 2014. "Worker Centers and Day Laborers' Wages." Social Science Quarterly 95(3): 835–51.

———,Visser MA, Valenzuela A Jr., and Theodore N. 2016. "Day Labourers' Work Related Injuries: An Assessment of Risks, Choices, and Policies." International Migration 54(3): 5–19.

Ordóñez JT 2015. Jornalero: Being a Day Laborer in the USA. Berkeley: University of California Press.

Organista KC, Arreola SG, and Neilands TB. 2016. "La Desesperación in Latino Migrant Day Laborers and its Role in Alcohol and Substance-Related Sexual Risk." SSM-Population Health 2: 32–42. [PubMed: 29349126]

Phillips JA, and Massey DS. 1999. "The New Labor Market: Immigrants and Wages after IRCA." Demography 36(2): 233–46. [PubMed: 10332614]

Portes A, and Zhou M. 1993. "The New Second Generation: Segmented Assimilation and its Variants." American Academy of Political and Social Science 530: 74–97.

———, and Rumbaut RG. 2001. Legacies: The Story of the Immigrant Second Generation. Berkeley: University of California Press.

Quesada J, Arreola S, Kral A, Khoury S, Organista KC, and Worby P. 2014. "'As Good as It Gets': Undocumented Latino Day Laborers Negotiating Discrimination in San Francisco and Berkeley, California, USA." City & Society 26(1): 29–50. [PubMed: 24910501]

Theodore N 2017. After the Storm: Houston's Day Labor Markets in the Aftermath of Hurricane Harvey. Chicago: Great Cities Institute, University of Illinois at Chicago.

———. 2020. "Regulating Informality: Worker Centers and Collective Action in Day-labor Markets." Growth and Change 51: 144–60.

———, and Chiarella A. 2020. Meeting the Moment: An Early Assessment of the Immigrant Worker Safety Net Fund during the COVID-19 Pandemic. Pasadena, CA: National Day Labor Organizing Network.

———, Valenzuela A Jr, and Meléndez E. 2006. "La Esquina (The Corner): Day laborers on the Margins of New York's Formal Economy." WorkingUSA 9(4): 407–23..c

———, Blaauw D, Schenck C, Valenzuela A Jr, , Shoeman C, and Meléndez E. 2015. 6(6): 807–23.

Treas J, and Gubernskaya Z. 2016. "Immigration, Aging, and the Life Course." In Handbook of Aging and the Social Sciences, 8th ed., edited by George LK and Ferraro KF, 143–61. Academic Press.

US Department of Homeland Security. 2019. "Verify Employment Eligibility (E-Verify)." Updated March 26, 2019. Accessed February 12, 2021. https://www.dhs.gov/how-do-i/verify-employment-eligibility-e-verify.

Valdez Z 2006. "Segmented Assimilation among Mexicans in the Southwest." The Sociological Quarterly 47(3): 397–424.

———,Plankey-Videla N, Murga AL, Menchaca AC, and Barahona C. 2019. "Precarious Entrepreneurship: Day Laborers in the US Southwest." American Behavioral Scientist 63(2): 225–43.

Valenzuela A Jr., , Theodore N, Meléndez E, and Gonzalez AL. 2006. On the Corner:Day Labor in the United States. Los Angeles, CA: UCLA Center for Urban Poverty.

Villarreal A, and Tamborini CR. 2018. "Immigrants' Economic Assimilation: Evidence from Longitudinal Earnings Records." American Sociological Review 83(4): 686–715. [PubMed: 30555169]

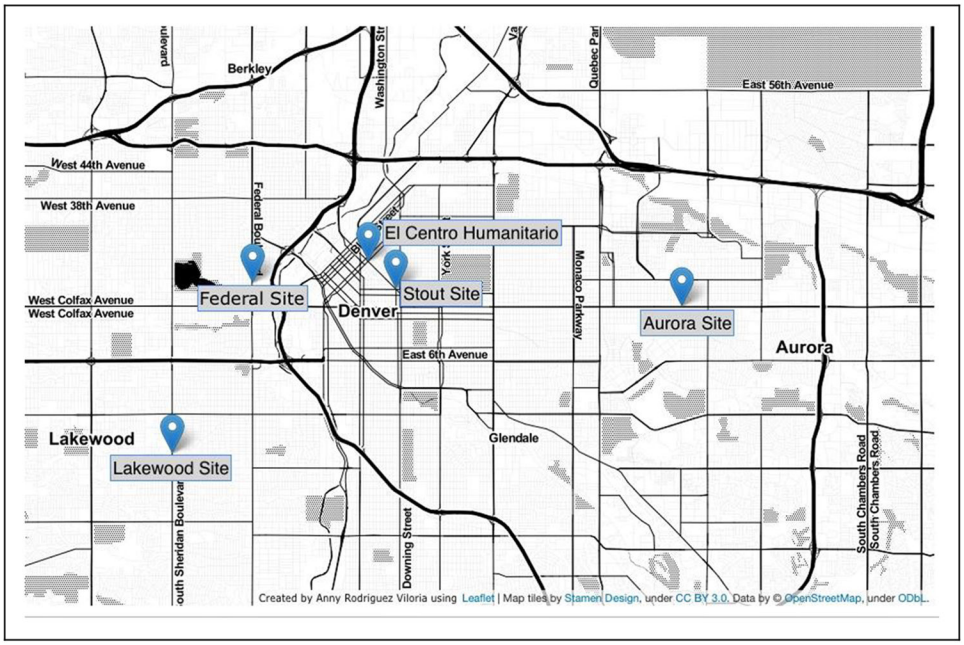

Figure 1.
Map of day labor hiring sites in Denver metropolitan area.

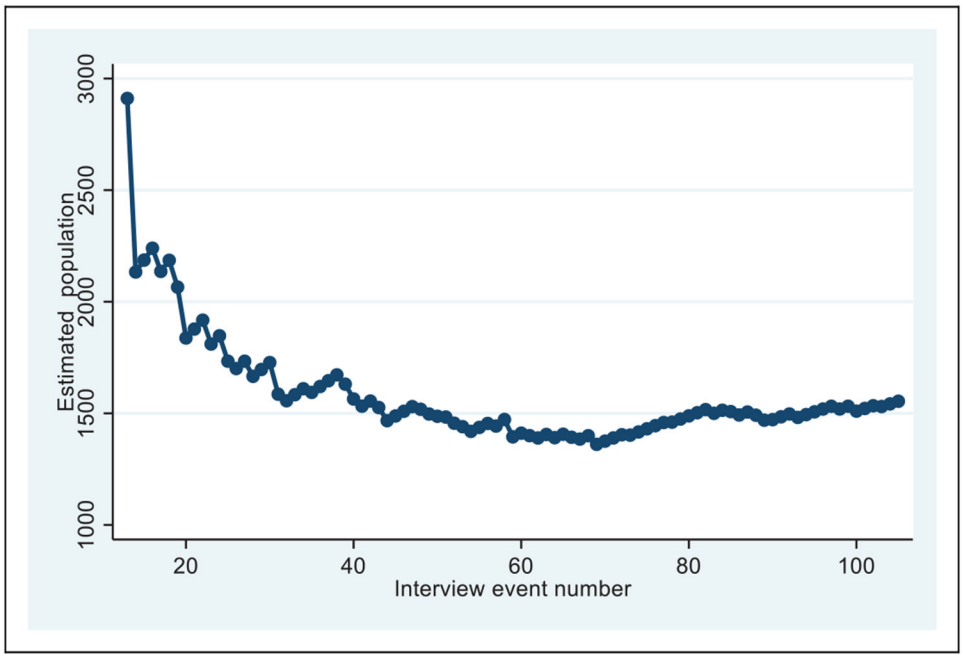

Figure 2.
Capture-recapture estimate of worker population.

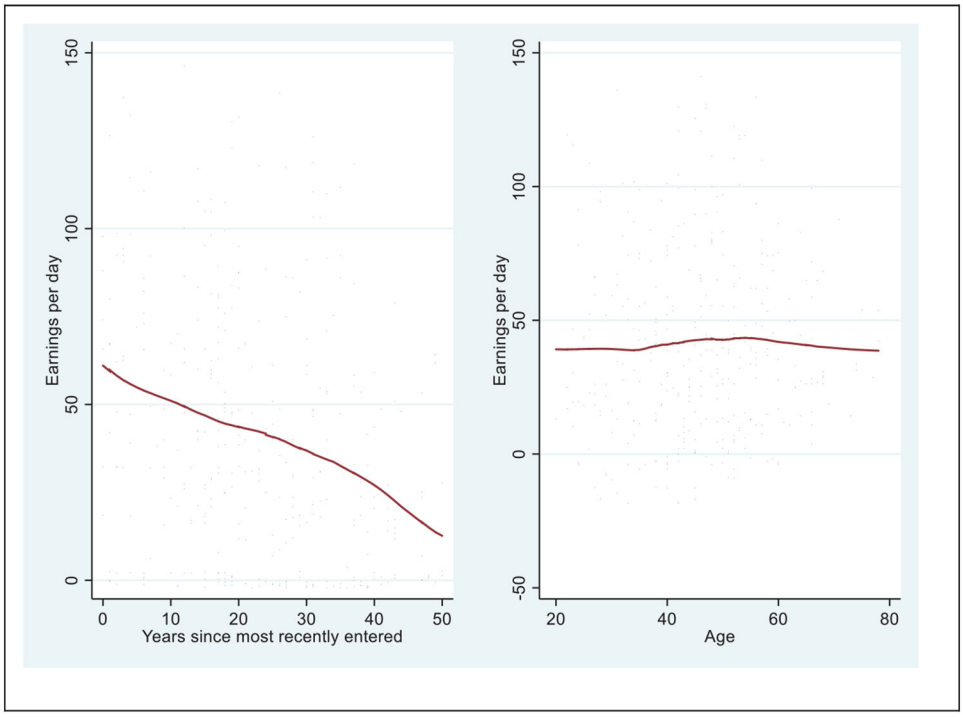

Figure 3.
Smoothed joint relationship of age and duration to daily earnings results of multivariate locally-weight least squares (lowess) regression.

Table 1.

Country of Origin, Duration in US, and Age by Study Site.

	Total (*n* = 393)	Dayton/ Colfax (*n* = 136)	Federal/19th (*n* = 63)	Kentucky/ Sheridan (*n* = 72)	Stout/Park (*n* = 59)	El Centro (*n* = 63)
Duration since first arrival						
0–4 years	10%	12%	8%	16%	3%	5%
5–9 years	6%	9%	5%	3%	9%	3%
10–19 years	26%	28%	24%	30%	14%	27%
20+ years	46%	35%	60%	33%	62%	59%
US-born	12%	16%	3%	18%	12%	6%
Age						
20–29	15%	22%	10%	21%	7%	3%
30–39	18%	24%	2%	24%	12%	22%
40–49	33%	33%	51%	36%	28%	16%
50–59	22%	14%	27%	13%	31%	33%
60+	13%	7%	11%	7%	22%	27%
Country of birth						
Mexico	69%	52%	87%	70%	76%	78%
Other	19%	32%	10%	12%	12%	16%
US	12%	16%	3%	18%	12%	6%

Table 2.

Mean of Key Independent Variables, by Duration Since First Arrival in US.

		Duration			
Control Variable	**Total (*n* = 393)**	**0–9 years (*n* = 60)**	**10–19 years (*n* = 101)**	**20+ years (*n* = 183)**	**US-born (*n* = 49)**
Born in Mexico	69%	54%	72%	90%	n/a
Lived in another US state	76%	52%	65%	89%	82%
Authorized immigrant	42%	25%	27%	43%	n/a
Proficient/Fluent English	30%	10%	18%	27%	96%
Years of schooling	8.2	8.7	7.5	7.5	11.8
Age	44.7	35.6	41.2	51.5	38.4
Owns smartphone	64%	75%	76%	56%	59%
Ever homeless	40%	32%	31%	40%	66%
Worker center member	28%	11%	33%	34%	12%

Table 3.

Mean of Employment Outcomes, Wage Theft and Self-protection.

		Duration			
	Total	**0–9 years**	**10–19 years**	**20+ years**	**US-born**
Day labor activity					
% of days look for/had work	54%	64%	54%	54%	44%
% of days worked	40%	56%	44%	35%	28%
Hours worked					
On average working day	7.0	7.8	6.7	6.8	6.9
On all days	2.7	4.4	2.8	2.4	1.8
Wages and earnings					
Average hourly wage	15.60	14.74	15.59	16.27	14.46
% of work days below min. wage	7.3%	8.1%	4.2%	5.6%	21.9%
On average working day	107.80	117.34	103.58	108.60	98.22
On all days	42.38	63.59	46.23	38.01	22.43
Wage theft					
Ever experienced	62%	53%	66%	61%	68%
Last six months	19%	31%	22%	11%	15%
Total owed (if any episode)	348	305	337	303	564
Self-protection					
Knows minimum wage	22%	19%	21%	22%	33%
Knows Fair Labor Standards Act	14%	8%	17%	13%	22%
Knows Colorado Wage Claim Act	12%	8%	10%	12%	18%
Collects employer contact info	41%	41%	31%	44%	49%
Records days/hours worked	64%	60%	63%	65%	69%
Knowledge score (of 8 points)	2.4	1.9	2.3	2.4	3.0

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Table 4.

Covariates of Five-day Earnings Report, OLS Models.

Variables	(I) Base model	(II) Location/Season controls	(III) Age controls	(IV) Other state controls	(V) Years in Colorado controls	(VI) Extended controls
Years in US						
0–9 years (reference)						
10–19 years	−7.08 (5.79)	−7.54 (5.61)	−8.00 (5.67)	−7.47 (5.63)	−9.22 (6.12)	−8.39 (5.84)
20+ years	−13.68 * (5.97)	−12.57 * (5.78)	−14.64 * (5.85)	−11.93 * (5.92)	−12.70 * (6.25)	−15.28 * (6.19)
US-born	−19.86 * (8.27)	−20.75 ** (8.01)	−21.18 ** (8.06)	−20.75 * (8.06)	−21.38 * (8.49)	−22.38 ** (8.54)
Age	−0.01 (0.18)	0.04 (0.17)		0.03 (0.17)	0.02 (0.18)	0.01 (0.18)
Schooling >=7 years	7.88 + (4.04)	7.83 * (3.91)	6.90 + (3.94)	7.94 * (3.92)	7.59 + (3.97)	7.09 + (4.10)
Authorized immigrant	−0.79 (4.00)	−2.54 (3.88)	−1.18 (4.09)	−2.36 (3.91)	−2.30 (3.94)	−2.13 (4.03)
Fluent English	−6.55 (4.87)	−7.68 (4.72)	−8.72 + (4.79)	−7.61 (4.73)	−7.74 (4.76)	−7.29 (4.87)
Owns smartphone	11.69 ** (3.91)	9.98 ** (3.80)	9.68 * (3.87)	10.26 ** (3.83)	9.95 ** (3.82)	10.17 * (4.01)
Never homeless	8.28 * (3.92)	6.91 + (3.92)	7.62 + (3.98)	6.83 + (3.96)	7.03 + (3.98)	7.63 + (4.10)
Worker center member	−2.85 (4.17)	−3.55 (4.09)	−1.93 (4.16)	−3.62 (4.11)	−4.11 (4.16)	−2.86 (4.27)
Stout Street Site		−10.48 * (5.06)	−10.41 * (5.15)	−10.30 * (5.08)	−11.00 * (5.15)	−10.81 * (5.23)
Winter interview		−18.60 *** (3.93)	−19.92 *** (3.98)	−18.47 *** (3.97)	−19.09 *** (3.98)	−16.20 *** (4.57)
Constant	38.56 *** (9.16)	45.35 *** (8.95)	40.58 *** (9.33)	46.46 *** (9.22)	41.71 *** (9.79)	49.67 *** (12.75)
Observations	393	393	393	393	393	393
R-square	0.12	0.18	0.21	0.18	0.19	0.21
−2 log likelihood	−1945	−1931	−1925	−1930	−1930	−1925
DF	10	12	22	14	16	30
AIC	3911.1	3887.3	3896.0	3890.8	3893.3	3912.2
BIC	3954.8	3938.9	3987.3	3950.4	3960.9	4035.4

Robust standard errors in parentheses.

*** $p < 0.001$

** $p < 0.01$

* $p < 0.05$

$^{+}p < 0.1$.

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Table 5.

Covariates of Self-protection, Wage Theft.

Variables	Self-protection (Poisson regression)	Wage theft in past six months (Logistic regression)				
		Base model	Work effort control	Location/Season controls	Protection index control	Extended controls
Years in US						
0–9 years (reference)						
10–19 years	0.15 (0.11)	−0.55 (0.38)	−0.54 (0.38)	−0.52 (0.38)	−0.51 (0.39)	−0.47 (0.41)
20+ years	0.05 (0.12)	−0.90 * (0.42)	−0.88 * (0.42)	−0.87 * (0.42)	−0.87 * (0.42)	−0.90 + (0.46)
US-born	0.19 (0.15)	−1.22 * (0.58)	−1.20 * (0.59)	−1.17 * (0.59)	−1.16 * (0.59)	−1.15 + (0.65)
Age	0.00 (0.00)	−0.04 ** (0.01)	−0.04 ** (0.01)	−0.04 ** (0.01)	−0.04 ** (0.01)	−0.05 *** (0.02)
Schooling >=7 years	0.10 (0.08)	0.05 (0.30)	0.05 (0.30)	0.06 (0.30)	0.07 (0.30)	−0.05 (0.32)
Authorized immigrant	0.27 *** (0.07)	0.45 (0.30)	0.45 (0.30)	0.49 (0.30)	0.52 + (0.31)	0.49 (0.32)
Fluent English	0.17 * (0.09)	−0.32 (0.38)	−0.31 (0.38)	−0.28 (0.38)	−0.25 (0.38)	−0.18 (0.40)
Owns smartphone	0.09 (0.07)	−0.41 (0.29)	−0.43 (0.29)	−0.41 (0.30)	−0.39 (0.30)	−0.38 (0.32)
Never homeless	0.14 + (0.07)	−0.74 * (0.31)	−0.75 * (0.31)	−0.73 * (0.32)	−0.71 * (0.32)	−0.56 + (0.34)
Worker center member	0.27 *** (0.07)	−0.17 (0.33)	−0.15 (0.33)	−0.13 (0.33)	−0.08 (0.34)	0.02 (0.35)
Work hours per day			0.02 (0.06)	0.04 (0.06)	0.04 (0.06)	0.03 (0.07)
Stout Street Site	0.07 (0.10)			0.22 (0.38)	0.23 (0.38)	0.41 (0.40)
Winter interview	0.11 (0.07)			0.30 (0.31)	0.30 (0.31)	0.55 (0.37)
Protection index					−0.05 (0.07)	−0.05 (0.07)
Constant	0.16 (0.18)	1.48 * (0.67)	1.43 * (0.69)	1.29 + (0.70)	1.33 + (0.71)	1.42 (1.07)
Observations	393	393	393	393	393	393
−2 log likelihood	−815.4	−184.1	−184.1	−183.4	−183.2	−174.6
DF	12	10	11	13	14	32
AIC	1656.9	390.2	392.1	394.9	396.3	415.3
BIC	1708.5	434.0	439.8	450.5	455.9	546.4

Robust standard errors in parentheses.

*** $p < 0.001$

** $p < 0.01$

* $p < 0.05$

+ $p < 0.1$.