

# RECLAIMING OUR WAGES

NOV. 6–7, 2009 • WASHINGTON, DC  
NATIONAL  
EMPLOYMENT  
LAW PROJECT

A Conference on Organizing, Public Policy and Workers' Rights

## Conference Agenda

At the University of the District of Columbia School of Law  
(see map in your folder for building locations)

Friday, November 6<sup>th</sup>

8:00 – 9:00 **Breakfast & Registration – Auditorium, Building 46 East**

9:00 – 9:30 **Welcome**  
Auditorium Christine Owens, National Employment Law Project (NELP)

**Keynote Address**  
Congresswoman Lynn Woolsey, Chairwoman, Subcommittee on Workforce Protections,  
House of Representatives Committee on Education & Labor

9:30 – 11:00 **Plenary: Community and Government Partnerships for Just Pay**  
Auditorium  
Across the country, worker advocates are partnering with public agencies like state and federal departments of labor, state Attorneys General, and local prosecutors around wage enforcement. These innovative collaborations have resulted in the recovery of unpaid wages for workers and strong cease-and-desist orders to employers. Panelists will describe examples of joint efforts in California, Illinois, New York and elsewhere, and will lead a discussion of how to leverage public resources and on-the-ground know-how.

Chris Williams, Working Hands Legal Clinic  
Henry Huerta, CLEAN Carwash Campaign  
Terri Gerstein, New York State Department of Labor  
Jennifer Gordon, Fordham Law School

*Moderator: Cathy Ruckelshaus, NELP*

11:00 – 11:15 **Break**

11:15 – 12:45  
Auditorium

### **Plenary: Wage Justice Goes National – Challenges and Opportunities for Worker Centers**

Worker centers are going national, creating networks of member organizations and turning their eyes to federal reform. What does a national strategy around wage enforcement look like for a movement that is grounded in local grassroots organizing? Hear from leaders of five networks as they discuss different strategies for going to scale with the fight for wage justice.

Ai-jen Poo, Domestic Workers United  
Chris Newman, National Day Laborer Organizing Network  
Saru Jayaraman, Restaurant Opportunities Centers United  
Javaid Tariq, New York Taxi Workers Alliance  
Kim Bobo, Interfaith Worker Justice

*Moderator: Christine Owens, NELP*

12:45 – 2:00  
Windows Lounge  
Building 38

### **Lunch (provided) – CONFERENCE MOVES TO LAW SCHOOL (BUILDINGS 38 + 39)**

2:00 – 3:30

### **Concurrent Panels 1**

Room 201  
Building 39

### **Federal Enforcement: A New Sheriff is in Town**

When Secretary Solis was sworn in, she put low-road employers on notice that there was a “new sheriff in town” and that their tactics would no longer be tolerated. Panelists will share their thoughts on how the new Administration can re-invigorate the US DOL’s enforcement of wage and hour laws. Panelists will discuss best practices in state enforcement of wage and hour laws, DOL’s practices and priorities, and ideas for new reforms.

Jonathan Kronheim, U.S. Department of Labor  
Catherine Ruckelshaus, NELP  
Joanne Goldstein, Office of the Attorney General, Massachusetts  
David Weil, Boston University School of Management

*Moderator: Judy Conti, NELP*

Windows Lounge  
Building 38

### **Balancing Immigration and Labor Law Enforcement in the Workplace**

How should the new Administration balance enforcement of immigration law with the need to more aggressively enforce hard-won workplace rights? Join our panelists in a discussion of the current government practices, the role of federal agencies in protecting victims of severe labor abuse, and new policies that can recalibrate this balance.

Jennifer Rosenbaum, New Orleans Workers’ Center for Racial Justice  
Esther Olavarria, U.S. Department of Homeland Security  
Anna Park, U.S. Equal Employment Opportunity Commission  
Deborah Greenfield, U.S. Department of Labor

*Moderator: Rebecca Smith, NELP*

3:30 – 3:45

### **Break**

3:45 – 5:15

**Concurrent Panels 2**Room 201  
Building 39**It's All About the Industry: How Sectors Shape Organizing and Policy Strategies**

Industries have a profound effect on violations of minimum wage, overtime, and other employment and labor laws. Changing how employers behave means understanding the economic structure of sectors. Panelists will discuss the impact of industries on organizing and policy strategies with examples from retail, janitorial work, warehousing logistics, and home health care and child care.

Lilia Garcia, Maintenance Cooperation Trust Fund

Andrew Friedman, Make the Road New York

Nick Allen, Change to Win

Peggie Smith, University of Iowa College of Law

*Moderator: Annette Bernhardt, NELP*Windows  
Lounge  
Building 38**Hot Topics in Wage Justice Litigation**

Leading litigators bringing groundbreaking wage and hour cases will discuss new developments for worker advocates – including tipped employee rules, special issues for undocumented workers enforcing their wage and hour rights, and recent rulings in home care, building security, and related service industries, to name a few. Panelists will also describe federal legislative developments in the wage and hour field, and will engage in a discussion around other hot topics raised by the audience.

Justin Swartz, Outten &amp; Golden LLP

Janet Herold, SEIU

Marni Willenson, Cross Law Firm

Celine McNicholas, United States House Committee on Education and Labor

*Moderator: Mary Bauer, Southern Poverty Law Center*

6:00 – 8:00

**Evening Reception – Hosted by NELP, open bar!**Omni  
Shoreham  
Hotel,  
Palladian  
Ballroom

The Omni hotel is two stops from UDC. Take the Red Line to the Woodley Park-Zoo/Adams Morgan stop. The hotel is located one block from the Metro. Once you have exited the Metro via the escalators, go to the right and down the stairs. Go to the left and walk to Calvert St (1 block). Cross the street and take a right. The hotel will be on your left hand side. The address is 2500 Calvert Street NW (at Connecticut Avenue).

Saturday, November 7<sup>th</sup>8:00 – 9:00 **Breakfast – Windows Lounge, Building 38**9:00 – 10:30 **Concurrent Workshops 1**Room 201  
Building 39**Connecting Research to Organizing and Wage Enforcement Campaigns**

Research doesn't have to be disempowering; it can help make the case for change, and bring the lives and voices of workers into the policy arena. Join with other participants to discuss different models for integrating research into organizing and wage enforcement campaigns.

Nik Theodore, Center for Urban Economic Development  
Emily Timm, Workers Defense Project  
Minsu Longiaru, Restaurant Opportunities Center of Michigan  
Lupe Gamboa, Oxfam America

*Facilitator: Annette Bernhardt, NELP*

Room 205  
Building 39**Beyond Unpaid Wages: Innovative Strategies in the Fight for Workers' Rights**

Just as "where there is smoke, there is fire," where there are wage and hour violations, there are usually other workplace violations as well. This discussion will include some of the country's most creative advocates who have taken on and won workplace justice campaigns that go beyond unpaid wages. Their stories will be the jumping-off point for a discussion about creative worker-driven strategies.

Luis Larin and Armando Tema, United Workers  
Matthew Sirolly, Wage Justice Center  
Cleve Williams, Cincinnati Interfaith Workers Center

*Facilitator: Ted Smukler, Interfaith Worker Justice*

Windows  
Lounge  
Building 38**Workers' Rights and Immigration Reform**

Worker centers' members are among the communities most affected by upcoming comprehensive immigration reform. What do members need in immigration reform? What negative provisions will they need to anticipate? How will worker centers engage in the broader debate?

Chris Newman, National Day Laborer Organizing Network  
Daniel Castellanos, Alliance of Guestworkers for Dignity  
Ai-jen Poo, Domestic Workers United  
Tyler Moran, National Immigration Law Center

*Facilitator: Rebecca Smith, NELP*

10:30 – 10:45 **Break**

**10:45 – 12:15 Concurrent Workshops 2**

Windows  
Lounge  
Building 38

**Private Litigation in the Union and Worker Center Context**

Private litigation is a powerful tool for unions and worker centers in organizing campaigns as well as in the advancement of individual workers' rights. Join panelists in discussing how to navigate complicated issues that may arise in the course of such litigation, including differing organizing and litigation strategies, ethical issues, and potential conflicts.

Audrey Richardson, Greater Boston Legal Services  
Saru Jayaraman, Restaurant Opportunities Centers United  
Bill Lurye, AFL-CIO

*Facilitator: Justin Swartz, Outten & Golden LLP*

Room 201  
Building 39

**Organizing Together: Partnerships between Unions and Worker Centers**

Recent collaborations between unions, worker centers and their national networks signal hope for more effective organizing outside conventional campaign models. Panelists at this workshop will discuss the strengths and challenges of several ongoing initiatives, including partnerships initiated by the National Day Laborer Organizing Network and its member groups, and joint projects between the Laborers International Union of North America and El Centro del Inmigrante in the New York area, among others.

Ed Ott, Murphy Institute for Worker Education and Labor Studies, CUNY  
Sarahi Uribe, National Day Laborer Organizing Network  
Gonzalo Mercado, El Centro del Inmigrante  
Dave Johnson, Laborers Eastern Region Organizing Fund

*Facilitator: Victor Narro, UCLA Downtown Labor Center*

Room 205  
Building 39

**Protecting Victims of Labor Trafficking**

Since 2000, T and U visas have been available for victims of serious labor trafficking under the landmark Trafficking Victims Protection Act. Practitioners will discuss the nuts and bolts of applying for these visas as well as their implications in worker center campaigns.

Kristin Graunke, Southern Poverty Law Center  
Spring Miller, Southern Migrant Legal Services

*Facilitator: Hillary Ronen, La Raza Centro Legal*

**12:15 – 1:45 Lunch (provided) and Lunch Plenary**

Windows  
Lounge  
Building 38

**Bringing Wage Justice Into the Larger Progressive Agenda**

All of us want to get to greater scale and impact – but too often, we still end up working in silos when it comes to concrete campaigns and policies. What will it take to bring wage justice into the larger progressive arena? Hear from our three panelists as they stretch beyond specific issues and constituencies to imagine a truly integrated agenda for change.

Rinku Sen, Applied Research Center  
Ed Ott, Murphy Institute for Worker Education and Labor Studies, CUNY  
Sarita Gupta, Jobs with Justice

*Moderator: Annette Bernhardt, NELP*

1:45 – 2:00

**Break**

2:00 – 3:30

**Participant-Organized Meetings**

Windows  
Lounge  
Building 38

**Strategy Meeting on Regional U.S. DOLs in the Southeast**

For states in which the U.S. DOL is the only alternative for wage enforcement, does it make sense to build a regional strategy? What would that strategy look like? What pressures can be brought to bear on U.S. DOL regional offices, either in conjunction with or separate from national strategies? What other partners can we bring to the table? Organized by the Pro Bono Project, Oxfam America and NELP.

Room 201  
Building 39

**Developing a National Legal Support Network for Worker Centers**

As worker centers grow around the country, they encounter new geographic regions in which the legal community is not familiar with them, as well as new legal issues that involve the intersection of many different practice areas, including employment, labor, criminal, civil rights, immigration, and more. Come to this session to help develop a legal support network to allow private non-profit and for-profit attorneys around the country to learn and share with one another about meeting the legal needs of worker centers nationwide. Organized by ROC-United.

Room 205  
Building 39

**Capacity Building: Balancing Advocacy with Fundraising for Worker Centers and Non-Profit Coalitions**

Making significant change requires building strong, innovative, and sustainable organizations. In this session, we'll learn about the approach one group has taken in four key areas – attorneys' fees and *cy pres* funds; health insurance; social entrepreneurship & cooperatives; and membership – and then discuss the pros, cons, alternatives, and how-to's. Organized by the Florida Immigrant Advocacy Coalition.

3:30

**Conference ends**

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