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Essentially forgotten: How Covid could be a catalyst for long-term essential worker benefits

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The symptoms started for Hector Rojas on Thursday, April 5.

The 63-year-old general laborer finished his shift at a meat processing plant and wasn't feeling well. By Monday, he had a fever, felt dizzy and had no appetite. It got worse over the next three weeks: weakness, pain in his lungs, a nonstop cough.



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Rojas could not go to work. He could barely get out of bed. He never saw a doctor. He has no health insurance, and the clinic he goes to couldn't see him until June 30.

"I knew there was something going around," he said in Spanish, speaking through an interpreter. "I thought it was the flu. I never thought this was going to be something that really affected me, so I didn't pay much attention."

The cost to Rojas was significant. He received no paycheck while he was ill, and he ultimately lost his job.

Like thousands of Oregonians whose work was deemed essential as the Covid-19 pandemic raged, Rojas had no benefits to protect his job if he became ill. While hard data on the total number of essential workers who have contracted the

coronavirus is hard to come by, the state has documented workplace outbreaks in at least a half dozen food manufacturing plants in Oregon, accounting for hundreds of Covid-19 cases.

Outbreaks have been reported nationwide at other essential workplaces, including grocery stores, child care centers, nursing homes and prisons.

While some workers, like Rojas, have lost their jobs, there are countless heartbreaking stories of other essential employees who have lost their lives.

The lack of job protection for workers in some essential positions is not new. Inequities in the American workforce have existed for decades. It's a system where millions of workers providing services that keep the economy and our society humming — farmworkers, construction laborers, nursing home attendants, child care workers among them — are often paid low wages, have few health benefits and no paid sick leave, and limited opportunities for advancement. Nationally, workers in many of these fields are disproportionately women or black, indigenous, people of color and immigrants.

“I have mixed feelings about the phrase essential worker,” said Reyna Lopez, executive director of PCUN, a farmworkers union that advocates for Latinx workers. Rojas is a member. “I feel honored by it, yeah, we are essential. On the other hand, well, we were essential before and we will be essential after and we should be treated as essential.”

There are policy proposals being debated to make that a reality. Some are meant to address Covid; Others target longer-term solutions such as sustainable wages, job protection and universal health care for essential workers. Oregon OSHA has already instituted measures to protect farmworkers. Sen. Jeff Merkley has introduced similar legislation at the federal level. A national Essential Worker Bill of Rights, championed by Sen. Elizabeth Warren, would mandate paid sick and medical leave for workers and provide support for child care.

People in power are paying attention. And there is precedent for fundamental shifts in worker protection. Many programs included in the safety net that exists today were born out of the Great Depression. That catastrophic downturn exposed a system with few protections for Americans. Covid is doing the same today.

“Even some of the most basic worker protections aren’t yet universal,” said [Andrea Paluso](#), executive director of Family Forward, which advocates on behalf of child care providers and working families. “This kind of crisis at this scale really exposes a lot of those cracks. You begin to see the problems with the way the capital infrastructure works, the way our health care infrastructure works, the way our lack of child care infrastructure works.”

The essential workforce

Rojas moved to Oregon from Arizona 10 years ago to escape the desert heat. In a typical year the Keizer resident said he will have three different jobs. Sometimes he works for an employer directly; Other times he works for a contractor that provides laborers to clients.

When Rojas first fell ill in April, he had no choice but to stay home, even though he knew it meant losing his job. He didn’t have paid leave or insurance. He relied on the small amount of savings he had to get by for the month he was sick and then his time out of work.

Once better, Rojas worked for a time at a manufacturing plant. Masks were required and employee temperatures were taken upon arrival, but Rojas said he was concerned that workers were too close together. He shared a worktable with nine other people, he said.

He left that employer after a month and was unemployed again for several weeks before landing his current job as a laborer at a berry drying facility.

While Rojas has found employment during the pandemic, the opportunity to work from home was never an option — a reality for most every worker deemed essential during the pandemic. It’s what makes them essential. It’s also what puts them at a higher risk for exposure to Covid-19 than people who are able to work from a home office.

Essential workers are engaging with other people and some are traveling to work on buses and trains. A large percentage of them are women and BIPOC

Of those jobs that have been deemed essential, one in three is held by a woman, according to [an analysis by the New York Times](#). More than two-thirds of grocery checkers and fast food workers are women.

Here in Oregon, women make up 63 percent of the essential workforce, according to the Center for Economic and Policy Research. The center's research does not include agricultural work, which is largely Hispanic and indigenous, but it does include grocery, transit, delivery, building cleaning, health care and child care.

Oregon has also begun tracking workplace outbreaks of Covid-19. By July 8 there were 48 active workplace outbreaks including 181 at food processor Pacific Seafood in Newport, 115 at Lamb Weston in Hermiston, 61 at Bob's Red Mill in Milwaukie and 15 at Amazon's Troutdale warehouse, according to the Oregon Health Authority.

Rural Umatilla County, home of potato processor Lamb Weston, has seen a dramatic spike in Covid cases in recent days. In [an interview with Oregon Public Broadcasting](#), a county commissioner attributed the increase to an influx of seasonal agricultural workers. The county has 2 percent of the state's population but had about 20 percent of the state's new cases reported the week of June 29, according to OPB.

The state's Hispanic population has been disproportionately affected by Covid. Hispanic residents account for 13.4 percent of the state's population but make up 34.8 percent of total Covid-19 patients.

Beyond Covid

A portion of the worker safety net in place today is a result of policies embraced during or soon after another American economic calamity.

"I've been calling the pandemic our generation's Great Depression," said [Bob Bussel](#), a history professor and director of the Labor Education and Research Center at the University of Oregon.

The National Labor Relations Act of 1935, which gave workers the right to organize and collectively bargain, arose following the Great Depression. As did the Fair Labor Standards Act, which brought in minimum wages and overtime. The Social Security Act came to be in 1935.

"The depression of course lasted for almost the whole decade of the 1930s, and it inspired a lot of profound change," Bussel said. "And we got those (benefits) through a pretty unusual historical combination of lots of pressure from below."

Collective bargaining, a minimum wage and overtime pay were not novel ideas in the 1930s. They were pushed across the finish line, though, by the devastation wrought by the Great Depression.

Alejandro Queral is executive director of the Oregon Center for Public Policy, which researches tax, budget and economic issues. He said years of disinvestment have undercut existing worker protection programs.

“The safety net has been in tatters due to chronic lack of investment,” he said, adding that the coronavirus is an opportunity to reassess. “(Covid) is an opportunity to reframe the notion about the role that government plays in ensuring that folks have the necessary resources to be able to thrive.”

Several efforts are underway to do just that.

At the federal level, Merkley, who serves on the Senate Agriculture Appropriations Committee, helped introduce the Frontline At Risk Manual Laborers Act on June 23. It includes 10 days paid sick leave and hazard pay for agriculture workers.

Sen. Warren partnered with Rep. Ro Khanna on the Essential Worker Bill of Rights. The 10-item proposal includes protections for collective bargaining, wage premiums during the pandemic, universal paid sick leave and family medical leave, and protection for whistleblowers who report unsafe conditions. Several items were included in the HEROES Act that was passed by the House but has not been taken up by the Senate.

In Oregon, PCUN and the nonprofit Family Forward have had success in increasing access to unemployment and sick leave.

In April the state created the Oregon Worker Relief Fund with an initial \$10 million investment. The fund offers financial support for Oregonians who lost jobs in the pandemic but are not eligible for state or federal benefits due to immigration status. A 2018 Oregon State University study estimated there were more than 170,000 seasonal and migrant agriculture workers in the state.

An additional \$10 million was added to the relief fund in June.

“It’s something that immigrant rights advocates have never been able to do before,” said PCUN’s Lopez, of the worker relief fund. “And I think that it’s really because of

this term essential worker that people are saying, well, you're right, these immigrant workers are essential."

It's a start, but it's not nearly enough based on estimates from PCUN and other organizations that will disburse the funds. Those groups calculate the need closer to \$124 million.

On the caregiver front, Oregon earmarked \$30 million in CARES Act funds to assist child care providers, something that Family Forward fought for.

Family Forward and others also pushed for more than a decade for the recently enacted paid family and medical leave law and a statewide paid sick time law. Those protections, though, don't kick in until 2023, said Family Forward's Paluso.

The Families First Coronavirus Response Act enacted by Congress also comes up short Paluso said. It includes loopholes that leave out wide swaths of essential workers from sick leave, including exempting companies with more than 500 employees, certain employers with fewer than 50 employees, and emergency response and health care workers.

In April, Family Forward hosted a town hall meeting with Sens. Merkley and Ron Wyden, Rep. Suzanne Bonamici, working families and child care providers. The intent was to highlight what the lawmakers agree is a child care crisis in Oregon and to demand public money to subsidize child care providers during Covid.

Paluso said at the time she hopes that message will carry beyond the current crisis and that fundamental changes to address a system she said undervalues caregivers and exacerbates inequality will take hold.

"There's no system for paying for child care. There's no coherent system for kids zero to 5. Child care is an example of a market failure. There's no free market way to increase supply," Paluso said. "To get to the place where we have sufficient, high-quality, diverse, cultural competent care in all of Oregon, we need more public money."

A more equitable system

The lack of policy protections for essential workers during the pandemic has been further amplified by the racial reckoning sweeping the country. Both are rooted in

equity, or the lack thereof in terms of compensation, opportunities for advancement and wealth creation.

Just last year, OCPP reported income inequality between the state's highest earners and everyone else has never been higher, with the top 1 percent collectively earning more than the bottom half of all Oregonians.

"Without specific intentional policy interventions at the local and state level, we're likely to see consolidation in the ownership of real estate, ownership of business, the number of actors operating within a specific sector," said Paluso. "That's going to mean on the backside, frankly, that a lot more working people have less access to rights and fewer places to negotiate."

The opportunity is now, Queral said, to have a conversation that goes beyond immediate relief for essential workers during Covid.

"There's an opportunity to engage the public about a deeper conversation, which is beyond the safety net, on how do we structure our economy in a way that actually helps everybody," he said.

There is concern from worker rights advocates that inaction now could result in fewer protections going forward. Many employers and governments have already made deep cuts to their workforces and benefits. And the outlook makes clear that there is more economic pain ahead.

Oregon lawmakers are expected to address the estimated \$2.7 billion revenue shortfall in the current two-year budget cycle later this summer. In May, state economists presented estimates that included a \$4.4 billion shortfall in the 2021-23 budget.

Paluso and Queral worry that any budget cuts enacted will disproportionately hit the lowest income Oregonians.

"What would actually create a lot more stimulus is making sure that more people operating at the bottom of the economy have what they need to survive and thrive in this moment," Paluso said. "And that those people will be actors in a larger marketplace that will help those funds sort of trickle up."

PCUN's Lopez said worker safety conversations her group has had with employers have been positive. She said all sides are bringing ideas to the table, and she applauded temporary OSHA rules and a state package to provide PPE to farmworkers.

Even so, the conversations are hard, she said.

Historian Bussel added that it will be important to keep the conversations going beyond the pandemic. He pointed to the praise and benefits provided to first responders after the 9-11 attacks. And yet those individuals are fighting years later for health benefits to treat illnesses brought on by the toxic cleanup.

"I think we could have a short historical memory," he said.

As for Rojas, he is happy in his new job at a cannery that dries berries, which he started in June. The company requires masks and has hygiene protocols.

When asked about being an essential worker, Rojas deflected praise.

"I just feel I am a worker and need to do my job," he said.

He is angry, though, at what he describes as a lack of support for himself and other workers who have kept grocery store shelves stocked throughout the pandemic.

"The federal government didn't have any answers or anything in place to take care of these essential workers," he said. "And the state government seemed at first not to care for the essential workers in agriculture."

Essential workers, including immigrant and many migrant workers, pay taxes, Rojas said, adding that some of that money could be earmarked to help workers who don't otherwise qualify for benefits.

"I lost all my income from being sick," he said, "and it seemed no one really cared."

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