

# Worker Powered Co-Enforcement in the Bay Area: Pulling People into the Fight

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Over the last 20 years, the Chinese Progressive Association has been organizing workers and partnering with city and state government to build a new model to enforce low-wage immigrant workers' labor rights.

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## Introduction

**FOR LOW-WAGE WORKERS**—who are disproportionately women of color<sup>1</sup>—every dollar in their paycheck matters, and so does respect and fair treatment. Our laws and government are supposed to protect workers, but U.S. labor law is weak: the federal minimum wage is a poverty wage, and workers have no legal right to a guaranteed job or guaranteed income. But often the most immediate problem in low-wage workers' day-to-day lives is not the absence of better laws, but the fact that employers routinely violate the labor laws we already have. They steal workers' wages, fail to provide overtime pay and paid time off, maintain dangerous and unhealthy working conditions, and threaten to fire workers, cut their hours or report them to immigration enforcement authorities if they challenge employers' abusive practices. All of these employer practices are illegal, yet all are routine. And the systemic violations of existing law are highly racialized.<sup>2</sup>

The enforcement structures that do exist are woefully inadequate. Grossly under-resourced and too often hamstrung with limited power by corporate interests, labor enforcement agencies have been stuck on a hamster wheel that delivers too little too late to workers who speak up and no real consequences for abusive employers. Less than 2% of the \$50 billion stolen from workers annually is recovered.<sup>3</sup>

In the communities most affected by this crisis of labor enforcement, disproportionately low-wage immigrant workers, working people of color, and women, “worker centers” have been created by workers and activists as a vehicle for grappling with how to build worker power in this environment. Combining services with community-based organizing and advocacy, a worker center movement has grown from a handful of organizations in the late 1970s to more than 250 in the U.S.<sup>4</sup> and 30 in California alone.<sup>5</sup> The Chinese Progressive Association (CPA) in San Francisco is known to have created one of the first worker centers in the country.

This is the story of how and why CPA built power for workers and their community through an experimental co-governance model of labor enforcement, commonly called “co-enforcement.” Co-enforcement describes a set of strategies that put workers at the center of enforcing workplace laws, bringing public agencies and worker- and community-led organizations together to monitor and enforce low-wage workers’ rights. The base of Chinese immigrants that CPA organized throughout this time were often living with their families in single-room occupancy hotels (SROs) and other substandard housing while working in the restaurant industry. These workers, ranging from the lowest-paid “miscellaneous worker” to the tipped server, were experiencing minimum wage violations, lack of overtime pay, and unsafe conditions, as well as a great deal of stress and a sense of instability. Organizing these workers was a monumental task, and one that was utterly necessary.

## History

**CPA'S FOUNDING WAS INSPIRED** by Chinese elders who organized workers in the 1930s, the Black Panthers, and other liberation struggles. In the late 1960s, there were growing concerns with lack of services in the Chinese community, worker exploitation, and discrimination against Chinese immigrants. Young Asian American radicals in Chinatown



*Asian American activists in Chinatown*

learned from the Black Panthers and modeled “serve the people” programs, including childcare programs and women’s health clinics to activate the community, as well as build self-determination and power. Soon after, these young activists connected with and learned from elder Chinese activists, workers, and tenants to form CPA in 1972 as a grassroots organization grounded in the poor and working class Chinese immigrant community in solidarity with other marginalized communities.

By the turn of the century, San Francisco's economy and politics were undergoing significant changes. Old industries like garment manufacturing were leaving for countries with lower wages, cheaper operating costs, and fewer labor protections. The tech industry was in the throes of the dot-com boom and bust. In San Francisco city and county, Asian, Latino/a/x, and Black residents together made up 57 percent of the population, with Chinese residents constituting the largest non-white community. In fact, San Francisco's Chinese community was the largest in the country, representing one in five residents.

At the same time, people of color, especially working-class people of color, were poorly represented in politics. Just seven years before, state voters had passed the viciously anti-immigrant Proposition 187 to strip public services like education and healthcare from undocumented immigrants. Economic and political life in San Francisco was also powerfully

imbalanced in favor of employers, real estate investors, the tech industry, and upper-income and wealthy residents. However, the 2000 election marked an important political shift in the city, changing the terrain for organizing and CPA's workers' rights advocacy when progressives, labor, and grassroots community groups based in Asian, Black, and Latino/a/x communities were able to get six progressives elected to San Francisco's Board of Supervisors, forming a majority.

## Groundwork for Co-Enforcement

**THE CO-ENFORCEMENT MODEL IN SAN FRANCISCO** emerged out of the needs of low-wage workers at the turn of the century. Through the early 2000s, CPA—by then a nearly 30-year-old organization already with a rich history of organizing tenants and workers, especially in the garment industry—was responding to the garment industry laying off and stealing wages from workers in their community. Through CPA's unyielding efforts to win back wages for these workers, they laid a foundation for their leadership in future labor-community coalitions that would create the infrastructure for co-enforcement—formal community-government collaborations to enforce labor standards.

One particular workplace campaign broke new ground for CPA, forging key partnerships, new strategies, and a worker organizing center. Wins was the largest and one of the best known garment manufacturing operations in the 1990s in San Francisco with major clients like the U.S. military, JCPenney, Sears, Walmart and Tommy Hilfiger. In the spring of 2001, the Wins factories were operating without licenses, workers were not being paid or being given check stubs with no checks attached. As these violations came to light, one factory declared bankruptcy and closed, and the other two were closed by the Department of Labor. Up to 500 immigrant workers were laid off, even as they were collectively owed an estimated \$1.2 million, which amounted to months of unpaid wages.



*Wins workers protest.*

A tight-knit group of workers who had endured abuse for years were finally ready to fight for what they were owed. Guided by the leadership of a few key workers and the support of CPA, Asian Law Caucus, and Sweatshop Watch, the Wins workers, many of whom were elder, monolingual Chinese immigrants, protested. Their action drew the attention of the media, the public, and government, and caused most of Wins' major clients to cancel their outstanding orders.

A legal fight ensued, which ultimately exposed the tremendous shortcomings of the existing enforcement mechanisms to hold employers' accountable for egregious abuse. In 2008, after many twists and turns and due to continued community pressure, the workers were

ultimately paid the full \$1.2 million they were owed out of the state's Garment Worker Restitution Fund. However, the owners were never found liable and paid no penalties for their abuse of workers.

As one of the largest wage violation cases in California, the Wins case had a tremendous impact on CPA and worker organizing. The case was, at the time, a rare combination of organizing and legal advocacy. It jumpstarted new collaborations for CPA with partners like the Asian Law Caucus, the Women's Employment Rights Clinic, and government agencies. It also marked the launch of CPA's Worker Organizing Center, as "CPA" became synonymous with workers' rights advocacy and organizing in the Chinese immigrant community.

While the case exposed egregious labor practices in the garment industry and shamefully inadequate labor law enforcement, the story of the Wins workers' tenacity inspired future groups of workers to seek CPA's support. In fact, it spawned campaigns that would continue to reshape organizing and workers' rights in San Francisco and nationally. CPA decided they needed a strategic plan, and engaged in research to identify key industries for Chinese immigrant workers and to begin charting out a strategic vision for organizing beyond winning individual cases.

"When I began to experience wage theft, the boss frankly said that workers would never win because we didn't understand English and we didn't have legal connections, while they had money to hire lawyers to defend their violations. But wage theft had a huge impact on me and my family, and I felt depressed and powerless because I didn't know how to defend my rights. Later, we met Chinese Progressive Association and after more than three years of struggle, we won. This wasn't easy and I'm grateful."

-Li Liu

## Organizing for Stronger Enforcement

**OVER THE NEXT SEVERAL YEARS,** CPA developed and began implementing a strategy to make labor standards real for workers, synergizing organizing with workers on high-profile wage theft cases with coalitional power-building and policy advocacy. While CPA honed its organizing tactics through workplace cases, its advocacy strengthened a new local labor enforcement agency and established the nation's first publicly-mandated and -funded co-enforcement program.

In 2003, with the help of a new progressive majority on the Board of Supervisors, labor and community groups came together to make San Francisco one of the first in the country to establish a higher local minimum wage. This was one of the first times people-of-color-led organizations in San Francisco had engaged in a proactive ballot measure campaign. Soon after the minimum wage measure (called Proposition L)<sup>6</sup> passed, however, it was clear that the city lacked a plan to implement it, with no additional resources allocated to enforcement.



CPA and its allies won Proposition L, raising San Francisco's minimum wage and making it the highest in the country.

Two years earlier, the building trades and labor council had pushed the city to create San Francisco's Office of Labor Standards Enforcement (OLSE) to enforce prevailing wage requirements on city contracts, but the agency had just three staff when the local minimum wage law expanded OLSE's mandate exponentially. The agency also lacked the cultural and linguistic fluency to communicate with the large numbers of immigrant workers most impacted by the law.

Building on the broad community-labor coalition that came together to pass the minimum wage measure, CPA led the effort to craft minimum wage enforcement legislation that would clarify and strengthen OLSE's powers and to pass a city budget with increased funding for OLSE. The legislation also included the creation of a funded "community-based outreach program to conduct education and outreach to [San Francisco] employees" – a co-enforcement program in which community organizations like CPA would have a formal role in working with OLSE. It would take two years to pass.

While advocating for adoption of the Minimum Wage Implementation and Enforcement Ordinance, CPA shifted its organizing focus to workers in the restaurant industry. The industry employed the largest concentration of Chinese workers and was not subject to outsourcing pressures like garment manufacturing. Through its cases to recover stolen

wages, CPA built not only their base but also industry expertise and the experiential knowledge of and opportunities to highlight just how OLSE's limited staffing and resources were failing workers.

"We have to be able to be credible to the ones we are trying to bring into this fight, that there are actual things to be won by fighting... [There is a] baseline of having legitimacy with the base, showing them that laws can be real while also not trying to pretend that the laws are perfect or strong enough... we need to keep strengthening them and pulling people into the fight to improve the laws and policies that protect workers – and [that fight] is bigger than you, your workplace, and your boss."

- Shaw San Liu, CPA Executive Director

CPA's first high-profile restaurant organizing campaign in 2004 was also its first case with OLSE. The King Tin Restaurant was one of the oldest and most popular mid-sized restaurants in San Francisco's Chinatown with a 20-year history. However, workers at King Tin were working on average 55 hours a week without breaks. In the most extreme cases, janitors and dishwashers worked up to 105 hours a week—15 hours a day, 7 days a week—at a wage rate of barely \$3.00 an hour. After 30 workers organized and contacted state labor officials concerning two months of unpaid wages, King Tin Restaurant closed in July 2004 and then declared bankruptcy.

With the support of CPA, workers maintained the visibility of their case. They rallied in front of City Hall and, with the solidarity of garment workers and other community supporters, protested in front of the bankruptcy court. With CPA providing organizing support, OLSE responded by starting a complicated legal process. Ultimately, the workers' perseverance and solid testimonies led the city attorney to file a lawsuit, reaching a settlement in 2006 that recovered \$85,000 in back wages and interest for seven workers. This was partly made possible by a unique feature in Prop L, the 2003 minimum wage law, that allowed them to recover wages even after the owners filed for bankruptcy.

The King Tin case showed that Prop L could be a powerful tool in recovering workers' unpaid wages, but also highlighted the need for resources and continued collaboration between OLSE and community organizing entities like CPA. CPA began meeting with OLSE regularly during the case, highlighting the unique role of community organizations, with workers' trust and knowledge of their workplaces, employers and industry, in holding employers accountable in working-class immigrant communities. CPA's organizing also created the political pressure that proved necessary to hold the government accountable for enforcing the law.

In 2006, CPA and their coalition partners secured passage of the ordinance and budget that increased funds for OLSE, enabling the agency to hire Spanish and Chinese speakers and creating the co-enforcement program. The next year, CPA and partners, representing Chinese, Filipino and Latina/o/x low-wage workers across multiple industries and two legal aid organizations working with Asian Pacific Islander and Latina/o/x communities, formed the San Francisco Worker Rights Community Collaborative. The Collaborative handily won the contract to implement the community outreach program and begin formally co-enforcing the law in strategic collaboration with OLSE. The contract amounts would grow over the next decade: from \$186,000 a year to over \$600,000 a year—roughly 13 percent of OLSE's budget.

## Diversifying Strategies to End Wage Theft

**AS THEY CLOSED OUT THEIR FIRST DECADE** of workplace organizing, CPA managed to continue to build power, despite the twin challenges of a recession and intensifying gentrification in the Bay Area. CPA took on and sharpened its workplace organizing in the restaurant industry, while building out a more diversified strategy to push with their coalition partners for OLSE to address persistent barriers to a more effective and efficient enforcement process for low-wage, immigrant workers. Forming the Progressive Workers Alliance (PWA), San Francisco Rising, and a local Jobs with Justice chapter in 2010, CPA and their partners

united low-income communities of color to transform the political terrain in San Francisco and ultimately win yet another round of policies increasing OLSE's power and budget.



Forming the Progressive Workers' Alliance (PWA) and building a multiracial alliance.

understanding the nuances of specific industries, including obstacles to enforcement.

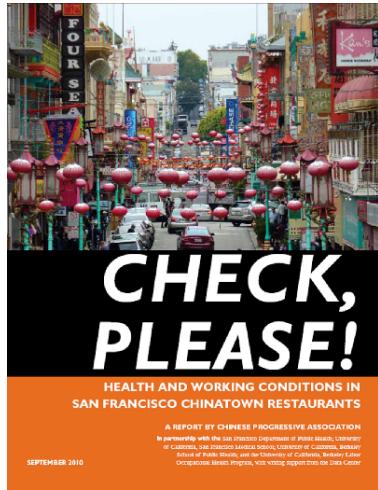
CPA's experimental workplace organizing during this time led to both learning and setbacks. It lost wage-enforcement campaigns against employers, and through the process learned hard lessons around the importance of organizing broad community support and of fully

Over time, these lessons helped CPA better determine what would and would not work and enabled the organization to hone its strategies and grow its capacity to build and exercise worker power to effect broader change. CPA developed a clearer assessment of power, achieving its first successful settlement without OLSE's involvement, and overcame a persistent challenge in past cases: getting workers involved in a fight while they were still working for the employer.

At the same time, CPA recognized that abuses continued to affect its base even after wages were recovered. These issues were systemic and couldn't be solved on a case-by-case basis.

In 2007, CPA, with academic and other research partners including University of California, Berkeley, launched participatory research with restaurant workers, engaging hundreds of workers in documenting their conditions. The resulting report, “[Check, Please!](#),” published in 2010, showed half of Chinatown restaurant workers were being paid below the minimum wage. “The report reflected what any worker could tell you,” Shaw San explained, “but [we]

needed that legitimacy of hard numbers and a report to continue building political visibility and weight of the work and make it a crisis for decision-makers to prioritize.” The report called for government agencies to adopt proactive enforcement strategies, in addition to responding to workers’ complaints, more resources for enforcement, and stronger protection from retaliation. “Check, Please!” and concurrent organizing, which included presenting powerful testimonies from workers that had suffered from wage theft and abuse, helped galvanize policymakers to take action not only for Chinese workers, but for low-wage workers across the city.



*Check Please!, a report published by CPA on health and working conditions in San Francisco Chinatown restaurants.*

to found the alliance in 2010, bringing together nine grassroots community organizations with non-union and unemployed worker bases to build shared vision and solidarity. While there was overlap in the groups participating in the Collaborative engaged in co-enforcement with OLSE, PWA was conceived as a separate organizational vehicle to do political organizing on workers’ issues.

CPA helped found other citywide alliances at the time, which also had some overlap with the Collaborative and PWA, but were unique vehicles for different strategies. These alliances included San Francisco Rising, a multiracial alliance that deepened and synergized the community-based electoral strategies they were implementing, and a local chapter of Jobs with Justice, a coalition of progressive labor unions and community groups. The progressive political blocks of organizations that these alliances represented ultimately helped to shape the political terrain that supported PWA’s policy campaigns and would lead to successful negotiations with Mayor Ed Lee in 2014 to put a strong joint measure on the ballot to increase the minimum wage to \$15.

In 2011, PWA launched the Campaign to End Wage Theft, turning “wage theft” into a political crisis. It was a city election year, and as a result of PWA’s organizing, all 11 mayoral candidates came out in support of action to end wage theft. PWA won passage of a Wage Theft Prevention Ordinance that year and, in 2012, pushed through another ordinance creating a Wage Theft Prevention Task Force. The new policy gave OLSE access to worksites,

doubled penalties for employers that retaliated against workers, and tried to put a one-year time limit on resolving workers' wage theft cases. Through the task force, which brought together seven city departments with workers' rights advocates and small business owners to research wage theft and make recommendations to the city, PWA made the case for the city to develop a comprehensive strategy to end wage theft, secured more funding for OLSE and the Collaborative, and turned the task force into a permanent structure.

"We can only develop our members' political vision so far in an insular space of only Chinese workers. [Through alliances like PWA] workers in CPA [were] realizing what's happening in other workplaces, seeing similarities and feeling the sense of coming together and supporting each other. The solidarity stuck with them. It counters the alienation that workers are made to feel in the system."

- Shaw San Liu, CPA Executive Director

## Scaling the Model with State Government

More recently, CPA has played a leadership role alongside other worker centers and advocates in establishing a community-based partnership with the state labor standards enforcement agency, enabling groups across California to experiment with leveraging the state's powerful resources to combat wage theft. The co-enforcement partnership was inspired by CPA's work at the city level with OLSE, and, just as in previous phases of CPA's work, a strategic, high-profile and groundbreaking workplace organizing case was instrumental in bringing it into being.

In the spring of 2013, three workers who had been fired from their job at Yank Sing, an award-winning, high-end dim sum restaurant outside Chinatown, approached CPA, detailing a long list of abuses. They described daily belittlement and lack of respect from managers, 10-plus hour days without requisite breaks or required pay, and stolen tips. CPA began working with the workers to file individual claims but, more importantly, to proactively organize the restaurant's workers for collective action through an underground organizing drive.

The initial worker conversations were met with resistance, fear, and plenty of rejections. But CPA organizers did not give up. Through word of mouth, home visits, mass worker meetings, and successful, inspiring workplace actions, the Yank Sing campaign grew. Prior years of relationship building across all segments of the community, from workers and small businesses to elected officials, service providers, unions, and the broader public, provided the

campaign with a powerful foundation upon which they were able to create a united front in support of the Yank Sing workers. Many partners provided concrete support to the campaign, including: the Asian Law Caucus, which represented the workers and collaborated on a legal strategy to complement the workers' organizing; UNITE HERE Local 2, which provided research support and boots on the ground; and elected officials and service organizations, which reached out to management to make their support known. At the same time, both city and state enforcement agencies advanced legal processes.

By the end of the summer of 2013, the campaign had well exceeded CPA's original goals. Despite their considerable fear of confronting their employer, nearly 100 immigrant workers, including cooks, dishwashers, and wait staff, got involved. In 2014, workers reached a groundbreaking agreement that included an increase in wages, new benefits, fair scheduling, eight hours of workers' rights training on paid time with CPA, and a grievance process to ensure compliance without having to go public. In fact, the agreement, which amounted to \$4.2 million, was at that time the largest minimum wage settlement at a single restaurant ever reached in the history of the California Labor Commissioner's office.

A lot of attention is paid to large financial settlements, but CPA is clear that these workplace campaigns are about more than the money. As the Yank Sing case demonstrates, their campaigns built off each other, with each designed to build power, shifting what workers and their community believed they deserved and were capable of winning. At the workplace level, there were ripple effects among the workers who were inspired by previous cases and were then willing to get involved in future cases. It was crucial to CPA that organizers and leaders from different cases were able to connect and support each other, building alignment across different issues.

"I worked at Yank Sing for 16 years, and these past couple of months are the happiest time I've ever had. Looking back, I wish I speak up earlier about the disrespect we endured. It took all of us standing together to have changes and respect on the job, and that's something all immigrant workers need to know."

"This is a hard-fought victory, and I asked my co-worker, 'Aren't you happy that we are going home this early? Don't you like our new benefits, like the holiday pay and more paid vacation?' And they would all nod in agreement. It took all of us standing up. How could we have won if it was just me or one person?"

- Mrs. Zhang (pseudonym), Yank Sing worker

The huge victory with the Yank Sing workers was achieved in large part because of the collaboration of OLSE and the state Division of Labor Standards Enforcement (DLSE). The DLSE's case provided important leverage in securing the transformative agreement. Subsequently, the opportunity emerged to formally bring local co-enforcement efforts across California to the state level. The California Strategic Enforcement Partnership emerged from the coming together of community groups, a friendly state labor commissioner who was reorganizing DLSE into a proactive enforcement agency, and the financial support of a private foundation.

CPA's relationship with DLSE dated back many years, but, in 2011, it was the appointment of Julie Su to lead DLSE that created new opportunities for CPA to experiment with leveraging state resources. Commissioner Su's leadership transformed the DLSE and she led the Bureau of Field Enforcement to establish a proactive "strategic enforcement" strategy that identified target industries with high rates of wage theft and effective approaches to conducting investigations with highly vulnerable workers and witnesses. Commissioner Su's DLSE also had the will to make the legal process more accessible to low-wage immigrant workers and ensure wage judgments the agency rendered were enforced.

Beginning in 2016, the Irvine Foundation funded the state co-enforcement partnership, which was kicked off with multi-day retreats bringing together investigators and community organizations for relationship-building and learning about each other's work. The partnership supported DLSE and community groups' strategizing together to use the state's ability to target key industries, strategically direct investigations of particular employers, and experiment with ways of being more aggressive and resolving cases more quickly. Commissioner Su has said that the co-enforcement partnership with community groups like CPA was in fact critical to the effectiveness of her agency's strategic enforcement initiative.<sup>7</sup>

CPA's efforts to bring worker power to scale has continued. In 2020, CPA joined the leadership of the California Coalition for Worker Power (CCWP), the only statewide coalition uniting worker centers, labor unions, and other advocates across the state, building a common vision and aiming to build worker power beyond the 1-2 year legislative campaign cycle.

## Conclusion

**WITH SIGNIFICANT LEADERSHIP FROM THE WORKERS** and staff of CPA, San Francisco's and California's systems of co-enforcement are powerful models for the rest of the country. But CPA leaders are the first to say that the model is experimental and hardly a perfect cure-all, and must be integrated with worker and community organizing if it is to be impactful. Wage theft has not ended. Retaliation continues to be a challenge for organizing workers. And the co-enforcement model alone isn't going to build worker power to the scale needed to contest corporate power. The larger project of building power among poor and working people and communities of color in politics and the economy remains the necessary and enormous ongoing challenge.

At the same time, there is no question that CPA's past two decades are marked by major victories and growth. Its steadfast commitment to workplace and community organizing has enabled workers to secure increasingly powerful material wins. The organization's pushback on the perspective that abuse of low-wage workers is normal, popularizing the now ubiquitous term "wage theft," has created a sea change in how its base, government, and local business owners view the issue. CPA's willingness to experiment with strategies to hold both employers and government accountable gave birth to co-enforcement, a new model of co-governance in labor standards enforcement that is being replicated formally, with funding for community-based organizations in Los Angeles, Seattle, Minneapolis, Chicago, and Austin. And its visionary leadership has continued to forge a citywide, regional, and increasingly statewide movement ecology that includes progressives, labor, and communities of color to respond to the multi-sector issues that impact workers' lives under racial capitalism.

"Building power has really changed what the norms are. When we started in 2003-2004, you couldn't even really say "wage theft," it was so taboo. Because of us building power, person to person, learning how to develop leadership to help people take collective action and take on bigger fights, we've shifted the norms in Chinatown, so people now know wage theft is bad, whereas 15-20 years ago people thought wage theft was normal and part of how we do business."

- Alex Tom, former CPA Executive Director

A key lesson for CPA throughout its years of workplace campaigns and policy advocacy has been the central importance of organizing and the goal of fundamentally building worker power. Their future victories were made possible only because of the core of organic worker leaders in the community that CPA has organized with over time, shifting the terrain for

workers' rights, along with the commitment and tenacity of staff organizers to spend months and sometimes years meeting with workers in order to gain their trust and willingness to join the fight. This is where having an organization like CPA—and all the other organizations they helped found and/or worked with, sometimes building coalitions in the process—is an essential part of building power.

At the same time, worker-by-worker, and then case-by-case organizing, by itself, is not enough to effect structural change; to do that, CPA needed to simultaneously employ multiple, intersecting strategies. As CPA's workplace organizing matured, its strategies diversified to include more intentional relationship building with diverse community stakeholders; formalizing a powerful political block by deepening alliances through joint work; sharpening its ability to shape public opinion; following up policy wins with enforcement; and engaging in the nitty gritty of governance.

People *are* the government, CPA stresses—it is not people versus the government. CPA learned how to work with the government and helped build OLSE in the process. During OLSE's first case—which was also their first case working with OLSE—CPA sent its own people into government to learn how it worked. CPA was not interested in merely doing outreach for OLSE, but in being strategic partners with OLSE. Formalizing and funding the role CPA and their partners played was an important part of creating that partnership, but, CPA found, it was still necessary to build real relationships with OLSE staff. For CPA, the relationships that enabled them to actually strategize together required finding time outside formal meeting spaces to build trust and shared understanding, person to person.

In its efforts to effect change in government, CPA found that access is not power and power is not governance. According to CPA Executive Director Shaw San Liu, effective governance involves “leadership, creating structural changes in how departments are run, protocols, training manuals...hiring the right people.” There is a lot of discretion in governing, and it is not easy to move an agenda within the government bureaucracy. They needed good people and good leadership inside government and political power from the outside. CPA's deep investment in building blocks of political power was critical to its ability to change this terrain.

An honest and timely assessment of CPA's power to move things was also important. CPA has worked with different agencies at different times, including OLSE, DLSE, the National Labor Relations Board, and the Occupational Safety and Health Administration. Which agency they decided to work with in any particular moment ultimately depended on the political willingness of an agency to collaborate with them in the way that they needed for their organizing at the time.

Part of what creates a strong and powerful co-governance model is not only building trust and strong relationships with government agencies and politicians, but also the ability to push from the outside when progress is stymied. Time and time again, community and labor groups had to organize to push the city to enforce existing laws, pass ordinances, increase

funding, increase OLSE's powers, and to use OLSE's powers proactively. CPA was especially effective when they combined data with powerful personal testimonies to build narrative power and push sometimes recalcitrant government entities to make policy changes and enforce existing laws.

There are tensions in managing these inside and outside strategies. Wage theft still exists in San Francisco even after many years of building up OLSE, but the public, "outside organizing" campaigns can sound like criticism to those working on the inside. A key way CPA navigated these tensions was by organizing within government, building relationships and helping shape how those on the inside perceived the campaigns on the outside.

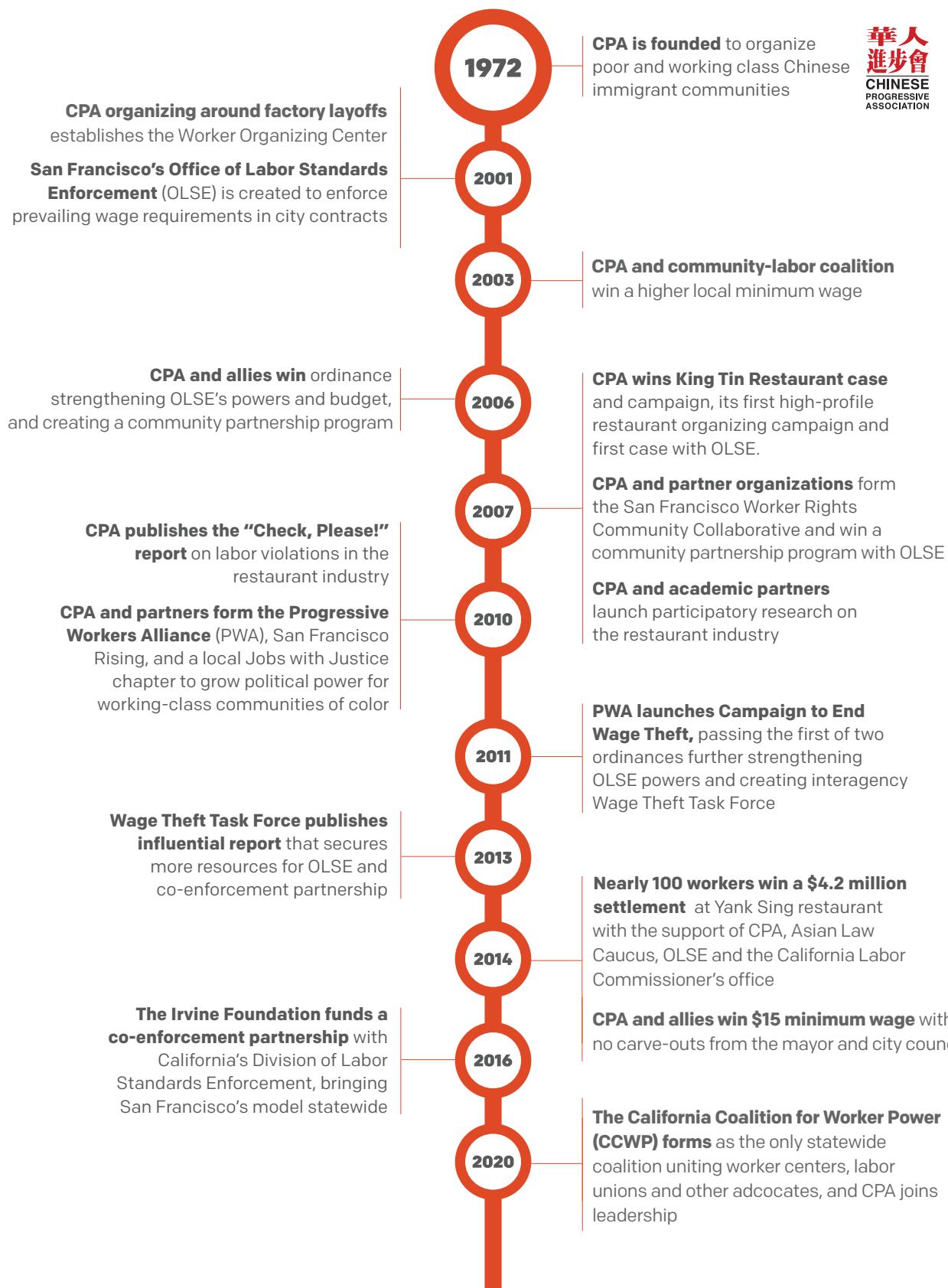
Over the last two decades, CPA's accomplishments have been a model for building power person to person and across communities. At the same time, the continued persistence of abuse—and the structural resistance to the changes CPA and workers want to see—compels the organization to continue the painstaking work of breaking the alienation of individuals working and living under racial capitalism. They are also tackling the challenges of building ever-more powerful alliances among immigrant workers and people of color struggling to meet their basic needs. To this day, CPA continues to expand its work towards workplace justice and economic democracy.

## Some key recommendations:

- **Don't conflate access with power.** After the minimum wage ordinance was passed, CPA spent the first decade learning how to govern, learning the bureaucracy, and grounding their advocacy demands in what was happening in real time in the community and continuing to organize workers.
- **Defend your wins.** CPA did not focus narrowly on getting legislation passed; they continued to organize and advocate for strong enforcement.
- **Work strategically with government horizontally across agencies, vertically from the city/county on up, and longitudinally across administrations.**
  - Maintain influence across political administrations to establish independent oversight and a relationship with the enforcement agency.
  - Coordinated enforcement across departments is important.
  - City enforcement agencies sometimes try to pass the buck to better-resourced state agencies. It's important for them to collaborate, but community groups still need to hold local officials accountable to take action.
  - Consider who is going to be your inside policy expert. It takes specific expertise to be able to engage effectively in political

- and city bureaucracy fights, and building that expertise takes resources.
- Develop a bench of people you can send inside (to do their “tour of duty”) who can then take ownership of the process of rights enforcement.
  - **Build strategic partnerships with core labor and community allies.** Well organized, strategically aligned coalitions can elect new representatives, reshape the public agenda, pass legislation and otherwise change political norms and policy outcomes much more effectively together than any organization can on its own.
  - **Require and institutionalize collaboration with the community.** Beyond the outreach role, community-based organizations should be engaged in developing strategy and running the labor agency’s programs. Create a mechanism for independent/community oversight over the labor agency.
  - **Support local government with technical assistance and expertise.** With the passing of progressive labor laws, local governments may experience some unconventional growth and transitions, along with a lack of experience among staff in developing systems and protocols.
  - **Establish accountability and clearer communication with local government.** To be a true collaboration, internal protocols of the organization are necessary along with protocols of local government, including accountability mechanisms and regular meetings to establish communication and relationship-building. In the King Tin case, CPA worked with local government in “good faith” and believed that local government was accountable to the workers’ case. However, CPA and the workers needed to create the political will to hold the city and employers accountable. Additionally, there was a need for CPA to have regular meetings with OLSE.
  - **Governance on the inside can only be as good as the organizing on the outside.** Labor and community organizations’ power is ultimately rooted in their membership base, and organizing and cultivating leadership in their base is always essential work. An organized, politically independent membership base provides nonprofit staff and government with direct information on people’s needs, challenges and priorities, helps hold them accountable, and provides the necessary political force to push through policy changes in the face of opposition and keep co-governance processes active and robust over time.

# Chinese Progressive Association | A TIMELINE



## Endnotes

- 1 According to a report by the National Women's Law Center, women make up just under half of the workforce in the United States but represent nearly two-thirds of the workforce in the 40 lowest-paying jobs. Women of every race — especially Latinas, Native American women, and Black women—are overrepresented in low-paid jobs.
- 2 Jessica Shakesprere, Batia Katz, and Pamela Loprest, [Racial Equity and Job Quality: Causes Behind Racial Disparities and Possibilities to Address Them](#) (Washington, DC: Urban Institute, September 2021).
- 3 The estimated [\\$50 billion](#) that employers steal annually from workers' wages is three-and-a-half times the average annual cost of all robberies, burglaries, larcenies and motor vehicle thefts. Yet we spend a paltry [\\$2 billion](#) a year on labor standards enforcement, compared to the [more than \\$100 billion and \\$80 billion](#), respectively, that we spend each year on police and corrections. State and local labor enforcement agencies, where they exist at all, operate on budgets that are a fraction of that. Nearly half the states have a budget under \$150,000 for labor enforcement or no budget at all.
- 4 See Janice Fine, *Organizing Communities at the Edge of the Dream*. (Economic Policy Institute / Cornell University Press, 2006).
- 5 Nik Theodore, Beth Gutelius, Ana Luz Gonzalez, [The Worker Center Ecosystem in California: Organizing to Transform Low-Wage Industries](#), Labor Innovations for the 21st Century (LIFT), 2019, <https://theliftfund.org/wp-content/uploads/2022/05/2019-CA-Worker-Center-Ecosystem-Theodore-Gutelius-Gonzalez.pdf>.
- 6 The second in the nation after Santa Fe and indexed at COLA, starting at \$8.50/hr. See [City Minimum Wage Laws: Recent Trends and Economic Evidence](#), National Employment Law Project Fact Sheet, April 2016, <https://www.nelp.org/wp-content/uploads/City-Minimum-Wage-Laws-Recent-Trends-Economic-Evidence.pdf>.
- 7 Janice Fine & Gregory Lyon, "Segmentation and the Role of Labor Standards Enforcement in Immigration Reform", 5 J. ON MIGRATION & HUM . SEC . 431, 441 (2017).

