

**“It Is Worse in the Fields”: How Racial Capitalism Disciplines Latino Day Laborers in  
California’s Central Valley**

**Abstract:**

Latino immigrant day laborers in California's Central Valley often experience poor working conditions and employer non-compliance with labor laws yet rarely report workplace abuses. This study situates rural day laborers' experiences of labor and claims-making (e.g. reporting injuries and labor non-compliance), within the context of global racial capitalism. Drawing on 38 semi-structured interviews and six months of participant observation at two informal day labor hiring sites, this article analyzes how workers in rural geographies experience "subordinate inclusion" (De Genova 2013) in ways that discipline them to accept non-compliant working conditions. Findings suggest that workers' legal status, socioeconomic status, prior work experience, and paternalistic relationships with employers, shape decisions against claims-making—processes intended to deter employer non-compliance. Instead, Latino day laborers rely on informal agreements and acts of care from employers—such as cash compensation or support during injuries—that reinforce paternalistic and co-ethnic ties, where loyalty, trust and shared migration histories discourage formal claims-making. Instances of overt racism by non-Latino employers, however, rupture this arrangement and may prompt formal reporting. While scholarship in the sociology of labor and immigration has often conceptualized the rise of low-wage, precarious labor with post-industrialization and fiscal austerity, this study illuminates how the persistence of pre-industrial work, through dynamics such as paternalism, carry forward and contribute to the global degradation of work under racial capitalism.

## Introduction

Gustavo and Jesus are two of the many day laborers who seek short-term or temporary work outside or near home improvement stores every morning (Ordóñez 2015; Valdez et al. 2019; Valenzuela et al. 2006). Despite looking for and obtaining work in different regions across California's Central Valley—a region dominated by industrial agriculture—both men experienced wage theft under similar conditions. Gustavo worked for an employer at the beginning of the week who promised to return to the hiring site on Friday to pay him. Jesus worked a weekend job with another employer who promised to pick him up again Monday morning to offer him more work and pay him his earned wages. However, neither employer ever showed up, and Gustavo and Jesus were each owed approximately \$1,000. While Gustavo, an undocumented worker immediately filed a claim to the Labor Commission's office and recovered his stolen wages, Jesus, a U.S. citizen, decided to not file a report.

This study centers the experiences of immigrant and Latino day laborers who circulate between industrial agriculture industry—including dairy farms—and the informal day labor market. It connects experiences with employer non-compliance to dynamics of racial capitalism that structure labor exploitation and worker resistance. It asks, how do immigrant and Latino day laborers in agricultural regions experience employer non-compliance with labor standards? How do they respond to such employer non-compliance, and what dynamics shape their responses? Drawing on 38 interviews and six months of participant observation, I examine how paternalistic and co-ethnic relationships between day laborers and employers discourage claims-making when workplace violations occur. However, overt racism from non-Latino employers ruptures this bargain and exposes larger structural dynamics of exploitation rooted in a racialized economic system, which leads some workers to resist.

## **Sociology of Labor**

Sociology of labor has theorized exploitation and precarity through the degradation of work associated with post-industrial restructuring, fiscal austerity, and the erosion of stable employment relations. Classic and contemporary accounts document how the erosion of stable employment, the decline of manufacturing, and the rise of flexible labor regimes have produced precarious forms of work (Kalleberg 2009 and 2013). Recent labor scholarship posits that immigrant and racialized labor processes are central to the production of precarious work. It highlights how employer efforts to weaken labor unions, foster outsourcing, and evade regulations, led immigrants to become disproportionately concentrated in the most insecure segments of the labor market (Milkman 2020). Additionally, researchers situate the rise of day labor in the U.S. within broader processes of neoliberal restructuring and post-industrial capitalism, arguing that informal work expands as employers seek flexibility and cost reduction while shifting risk onto workers (Brenner and Theodore 2002; Theodore, Valenzuela, and Meléndez 2006).

At the same time, labor scholars have highlighted the role of bureaucratic and state power in producing labor precarity. This scholarship suggests that both workers and employers may be subjects of the state's coercive and bureaucratic power, but that workers bear the greatest burden due to their limited formal education, unfamiliarity with reporting procedures, and distrust of regulatory institutions (Gleeson 2010; Gleeson and Griffith 2021; Valenzuela et al. 2006). At the same time, this literature suggests labor protections are most effective when workers are embedded in institutional structures such as labor unions, worker centers, or formal employment

arrangements that facilitate knowledge of rights and access to legal remedies (Fine 2006; Gleeson 2010).

A substantial body of research highlights the importance of institutionalized networks in mediating labor precarity in urban contexts. Worker centers, unions, community-based organizations, and legal advocacy groups play a critical role in advocating for workers of rights, assisting in wage-theft claims, and organizing collective action (Fine 2006; Gleeson 2016; Milkman 2006; Negi et al. 2013; Theodore et al. 2006). Labor scholars have been influential in demonstrating how institutional intermediaries reorganize power in low-wage and informal labor markets (De Graauw 2016; Fine 2006; Meléndez et al. 2014). These institutions broker fair hiring practices, hold employers accountable for abuse and provide the space for informal day laborers to transform individual grievances into collective action. This research also reveals workers' uneven access to institutional protection due to legal status, the informal characteristics of work, local organizational density and the state's capacity to enforce regulatory laws.

### **Day Labor and Worker Centers**

Day labor refers to the informal hiring of workers—most often Latino immigrant men—who seek employment on a regular basis outside home improvement stores or designated hiring sites. Day labor work is usually short-term, negotiated daily, typically paid in cash, and it operates outside formal labor law, union protection, and state oversight (Valenzuela 2003). Foundational studies such as Valenzuela et al.'s *On the Corner: Day Labor in the United States* (2006) document how approximately 120,000 predominantly Latino men participate in day labor work across the U.S. This work highlights how day laborers face routine exploitation and racialized

exclusion in the forms of wage theft, unsafe working environments, and employer noncompliance that often remain unchallenged.

To mitigate poor labor conditions, day worker centers have been established primarily in metropolitan cities across the US where day labor work has become highly visible (Theodore 2020b; Valenzuela et al. 2006). These centers are office-like hiring sites where day laborers congregate as early as 5:00 a.m. and wait to be matched with a day or temporary job. As opposed to informal hiring sites near home improvement stores, certain day labor centers may also provide laborers access to restrooms, chairs, computers, printers, resources, education on worker rights, and civic engagement. Although day laborers are still hired through verbal agreements, day worker centers have been able to make meaningful changes to improve work and safety conditions, protect workers from wage theft, and increase earnings (Fine 2015; Theodore 2020b; Valenzuela et al. 2006). In a case study in Seattle, Washington, Theodore (2020b) finds that day laborers hired through at day worker centers tend to receive higher average wages, experience higher employment rates, and have lower rates of wage theft when compared to those hired informally in public spaces. He also finds that when violations like wage theft happen, day worker centers have been successful at recovering loss or stolen wages (Theodore 2020b). Since day worker centers are community-based nonprofits, they may be connected to legal partners that assist day laborers when employers refuse to pay the agreed amount.

This institutional focus, however, raises important questions about labor conditions in contexts where such protections are absent. Much of the labor literature continues to privilege urban and industrial settings, where there is some capacity for collective organization and regulatory oversight. Yet, rural labor markets remain underrepresented in the sociology of labor; as a result, less is known about how workers navigate exploitation in rural labor markets that

lack unions, worker centers, or consistent state enforcement. In the rural context, it is likely that legal and racial vulnerability, limited knowledge of or access to labor protections, and the precarious nature of employment persist in limiting day laborers' pursuit of formal claims-making, in keeping with prior research (Herrera 2016; Plankey-Videla and Cisneros Franco 2022; Valdez et al. 2019; Valenzuela 2003). Moreover, Plankey-Videla and Cisneros Franco (2022) observe that rural day laborers experience worker right violations and abuses regardless of citizenship status, suggesting that underlying industry characteristics also condition worker exploitation. At the same time, they reveal how informal networks among day laborers operate to warn workers about "unscrupulous" employers in an effort to fight back against injustice. They conclude by inviting future research to examine the conditions under which workers generate resistance.

### **Sociology of Immigration**

The sociology of immigration has long emphasized the role of immigrant networks in facilitating migration, settlement, and labor market incorporation. Beginning in the 1990s, scholars documented new patterns of Latino migration to the United States, noting that newly arrived immigrants from Mexico and Central America increasingly bypassed traditional urban gateways in favor of nontraditional destinations, including rural and semi-rural regions (Lichter and Johnson 2009; Massey et al. 2003; Massey 2010). These migration patterns were shaped by the expansion of immigrant networks that linked earlier internal migrants to later international arrivals (Massey 1999). While strategic and racialized recruitment of Latino workers played an important role in attracting immigrants to these regions (López-Sanders 2024), immigration scholars emphasize that co-ethnic networks played a central role in sustaining migration flows

and fostering belonging amid exclusionary immigration policies and racialized nativism (Marrow 2011; Zúñiga 2006).

Immigrant networks are celebrated as critical resources that sustain migration flows and facilitate job placement. At the same time, scholars have demonstrated the limits of co-ethnic networks under structural constraints. Menjívar (1997) shows that family and community ties provide only partial protection for disadvantaged immigrants when institutional and material resources are scarce. Canizales (2019) also demonstrates the role of religious institutions as a receiving network where unaccompanied Guatemalan Maya youth find resources to ease their incorporation to the US, while simultaneously creating financial and socioemotional setbacks over time. While key studies have revealed the limitations of co-ethnic immigrant networks, the focus has often been centered on the limits of family, community, and religion—not the workplace. Rosales (2020) is among the few scholars who offer insight into informal worker exploitation within co-ethnic communities. Rosales uncovers the way *paisano* immigrant networks allow newly arrived immigrants access to employment and resources while also exploiting their compatriots. Importantly, however, Rosales’s work engages with informal workers from the same hometown in Mexico operating in a large metropolitan area amid hostile and punitive work environments. These studies complicate celebratory accounts of immigrant networks by highlighting how dependence on social ties can reproduce vulnerability, constraints and exploitation under conditions of legal and economic exclusion.

Overall, scholarship in the sociology of labor, day labor, and immigration demonstrates that workplace precarity among immigrant workers is structured by legal vulnerability, informal employment arrangements, and weak institutional enforcement. Labor scholars show how deregulation and employer noncompliance sustain exploitative working conditions, particularly

in low-wage and nonunionized sectors. Research on day labor highlights how workers navigate informal hiring sites where wage theft, hazardous conditions, and unstable employment are common, while also documenting the limited but important role of worker centers in facilitating collective action and legal claims-making. Immigration scholarship further demonstrates that while co-ethnic networks are central to facilitating migration, settlement, and labor market incorporation in new destinations, these same networks can also reproduce vulnerability and informal exploitation. Yet taken together, these literatures often treat exploitation as the outcome of structural vulnerability, leaving underexamined how relational dynamics between workers and employers shape whether exploitation is endured, negotiated, or resisted.

Recall at the beginning of this study that two day laborers, Gustavo and Jesus, responded differently to wage theft. Gustavo, angered by insults about his undocumented status, filed a formal claim. Jesus, by contrast, sympathized with his employer, saying he was also “broke.” Their divergent responses reveal how employer–worker relationships can normalize exploitation or fracture in ways that generate resistance. This study examines how rural day laborers experience exploitation and why they resist—or do not. Building on De Genova’s concept of subordinate inclusion and Robinson’s theory of racial capitalism, I show how racialized labor regimes structure exploitation while simultaneously producing the contradictions from which resistance emerges.

### **Theorizing Subordinate Inclusion Under Racial Capitalism**

Another body of research has theorized legal status as a central mechanism for conditioning immigrant vulnerability and exploitation. De Genova’s (2002 and 2005) concept of migrant illegality demonstrates how undocumented legal status produces deportability. Rather than

emphasizing how such processes exclude migrants from the labor market, he argues that under such conditions, migrants' incorporation into labor markets is realized through "subordinate inclusion" (De Genova 2013 and 2023). Drawing on rich ethnographic analyses (2005), he shows how migrant workers experience subordination as employers pay lower wages, delay or withhold pay, or make threats regarding immigration enforcement. His theorization situates the experiences of migrant illegality within the broader sociopolitical and labor structures of capitalism. As such, this body of work tends to treat subordinate inclusion as a relatively uniform condition across labor markets. It remains unclear how the dynamics of subordination vary across specific labor sectors, employment arrangements, or how workers navigate, contest, and at times resist these conditions. Taking seriously this concern, I apply De Genova's concept of subordinate inclusion to the case of day laborers in rural labor markets.

In rural day labor markets, subordinate inclusion is organized through informal arrangements and economic exchange that bind workers to employers via paternalistic ties. These relationships are spatially embedded in rural labor markets where limited job alternatives exist for undocumented and Latino immigrant workers beyond industrial agriculture where weak regulatory oversight create precarious working conditions. Under these conditions, paternalistic relationships sustain worker exploitation through gestures of care that displace formal rights. Yet these relational dynamics also forge the conditions for worker resistance. When employers violate the moral expectations of paternalism, day laborers pursue resistance through formal claims-making. Since this study also analyzes how day laborers enact resistance to racial and economic exploitation within conditions of subordinate inclusion it is crucial to invoke Cedric Robinson's concept of racial capitalism.

Challenging classical Marxist theory, Cedric Robinson ([1983] 2020) argues in *Black Marxism* that the dehumanization of low-wage workers as racial others was mutually constitutive with capitalism. While Marx (1867) presumed that capitalism emerged as a new economic system distinct from feudalism, Robinson instead asserts that capitalism advanced racial caste systems formed through preindustrial feudalism, colonialism, and slavery—but also that agricultural workers of color (particularly those from the global South) are most likely to resist inhumane working conditions. Unlike US-based literature in the sociology of immigration or labor, scholarship on racial capitalism has tended to center non-white agricultural workers, particularly those in the global South (Robinson 2020). Modern examples include the United Farm Workers in California, the anti-apartheid labor movement in South Africa, and the 2015 San Quintín strikes in Baja California. Yet, Robinson’s analysis of twentieth-century anticolonial worker movements has fewer corollaries in the global North in the twenty-first century.

Building on Robinson, scholars conceptualize racial capitalism as a flexible and adaptive system that organizes racial difference in response to political and economic pressures (Melamed 2015; López-Sanders 2024). Rather than operating through fixed forms of domination, racial capitalism rearticulates racialized labor control across labor markets and geographic contexts. This adaptability helps explain how racialized labor control persists in contemporary rural labor markets, where formal exclusion through immigration law produces informal incorporation through strategic employment efforts (López-Sanders 2024). In this sense, subordinate inclusion represents an adaptive and contemporary form of racial capitalism.

Recent literature discusses the challenges agricultural workers face with poor working and living conditions, injuries, illnesses, and lack of legal protection (Deeb-Sossa et al. 2024; Holmes 2014; Horton 2016). It also highlights the precarious work immigrant laborers enter in

nonunionized sectors and the decline of labor movements in rural areas (Milkman 2017; Milkman and Luce 2017). These studies conceptualize exploitation and resistance as outcomes of legal vulnerability, institutional absence, or individual characteristics. However, they do not fully account for how historically racialized labor regimes structure workplace relations.

This study addresses that gap by examining how racialized labor regimes shape day laborers' experiences of workplace exploitation and resistance in rural labor markets. I demonstrate how old-world, paternalistic workplace relations are central to shaping employer noncompliance with labor standards and influencing how workers respond to exploitation. These dynamics unfold in the context of rural industries in California's Central Valley where exploitative conditions in industrial agriculture—rooted in plantation-like labor systems—create a “push” factor that drives workers toward day labor. Once in day labor, workers navigate informal and precarious economies through paternalistic ties that shape their decisions to resist exploitation. By bridging subordinate inclusion and racial capitalism, I demonstrate how racialized paternalistic labor regimes reproduce exploitation and generate the contradictions that catalyze worker resistance.

## **Data and Methods**

This study draws on 38 semi-structured interviews and six months of participant observation with Latino men seeking day labor across two informal hiring sites in the Central Valley. Interviews and field observations were conducted between June 2022 and December 2022. Both interviews and participant observation at hiring sites allowed me to examine how workers navigate, endure and resist labor exploitation in spaces often overlooked in traditional studies of immigrant labor.

I interviewed most participants near the hiring site sitting on the cargo bed from their pickup truck. Workers often joked and called their truck “*la oficina*” (the office). During interviews, I asked questions related to their work history, workplace health and safety, and wage theft and claims-making. Even though I did not ask about legal status, twenty-one participants shared being undocumented, while eleven shared having a US residency (green card) or US citizenship status. Four interviews were conducted in English and thirty-four in Spanish. Interviews lasted between thirty-three and ninety minutes, were audio-recorded, transcribed verbatim.

I also spent approximately 126 hours or an average of five hours per week visiting both hiring sites once per week during a six-month period. While I did not observe day laborers at worksites, participant observation at hiring sites captured critical moments of workers sharing past experiences with wage theft, injury, employer treatment, and claims-making. These sites functioned as spaces where workers exchanged information, interpreted employers’ behavior, and negotiated expectations of risk, care, and resistance. I typed detailed fieldnotes and analytic reflections following each visit.

Interviews and ethnographic fieldnotes were analyzed using Dedoose following an iterative coding process consistent with the extended case method, moving between inductive theme identification and engagement with existing theories of labor, immigration, and racial capitalism (Burawoy 2009). Initial coding focused on recurring patterns in workers’ narratives and interactions, which revealed three central themes across interviews and field observations: “leaving the fields,” “acts of care,” and “rupturing relationships.” These themes captured how workers navigated racialized labor markets by transitioning from industrial agriculture into day labor, how employer gestures of care during moments of noncompliance often discouraged

formal claims-making, and how the breakdown of these relationships motivated resistance. In a second analytic phase, I revisited these themes through Cedric Robinson's (2020) framework of racial capitalism to examine how interpersonal workplace relations reflected broader structures of racialized labor extraction and control. This process allowed me to link micro-level decision-making and meso-level employer–worker relations to macro-level dynamics shaping exploitation and resistance in rural labor markets.

The Central Valley provides a strategic and anomalous site for the study of informal day labor among immigrant and Latino workers, as informal day labor hiring sites coexist with industrial agricultural industries. In this context, day labor is not a marginal urban labor market but an alternative to farm work—still “dirty, dangerous, difficult work,” (Valdez et al. 2019) yet perceived by workers as preferable to the exploitative and physically demanding conditions of agricultural fields. Situating rural day labor within a racialized agricultural labor economy illuminates how labor processes across industries shape workers' vulnerability, expectations of employers, and strategies for navigating exploitation.

### **Aversion to Claims-making**

Day laborers' reluctance to report workplace violations stems from past experiences in industrial agriculture and the ongoing lack of viable employment alternatives in the region. In industrial agriculture day laborers often experienced systemic neglect and ineffective enforcement from government channels. These patterns reflected in California's Central Valley labor markets are rooted in a racialized plantation-like economy. For example, Latino agricultural workers in the Central Valley occupy a position structurally similar to racialized labor forces conscripted to do the most egregious and least protected forms of work (Deeb-Sossa et al. 2024). Industrial

agriculture and dairy farming in the region reproduce aspects of racial capitalist systems designed to extract value from disposable labor while protecting employers from accountability. While working in these predominately rural industries, workers in my study had either experienced or witnessed exploitative conditions. These conditions prompt many workers to leave the agriculture or dairy sector and enter the informal day labor market in search of work that, while still precarious, seems to offer less abuse.

Once in the day labor market, many Latino workers expressed reluctance to report wage theft or health and safety violations. This reluctance stemmed from their previous experiences, as Franco shared, “The government doesn’t enforce regulations. We don’t get water while working. . . . We work twelve hours per day, milking 2000 cows, with only a thirty-minute break.” Franco had just transitioned to the day labor market when I interviewed him. His words highlight the physical demands and systemic neglect that Latino workers like him face in the dairy farm industry. Despite the heavy workloads and exploitative working conditions, local and state governments provide little oversight or enforcement of labor standards in the dairy industry. As a result, many workers shared unwillingness to report employers in the day labor market because they rely on them for work to avoid returning to the even harsher conditions in dairy or agriculture work. As Franco continued, “Here [as day laborers] things are also hard. Employers exploit us for seven to nine hours, but it’s worse in dairy and in the fields.” As day laborers weigh their options, they enter the day labor market despite being aware of the dynamics that lead to worker exploitation. If lucky, some may find an employer who can offer them long-term work with better conditions. Thus, the limited work opportunities for undocumented and Latino immigrants in rural areas beyond agriculture systemically incorporates them into the most exploitative and unregulated sectors.

While many workers enter the informal labor market seeking work with fewer abuses, their past experiences continue to shape their decisions as day laborers. This is particularly evident in filing formal reports against employers who violate labor laws. About a third of my interview participants said that while they were working in the agriculture or dairy farming sector, they had submitted formal claims to the California Labor Commissioner's Office, or the California Division of Occupational Safety and Health office (Cal/OSHA) and to private attorneys. However, workers like Diego who had filed formal reports against an agricultural employer had long-lasting cases. He remembers missing work to follow up on his case and eventually stopped because it was difficult to navigate the bureaucratic systems of reporting workplace violations. When asked about reporting employers as a day laborer, he said, "You can tell [the employer] that you're going to take them to Labor Commission, but they don't do much."

Workers like Diego can only make empty threats to employers, as they understand the legal mechanisms to protect workers are ineffective. Doing so may jeopardize their precarious positions as they learn to navigate exploitative conditions in this new industry. They face systematic and bureaucratic barriers to reporting employer noncompliance because of the lack of institutional intermediaries in the region (Gleeson 2016). Institutional support has proven to be an effective way to uplift low-wage, immigrant, and undocumented workers in larger metropolitan cities come forward in claims-making (De Graauw 2016; Gleeson 2016; Theodore 2020b). But without institutional support, workers in rural regions are more likely to abandon their claims. As Diego explains, he had to miss multiple days of work to follow up on his claim, which threatened his livelihood, since day labor is characterized by low wages and earnings below the poverty threshold (Meléndez et al. 2014; Valenzuela et al. 2006). The lack of legal

recourse and the economic precarity of undocumented and Latino immigrant men working in rural industries ensures they remain vulnerable to exploitation by employers in a racialized labor market.

Other day laborers were also discouraged from reporting employer noncompliance to government regulatory agencies after they or their family members were unsuccessful in resolving their case. Arturo is a seventy-seven-year-old undocumented Latino immigrant who engaged in day labor shortly after retiring from agriculture work. During our interview, he mentioned experiences where he had the opportunity to report employers in day labor for noncompliance but chose to not do so. He shared, “Sometimes we don’t, and sometimes we do go to [Labor] Commission. My granddaughter recently went to [the Labor] Commission to report an issue, and they never called her back. That’s why sometimes we don’t do anything.” Like many other day laborers in my study, Arturo chooses not to file formal reports when he experiences labor law violations as a day laborer because he and his family who work in agriculture have had little success resolving cases. Like Diego, Arturo described formal claims filing to be a long process that frequently resulted in unresolved cases for many agricultural workers. Contrary to the literature that suggests workers do not report work right violations because of fears of retaliation, or lack of knowledge, more than half the workers in my study knew where to file formal reports or had done so in the past. However, when they did file reports, they were rarely able to get their cases resolved, regardless of their legal status. Workers’ lack of success in filing formal claims while working in industrial agriculture discouraged them from seeing this as an option when they transitioned to day labor.

The framework of racial capitalism reminds us that the agricultural labor system has been designed to maintain control over racialized workers. It also helps us understand how the current

industrial agriculture and dairy farming sectors in California's Central Valley condition day laborers to avoid filing reports against employers. These experiences lead them to accept informal solutions from employers rather than formally addressing health and safety issues. They opt for this to avoid returning to even more exploitative working conditions in the agriculture and dairy sectors. However, racial capitalism also structures the day labor industry as it relies on the precariousness of a racialized and immigrant workforce. The industry thrives on exploiting the vulnerabilities of undocumented and Latino immigrant men by hiring them at the lowest possible cost, through informal agreements, and without legal protections. In this sense, day labor is not simply an alternative to agriculture or dairy farm work, but another site where the exploitation of racial capitalism manifests.

### **Informal Agreements**

Both Latino and non-Latino employers often offer cash settlements to day laborers who experience workplace injuries in lieu of filing formal claims to a regulatory agency. In these events, employers usually offer workers additional cash compensation beyond what was originally promised. At times, also offer to pay day laborers the wages they will lose during the time they miss work to recover from injuries or a one-time doctor visitation fee. Some workers further described receiving what they perceive to be acts of care from employers when they allowed workers to take repeated breaks when needed or take time off due to injuries. For others, acts of care went as far as employers visiting them in the hospital, at home during recovery, or even gifting groceries to alleviate economic burdens during their time off.

Day laborers usually perceive acts of care as thoughtful gestures, but they ultimately serve the interest of employers who seek to avoid repercussions for labor law violations. These

informal practices of benevolence keep workers dependent on employers' discretion rather than state enforcement. They allow employers to avoid legal liability when injured workers forgo proper medical treatment and reproduces health inequalities that further entrenches day laborer's vulnerability. The perception of receiving acts of care from employers was most common among participants who had previously worked in the industrial agriculture and dairy sector. They often compared labor standards, wages, and employers' response to health and safety issues from their previous employer to their current experiences as day laborers. Their experiences with employer noncompliance in other industries led many day workers to perceive the occasional efforts from employers who provided aid after injuries as acts of care.

Antonio's experience in the agriculture sector highlights the exploitative conditions that push workers to day labor where they often accept informal agreements for workplace injuries in lieu of seeking formal protections. He shares, "I worked in the fields, but we often ran out of drinking water. Last Thursday we ran out around 11a.m. . . . It was hot and there wasn't much shade. It always happens; that's why I left and now I am here." Antonio a Latino immigrant had transitioned from agriculture to day labor in July, when temperatures in California's Central Valley reach well over 100 degrees Fahrenheit. Agricultural work in the region is notorious for unsafe working conditions that exploit a racialized workforce of predominately undocumented and immigrant workers (Holmes 2014; Horton 2016). The informal resolution of workplace injuries through cash settlements and employer "acts of care" similarly shifts responsibility for harm onto workers' bodies, normalizing injury as an individualized condition rather than a structural outcome of racialized labor regimes. Workers like Antonio, who might come forward to report labor law violations despite being undocumented, encounter a series of barriers stemming from racial capitalism. For example, when Antonio threatened to report the lack of

drinking water to government channels, his work supervisor responded with taunts. Antonio recalls, “Our supervisor laughed when I told him about the water. He said, ‘If workers faint or die in the fields, we will just bury them there.’” This incident pushed Antonio out of agricultural work and into the day labor industry and lowered his expectations for what adequate labor standards should be. Antonio now feels valued when employers comply with basic labor standards, and more when they provide him economic assistance during workplace injuries because “*es más sencillo*” (it’s simpler). This reveals how Latino immigrant workers are pushed into the informal day labor sector where they accept informal cash settlements during workplace injuries instead of legal labor protections.

Employers who use acts of care, such as offering cash payments after workplace injuries, discourage workers from filing formal claims. This reinforces the power dynamics that exist between employers and a racialized labor force of mainly undocumented, Latino immigrants. For example, workers like Carlos were offered informal cash payments instead of the legal and ethical benefits they would be entitled to under formal labor laws. When I asked Carlos about his experience with injuries, he shared:

I once fell from a two-story house and couldn’t walk for eight days. I would crawl like a baby to go to the restroom. The guy I was working for stopped by [my house] and said, “I’ll pay you forty hours of work this week since you can’t work.” [I said] “Okay.” He paid me but never gave me health insurance.

Carlos’s experience highlights the precarious position day laborers face when dealing with workplace injuries. Like many other participants, he feels that employers who engage in informal agreements after day laborers are injured are “*generosos*” (generous). When Carlos was working in the industrial agriculture sector, his employers never offered him any assistance when

injured. For many participants, their undocumented status also made them ineligible for social safety net programs that could have subsidize their time off. Now, every time Carlos and other day laborers suffer a workplace injury, they accept a small cash payment from their employers instead of filing formal reports. They start to perceive their employers as generous; as workers often say, “*Se portan bien con nosotros*” (They’re good to us).

While employers are lawfully required to provide a compensation claim to workers within a day after learning of a workplace injury, Carlos’s employer chose to offer him a cash payout instead. This act of care quickly dissuaded him from filing a formal report and instead made him feel grateful. It also served the employers’ interest by minimizing the likelihood that Carlos will pursue formal claims for health and safety standards. By substituting legal rights with personal benevolence, employers keep workers outside formal protections. This illustrates a core mechanism of worker’s subordination under and adaptive and flexible form of racial capitalism in which paternalistic relationships secure continued labor while maintaining workers’ disposability (Melamed 2015).

In another instance, Enrique experienced similar workplace accidents as both a unionized construction worker and as a day labor, but they were resolved differently. When Enrique injured his back as a unionized worker, he immediately filed a formal complaint with his company, received medical attention, and was given paid leave and other benefits while he recovered. However, in his second and most recent injury as a day worker, he sliced his left index finger in half but chose not to file a formal report, despite knowing that the homeowner’s insurance would cover his medical expenses. When I asked about his decision, he explained that he felt unwilling to report employers who do not act like “*despotas*” (tyrants). He was especially compelled not to

report employers in the day labor sector who offered him financial and emotional support after an injury. He shared:

Employers have helped most of the workers that have been injured here. . . . It happened to me, I was doing a concrete retaining wall, and I sliced my finger. They stitched back half of this finger [showing me his stitched finger]. . . . The employer and older white lady took me to the hospital and treated me well. . . . She took food and money to my house for about two months.

Day laborers often perceive financial assistance and emotional support from employers as the most dignified and respectful treatment they have received after experiencing workplace injuries. Employers in day labor industry use these gestures within a context where day laborers are widely racialized and presumed to be undocumented (Herrera 2016; Valdez et al. 2019). Whether strategic or habitual, these acts convince workers that they are being cared for and foster a sense of loyalty and trust. For workers who have endured harsher forms of exploitation in agriculture, such gestures appear genuine and generous. Yet this benevolence ultimately dissuades day laborers from filing formal claims and allows employers to evade accountability. In doing so, they leave undocumented and Latino immigrant day laborers tethered to informal arrangements that disciplines compliance and render their disposability.

Financial support from employers after a workplace accident is crucial for many day laborers, especially those whose undocumented legal status prevents them from accessing public safety net resources. Even for day laborers like Enrique, who is a legal permanent resident, accessing such benefits may require time and effort to process. For many workers, securing economic assistance from employers enables them to cope with the challenges of workplace injuries. Many day laborers believe they are responsible for workplace injuries because they are

fully aware of the risks associated with this kind of work. As a result, they assume that employers care about their well-being when they offer economic assistance during workplace injuries.

Day laborers often compare the way employers in agriculture or dairy work respond to workplace injuries to shape their decision making on claims-making. They frequently highlight home visits, hospital visits, and receiving food or financial support from employers in day labor as acts of care that they believe would be unlikely to happen in other sectors. In agriculture, labor law violations are rampant, and employers often disregard worker rights, knowing that many workers, especially undocumented immigrants, are hesitant to challenge them. The harsh labor conditions in industrial agriculture, rooted in the systemic exploitation of plantation slavery, persist into 21<sup>st</sup> Century work arrangements and disciplines day laborers to tolerate substandard conditions.

### **Expectations of Care**

Informal agreements in the day labor sector create a broader work culture that discourages formal claims-making and reinforces racialized dynamics of labor exploitation. Even participants who had not experienced injury as day laborers were hopeful that employers would offer them economic assistance if an injury were to occur. Their precarious social position leaves them with few, if any, alternatives for resources. Many participants I spoke with were undocumented whose legal status excluded them from most state and federal social safety net resources. While the employers who hired day laborers were predominantly white and Latino but also included Black and Asian employers. Many of the white employers were homeowners or *rancheros*—owners of large tracts of agricultural land—while a significant share of Latino employers were small

business owners who once worked informally before obtaining a contracting license. Although the economic power of these employers varies, particular between white *rancheros* and Latino contractors, they both become the most accessible avenues for day laborers to seek help in moments of injury. This reliance deepens day laborers' dependence on informal arrangements and reinforces unequal relations of power.

For example, Misael had prior experiences with formal claims-making as an agricultural worker where he successfully filed both wage theft and harassment claims. Despite this, he expressed a clear reluctance to report any violations as a day laborer. He said, "Not here [in day labor]. . . . I could make a report, but if he [the employer] can help me instead, it would be better." Even though Misael was aware of labor rights, he preferred the possibility of receiving informal financial support from his employer over filing a formal report. He imagines a scenario where the employer says, "'Here is \$500, go to the doctor, get checked or buy medicine.'" Misael had not experienced a serious injury as a day laborer but had heard stories from others about employers offering cash assistance, which shaped his own expectations about employer accountability.

Similarly, Roberto, a former unionized construction worker, expressed deep discomfort with the idea of reporting employers in day labor. He was aware of labor rights as a former union member but feared rupturing the relationship he had established with employers. He said, "Personally, I wouldn't feel good reporting employers, they wouldn't look for you anymore." He, like many other participants, believed that the relationships they had built over time with certain employers would ensure support if he were injured. He explained, "If something [an injury] did happen, the employer that hired me would find a solution without laws or anything like that." This reliance was also evident in other veteran workers like Emiliano, who was known

for being one of the first day laborers to seek day work at this informal hiring site over thirteen years ago. He had recently fallen off a ladder but chose not to report the incident because the injury wasn't severe. He expressed confidence in receiving support from the employer should he have injured himself severely after the fall. He shared, "I didn't report it because nothing serious happened to me, but if I would have been hurt, the employer would have helped me. He is a wealthy man." Emiliano had established relationships with numerous employers over the years and was even acquainted with some of their family members. He used this knowledge to assess which employers might be more likely to assist him if he were to be injured on the job. For day laborers like Emilio, maintaining long-term relationships with employers was seen as an informal safety net that they could rely on in the absence of formal protections.

The idea that employers with whom day workers have had positive experiences will step in during times of need is widespread among day laborers. However, such informal arrangements primarily serve the interests of employers by minimizing their liability and preserving control over a racialized labor force. Employers use acts of care to secure loyalty and compliance from workers who have been systematically denied legal rights and material security by the state. In doing so, they help maintain a system that exploits a racialized labor force of mainly undocumented and Latino immigrants.

### **Paternalism at Work: Why Workers Fail to Report Noncompliance**

Paternalistic relationships are also central to understanding the experiences of day laborers in California's Central Valley, especially how they bind workers to employers. These relationships—formed through networks of kinship, friendship, and shared migration histories—

work in tandem with economic dependence. They prevent workers from asserting their rights through formal channels and reveal how exploitation is reproduced through benevolence.

Many day laborers reported that they refrained from reporting workplace violations when the employer was a family member, a long-term employer, or someone from the same region in Mexico or Central America. In these cases, formal claims-making was not just a legal decision but seen as betrayal of trust—a violation of the unspoken ethic of not biting the hand that feeds you—that could rupture paternalistic ties.

Lorenzo, for example, came across this situation when he fell from the top of a six-foot scaffold and injured his ribs while doing stucco work on a house. Despite needing medical attention, he did not report the incident because he had been working under an informal cash agreement alongside his father. He recalls, “I hit my ribs when I landed on rocks. But I’m not going to sue my own dad.” He decided not to file a formal report because he was working under the supervision of his father, who works as a full-time day laborer. Even though he and his father were informally hired by the homeowner, Lorenzo felt that reporting the injury would only cause problems for his dad in the future. Despite Lorenzo having a full-time office job as a manager in a trucking company, he is dependent on his dad for weekend day labor jobs. Reporting his workplace injury and possibly creating repercussions for his dad in the day labor market would also jeopardize his own ability to earn extra income. He did, however, express willingness to report workplace accidents in circumstances where family or friends were not involved. Lorenzo shared, “If I know they have licenses and workman’s comp, then at that point, I will see it more of a separate entity. When it’s my own family or friends, I feel like I don’t want to screw them over.” His comments reflect the complexity of kinship ties and exploitation, where the closer the ties, the more difficult it is to challenge labor law violations.

This logic extends beyond the familial relationships, as other day laborers frequently described a culture of discouraging reporting health and safety when the employer was a friend or long-term connection. For example, Jonas explained, “Employers never really give you water, breaks, or lunchtime. We keep working because we want to remain friends.” He continued, describing how a severe workplace injury involving heavy industrial equipment went unreported when he had been working with friends:

My friends and I were working with a concrete mixer . . . it weighs about half a ton. . . . It was raining and the concrete mixer slipped and landed on my foot. My foot was swollen. I couldn’t put my shoe on, and I didn’t work for a month and a half. . . . There is no way of reporting, especially if you know the employers and they’re your friends.

Jonas and the friends he was working with had migrated from the same region of Mexico a few years prior. Their employer was also from the same rural region of Mexico and had assisted Jonas and his friends with the costs associated with their migration to the US. In this context, Jonas described reporting the injury as immoral and as a betrayal of someone who had helped him during a critical period. Formally reporting the incident would mean putting his friend at risk of legal consequences and potentially disrupt a co-ethnic network he and his friends rely on for work. This sense of obligation to co-ethnic employers and friends reflects a broader dynamic in which gratitude and loyalty often outweigh legal rights or personal safety. The dynamic of reporting becomes more complex when day laborers work within layered employment structures involving employers, head contractors, and subcontracted crews of day laborers. As Lorenzo’s case exemplifies, an employer hired his dad through an informal agreement, and his dad hired Lorenzo. Similarly for Jonas, a head contractor hired his friend

which he then contracted Jonas and other day laborers to work. In such arrangements, responsibility for injuries or violations becomes diffused.

In another instance, when employers violated safety norms or failed to provide basic protections, workers internalized the risk as a condition of informal loyalty. Many workers were afraid to be seen as ungrateful “*malagradecidos*” by employers who allow them to earn a livelihood. As Bony shares, “You can file reports, but only if you work for a company, not in day labor. It would be imprudent of me to go file a report to Cal/OSHA. Employers are already doing enough by giving me their trust and work that allows me to take a livelihood to my kids.” These dynamics highlight the way subordinate inclusion in the day labor industry operate through legal exclusion and intimate relations of dependency that disguise exploitation as mutual aid and through the ineffectiveness of legal claims-making channels. Workers’ experiences with bureaucratic claims-making institutions reinforce the perception that such channels are useless and encourage them to turn to employers for resolutions. When day workers experience a workplace injury that requires medical attention, most view formal claims filing as an immoral solution. Instead, many decide not to take legal action and hope instead for their employer to offer them financial assistance. When help is given, it reinforces the idea of care; however, when help is denied, day laborers are left to manage their injury alone because the informal ties and ineffectiveness of legal channels prevent them from pursuing formal claims. Ultimately, informal ties between workers and employers rooted in shared ethnicity, familial histories, and migration histories combined with a legal system that offers little recourse make resistance appear as both disloyal and futile.

### **Ruptures in Paternalistic Employment**

Instances of overt racism by employers have the potential to rupture paternalistic labor relations and catalyze worker resistance through formal claims-making. In this study, the few day laborers who successfully filed complaints against employers did so because racialized humiliation by employers shattered their relationship. These ruptures occurred when day laborers were hired by non-Latino employers who asserted racial dominance through verbal abuse. For example, Rene, a self-identified undocumented Mexican day laborer, was reluctant to report an employer he identified as “*un güero*” (a white man) who refused to pay his complete wages. However, Rene quickly changed his mind after the racial degradation he experienced:

The employer didn’t want to pay me, he had his [contracting] license, and I took him to Labor Commission. . . . It wasn’t a lot [of money], but what I didn’t like is that he insulted me saying I was a wetback. . . He also said, “You’re so stupid.” I said, “You’re going to see how stupid I am.” I took his information, went to the office, and filed the report.

Rene’s resistance to wage theft was driven not only by a desire to recover his stolen wages but by his refusal to accept racial subordination from his employer. This illustrates how a racialized labor force primarily of undocumented and Latino immigrants resist and challenge employers who perpetuate exploitation within the broader structures of racial capitalism. Rene successfully recovered his stolen wages through formal claims-making and refused to ever work for that specific employer again. Other day laborers recounted similar experiences where racial insults prompted them to report employers with whom they did not share a racial or ethnic background. For example, Jonathan had established a long-standing working relationship with a contractor he described as “*un chino*” (a colloquial term for someone of Asian descent). He was motivated to file a formal report after the employer refused to pay him. He shared,

I charged [the employer] \$300. But he got mad and kicked me out of his house. I told him, “You know, I can file a lien against you. He laughed. *Chinos* often try to take advantage of us, undocumented workers. But what really upset at me were the insults.”

In both cases, workers were motivated not just by material harm but by employers’ expressions of racism. The fact that these employers were not part of the same racial or ethnic group made it easier for day laborers to reject the idea of loyalty. In this context, formal claims-making becomes an act of racial resistance by day laborers whose relationship with employers rupture after experiencing overt racism.

Unless these relationships are visibly fractured through verbal overt racism, many day laborers will continue to tolerate and justify labor law violations from employers. This illustrates how racial capitalism normalizes exploitation so deeply that it becomes woven into the everyday experiences for day laborers. The findings suggest how co-ethnic ties can enable racial capitalism to flourish obscuring exploitation behind ethno-racial affinity. However ethno-racial discordance makes the exploitative dimension of these relationships more visible. Day laborers are thus more likely to break paternalistic ties and pursue resistance through formal claims-making when racism becomes explicit.

## **Discussion**

This study contributes to the sociology of immigration and labor by highlighting how paternalistic and co-ethnic ties shape rural day laborers’ response to labor law violations. In this anomalous case study of immigrant day laborers in California’s Central Valley, I show how such relationships often discourage workers from reporting labor violations. As my findings suggest, it is not solely lack of knowledge or fear of retaliation but also worker perspective toward formal

claims-making as a betrayal of trust to employers and threat to future employment. However, I also demonstrate key ruptures that motivate rural day laborers to pursue formal claims-making, despite the bureaucratic hurdles, to resist employers who racially mistreat them.

These findings extend the racial capitalism framework by integrating De Genova's concept of subordinate inclusion, showing how legal vulnerability, racial differentiation, exploitation, and informal power relations operate together to structure rural day labor work (De Genova 2002 and 2005). Much of the literature on racial capitalism (Robinson 2020) focus on structural domination; however, I argue that such domination is also produced and maintained through intimate relationships between workers and employers. These relationships of dependence and discipline enable employers to extract labor from undocumented and Latino immigrants, who are structurally incorporated into precarious position in a global system of racial capitalism (De Genova 2023). This study also challenges dominant views in labor studies that treat labor law violations as a problem of legal knowledge or fear of retaliation. Most participants I interviewed knew where to file labor law violations or had previously done so as agriculture or dairy workers. However, paternalistic and co-ethnic relationships discouraged them from using legal claim-making channels. Moral obligations and the material consequences of breaking such ties constrain day laborers' capacity to engage in formal resistance. My findings also complicate a wealth of literature on postindustrial labor relations that treats informality and precarity as a product of neoliberal labor markets. The experiences of undocumented and Latino immigrant day laborers in rural regions show that these conditions are not solely a result of deregulated labor but are embedded in a racialized system of accumulation with origins in the plantation economy and agricultural labor regimes.

While scholarship on racial capitalism has discussed large scale systems of exploitation (Melamed 2015; Robinson 2020), my findings suggest a need for more empirical studies that show how racial capitalism is reproduced at the micro-level through everyday social relations. Future studies should examine how racial capitalism manifests across the immigrant life course from pre-migration to returned migration. This requires a transnational analysis of how racialized labor markets in the global South condition immigrants to accept exploitative labor practices in the global North. This framework can also offer a critical lens on how racialized exploitation persists by including the perspective of employers in future studies. Understanding the way employers navigate and justify labor law violations can highlight the mechanisms that sustain racial exploitation. Finally, this framework can also demonstrate new ways to rethink worker resistance by examining how new solidarities and organizing strategies are formed.

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