

**LEGAL
AID AT
WORK**


BET TZEDEK
JUSTICE FOR ALL


GOLDEN GATE UNIVERSITY
SCHOOL OF LAW
WOMEN'S EMPLOYMENT RIGHTS CLINIC


CAUSE
Central Coast Alliance United for A Sustainable Economy

EBASE 20
Our People. Our Cities. Our Future.

**CENTRO
LEGAL DE LA
RAZA**

Dear Governor Newsom,

While all Californians are struggling with the economic and practical realities of living under a statewide Shelter In Place Order and the coronavirus pandemic, one group of California residents will be the hardest hit: undocumented immigrants. More than two million undocumented immigrants make California their home. Nearly one in ten California workers is an undocumented worker. Over seventy percent (70%) of undocumented Californians have resided in the U.S. for more than ten years.

A report from the Institute of Taxation and Economic Policy found that undocumented immigrants contribute over \$3 billion dollars in taxes to California. The state controller has estimated that undocumented immigrant's labor is worth more than \$180 billion per year to California's economy.

While many Californians are able to comply with the Shelter in Place Order while continuing to earn money by working from home, remote work from home is simply not an option for the majority of California's undocumented workers. A recent EPI study found that very few low-wage workers, especially Latinx workers, are able to work remotely. Due to the Shelter in Place Order, these workers are losing their jobs or having their hours drastically curtailed. Moreover, even though these workers pay taxes and contribute to the state's prosperity, undocumented workers are unable to access vital benefits such as unemployment insurance. The inability to earn a living will have a devastating impact on undocumented immigrants. Already, undocumented immigrants are living precariously - over half live at or below 150% of the poverty level. Accordingly, it is imperative that the state meet these workers' basic needs so

that they can comply with the Shelter in Place Order without fearing that they will not be able to feed and house their families.

California has taken the lead in protecting and expanding rights for undocumented immigrants. A majority of Californians support state and local government action (in the absence of federal leadership) to protect undocumented immigrants.

We ask for that same leadership to protect our most vulnerable residents during the COVID-19 pandemic. We urge the Governor and the California State Legislature to exercise their authority to allow access to benefit programs, regardless of citizenship or immigration status, and immediately take the following actions:

1. Create and fund a “Disaster Relief Fund” housed within the Employment Development Department (EDD) for undocumented workers, or other workers who are not eligible for benefits administered by EDD, and who are unable to work as a result of the COVID-19 pandemic, either because of a lay-off, reduction in hours, a shelter-in-place order, or because they are taking care of a child whose school or childcare has closed due to the current pandemic. This “Disaster Relief Fund” shall be funded exclusively by the State of California, and shall be administered as follows:
 - a. The EDD shall create an online and paper application similar to the existing applications for State Disability Insurance or Unemployment Insurance;
 - b. The Disaster Relief Fund will be administered by EDD’s State Disability Insurance / Paid Family Leave Unit;
 - c. The Disaster Relief Fund shall provide qualified individuals with immediate cash relief until such time as the Emergency Proclamation is lifted or until the qualified individual is able to return to work;
 - d. Workers who apply to the fund will have to establish base period earnings equivalent to what would be required under Unemployment Insurance;
 - e. Each eligible worker shall receive \$600 per week;
 - f. Multiple forms of identification will be accepted in applications for this program, such as: identifications issued by the State of California, Individual Taxpayer Identification Number, Consular Identifications, Passports, or lapsed Social Security Numbers;
 - g. Multiple forms of earnings verification will be accepted, including tax returns and self-reported income;
 - h. All payments made from the Disaster Relief Fund shall be retroactive to the date of the Emergency Proclamation or the date that the individual had their work hours reduced or eliminated, whichever date falls later;

- i. The EDD shall immediately increase its staffing in order to administer the Disaster Relief Fund and expedite processing;
 - j. All information or documentation obtained by EDD from applicants to the Disaster Relief Fund be used exclusively for the purposes of administering these programs and shall not be disclosed to any other entity or individual for any other purpose; and
 - k. Implementation of the Disaster Relief Fund shall commence no later than May 1, 2020.
2. Allocate \$10 million to Community Based Organizations that are geographically diverse serving undocumented immigrants to provide cash benefits to undocumented immigrants to pay for groceries, rent/mortgage, emergency home repairs, transportation, medicines, and tools.
 3. Broaden eligibility for the California Earned Income Tax Credit (EITC), including the Young Child Tax Credit (YCTC), to include all immigrants, and immediately making it retroactive to tax year 2019.
 4. Commit to establish a permanent income replacement program within the Employment Development Department for individuals who do not otherwise qualify for unemployment benefits, but who are unemployed through no fault of their own. This fund would be administered separately from UI, but using the same criteria for determining the duration, amount, and timing of benefits.

As organizations supporting the undocumented community, we hear firsthand from workers who are impacted by the current pandemic. We want to share with you just a few stories to highlight the need for immediate action on this issue:

“I and my coworkers are not able to work at the moment. Because we are not generating any income and don’t have any resources that can support us through this crisis, we plead with you, Governor Newsom, to provide the necessary support for us workers who also contribute to the economy. I live with my mother and siblings and help to support the whole family, so the impact is household-wide. I also support the living costs of my children and at the moment I no longer have enough. I received \$400--one week’s pay from my restaurant--before it was shut down. We are at home, so we bought food for this week, but our money is running out. I will not be able to cover the cost of food for my children. What happens when the \$400 runs out?”

- JC, Koreatown Immigrant Worker Alliance member and restaurant worker,

translated from Spanish

Erika is a house cleaner, nanny and caregiver. She has been doing this for 4 years and absolutely loves this work. However, since the outbreak of the virus, she's had all her employers cancel on her and have told her not to come. She says, "They have basically shut me out." Her daughter struggles with asthma and now has a serious bronchitis infection. Erika has no way of paying for her daughter's medicine and is trying to borrow money from friends and family but doesn't know how much longer she can keep doing that. She does not have any paid time off or any health insurance and she is asking the government to please include domestic workers in legislation that will offer them basic benefits and protections because they are completely vulnerable right now.

- California Domestic Worker Coalition/National Domestic Worker

Alliance

Mr. Guzman is a florist worker in the Santa Paula area, he regularly worked 50 to 55 hours a week but due to the crisis we are facing, his employer decided to reduce his hours to just 30 hours a week and fired 15 other workers. He was one of the 7 lucky ones who still worked with their reduced hours. Mr. Guzman is very concerned and is constantly looking for another job that will ensure he works all week. For now, he is the only one supporting 4 children in total a family of 6. He hopes that this crisis will pass soon, at this point he is more worried about working than the virus because if he does not his family will have no food.

- Mixteco/Indígena Community Organizing Project (MICOP)'s indigenous leaders, translated from Spanish

Maximo Alvarado is 46 years old and is a father of 4 in Ventura, CA. He has owned his landscaping business for over 20 years. He and his wife used to commute to Santa Barbara 5 days a week to landscape 4 large properties a week, but now due to the Coronavirus pandemic is only going out two days to do only one of the properties. His income drastically changed from \$2,500 a month to \$900 which doesn't even cover his rent of \$1,300. His wife who is an independent domestic worker recently had all her houses cancel so she has absolutely no income because of the Coronavirus.

- Central Coast Alliance United for a Sustainable Economy (CAUSE) Member

California has the second highest statewide concentration of undocumented workers in the country. The state cannot afford to ignore the suffering of this segment of our community during an unprecedented public health crisis. We urge the Governor to take immediate steps to provide relief to undocumented immigrants.

Sincerely,

Afscme 3299

Asian Americans Advancing Justice - California

Bet Tzedek

CA Food Policy Advocates

California Association of Food Banks

California Domestic Workers Coalition

California Employment Lawyers Association

California Faculty Association -SF State University

California Immigrant Policy Center

California Immigrant Youth Justice Alliance (CIYJA)

California National Organization for Women

California Reinvestment Coalition

California Women's Law Center

Center for Workers' Rights

Central Coast Alliance United for a Sustainable Economy (CAUSE)

Centro Laboral de Graton

Centro Legal de la Raza

Children's Defense Fund - California

Chinese Progressive Association

CLEAN Carwash Campaign

Community Legal Services in East Palo Alto

County Welfare Directors Association

CRLA Foundation

Dolores Street Community Services - La Colectiva / Day Labor Program

East Bay Alliance for a Sustainable Economy

Employee Rights Center
Equal Rights Advocates
Friends Committee on Legislation of California
Future Leaders of America
Garment Worker Center
Golden State Opportunity
GRACE Institute/End Child Poverty in CA
Hand in Hand: The Domestic Employers Network
Housing Rights Committee of San Francisco
Instituto de Educación Popular del Sur de California (IDEPSCA)
Instituto Laboral de la Raza
Jewish Center for Justice
Jobs with Justice San Francisco
KIWA (Koreatown Immigrant Workers Alliance)
Korean Community Center of the East Bay
La Raza Centro Legal
Labor and Community Studies, City College of San Francisco
Legal Aid at Work
Legal Aid of Marin
Los Angeles Worker Center Network
Mixteco/Indígena Community Organizing Project (MICOP)
National Council of Jewish Women - California
National Council of Jewish Women Los Angeles
National Domestic Workers Alliance
National Immigration Law Center
National Lawyers Guild of Los Angeles
National Lawyers Guild SF Bay Area Legislative Reform Committee
NorCal Resist
North Bay Organizing Project
Orange County Communities Organized for Responsible Development (OCCORD)
Oxfam America
Parent Voices CA

Partnerships for Trauma Recovery
Refugee & Immigrant Transitions
Restaurant Opportunities Center (ROC) the Bay
SEIU California
SEIU-United Service Workers West
Senior and Disability Action
Street Level Health Project
Thai Community Development Center
TODEC Legal Center
UC Berkeley Labor Occupational Health Program
UCLA Labor Center
UNITE HERE International Union
United Educators of San Francisco
Voices for Progress
Warehouse Worker Resource Center
Western Center on Law and Poverty
Women's Employment Rights Clinic -Golden Gate University
Working Partnerships USA
Worksafe
Young Workers United

CC:
California Lawmakers
Labor Secretary Su