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“WE DO NOT HAVE THE LUXURY TO WORK FROM HOME”:

THE IMPACT OF COVID-19 ON ILLINOIS' ESSENTIAL TEMP WORKFORCE

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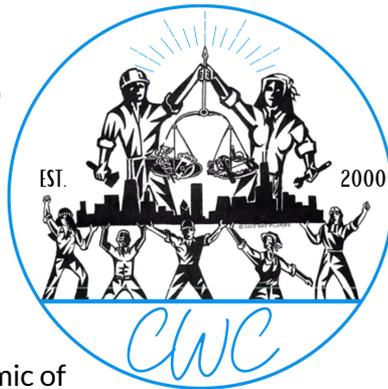
“We Do Not Have the Luxury to Work from Home”: The Impact of COVID-19 on Illinois' Essential Temp Workforce

An Urgent Call to Action.

September 2020

BACKGROUND

Chicago Workers Collaborative (CWC) is the premiere local organization of temporary workers, organizing in Chicagoland since 2000; one of Chicago's first worker centers. Incubated by St. Pius V Parish, CWC became an independent non-profit in 2009. CWC was born from an epidemic of wage theft, discrimination and worker injuries, which motivated workers to come together to form an organization that would enable temps and other low-income workers to take action to win dignity and fair working conditions. CWC has assisted thousands of workers in changing market conditions which reward corporate policies which are anti-worker, anti-black and anti-immigrant while also building the nation's strongest protections for temporary staffing workers.



Each year, many more Americans work for temp agencies than work in union jobs in the private sector. There are 100-250 staffing agencies in the Chicagoland area alone, with over 1000



branch offices throughout the state of Illinois. Much of the temping-out of the American workforce has occurred in heavily unionized industries like manufacturing, warehousing, and healthcare. Many of these workers are not temporary at all; they are “permatemps” who have been stripped of their labor rights because of their employment arrangement. Staffing agencies are able to offer clients cheap labor by cheating temp workers out of wages, committing workers compensation fraud, charging workers undue fees, and other scams. For profit-maximizing employers, it's like having a low-wage country, or Southern right-to-work state, only a phone call away, to outsource labor. TWUAP is comprised of union leaders, worker center leaders, and allies who are deeply concerned about the steep rise of non union temp labor and we are working to stop it. We aim to strengthen the labor movement by ensuring that temporary workers are no longer used to divide and dilute worker power at job sites, but are instead brought into collective bargaining agreements and grow both worker power and the power of locals.



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INTRODUCTION

In the last few decades, the United States has seen an explosive growth of temp staffing agencies and temp workers as corporations have increasingly chosen to outsource many job tasks, particularly in blue collar jobs (Padin & Pinto, 2019). According to the American Staffing Association, temp staffing agencies hire roughly 16 million temp and contract workers during one year (ASA, 2020). In Illinois, there are roughly 1.5 million temp workers throughout the state. Most recent counts estimate about 200 staffing firms and over 1,200 branch offices registered with the Illinois Department of Labor (IDOL) in blue collar industries alone. These blue-collar industries include manufacturing, warehousing, hospitality, waste management, and food processing, among other industries.

Through their contracts with companies, staffing agencies hire and assign temporary workers to a particular worksite and take care of human resource needs and payroll and benefits administration for the temp workers placed there. These agencies also provide minimum safety training and compensate workers who become injured on the job (NELP, 2014). Worksite employers, for their part, generally control the type of work being performed and the working conditions of the direct hires and the temp workers working alongside them. Such arrangements can become murky when, for example, a blue-collar temp worker is injured on the job and neither the staffing agency or the worksite employer want to claim responsibility (NELP, 2014).

While these work arrangements may create efficiencies in some aspects of a company's operation, the temp worker business model has fueled a race to the bottom—through incentives to cut costs, which ultimately depress wages, give rise to dangerous working conditions, and strip workers of their rights and bargaining power (Temp Worker Justice [TWJ], 2020; NELP 2014). The precarious nature of temp employment has had a devastating effect on the temp workforce. A 2017 NESRI report found 74% of temp workers experienced wage theft, 47% of temp workers have filed complaints with the Department of Labor or have tried to improve working conditions and experienced retaliation, and 84% of temp workers experienced health and safety violations at their workplace (Scott, 2017).

The Impact of COVID-19 on Illinois' Essential Temp Workforce



Other studies find that temp workers in high hazard industries are twice as likely to be seriously injured on the job than permanent workers who do the same type of work and generally have higher rates of workplace injury (TWJ, 2020; OSHA, 2013; Fabiano, 2008). One recent study looking at workers' compensation claims in Ohio found that temp workers generally had a significantly higher risk of injury, particularly regarding severe types of injuries with 8 or more days away from work, across most industry groups (Al-Tarawneh, Wurzelbacher, & Bertke, 2020).

Additionally, temporary workers had a significantly higher risk for injury events involving transportation, and exposures to environmental and physical hazards than permanent workers. The rate of injury for temp workers was 11.6 per 100 workers, compared to a rate of 4.9 among permanent workers (Al-Tarawneh, Wurzelbacher, & Bertke, 2020). Another study found that in some sectors, temp workers had injuries due to toxic chemical exposures that were almost 400 percent higher (Smith et al., 2010).



Labor abuse towards temp workers also manifests in other forms. The National Employment Law Project (NELP) reports that temp workers earn an average of 41% less for the same work compared to permanent workers. Additionally, 9 out of 10 temp workers report at least one incidence of wage theft with little recourse for potentially receiving back wages. Temp workers also face other barriers such as difficulty joining a union and exerting their rights (TWJ, 2020 NELP 2014).

“Because of Covid, I had to quit my job. When the school and day cares shut down, I had to step up and take care of my children. I have 3 small kids and I had to put them first, even if it meant that I would struggle financially.”

-Illinois Temp Worker

TEMP WORKER DEMOGRAPHICS

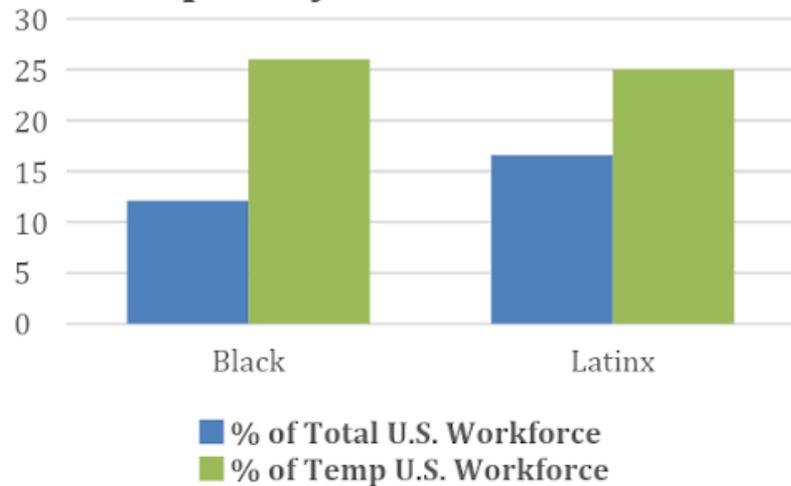
While it's unsurprising that growth in temp jobs remains concentrated in low wage jobs, it's important to note that Black and Latinx workers are largely over-represented in the temp workforce. Nationally, Black workers account for roughly 12% of the overall workforce, but make up about 26% of temp workers, while Latinx workers are 16.6% of all workers, but 25% of temp workers (Figure 1.) (Padin & Pinto, 2019).

Additionally, many temp agencies have been found to heavily recruit in immigrant communities. An investigative journalism report in 2016 found that companies regularly use temp agencies to shield them from discriminatory hiring practices to acquire workers perceived to be more vulnerable (Reveal News, 2016). Temp workers of color not only have to deal with discriminatory hiring practices that result in the least favorable and some of the most dangerous jobs, they also grapple with racial discrimination in the workplace. The 2017 NESRI report also found that 22% of temp workers experienced racial discrimination (Scott, 2017).

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IDOL collects demographic data from “day and temporary laborers” in the state, the only state to do so. An analysis of this data from Temp Worker Justice and the Chicago Workers’ Collaborative in 2020 found an even greater degree of occupational segregation and discrimination in temp staffing than national statistics. The IDOL data revealed that in temp assignments for the 8-county Chicago region, 36% were of Black workers and 49% of Latinx workers, despite these groups only making up 18% and 23% respectively of the region's overall workforce.

Figure 1. Percent of Black and Latinx Workers in Total and Temporary U.S. Workforce



LEGAL PROTECTIONS FOR TEMP WORKERS

There are currently only 3 states that have laws that attempt to protect and build power for temp workers –California, Massachusetts and Illinois. The Illinois Law, known as the Responsible Jobs Creation Act, passed in 2017 amended the Illinois Day and Temporary Labor Services Act. This Act is now considered the strongest protection for temp workers in the U.S. The Act includes strict record-keeping and filing requirements for temp agencies, which can provide evidence of unfair and illegal practices by staffing agencies (Padin & Pinto, 2019). While this law represents an important victory for temp workers, labor laws are inanimate if they are not properly implemented and robustly enforced.



THE CORONAVIRUS PANDEMIC

The United States has been in the midst of a global pandemic caused by COVID-19, a new virus not previously seen in humans, that has hit this country hard. On July 23, 2020, the U.S. passed the 4 million confirmed coronavirus case mark, more than any other country in the world, and has had more than 147,000 deaths from Covid-19. In Illinois, there have been over 177,000 confirmed cases and over 7,659 deaths.

Furthermore, it is no surprise that the deep roots of systemic racism in the United States are shedding light on the often-ignored health and social inequities that have disproportionately put Black and Latinx communities at a higher risk for Covid-19. According to the Illinois Department of Public Health data portal and census data, while white people account for 77% of the state population, they only account for 23.4% of cases. On the other hand, Black people account for 15% of the population, but represent 17% of the total cases and 27% deaths from Covid-19. Hispanics account for 17% of the state population, but make up 30% of cases and 21% of deaths in the state.



ILLINOIS GOVERNMENT'S COVID-19 SAFETY GUIDANCE FOR TEMPS

In April 2020 (and updated in June), the Illinois Department of Public Health issued guidance measures that were expected to be followed by businesses to protect workers and reduce transmission of Covid-19 (ILDPH, 2020). This operational guidance applied to food and meat processing facilities, manufacturing facilities, and workplaces with assembly lines—places where temp workers are often sent to work.

This guidance reinforced the Department of Public Health Act (20 ILCS 2305/2) and the Illinois Control of Communicable Diseases Code (77 Ill. Adm. Code 690) that the state department of public health and local health departments have the authority and the responsibility to investigate and control infectious disease outbreaks, including Covid-19. Additionally, the guidance included action steps for employers related to: developing and implementing an infection control plan; information on screening workers; case identification and contact tracing; testing for Covid-19; establishing a health and safety committee; implementing social distancing and other administrative controls; providing and training workers on proper use of personal protective equipment (PPE); cleaning, disinfecting and sanitizing practices; and providing ongoing education to workers about COVID-19.

Furthermore, this guidance stated that businesses should voluntary shut down: if there were a growing number of coronavirus cases at a specific jobsite, if there were not enough workers to safely perform work, if there was an inability to maintain at least 6 feet from other employees, or if there was not enough PPE available to workers. Facilities who did not shutdown risked being involuntarily shut down by the local health department if they were not in compliance.

THE CORONAVIRUS TEMP WORKER SURVEY

PURPOSE

Temp workers are providing many of the life sustaining supplies during the coronavirus pandemic, and the coronavirus has exacerbated the vulnerabilities facing temp workers across the country. The Coronavirus Temp Worker Survey is a national survey being conducted by Temp Worker Justice (TWJ), the only national advocacy organization focusing on addressing the issues facing temp workers. This survey was developed and intended to help determine how workers perceive temp staffing agencies' Covid-19 health and safety practices. While the survey data is on a national level, most of the information provided in this report focuses on responses from Illinois, including additional survey questions that were developed for Illinois respondents.

HOW THE SURVEY WAS CONDUCTED

The survey was rolled out in partnership with local workers' rights advocacy organizations in the U.S., including the Chicago Workers' Collaborative (CWC). The remainder of this report focuses on the experience of temp workers in Illinois. While this survey was available online to any temp worker through a direct link, most responses from Illinois were collected via telephone. The contact information for temp workers was provided from databases managed by CWC. In addition to answering specific questions with specific answer choices, temp workers were given the opportunity to provide additional context for their responses and share comments about their experience working during the pandemic.

In total, there were 130 responses in the national survey; 71 responses were collected from Illinois. Four responses from Illinois were collected in English and 67 were collected through the Spanish version of the survey. About 80% of respondents identified as women and over 90% of participants from Illinois were Latinx. Telephone interviews ranged from 8 minutes to 40 minutes in length, with the average interview at 17 minutes. Most temp workers who completed this survey worked in food processing, warehousing and logistics, and manufacturing. Other temp worker placements included: healthcare/medical, housekeeping/hotel work, among other industries.

Survey responses in Illinois were collected from May through mid-July, 2020. CWC raised awareness about the survey through their various social media platforms, existing partnerships with local community-based organizations, and by word of mouth. Because CWC has existed in the Chicagoland area since 2000, the organization was able to rely on pre-existing direct relationships with temp workers to spread the word about the survey and increase responses.

EMPLOYERS' COVID-19 SAFETY MEASURES IN THE WORKPLACE

The employment relationships between temp workers, temp staffing agencies, and worksite employers have put temp workers in precarious situations during this pandemic. When asked how safe from contracting the coronavirus temp workers felt at their current or most recent temp job, over 53% of respondents said they felt unsafe or very unsafe. Another 17% were unsure about how safe they felt at work. Notably, 38% of respondents thought that their workplace was in violation of the IDPH guidance measures and needed to be shut down. For example, about half of the workers said their workplaces were unable to adhere to the 6 feet of distance protocol as required by IDPH guidelines. Many assembly line workers mentioned this type of policy is impossible to implement because of the nature of their job. One temp worker shared that in June, the worksite employer opened a new plant, and the staffing agency shifted temp workers over to staff this new factory. ***"They were not ready to open up. They haven't implemented any policies to protect us against the virus. I even have to bring my own toilet paper from my house because these bathrooms don't have any. Not even hand soap! How is that okay?"***

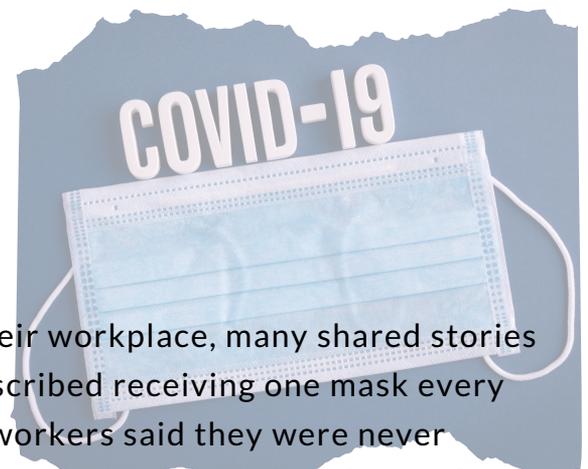
Temp staffing agencies and worksite employers have a long history of finding ways to circumvent providing training for temp workers. Given the need for training on how to work safely during the coronavirus pandemic, it is no surprise how little training temp workers reported having received. Only 18% of respondents described receiving new training or information from the temp staffing agency on how to work safely during the pandemic. This percentage improved to 42% when asked if they had received training from the worksite employer. However, overall, 42% of temp workers reported receiving no information from the temp agency or the worksite employer about working safely during the pandemic. Furthermore, it must be noted that The Responsible Jobs Creation Act requires temp agencies to provide notices to workers stating "the types of equipment, protective clothing, and training that are required for the task" (820 ILCS 175/10). Because these worksites are in violation of these laws, many workers expressed relying on local community groups to find this information and understand best practices to protect themselves.

About 65% of the temp workers surveyed said they were not being asked by their employer if members of their household had tested positive for coronavirus, as required by the IDPH guidance. Some workers shared stories of having to notify their employers that they needed to quarantine after their spouse got sick, only to never receive pay for the time spent in quarantine.



TEMPERATURE TESTING

Temp workers are frustrated with how slow their workplaces were to adopt any safety measures. When workplaces began shutting down mid-March, some workers stressed their employer did not adopt any of the IL Dept of Public Health measures until June. Others felt their workplace was “*showing face*” and only giving the appearance of having established safety measures. Forty percent of respondents said they were not having their temperature checked at the workplace entrance as required by IDPH guidelines. For the 60% of workers who said they were, many noted this practice was only adopted in May or June. Other workers described thermometers not working properly and being forced to be the person checking everyone’s temperature when they arrived at work, even though they did not want to or were not given the proper PPE to do this task.



USE OF PPE

Although 65% of workers described receiving PPE from their workplace, many shared stories that the PPE was insufficient and inadequate. Workers described receiving one mask every two weeks, or receiving only gloves, but not masks. Some workers said they were never provided masks and had to bring in their own. Other temp workers whose job tasks involved cleaning shared that, even before the pandemic, they were never provided masks or gloves. One worker described having a job task that required the use of goggles. ***“There is only one pair of goggles for all of us to use. At a minimum, we should have Lysol wipes and disinfectant to clean these, but we don’t. I decided to buy my own because I did not want to risk my health”***. This pandemic demonstrated to workers that, if they wanted to protect themselves, they had to take matters into their own hands.

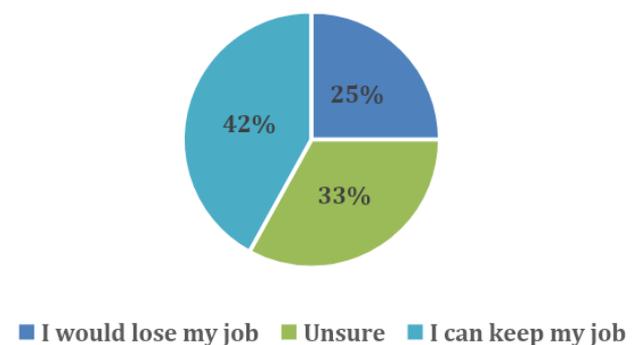
Furthermore, while some workers were being told by management that they had nothing to worry about, other temp workers described stigma and shame that came from their supervisors and managers for choosing to wear PPE. ***“My manager would pick on us and bully us and say we were the ones that were sick for choosing to wear a mask,”*** stated one worker, (an apparent reference to the higher rates of Coronavirus infection among Latinx communities).



EXPERIENCES IN QUARANTINE

In general, workers shared their discontent with their workplace's quarantine policy. One out of four temp workers felt they would lose their job if they had to quarantine for a 14-day period. An additional 33% of respondents were unsure if they would lose or keep their job. The reality for many temp workers is that they eventually did lose their job or were not paid for the time they spent in quarantine.

Figure 2. Anticipated Job Status After Quarantining



Moreover, some temp workers shared how difficult it was for them to go back to work after being exposed to Covid-19. Many said their employer did not let them go back unless they had a doctor's note that cleared them. In addition, workers felt no support about where to go or what to do to get tested for Covid-19, which was compounded by a lack of acknowledgement among employers that test availability at the start of the pandemic was rare. One worker shared their experience after potentially being exposed to a sick coworker and stated, ***"They told me to go home and get tested, but where could I go? They provided no support for me. I wasn't showing symptoms and, at the time, none of the places were allowing people to get tested if we were not showing symptoms. My workplace provided no support. They didn't pay me for the 4 days I was in quarantine—that they mandated from me—because I ended up testing negative. Along with losing out on my pay for those 4 days of quarantine, I told them the least they could do was pay for any charges I might have from getting the test. They said no."***

Other temp workers shared similar stories of having to quarantine after potential exposure at work, missing multiple days of work as they waited to get tested and receive their test results, and then having a negative test result come back which meant they would not receive pay for those days missed from being in quarantine. Temp workers felt their employers were supposed to pay them, and many either came back to work after quarantine accepting no pay for those days, or they lost their jobs. For those workers who quarantined for the 14-day period, they felt the painful economic strain of unpaid leave. ***“How am I supposed to support my family? How am I supposed to pay my bills? We didn’t even get the stimulus check from the government,”*** stated one worker from a mixed-status family.

Temp workers understood their responsibility in letting their workplaces know when they had been exposed. Many temp workers shared stories of coronavirus exposure from another member in their household whose respective workplace was also doing little to protect them. One worker shared how his spouse got sick from Covid-19, so the responsible thing for him to do was tell his boss he had been exposed and stay home. He didn’t want to put his coworkers at risk and knew it would be irresponsible for him to continue going to work. He went one month without work and pay. For the few temps who shared having access to sick and vacation leave, they described falling ***“in the negative”*** and having to work overtime to pay their time back to their bosses. Yet, a recent ProPublica investigation revealed that temp agencies likely had Payroll Protection Act funds to pay workers during the quarantine (DePillis, 2020).



WORKERS' EXPERIENCES TESTING POSITIVE FOR COVID-19

For those temp workers who tested positive, the impending economic hardship was certain. One temp worker who got Covid-19 while on the job talked about how he was replaced while he was in isolation. He tried to get his job back once he started feeling better, but it was impossible. This worker, like many others, is now on the job hunt.

Other temp workers felt their long-term health quality had forever changed after having Covid-19. One worker stated, ***"I got sick in April, but I feel like I haven't recovered, I can't sleep and I still have headaches. I have so much trouble sleeping. Today, I feel so tired, it's been 3 days of being so tired, the headaches are unbearable... I tried to apply for unemployment, but they never would answer my calls, I could never get through to them... I am still so scared, it's so many people that work [at her company] and so many people are from all over, and I am so scared... I was in my room trapped in these 4 walls for one month, no one called me from work to ask me how I felt, it was so sad. It wasn't just me, it was all my family, I got everyone in my household sick... we could not leave... I am not the same person I was before, I am so scared of everything, this is not the way to live... I would look at my car, and I would cry. I would be scared that I would forget how to drive... I have anxiety now. I am not okay."*** The mental health and cognitive symptoms of Covid-19 were shared by other workers who were overcoming the virus. Another worker stated, ***"I have the side effects of brain fog from Covid. I feel more forgetful, like I am having trouble processing things, and that my memory fades. I never had this problem before Covid. I have trouble focusing now when I am on the phone, or when I am watching something on TV. My life has changed because of Covid-19, and my doctor says I'm ok, but I'm not! My life is different. This is affecting me more than I thought."*** Another temp worker described telling her boss she was sick so she could go home or go to the doctor. ***"They told me nothing was wrong with me. That it was my anxiety. I was not allowed to go get a test during the workday; otherwise I would have lost my job. I had to wait until my day off. I didn't appreciate this. I ended up having a bad case of Covid and had to be admitted to the hospital."***

Other temp workers shared that, after being diagnosed with Covid-19, their employer told them not to tell their fellow coworkers; however, the workers felt it was their responsibility to inform those they came in close contact with. Generally, workers felt their employer expected them to isolate for the 14-day period without being paid. Workers were rightfully frustrated, and some felt cheated given that they had been at their respective factories for long periods of time.

Some temp workers described testing positive and, at first, being given the appearance that they would be paid for the 14-day quarantine period. One worker shared she was being called back to work on the 10th day of her isolation, and was given an ultimatum that if she did not report to work on the 10th day, she would receive no pay for the days that she took off to isolate. Even though her 14-day quarantine period had not ended, she felt forced to go back to work because of the potential financial repercussions of a two-week period without pay. Other workers described being out of work for at least one month. These workers described not being able to go back to work until they got tested. One worker shared his experience being let go and stated, ***"I worked at my temp job for 5 years. There were so many abuses. They don't let us go to the bathroom or have a water break. I got sick with Covid in early March. I got a doctor's note saying I needed to be excused for work. When I got better, I went back to work and my boss let me work one day. He made me sign a paper that said I had not asked for permission to miss work and I was fired. I waited weeks because my last check didn't come. I finally decided to go and see if they would at least give me my job back, but they didn't."***

QUESTIONABLE BUSINESS POLICIES AND PRACTICES

EMPLOYERS DO WHAT IS NEEDED TO AVOID LIABILITY

Even before the pandemic, many temp workers described unscrupulous employer practices. A few workers shared instances of being forced to work overtime. ***"When I started at my job, I had to sign a document that said I would work overtime. If I did not sign this document, I would have not been allowed to stay on the job. Sure, it's nice to have this overtime pay, but there are times where I can't stay because of caregiving responsibilities and the bosses don't understand that,"*** stated one worker. These types of practices disproportionately impacted temp workers who are mothers. Multiple workers shared feelings around releasing their employers from liability in the case of injury on the job. ***"As a temp worker, every month, I would get a sheet of paper from the factory that said they were not liable for anything in case something happened and I got hurt. I had to sign this and say that I agree to this. If I didn't, then I couldn't work there. How is this possible?"*** Another temp worker stated, ***"Each month, my boss would give me a sheet of paper and ask me to sign it. The document would say that I am aware that if anything happened to me (like if an AC unit fell on me) they would not be liable and I had to agree to that information before I could start working there."***

IN THE DARK

About half of survey respondents said they knew a coworker who had been diagnosed with Covid-19, while an additional 20% were unsure. When asked how they would find out if someone at their workplace fell ill due to Covid-19, only 24% said they would find out from their employer. Nearly 60% said they would find out from other coworkers. Many temp workers felt they were being kept in the dark about what was happening in their workplace. One worker stated, ***“At the start of this pandemic when everything closed, the essential companies didn’t. But they also didn’t do anything for us...we were kept in the dark, no one knew anything. The head of the company came out and was like ‘Do you all trust me?’ and he told us no one at the company had been sick. He lied, this wasn’t true. Six of us ended up getting sick at the same time. We were all let go.”*** The reality for many temp workers, is that they are kept in the dark. Even with the IDPH guidance in place, workers have no clear way or certainty, and little recourse, to know if their worksite is in violation of the guidance.

BIOMETRIC DATA PROTECTIONS

Other workers shared concerns about having their workplaces store their biometric information. The state of Illinois requires employers to have their workers’ consent to sharing and storing any personal identifying information. For some temp workers, this involves fingerprint data to clock- in and out of work. Some workers shared feeling uneasy about this and not being given the proper information to decide. ***“When I started my job, I received the paperwork related to giving the workplace the right to store my fingerprint data when I clock-in and clock-out of work. If you don’t sign, they are not going to let you work there and you won’t get paid. Many of us are also given these documents related to confidential information, only in English, when they know a lot of us are monolingual Spanish speakers.”*** About 30% of survey respondents mentioned touching a fingerprint or hand scanner to clock-in and-out at work. Of those 30% who use a scanner, 60% said they did not or were not sure if they had signed a document giving permission for their workplace to store their biometric data.

During the pandemic, high traffic surfaces like fingerprint scanners have worried many temp workers. Of the 30% who mentioned using a scanner, 45% of those workers said the scanners were not being cleaned regularly and another 20% were unsure if they were being cleaned at all. Forty percent of these temp workers also disclosed that there was no hand sanitizer or disinfectant wipes made available for use by the scanner. One worker shared an experience where a coworker brought in wipes and sanitizer to place by the scanner because of the lack of safety measures being implemented by employers. ***“At one point, one worker at my job tried to implement safety measures for us in the workplace. She brought in hand sanitizer for everyone and she put wipes by the fingerprint scanner where we clock-in and clock-out. The boss got mad and took the wipes away and said this was unnecessary. He fired that worker.”***



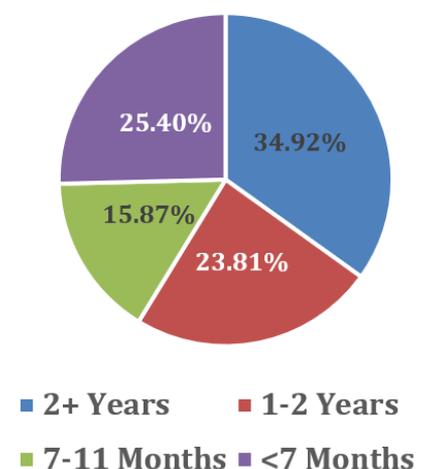
THE PRECARIOUS LANDSCAPE OF TEMP WORK

CULTURE OF "PERMANENT" TEMP WORKERS

The labor performed by temp work is essential—even before the coronavirus pandemic. In Illinois, temp workers manufacture essential products like hand sanitizer and foods, produce daily goods like soaps, and fill critical roles in warehousing that are keeping supplies stocked in stores and delivered to homes. When describing their feelings about their temp jobs, temp workers expressed their frustration with not being able to become permanent workers. One worker described being a temp worker for twelve years and finally making (barely) over \$12 this year. Another worker shared having worked at a company for two years. She expressed her enjoyment for her job and wanting to become a permanent worker, but was told, ***“We can’t become direct hires because they [the company] will only be around for one more year and then the company will close because they are exporting the business to Mexico”***. Other workers mentioned being told they couldn’t become permanent workers because they didn’t have a valid social security number. At the core of the comments from temp workers was the feeling that they should be treated as human beings in the workplace. Workers understand the pandemic is having an impact on the bottom line of companies, but what is clearer is that people should matter over profit. Their lives are worth more.

About 35% of temp worker responses indicated they had been at their temp job for more than 2 years, while 25% had been at their job between 1-2 years. Additionally, 16% were at their job between 7 and 11 months, and about 24% had worked at their job for 6 months or less (see Figure 3.). Furthermore, around 60% of survey respondents said they were never given information about how to become a permanent, direct-hire employee. This is important given the rise of “permatemps”, or workers who are stuck in a temp job for a long period of time and are not directly hired by their company. When asked if they believed they were in a “permatemp” employment situation, about 60% of respondents said yes, and another 25% were not sure.

Figure 3. Length of Time at Current or Most Recent Temp Job



The reality is that temp workers have less protections than permanent, direct-hire workers. This survey found that about 20% of temp workers felt they had fewer protections than permanent workers and an additional 33% were unsure about how their protections compared to permanent workers.

LACK OF WORKPLACE BENEFITS

For those temp workers who have to seek medical attention, the dismal reality for temp workers is that few have access to health insurance. The survey found 3 out of 4 temp workers reported they did not have any type of health insurance. Only about 20% reported having private insurance, and of the 20%, many expressed only having this option through their spouse's workplace. In addition, workers described losing this insurance after their spouse had to quarantine and are now in the position to weigh their health care needs with the economic burden of healthcare costs if they eventually need to seek care.

Many temp workers shared they were told by their employers they did not qualify for sick leave because they were temp workers. Only a small number reported receiving any benefits from their temp staffing agency. Roughly 20% of survey respondents reported they are provided paid sick leave, and 22% reported they are unsure if they receive this benefit. Some workers mentioned they had spent little time at their most recent temp placement and had not had the need to ask for sick leave yet. When asked about paid family leave, less than 10% of temp workers reported being eligible for this benefit. Similar to paid sick leave, an additional 27% of temp workers were unsure if they had paid family leave because they had not needed to ask for it yet. Overwhelmingly, temp workers felt that, contrary to permanent workers, they could not rely on paid sick leave and paid family leave policies to provide them with job security and economic relief to help get them through the pandemic.

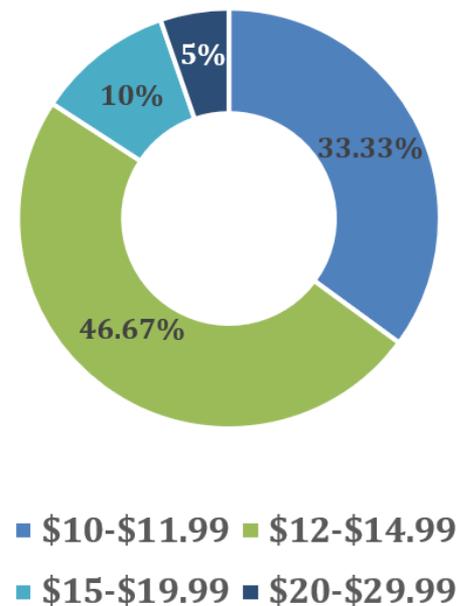




CULTURE OF LOW PAY AND ECONOMIC BURDEN

Roughly 34% of temp workers in this sample made between \$10-\$11.99 per hour, and about 47% made between \$12-\$14.99 per hour. Five percent of surveyed temp workers made less than \$10 per hour, and only about 15% of temp workers who completed this survey reported making more than \$15 per hour. This is important because nationally, temp workers make 41 percent less in wages than workers who are in standard work arrangements (Padilla & Pinto, 2019). Across the nation, calls for equal pay for equal work are rising to the forefront for temp worker advocates. In this survey sample, over 70% of temp workers stated they did the same job as permanent workers, but nearly 50% of temp workers surveyed reported knowing that they were being paid less than direct-hire workers at their job. Their reality is that there is not equal pay for the same work.

Figure 4. Hourly Wage of Sample of IL Temp Workers



The survey found that 3 out of 4 temp workers -75%- reported having lost hours because of the pandemic, while about 5% of workers expressed having gained hours due to increased demand at their worksite. Even as businesses have opened up with limited capacity, temp workers described other challenges from Covid-19. ***“My work opened up, but my hours are reduced, so I would only to go work for 3-hour shifts. This is not really worth the risk. I would have to pay a baby sitter, spend time driving there and back, and it’s really just not worth it,”*** described one worker.

To add to this burden, many temp workers also described a culture of being overworked as part of the job. If they complain, they risk being fired. For those who try to use their vacation time that they have rightfully earned, they also risk losing their job. One worker stated, ***“When we decide to take longer vacation, the boss will tell us, 'That’s fine, take your week off, but I will call you back when I need you.' This means they are never going to call us and we have just been fired”***. Others mentioned receiving overtime pay for 4 days of the week where they had 10- hour days, but if they decided on their fifth day that they did not want to work overtime, then their entire week of overtime pay would disappear. This disproportionately impacted parents who needed the flexibility to accommodate their childcare obligations.

The lack of protections, safeguards, and benefits for temp workers during the pandemic have demolished any sense of economic stability these workers and their families may have felt. Some workers described being in their third month of their workplace being closed and having to work odd jobs to make money. Another worker described the financial barriers of Covid-19 as someone with a pre-existing condition. ***“This pandemic has put such a financial burden on me. I am a Type 2 Diabetic and it has made it so difficult for me to buy my insulin. It has been 4 months. I am having to rely on my friends and family members to afford this, and really to afford to live,”*** stated one temp worker.

Moreover, the virus has had a disproportionate impact on Latinx families (Fairlie, Couch, & Xu, 2020). Many of these Latinx immigrant families shared stories of their entire household falling ill to Covid-19. For these families, many of which are mixed-status homes, the quarantine meant no source of income for their family, and also meant they were excluded from the federal stimulus checks. These immigrant families are faced with a grim reality post-Coronavirus that has been compounded by economic burden, policy shortcomings, and a fear for undocumented workers to exert their rights.

A DISPOSABLE WORKFORCE

Overall, workers stressed that they felt abandoned. ***“No one took us into account. I was lucky that my workplace paid me for the two weeks we were required to stay in quarantine, but they were closed for four weeks. None of us could work because we all had to isolate, but the bills still kept coming”*** stated one worker. It’s clear to temp workers that their employers value profit over their lives. They are only sent home if they are not needed, not for their safety. Certainly, for many temp workers, their labor is seen as expendable—just another facet of a business model that preys on the most vulnerable workers who oftentimes won’t speak up out of fear.



“At the factory, our supervisors want us working non-stop. We are reprimanded when we go slow. If we are too hot and aren’t able to keep up with the pace of the work, we have to wait until our own time to get a breath of fresh air. They are overworking us and this is wrong, but none of us say anything because we are scared and don’t want to get fired especially right now because it’s so hard to get a job. We work 10 hours daily, but are never paid overtime. I know this is not right. The boss does not care about us. She will send us home without anything on her conscience,” stated one worker.

WORKER VOICES

At the moment, many temp workers feel they have little recourse to exert their rights in the workplace. When asked about representation in the workplace, only 10% of temp workers reported knowing of a union or organization that represents workers at their jobs. Some workers described situations where their factory let go of all the temp workers and only the permanent workers had jobs during the pandemic. Another worker described organizing a group of temp workers to demand the implementation of safety measures at work, which unfortunately resulted in 27 of them being laid off at once. Nonetheless, it is clear that temp workers desire to have their voice included in decisions that impact them. More than 95% of temp workers expressed wanting to have more of a say about safety protections offered at work and the enforcement of the laws that are supposed to protect them. Fifty-five percent of temp workers reported their workplace did not have a health and safety committee and 42% were unsure if this type of committee even existed in the workplace. These data points illustrate the need for worker voice to be included in the decision-making process of policies and safety measures intended to protect workers.

CONCLUSION AND RECOMMENDATIONS

This report highlights the ways in which the coronavirus pandemic has devastated temp workers and their families. The sample of temp workers in Illinois who completed this survey sheds light on the dismal realities of temp work and the lack of health and safety practices in their workplaces during this pandemic. The nature of their precarious work, coupled with low pay and poor working conditions, have exacerbated their risk for Covid-19 exposure, as well as exposed the deeply embedded social, economic, and health inequities that temp workers face.

Likewise, this report shows that temp staffing agencies and worksite employers have largely ignored the Illinois Department of Public Health Guidelines. This willful negligence has put hundreds of thousands of workers in Illinois at increased personal risk of contracting Covid-19, as well as increased the risk of community spread throughout the state.

Now, more than ever, temp workers need governments to respond and ramp up enforcement of labor laws, and pass new laws that will protect all workers, including temp workers. Federal OSHA decided early in the pandemic not to enforce Covid 19 protection protocols but only to provide guidance. It is not enough to rely on employers to do the right thing. Workers need the government to mandate safety measures at all times, and especially during epidemics, including, at a minimum, the use of PPE and providing temperature checks when workers are clocking-in and out of work. These practices are important and they ultimately save lives. No worker should have to weigh their moral obligations and responsibilities for a paycheck. Additionally, workers should also be given information regarding health and safety and any liability documents in a language they understand and can speak.

Co-enforce Covid 19 Health and Safety in partnership with Workers Centers. The absence of OSHA in enforcing worker health during this pandemic has created a vacuum in protecting workers. Local Health Departments (LHDs) have scrambled to inspect facilities where temps work--with mixed results. We highly recommend that LHDs partner with local workers center to expand their capacity through "co-enforcement" approaches which involve workers, government, and high road businesses.

Temp workers cannot afford to be carved out of any legislation that seeks to improve the economy and health of the United States. Any relief package at the federal or state government level must be made available to all workers, regardless of work arrangements, and include the same access to paid sick leave, paid family leave, job protection, and other benefits, especially in instances where a worker needs to quarantine. By leaving temp workers out of any future relief, our government is inherently putting all workers at risk as well as the communities they are a part of. Immigrants, regardless of documentation status, must also be included and not used as bargaining chips.

All Workers have a right to know. This is a basic health and safety right that workers are supposed to have if they work with chemicals. It must be expanded to include all harmful aspects of the work environment, not just chemical exposure. Right now, workers must be made aware of the presence of biological hazards in their workplaces. Not knowing they have been potentially exposed to an infectious agent can harm workers and their families; workers need to be able to make informed decisions about their health and safety. At the same time, as required under HIPAA law, the individual identity of any workers who have contracted COVID must be protected.

Temp workers must be paid equally for equal work. Agreements between temp staffing agencies and worksite employers must discontinue their practice of paying temp workers less than direct hires when they are executing the same work. Temp labor has been crucial and essential to responding to the needs of this state and country since the pandemic hit this country. Accordingly, the laws that federal, state, and local governments uphold must reflect this because we cannot let workers continue to fend for themselves during a public health emergency.



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CITATIONS

Al-Tarawneh, I. S., Wurzelbacher, S. J., & Bertke, S. J. (2020). Comparative analyses of workers' compensation

claims of injury among temporary and permanent employed workers in Ohio. *American Journal of Industrial Medicine*, 63(1), 3-22.

American Staffing Association (2020). Staffing Industry Statistics. Retrieved July 29, 2020, from <https://americanstaffing.net/staffing-research-data/fact-sheets-analysis-staffing-industry-trends/staffing-industry-statistics/>

Brandt-Rauf SI, Abid SF, Cole RD, De La Cruz A, Moua M., Narayan Y., Nguyen JQ, and Rabin B (2013). Improving the Health and Safety of Temporary Workers. University of Illinois Chicago School of Public Health, Environmental and Occupational Health Sciences Department. https://fa0fbce7-d85e-4925-af7c-4b7d25478b8c.filesusr.com/ugd/3b486b_8f53d442cf754946839d95a2da822f3f.pdf

Chicago Workers Collaborative (2020). Temporary Staffing Industry. Retrieved from: <https://www.chicagoworkerscollaborative.org/temporary-staffing-industry>

Coronavirus Temp Worker Survey (2020). Temp Worker Justice. Retrieved from: <https://www.surveymonkey.com/r/tempCV19>

DePillis, Lydia. (2020). The Small Biz Double-Dip: Temp Companies Got Cheap Government Money, Got Paid by Clients for the Same Workers. ProPublica. <https://www.propublica.org/article/the-small-biz-double-dip-temp-companies-got-cheap-government-money-got-paid-by-clients-for-the-same-workers>

Fabiano, B, Currò, F, Reverberi, AP, Pastorino, R. (2008) A statistical study on temporary work and occupational accidents: Specific risk factors and risk management strategies. *Safety Science*, 46: 3, March 2008, 535–544.

Fairlie, R. W., Couch, K., & Xu, H. (2020). The impacts of covid-19 on minority unemployment: First evidence from april 2020 cps microdata (No. w27246). National Bureau of Economic Research. <https://www.nber.org/papers/w27246>

Illinois Department of Public Health, (2020). COVID-19 Operational Guidance for Food and Meat Processing Facilities and Workplaces with Assembly Lines. Retrieved July 28, 2020, from <http://dph.illinois.gov/covid19/community-guidance/guidance-food-and-meat-processing-facilities>

CITATIONS (CONT.)

National Employment Law Project (2014). Temped out: how domestic outsourcing of blue collar jobs harms America.. Retrieved July 29, 2020, from <https://www.nelp.org/publication/temped-out-how-domestic-outsourcing-of-blue-collar-jobs-harms-americas-workers/>

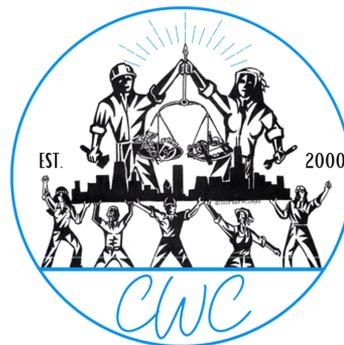
OSHA (2013) Protecting the Safety and Health of Temporary Workers. Webinar presented by the Occupational Safety and Health Administration and the American Staffing Association. July 18, 2013. https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=SPEECHES&p_id=2974

Padin, L., and Pinto, M. (2019). Lasting Solutions for America's temp workers. National Employment Law Project [NELP]. <https://www.nelp.org/publication/lasting-solutions-americas-temporary-workers/>.

Scott, Brittany (2017). Temporary Work, Permanent Abuse: How Big Business Destroys Good Jobs. National Economic and Social Rights Initiative [NESRI]. Retrieved from: https://dignityandrights.org/wp-content/uploads/2017/03/Temp_Work_FINAL_email.pdf

Smith CK, Silverstein BA, Bonauto DK, Adams D, Fan ZJ. (2010). Temporary workers in Washington state. *Am J Ind Med.* Feb;53(2):135-45.

Temp Worker Justice (2020). Know your Rights. Retrieved July 28, 2020, from <https://www.tempworkerjustice.org>



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