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Latinx and Asian Immigrants Face High Levels of Job Exclusion, Workplace Violations in California

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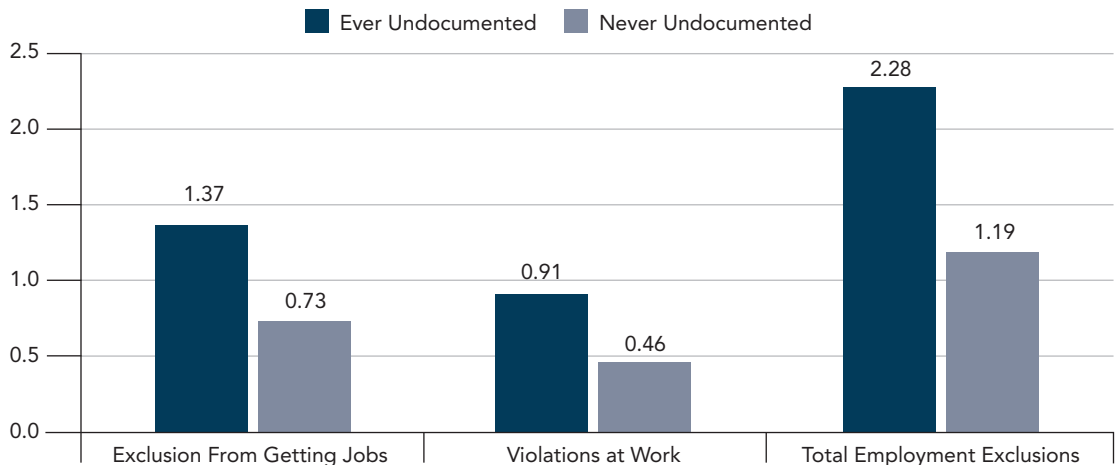
“If we need a doctor, we cannot even miss work ... ‘I am going to fire you.’”

(Mexican woman, undocumented)

Latinx and Asian immigrants face significant barriers to health care access. These roadblocks vary considerably across legal status, particularly among those who have undocumented status.¹ Given that health care access is tied to employment in the U.S., such barriers to care may be due in part to employment policies that can exclude immigrants from employment or inadequately protect them from workplace violations.² While studies have found that legal status can shape immigrants’ work trajectories and health care access over time,³ little is known about how one’s undocumented status influences employment exclusions or workplace violations.

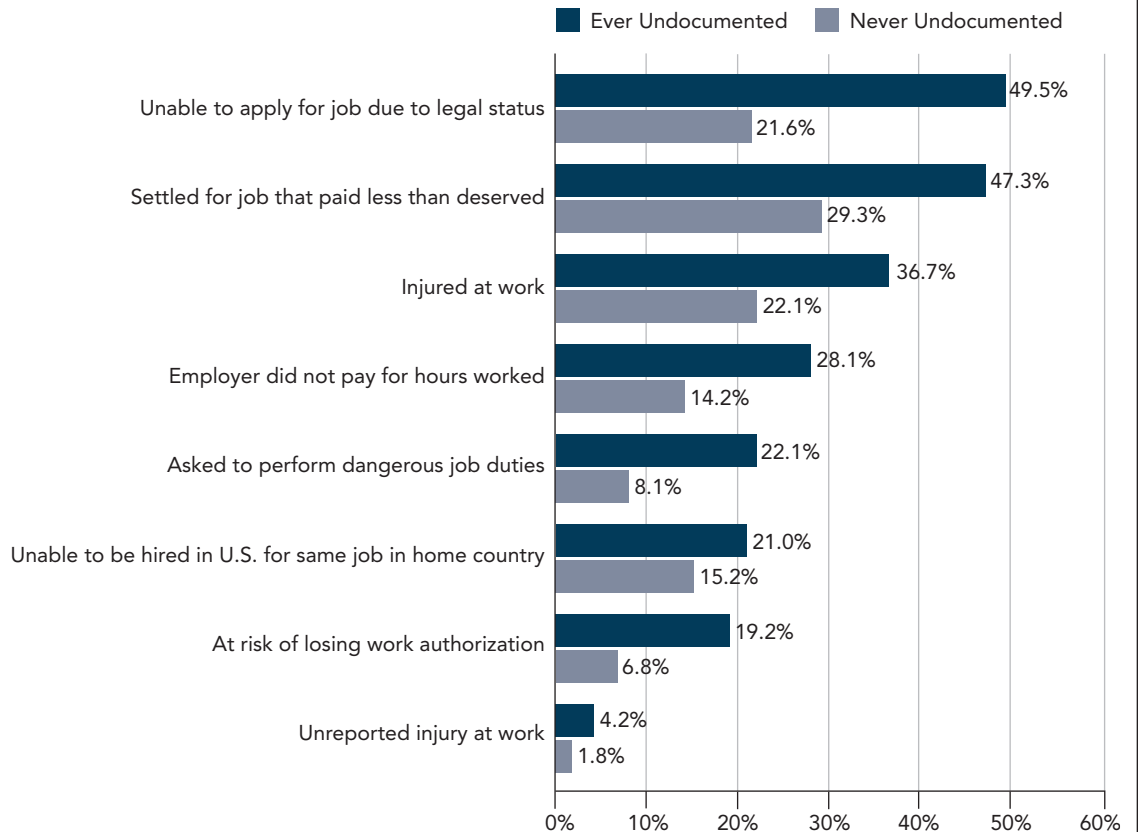
In this fact sheet, we present data on employment exclusions and violations in the workplace among California immigrants who ever had undocumented status. We used data from the Research on Immigrant Health and State Policy (RIGHTS) Study to examine Latinx and Asian immigrants ages 18 or older who experienced employment exclusions and workplace violations across their history of undocumented status (n=2,013). RIGHTS is a follow-on survey to the 2018, 2019, and 2020 California Health Interview Surveys (CHIS).

Exhibit 1: Average Number of Employment Exclusions per Person by Past Undocumented Status, Latinx and Asian Immigrants, California, 2018–2020



Sources: 2018, 2019, and 2020 California Health Interview Surveys

Exhibit 2: Percentage of Latinx and Asian Immigrants Who Experienced Employment Exclusions by Past Undocumented Status, California, 2018–2020



Sources: 2018, 2019, and 2020 California Health Interview Surveys

“[Health care] is something that’s up in the sky, something unreachable.”

(Mexican woman, undocumented)

Latinx and Asian immigrants who previously had undocumented status are more likely to report exclusions from getting jobs (e.g., being unable to get hired, work authorization at risk, unable to apply, and settled for a job) (Exhibit 1), as well as to report experiencing violations at work (e.g., not paid for work, asked to perform harmful tasks, injured at work, unreported work injury) (Exhibit 2).

Among all respondents, the most common forms of job exclusion were being unable to apply for a job because of citizenship or legal status (29%) and settling for a job that paid less than they deserved (34.1%) (data not shown). We found that across all indicators, those with a history of undocumented status were significantly more likely to report employment exclusions and workplace

violations compared to those who had never had undocumented status. For example, 49.5% of those who had a history of undocumented status were unable to apply for a job due to legal status, compared with 21.6% of those who had never had undocumented status. Moreover, 36.7% of those with a history of undocumented status reported being injured at work, compared to 22.1% of those who had never had undocumented status. In addition to ever experiencing these workplace exclusions, 12.2% of those with a history of undocumented status reported being unable to apply for a job due to legal status in the past 12 months, compared to 5.5% of those who had never had undocumented status (data not shown).

Implications

Despite a more inclusive immigrant policy context in California, these data suggest that Latinx and Asian immigrants experience high levels of employment exclusions and workplace violations. Our findings also indicate that those with a history of undocumented status also were more likely to report ever experiencing employment exclusions and workplace violations in the past 12 months. This suggests that immigration status is a significant source of social stratification across the life course, affecting immigrants' ability to obtain quality health care as well as their health over time. Future efforts should focus on policies that strengthen workplace inclusion for immigrants, particularly those who currently have undocumented status or who have a history of undocumented status.

Methodology

The RIGHTS respondents included CHIS respondents ages 18 or over and born in any country in Latin America (e.g., Mexico, Central America, South America, Caribbean) or Asia, including South and Southeast Asia, but excluding countries in the Middle East.

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Endnotes

- 1 Goldman DP, Smith JP, Sood N. 2005. Legal Status and Health Insurance Among Immigrants. *Health Affairs (Millwood)* 24(6):1640-1653. doi:10.1377/hlthaff.24.6.1640
- 2 Blumenthal D. 2006. Employer-Sponsored Health Insurance in the United States — Origins and Implications. *New England Journal of Medicine* 355(1):82-88. doi:10.1056/NEJMhpr060703
- 3 Nakphong MK, Young ME, Morales B, Guzman-Ruiz IY, Chen L, Kietzman KG. 2022. Social Exclusion at the Intersections of Immigration, Employment, and Healthcare Policy: A Qualitative Study of Mexican and Chinese Immigrants in California. *Social Science & Medicine* 298:114833. doi:10.1016/j.socscimed.2022.114833



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