

Workplace Violations, Immigration Status, and Gender: Summary of Findings from the 2008 Unregulated Work Survey

Foreign-born workers who lack work authorization are far more likely to experience violations of wage-and-hour laws, particularly if they are women, according to the *2008 Unregulated Work Survey*.

The survey consists of a statistically-reliable sample of 4,387 workers in low-wage industries in America’s three largest cities: Chicago, Los Angeles and New York City. Detailed questions were asked about workers’ wages and hours in the week prior to the survey, in order to calculate a range of workplace violations under both federal and state law (see the technical appendix of the [full report](#) for more details).

Table 1 shows minimum wage, overtime and off-the-clock violation rates, by nativity and immigration status, with unauthorized workers having significantly higher rates on all three measures. In addition, Table 2 shows a strong gender dimension to these findings: among foreign-born workers, women have significantly higher minimum wage violation rates than men, with the difference most pronounced among unauthorized workers.

Table 1. Workplace violations, by nativity and immigration status

| Violation | US-born workers | Authorized foreign-born workers | Unauthorized foreign-born workers |
|--|-----------------|---------------------------------|-----------------------------------|
| Percent of workers paid less than the minimum wage in the previous week | 15.6 | 21.3 | 37.1 |
| Percent of workers paid less than the legally-required overtime rate in the previous week (of those who worked more than 40 hours) | 68.2 | 67.2 | 84.9 |
| Percent of workers who were not paid for work they performed outside their regular shift in the previous week (of those who worked before and/or after their official shift) | 67.0 | 68.9 | 76.3 |

Table 2. Minimum wage violation rates, by gender, nativity and immigration status

| | US-born workers | Authorized foreign-born workers | Unauthorized foreign-born workers |
|-------|-----------------|---------------------------------|-----------------------------------|
| Women | 18.0 | 24.2 | 47.4 |
| Men | 17.5 | 13.5 | 29.5 |