



**Testimony of Nadia Marin-Molina, Co-Executive Director, National Day Laborer Organizing Network (NDLON) to the Joint Legislative Budget Hearing
February 2, 2021**

Good afternoon, my name is Nadia Marin-Molina, Co-Executive Director of the National Day Laborer Organizing Network, and I am here to express our strong support for New York State to create a Fund for Excluded Workers. Thank you for the opportunity to testify.

NDLON is a national network, with more than 60 member organizations nationally, 12 of them in New York State (listed below). Our mission is to improve the lives of day laborers, migrants, and low wage workers. We build leadership and power among those facing injustice so they can challenge inequality and expand labor, civil, and political rights for all. Our local office is in Freeport, NY, on Long Island.

I am also here today as a member of the coalition to Fund Excluded Workers. I am testifying today in support of an excluded worker fund, which would deliver desperately needed income replacement assistance for New Yorkers ineligible for unemployment benefits. This includes New Yorkers that are undocumented and recently incarcerated, as well as those who operate within the cash economy and families that have lost their primary breadwinners due to the coronavirus pandemic. Senator Jessica Ramos and Assemblymember Carmen introduced bills last year to create this fund and will be submitting new bills this year.

This fund must be included in this year's budget. Here's why:

More than 597,000 undocumented New Yorkers are shut out of unemployment benefits even though they pay taxes into the system. Nearly 20,000 recently incarcerated New Yorkers released before or during the pandemic and struggling to find stable employment are ineligible as well, since you need work history to qualify for unemployment. People who work for cash -- day laborers, street vendors, domestic workers, and other New Yorkers -- who cannot report sufficient earnings or a job are also left out. Excluded workers provide essential services including delivery, cleaning, laundry, construction, warehousing, food preparation and more.

Day laborers have no safety net. One worker, in Freeport, New York, had worked as a day laborer, but hasn't been able to find a job during the pandemic and was kicked out of the room that he rented. The eviction moratorium doesn't protect these workers, when they don't have a lease, when their landlord doesn't want to recognize that anyone lives there. He now lives in the woods, where there is an encampment, along with other homeless workers on Long Island. These workers do not have a safety net that they can fall back on. They count on working in the spring and summer to have some money to get through the winter. Last year was devastating.

Those who work are unable to take COVID protection measures. For example, workers in landscaping and construction are designated as "essential." We consider all workers who worked during the pandemic to be essential, whether recognized as such by the government or not. They continue working, but what happens when they are exposed to COVID, and have no safety net at all? They work as long as they are physically able, putting their own lives at risk, as well as those of their families and communities. As a result, the Latinx and low wage workers community has been devastated by illness and death.

Day laborers and other excluded workers contribute billions financially but are not allowed to receive: The problem is not just that workers are in need and are suffering with no safety net. It is also a grave injustice that these same workers have been contributing money to New York State, for years. Just like every worker contributes to the unemployment system and to the greater budget, undocumented workers contribute as well. According to the Fiscal Policy Institute study, linked here: <http://fiscalspolicy.org/wp-content/uploads/2020/05/UI-taxes-and-undocumented-workers.pdf> ,

“over the past 10 years \$1.4 billion was paid in Unemployment Insurance taxes in New York based on the work of undocumented immigrants.”

“on top of the estimated \$1.1 billion in New York state and local sales, property, and income taxes undocumented immigrants pay annually”

This is in addition to the net \$12 billion annually that these workers have contributed to the federal system. These same workers are now being told that they can't receive one dollar from New York state, but where are the billions that these workers have been contributing for the past ten years? The NYS budget is being balanced on the backs of undocumented and excluded workers.

NDLON member organizations work very hard, at great personal sacrifice, but we cannot fill the gap left by a state government that won't take any action. NDLON fundraised over \$3 million in 2020 and we have given out over \$2 million which our member organizations distributed, nationwide. We have distributed thousands of masks, we have converted our organizing organizations into food distribution centers, and our staff and members have exposed themselves and have been infected with COVID. We are proud that day laborers are often Second Responders - these are the workers who respond after hurricanes, wildfires, and other natural disasters, to clean up, and to rebuild. For COVID, these same workers are distributing food, and masks and conducting health and safety trainers for other workers, but NYS is not even meeting them halfway.

The Assembly, Senate and Governor must deliver long-overdue relief: our members have received nothing. Our coalition is asking for \$3.5 billion dollars to create a fund that:

- Delivers flat rate monthly cash payments direct to families
- Includes retroactive payments from the onset of COVID unemployment crisis, continuing at least through the end of the state of emergency
- Uses flexible application and proof requirements given the urgency of this crisis

We believe it is time to tax the rich to fund the poor: New York billionaires have grown wealthier during the pandemic, while excluded workers struggle to put food on the table. We wholeheartedly support the Mark to Market tax as one way forward. The Invest in Our New York Act includes 5 other new, progressive recurring revenue raisers that can be used to create this fund and support other community needs, such as rent relief, equitable school funding and more. Our priority is bailing out excluded workers: we are counting on you, our elected representatives, to find a way to fund it. New York's families' ability to survive and put food on the table depends on it.

We wholeheartedly support the creation of an excluded workers fund, for New York's workers, for public health, and for justice and dignity of all.

National Day Laborer Organizing Network includes the following member organizations in New York State:

Community Resource Center, Mamaroneck - Westchester
Centro del Inmigrante, Staten Island - NYC
Don Bosco Workers, Port Chester - Westchester
Freeport Workers Justice Center, Freeport - Long Island
La Colmena, Staten Island - NYC
Neighbors Link, Mount Kisco - Westchester
New Immigrant Community Empowerment, Queens - NYC
Northern Manhattan Center for Immigrants Rights - NYC
Obreros Unidos de Yonkers/Catholic Charities - Yonkers - Westchester
United Community Center of Westchester - New Rochelle - Westchester
Workers Justice Project, Brooklyn - NYC
Workplace Project, Hempstead- Long Island