

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