



A Better Life? Delivering Community

Producer Oscar Durand tells the story of Cesar, a delivery worker from Mexico who found a cause and a community while organizing his fellow delivery workers in New York. We also speak with Hildalyn Colón Hernández from Los Deliveristas Unidos, a group that advocates for delivery workers in New York City.

Mia Warren: I'm Mia Warren, and this is *A Better Life?* a podcast from Feet in 2 Worlds that explores how immigrants' lives have been changed and challenged by the pandemic.

I started riding my bike a lot during the pandemic in New York City. I wanted to avoid the subway and riding the bus, and it opened up a whole new world for me. But it took a while to get used to aggressive drivers, a lack of protected bike lanes, and weaving around pedestrians — it was pretty scary!

But what's just a hobby for me is a livelihood for food delivery workers in New York. These guys — and they're mostly men — ride their bikes in all kinds of conditions, with huge bar mitts to protect their hands in rain or snowstorms. People tend to order takeout when the weather is bad, and roads are slick and dangerous.

In this episode, you'll meet one of New York's food delivery workers. When the pandemic began, these workers became indispensable to our survival, but they're still fighting for the most basic working conditions.

Our story begins in East Harlem at the Willis Avenue Bridge, which connects Manhattan and The Bronx.

Here's reporter Oscar Durand.

Oscar Durand: It is a warm summer night in New York City. A small group of food delivery workers gathers at a traffic light. Each rides an electric bike and carries a large insulated food delivery bag on his shoulders.

One of the food delivery workers, a young man named Cesar Solano, directs them to form groups before crossing.

Several delivery workers have had their bikes stolen crossing this bridge at night and in other parts of the city. An electric bike, with all the accessories needed to work, costs at least \$2000. So, they practice safety in numbers. As soon as five delivery workers have gathered, they head off to cross the bridge together.

The crossings are organized on social media, through a Facebook group called *El Diario de Los Delivery Boys en la Gran Manzana*. Spanish for “Diary of The Delivery Boys in the Big Apple.”

(Sound of video)

Oscar: In a video posted by the group, a man cuts a lock from an electric bike parked on the street and tries to run away with it. The man recording the video confronts him and tries to stop him. He asks bystanders to help him.

Cesar Solano and five of his colleagues started this Facebook group last year in the middle of the pandemic. Many of the workers say crime was always an issue, but things got out of control during the pandemic.

Cesar Solano: El miedo que yo tengo en lo personal y yo creo que en todos los compañeros es salir de la casa, pero no saber si uno va a regresar con vida.

Oscar: “I am afraid, and I think my colleagues are also afraid, of not knowing if we will make it back home alive,” Cesar tells me when I ask him about the robberies.

In March, Francisco Villalba, a 29-year-old food delivery worker, was killed in East Harlem when he didn’t surrender his electric bike during a robbery.

Cesar’s Facebook group is a virtual message board where the delivery drivers share news and organize to address specific issues, like robberies at the Willis Avenue Bridge.

(Sound of video)

In another video posted by the group, a worker confronts men who are in possession of a stolen bike. A delivery worker was able to track his bicycle using a GPS tracking device.

Cesar says the police usually don't help them to recover stolen bikes. So, instead, a call goes out on the Facebook group. In this instance, within minutes, about two dozen workers arrive at the scene.

In the end, the workers walk away with the stolen electric bike and recover another that had been stolen days before.

Cesar: Bueno, yo soy de un pueblo llamado San Juan Puerto Montaña, municipio de Metlatónoc, Guerrero, México.

Oscar: Cesar is from San Juan Puerto Montaña, a town in the state of Guerrero, Mexico.

He says migrating is not new to him. Since he was 13, every summer vacation Cesar would travel to various states in Mexico to earn money harvesting peppers, tomatoes, and other vegetables, to pay for his books and school supplies.

Cesar: Yo crucé la frontera. Tenía los 17 años estando en México.

Oscar: When he was 17 – Cesar decided to move to the United States, to New York City. He remembers the day he made the decision - Christmas Day, 2018.

Cesar: Al llegar aquí estuve trabajando un año en un restaurante, en lo cual, pues de mi manera pienso que yo fui explotado...

Oscar: For about a year, Cesar says, he worked in a restaurant. Sometimes, he worked up to 80 hours a week and was not paid overtime.

“I didn’t know anything about immigrant rights or about minimum wage,” Cesar told me. But when the pandemic hit, it pushed him to educate himself. The pandemic opened a new world to Cesar.

Clip: (News report about NYC restaurants and pandemic) “Safe distancing measures have had a dramatic impact on the U.S. restaurant trade. In NY alone the industry has lost billions of dollars, and hundreds of thousands of people are now out of work.”

Oscar: When restaurants started closing, Cesar became one of the many restaurant workers who lost their jobs.

Cesar: Y tristemente nos dice el patrón "saben qué? Nos informan de que ya restaurantes tenía obligado por cerrar, porque no, no había consumo, no había venta.”

Oscar: “The owner was sad when he informed us that the restaurant would have to close,” Cesar said. As an undocumented immigrant, Cesar was not eligible to get economic assistance from the government. He had no safety net, but he still had to pay rent, buy food, and send money to his family in Mexico.

Before the pandemic, Cesar signed up to make deliveries through DoorDash, a food delivery app. It was a side gig, a way to make extra cash. But when the restaurant closed, becoming a full-time food delivery worker was Cesar’s only option.

Cesar: Bueno, los primeros meses que yo empecé a trabajar haciendo deliveries fue muy, muy complicado para mí...

Oscar: The first months were very tough. Cesar was in New York City, which at that time was the epicenter of the Covid19 pandemic. Between 700 and 800 people were dying every day. People were sheltering in their homes. And while restaurants and bars closed for indoor dining, the demand for food delivery skyrocketed. Last year during the pandemic, food delivery apps more than doubled their business.

Gig workers received praise and were considered essential during the pandemic. But on the street, Cesar saw something very different.

Cesar: Ya al trabajar en medio de la pandemia, vi también la explotación de los compañeros, como también que nos estaban negando el acceso a los baños...

Oscar: “I saw my coworkers being exploited,” Cesar says. Many of his colleagues became victims of crime and traffic accidents. Restaurants would steal their tips and wouldn’t let them use the restrooms. Food delivery apps classified workers like Cesar as independent contractors, so they wouldn’t have to provide benefits such as health insurance, or even minimum wage.

Cesar and his colleagues started the Facebook group to work for better conditions. But for Cesar, the desire to fight for his community started many years before.

It is raining when I meet with Cesar under a building scaffold in Midtown Manhattan. Cesar usually comes to this place to hang out with other delivery workers.

Before logging in to a delivery app to begin his workday, Cesar calls his father in Mexico.

Clip: Cesar speaking with his father on the phone.

Oscar: Cesar and his father speak Tlapaneco, an indigenous language.

Actually, this is the second time Cesar tried to reach his father today. Cesar was a bit surprised he didn't answer before. Even though Cesar is far away from his hometown, he feels very connected to it. Cesar is calling to check in about the electric installations his father did at home today.

Cesar: Yo empecé a andar atrás de mi papá a los cinco años. Desde los cinco años...

Oscar: Since Cesar was five, he often joined his father, a community organizer, at local meetings. Cesar remembers seeing him speak in front of people and advocating for improvements in their community. Like the time when his father led the committee organizing the paving of new roads in their town.

Cesar: Yo veía a mi papá liderando a las personas. Veía cómo es que lo seguían a él, porque...

Oscar: Watching his dad, Cesar says, he dreamed of one day becoming a community leader himself. He brought that passion with him to New York. The only problem was Cesar didn't know what to fight for. But when the pandemic hit, it became obvious.

Clip: (News report about the death of Ernesto Guzman.) "As soon as we met him, you know, he's a hard-working man."

"Wilbur Hernandez spent only a few months working with 42-year old Ernesto Guzman, but he says it was impactful. The two worked together at a G&J's Pizzeria in East Harlem. But on Sunday night, Guzman, who's originally from Mexico, was fatally struck by a car at East 97th St. and Second Avenue while delivering food on his e-bike."

Oscar: In November last year, Ernesto Isidro Guzman, a delivery worker also from Mexico, died in a traffic accident not far from where Cesar lives.

Cesar: Entonces fue, fue ahí donde me nació a mí levantar esta lucha y crear esta está obra.

Oscar: Even though Cesar didn't know Ernesto, his death motivated Cesar to start a Facebook group for delivery workers. Cesar says he is happy to be following in his father's footsteps.

Cesar: Estoy dando fruto de lo que mi papá había sembrado antes.

Nosotros nos vemos como hermanos. Hermanos del trabajo, compañeros del trabajo, pues como lo mencionas, pues es lo que hacemos, la entrega de comida.

Oscar: "We see each other as brothers, work brothers, because we all do the same job," Cesar tells me. "If something happens to a colleague I feel sad because we all do the same job

and we don't know who is going to be next. What we feel is almost what the family feels, because we are in the same line of work.”

In New York City, there are other groups like Cesar's that are organizing over social media, using the internet and smartphones.

(Sound of demonstration)

In April, hundreds of delivery workers marched in Midtown Manhattan demanding improved working conditions. Their demands included the right to access restrooms at the restaurants where they are picking up food, and protection against wage theft and bike robberies.

The march was organized by Los Deliveristas Unidos, one of the most well-known collectives of delivery workers in the city. *Deliverista* is Spanglish for “delivery worker”.

Clip: (News reports about the working conditions of delivery workers.) “They delivered meals and groceries during the height of the pandemic, putting their lives at risk. And most recently, some waded through flood waters to make deliveries in the middle of a storm. Well, now all they're asking for is fair working conditions. And for years delivery people have been calling for improved working conditions.”

Oscar: In September, as a result of activism by Los Deliveristas Unidos and others, the New York City Council approved six bills that directly affect delivery workers.

The new bills establish a minimum per-trip payment, require apps to give workers free insulated bags and disclose information about tips. The bills also prohibit apps from charging delivery workers fees to receive their wages. Workers will also have a say on how far they are willing to travel to make deliveries. And finally, restaurants are required to make their restrooms available to delivery workers.

New York is the first major city in the country to approve this kind of legislation.

Cesar is cautiously optimistic about the new laws. He says he fully supports the work of Los Deliveristas Unidos, but he prefers to do things differently.

Cesar: Todo es directo. Por ejemplo, a veces me dicen me robaron una bicicleta.

Oscar: “For example,” Cesar explains, “if someone tells me I got my bike stolen. Then I let other colleagues know so they can come with me to recover it. I don't have to ask anyone if I can do this or not. It's my decision because it is our page.”

Back at the Willis Avenue Bridge, Cesar is chatting with other food delivery workers.

He's been coming here for the crossing for over two months. Recently, there haven't been any robberies. The Facebook group has now almost twenty-seven thousand followers. But the pandemic isn't over and the new variants threaten the sense of normalcy New Yorkers began to experience over the summer.

As catastrophic as the pandemic has been, it presented food delivery workers with the opportunity of becoming visible. Finally, people began listening to them and paying attention to their needs.

Cesar: Mi sueño es de que como trabajadores seamos, como dicen esenciales, y que seamos trabajadores como ya bien protegidos en esta ciudad. Que ya no haya miedo.

Oscar: “My dream,” Cesar tells me, “is that, as essential workers in this city, we are protected, and can live without fear.” He knows there is a lot to do and believes it will be a while until this happens. He hopes that in the future, other migrants will be able to enjoy safer work, which is what he is fighting for today.

Mia: That was producer Oscar Durand. You can read more about Cesar’s story on our website at abetterlifepodcast.com.

We’re going to take a quick break. When we come back, we’ll take a closer look at New York’s efforts to establish minimum work standards for thousands of food delivery workers in the city. We’ll be speaking with one of the leaders of Los Deliveristas Unidos. Stay with us.

Break

Mia: This is *A Better Life?* from Feet in 2 Worlds, I’m Mia Warren. Before the break, we heard the story of Cesar Solano, and his efforts to organize his fellow food delivery workers in New York City.

Now we’re going to take a closer look at the politics of providing protection to these workers. There are an estimated 65-thousand people in New York who deliver food for apps like Uber Eats, DoorDash, and GrubHub-Seamless.

New York City is just starting the process of implementing new laws designed to protect delivery workers. Those laws will require adjustments by the App companies and restaurants, as well as the workers themselves.

Hildalyn Colón Hernández is the Director of Policy and Strategic Partnerships with Los Deliveristas Unidos, a group that advocates for delivery workers.

Hildalyn, thanks for being here.

Hildalyn Colón Hernández: Thank you. Thanks for having me.

Mia: Before we dive into the conversation, I want to understand a little bit more about this industry. It’s an industry with 65,000 workers, is one of the numbers we’ve seen out there. And that’s a really significant number, even in a big city like New York. So, I want to know, who are these workers? And how did the food delivery business get to be so big?

Hildalyn: So, many of these workers during the pandemic, they lost their job, right? This is the people, like, used to work in restaurants, used to do construction, used to work in delis and many industries. And there was a huge group of people that left the job, right? And they kind of like merged into the apps world.

Others, they were already there. We do have a lot of workers that this was their second job, right? Like many of the realities of immigrant communities or even working people. They have two jobs. For example, Gustavo Ajche, our leader and founder, he works construction in the morning, kind of like brush it off, and then head to deliveries until midnight, one o’clock in the morning.

So both groups collided after the pandemic because many of us were very fortunate and privileged to be able to be at home when we depend on a huge workforce to feed us, to bring us our medicine, to bring us what we needed.

I think the group is very diverse. It's mostly immigrant workers. Comes from Latin America, that's the huge group, but it's also Bangladesh workers, African workers. You will see mostly male, but there's a lot of *deliveristas* women actually entering into this workforce. Because it gives them the flexibility to be able to deal with family issues, and they earn more.

Mia: That's interesting about the women that you mentioned. There's more women entering this workforce.

Can you talk a little bit about what are the daily challenges and realities of this work? What does it look like to get up and be a *deliverista* in New York City?

Hildalyn: Well they're doing work that requires a lot of time. They work six to seven days a week. They spend between 10 to 12 hours a day working. So they live all in their streets during the whole day. So they'll deal with extreme weather from rain, extreme heat, to snow as we head into wintertime.

The other challenge is the issue about their safety, and there's safety in two components: Safety on the streets, in terms of many of them are victims of accidents or even fatalities, health and safety issues. And the other is that they're victims sometimes of assault or bike theft as they do this work.

A big challenge, too, for them is the issue of lack of transparency, right? They do this huge work. They spend hours and time and sometimes they don't even know how much do they get tipped? So they're always in that constant frustration about, 'how much am I really earning?' Right? 'I'm killing myself to be out there, to earn a living. And sometimes I'm not, I'm going home not clear about how much do I actually have in my pocket?'

Mia: In September, the New York City Council passed a slate of bills that changed city laws around delivery workers. Can you talk about what exactly those laws did?

Hildalyn: So these workers achieved what many people, I think, never thought it could be achieved. They passed a first set of legislation to regulate the apps. So the workers were - able to - kinda like got this package of legislation and got the City Council to pass it.

They're very basic: simple bathroom access if they deliver for any company or restaurant. Establish a minimum pay, for example, similar to what the Uber and Lyft drivers have in New York City. Be able to limit their distances. Right now the apps can send them from Brooklyn to Manhattan and the worker have no right to reject it.

The other is, for example, making sure that the apps don't charge them fees when they get paid. These worker used to have fees, the companies will charge them fees to pay them, which is incredible.

And the last one is for new people coming in, the apps have to provide us some of the tools which usually will be the insulated bags like you see that all of them carry that are extremely costly and can cost from \$80 to \$140.

So that's kind of like the set minimum standard that they were able to achieve.

Mia: Something in this legislation package I'm wondering about is what's missing? What do you think still needs to happen? You mentioned these protections are a very basic level of working conditions.

Hildalyn: So a lot is missing, right? But as Gustavo says we needed to start somewhere and this is the start of many steps that they're gonna take.

Missing is the part of accidents. Right now, if- with many of the people that are listening are employees, right? If you get into an accident, you have a worker's compensation insurance that you can rely on, right? You have a medical insurance that you can rely on, for the people that have it. These workers, when they end up in an accident, they have zero. Nothing. They have to go to work. They actually spend their own money to cover medical expenses.

And not only the expenses but also the repair (of) the equipment every time that they get into a bike that's just- or mopeds with E-bikes - get destroyed, they need fixing because they need to get back to work. So right now, there's no protection on that.

Another protection that we're looking into more regulation is the issue about fatalities. Right now, to this day, we have lost ten *deliveristas* this year, in total seven last year. So we already have three more than last year. And these families actually end up with nothing, right? They lose an income.

And this is immigrant workers, as we know, they not only keep and sustain families here, they have to sustain families back home. So many of these workers have left kids, wives, back home, that they actually have zero. So we have to come up with a structure and the state has to compensate these families and be able to make sure that they have a future.

And I think one of the big things that these workers are looking is to give them the right to bargain with the apps. They want to be able to sit down at the table and say this is the working conditions that we're gonna reach, and that we're going to talk about. So they want to be able to say I want to sit down with all the apps and I want to establish working conditions, like collective bargaining. Independent contractors don't have a right to bargain under the law. But they're fighting to gain that. They're like, "Why not? Why we don't have the right to bargain?"

Mia: I'm wondering, do you think these laws will be implemented and enforced? What are you thinking about how it's going to look like on the ground?

Hildalyn: So the workers are very conscious about that. Right? They have laws, but if they're not implemented correctly, and people don't know about their rights, they're not as successful. In these bills, in particular, the workers will be at the table. Because they're the expert, right? This is the people affected and the expert, they will be at the table telling the Department of Consumer Affairs, and working with them on how this is gonna be done, and how it's going to be implemented.

When this process kinda, like, finish, the workers and we- our kinda like goal is that we need to educate, educate, educate, right? A lot of workers, once the bills are signed and once they are implemented, they're gonna wake up with a bunch of rights that they didn't have before, right? So it's like, educate, educate. What is your rights? What do your rights entail? What happens if those rights are violated? And what is the process to submit a complaint about if these rights are violated?

They will not leave until these bills are completed the way that they envisioned.

Mia: As a consumer, as a customer, of a restaurant, you know, I have used these apps in the past, although I try not to use them. Sometimes, if there's no other way to order food from a restaurant, I will.

But I'm just wondering, will we, as customers, notice anything different about the experience of the delivery workers following the passage of these new laws? Will we notice anything different about the way that we order through these apps? Is anything going to change about that experience?

Hildalyn: So I will say this for customers if you use the apps don't feel bad. Right? Because we understand it's the way that we're heading.

I think even that, in reality, customers have a role here that they can play. If that delivery worker gets to your door, just take five minutes, say hello, how do they doing? And make sure that the tip that you actually did through the app, that that tip that is showing on your interface on your phone shows the same as the phone of the worker, right?

Just take that extra step. It takes 30 seconds or a minute, just say, "Hey, I just want to make sure I give you a \$5 tip, can you open your app and make sure that you got my \$5?"

And workers will feel proud that you are making sure that they were able to get it, because for them, for a worker that earns \$2.50 to \$3 per delivery, what you give them as a tip is like a lifeline for them.

Mia: This is super helpful to know.

I just have one more question for you. I'm wondering what is the relationship between delivery workers and the police?

Hildalyn: Well, I can speak for Los Deliveristas. We are trying to build a relationship with them. And it's because of the simple reason, NYPD is the enforcement of the law. I don't want no delivery workers to be the enforcers.

When bike thefts or bike robberies happen some of these workers would try to chase the bikes or check the motorcycles, something that we don't patronize. They got hired to be deliverers, not to be police.

So we've been trying to do a relationship with the police about how do I address these cases, and make sure that they get addressed. And we are also educating our workers, that due process has to happen. It's been a little bit of a challenge because our workers don't feel that they're acting enough. They're not acting quickly enough. So it's been a challenge to explain both sides of the aisle, what is going on in the street.

Mia: If our listeners want to know more about Los Deliveristas Unidos and follow your work, how can they find you?

Hildalyn: They can visit our website. It's called [LosDeliveristasUnidos.org](https://www.LosDeliveristasUnidos.org). And then there you can connect us to Facebook or Twitter, it will link you to our page.

Mia: Hildalyn. Thank you so much for sharing your experiences with us today. It's been such a pleasure.

Hildalyn: Thank you.

Mia: Our conversation with Hildalyn Colon Hernandez was produced by Quincy Surasmith who is also *A Better Life?*'s executive producer. Our story about Cesar Solano was produced by Oscar Durand.

Jocelyn Gonzales is our technical director. Our editor is John Rudolph. Alejandro Salazar Dyer is our director of marketing. And Katelynn Laws is our intern.

Our theme music and original score are by Fareed Sajan.

A Better Life? comes to you from Feet in 2 Worlds. Since 2005, Feet in 2 Worlds has been telling the stories of today's immigrants and training immigrant journalists. The Feet in 2 Worlds network includes hundreds of reporters and editors. Some, like me, have been Feet in 2 Worlds fellows. Others have attended our workshops and contributed to our podcast and website. Together, we're making American journalism more reflective of the diverse communities that we serve.

To hear other episodes in this series, or to read more about the story you just heard, visit us at abetterlifepodcast.com.

I'm Mia Warren. Thanks for listening.

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