

# A PEOPLE'S FRAMEWORK FOR DISASTER RESPONSE:

## Rewriting the Rules of Recovery after Climate Disasters

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This report was researched and prepared by Resilience Force and The New Florida Majority.

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## ABOUT RESILIENCE FORCE

Resilience Force is a national initiative focused on transforming America's response to disasters by strengthening and securing America's Resilience Workforce—the millions of people whose work, heart and expertise make sustainable recovery from disasters possible.

Resilience Force works with community advocates and forward-thinking leaders across government, nonprofit, labor and private sectors to rewrite the rules of disaster recovery, focusing on the needs of the Resilience Workforce and the bonds between Resilience Workers and the people whose lives and communities they help rebuild. By advancing new solutions through research, organizing, legal action, community-based experiments and storytelling across the media landscape, Resilience Force works toward ensuring a more effective, equitable and sustainable approach to response and recovery for all people affected by the rapidly increasing "new normal" of climate disasters across the United States.

## ABOUT THE FLORIDA NEW MAJORITY

Established in 2011, The New Florida Majority-Education Fund (NewFM-EF) is a nonpartisan, multiracial and community-centered racial justice organization dedicated to creating an inclusive, equitable and just Florida by building power among the state's historically marginalized groups. NewFM-EF works to amplify the political voice and to increase the well-being of communities of color, while building multiracial unity across Florida through issue campaigns in the arenas of democratic rights, criminal justice reform, economic justice, climate justice, gender justice and immigrant justice.

# FOREWORD

## THE URGENCY OF GETTING RESILIENCE RIGHT

When the levees broke in the aftermath of Hurricane Katrina in 2005, the images of destruction and desperation launched a national conversation about disasters, inequality and climate change. Much of the conversation has focused on how to better prepare communities for future disasters. Not nearly enough has focused on how to create just recoveries to ensure that communities on the frontlines of climate change—including people of color, indigenous people, members of working class communities, and women—are able to rebuild and secure a stable future after each storm. As climate change accelerates, the need for this conversation has grown more urgent. Since Katrina, the United States has suffered another 199 billion-dollar disasters, making them a regular feature of life for millions of Americans.

We have learned a remarkable amount about the impacts of disasters on families, communities and workers in the last 15 years. While destruction of physical property is the most obvious result of hurricanes, floods and wildfires, we have understood their less visible consequences: the social and economic dislocations caused by disasters that reverberate across generations. Disasters dramatically exacerbate inequality, especially along racial and class lines.<sup>1</sup> Especially troubling is the discovery that the amount of emergency government aid that a disaster area receives correlates with a rise in inequality. In effect, our response to disasters is creating communities that are less able to prepare for or to recover from the next disaster—communities, in other words, that are less resilient.

We need bold solutions to confront wide-scale challenges—like the Resilience Dividend idea mentioned below, which will incentivize community investment, to new and effective protections (and funding) for the Resilience Workforce.

This report is deeply rooted in our experiences working directly with communities in Florida that

by Saket Soni, Resilience Force, and Andrea Cristina Mercado, The New Florida Majority

have struggled to recover and rebuild after Hurricane Irma in 2017 and Hurricane Michael in 2018. The first section of the report focuses on the systemic failures that those hurricanes revealed, beginning with an examination of Florida's dismantling of the social safety net, and particularly the disaster social safety net. Programs that offer disaster unemployment insurance and disaster food assistance are critical to helping households survive and rebound after climate disasters. Yet Florida is among the very worst states in the country in making these benefits accessible, a practice that compounds disaster upon disaster for those most in need.

Once the storms pass, Florida's weak workplace enforcement allows many "Resilience Workers"—those workers who help communities recover and rebuild—to be robbed of their wages and forced to labor in hazardous conditions. Collectively, workers report being owed hundreds of thousands of dollars; several report working for months without being paid at all. Injuries are also frequent. As just two of many examples: one worker interviewed for this report suffered a near fatal accident due to employer negligence, while another, employed by a Federal Emergency Management Agency (FEMA) subcontractor, fell from a roof and was abandoned at the hospital by his supervisor, and ended up homeless.

Finally, our report finds that Florida's anti-immigrant environment, exemplified by Senate Bill 168 (SB 168), the so-called "sanctuary cities" ban, has created a deep sense of fear among immigrant communities, a fear that has torn families apart and has stalled rebuilding efforts, and is reflected in a dramatic increase in the number of immigrants turned over to Immigration and Customs Enforcement (ICE) by local law enforcement in the Panhandle region after Hurricane Michael.

Our investigation into Florida's failures in response to Hurricanes Irma and Michael offers insights for

organizations, policymakers and elected officials in the growing movements for resilience and just recovery. In the second section, we move from identifying structural problems to offering a new national and state framework for how we respond to climate disasters. This report includes a number of inspiring examples of grassroots organizations that have stepped into the vacuum created by the government's inaction and have pioneered creative and effective strategies—but local groups can't do it alone. Climate change is the greatest challenge facing our nation. Meeting this challenge will take rewriting the rules of recovery at both the federal and state levels.

That must include supporting and empowering grassroots, community-based organizations to play a much larger role in preparation, response and recovery, which is entirely different from the government dropping the entire burden of response onto community groups and then just walking away.

In order to have a recovery for all, we must expand and protect the workforce that prepares for disasters and that helps rebuild after they occur. This needs federal intervention. We propose the creation of a national "Resilience Corps"—a public workforce to prepare for and repair after climate disasters. Many of these jobs require significant skill sets. To meet rebuilding demands, as well as to provide a path to stable and long-term careers, the program should include rigorous training opportunities, targeted in particular at women and people of color, two groups that have traditionally been excluded from the trades. Along with this new workforce, which could be modeled after the Works Progress Administration (WPA) of the New Deal, we can expand employment opportunities by removing barriers faced by immigrants and the formerly incarcerated. To protect the vital Resilience Workforce overall, and avoid the "anything goes" environment that frequently takes root after disasters, the federal government should raise and vigorously enforce wage and labor standards when contracting in disaster areas.

As a state, Florida can take a number of steps to become better prepared for future climate disasters. To create the needed Resilience Workforce, Florida can build out a public work program using funds allocated under the Disaster Recovery National

Dislocated Worker Grant of the U.S. Department of Labor and under the Community Development Block Grant—Disaster Recovery program. It can also build stronger worker protections into state and local contracting mechanisms, and immediately repeal SB 168, an attack on immigrants that tears families apart and, as our report shows, also threatens recovery in post-disaster areas.

The state also needs to ensure a robust disaster safety net; this requires improving the implementation of disaster food assistance, increasing disaster unemployment assistance, and guaranteeing the right of residents to return home after disasters by prohibiting rent gauging and predatory evictions. To address inequality caused in part by disasters, Florida should also consider creating a "Resilience Dividend"—paid out to citizens and modeled after the Alaska Permanent Fund—funded by a tax on the fast-growing and highly profitable disaster industry.

Finally, as the state most vulnerable to climate change, Florida needs to become a leader in a just transition to a sustainable economy. This can be done by establishing an Environmental Justice Task Force, with a majority of its members from indigenous, grassroots and at-risk communities, that advises the state when it comes to the effects of climate change—and which has explicit decision-making power in crafting climate policy.

Taken together, these recommendations outline a broad new framework for how we approach disasters and recovery. Climate change is here, and the disasters it causes strike at the heart of our physical and social infrastructure. We need to rebuild our homes, schools, hospitals and other vital institutions so that they can weather the storms to come. But we also must remember that communities are made up of more than just buildings. Communities are about people—many of whom are struggling long before a storm, but can be lifted up, rather than further beaten down, if we take the right approach to recovery. By rethinking how we respond to disasters, we can ensure that they, too, emerge stronger after the storm, are better prepared for the next and can serve as a driving force of growth and prosperity for their community, state and country. Only then will we have communities that are truly resilient and recoveries that rebuild people, not just property.

<sup>1</sup> Howell, Junia and Elliot, James R. "Damages Done: The Longitudinal Impacts of Natural Hazards on Wealth Inequality in the United States" in *Social Problems*, Volume 66, Issue 3, August 2019, Pages 448–467. doi.org/10.1093/socpro/spy016.

# INTRODUCTION

## Our Disastrous Approach to Climate Resilience



The status quo response to natural disasters, as new research has shown,<sup>2</sup> exacerbates existing inequalities. It increases racial and class disparities related to housing, employment, education, economic security, community investment and other essential social systems. As other authors and reporters have revealed,<sup>3</sup> the inequalities arising from our legacy approach to disasters continue to unjustly and destructively stratify society by race, national status, gender, age, work sector and physical disability.

If the rules of recovery were written in a just and sensible way, however, disaster recovery could serve as a powerful engine of progress. We could spend billions of dollars and countless hours and energy much more effectively and successfully.

A new framework for recovery could bring fresh attention to communities experiencing historical neglect and dis-investment, rebuild relationships across divided constituencies, address longstanding issues of unequal access and opportunity, create an effective foundation for future climate resilience, and create the safety and security necessary for people to contribute to building a stronger society, rather than being exploited by it.

But we are steadily moving in the opposite direction, and too often it is our own government leading us there, guided by corporate rather than community interests. Government actions serve as a driver of inequality and the exploitation or neglect of vulnerable people, rather than providing the infrastructure and availability of assistance that we know leads to successful and socially equitable and prosperous recovery.

That is because government actions are rooted in outdated policies, and those policies are rooted in outdated thinking. We must shift from corporate opportunism driven by private interests to true economic recovery driven by public interest. We must shift from a “sink or swim” mindset about economic development to a supportive approach that has been proven to prevent poverty and to unleash potential—from individual survival to collective responsibility. We must shift from relying on people’s good deeds and good will to recognizing that community leadership requires real community infrastructure. We must shift from protecting property to protecting people, including their ability to work, build productive community bonds, remain healthy and capable, and care for others.

In fact, we must understand resilience differently. Resilience is not a character trait, it’s a capacity—the result of choices about investment. Resilience is not evenly distributed today, and yet resilience is a capacity that every community needs in order to contribute to security, growth and prosperity across America. We must change our approach.

## What Is Climate Resilience?

There is now a growing realization among political leaders on all sides, and especially among everyday people who are far less concerned about politics than they are about their own lives, that resilience is not only the ability of buildings to withstand storms and sea rise, but also—and more importantly—about the ability of people to manage, survive and thrive in the face of increasingly frequent and forceful disasters.

For everyday people, that means they are concerned about how quickly they can get back to safe housing, restore the systems and supports that enable them to care for their family and friends, recover time and assets they’ve lost, lessen the effects of any interruption to work and education, begin healing from what they’ve suffered physically and emotionally, get back on track with their financial goals, and remain healthy and safe.

For community advocates, resilience means ensuring that disasters do not widen inequality, do not provide a cover for the exploitation of workers and other vulnerable people, do not create destructive and desperate fights over resources, do not lead to a developmental slowdown with children or an acceleration of health problems for the elderly. And so much more.

Yet, as this report shows, disasters are, in fact, having a negative effect on community resilience largely due to our current policy approach to it. People are becoming less resilient—not more—which means they are less able to survive, recover and grow, as are their communities and industries.

In Florida, where climate change and its effects on people’s everyday reality are less deniable, the definition of both the problems and solutions are changing, and there is no better indicator of that shift than tracking the evolving definition of resilience itself.

<sup>2</sup> Howell, Junia and Elliot, James R. “Damages Done: The Longitudinal Impacts of Natural Hazards on Wealth Inequality in the United States” in *Social Problems*, Volume 66, Issue 3, August 2019, Pages 448–467. doi.org/10.1093/socpro/spy016.

<sup>3</sup> Most notably, Naomi Klein laid out her thesis of “disaster capitalism” in *The Shock Doctrine* in 2007, which addressed both Hurricane Mitch in 1998 and Hurricane Katrina in 2005. In a more recent article, she detailed the current manifestation of this legacy. How Power Profits from Disaster, *The Guardian*, July 6, 2017.

In June 2019, Florida's first-term Republican governor, Ron DeSantis, "appointed a University of Florida biologist as the state's first chief science officer" and also committed to "hiring a chief resilience officer, whose job description includes preparing Florida 'for the environmental, physical and economic impacts of climate change, especially sea-level rise.'"<sup>4</sup> This is a sign that the resilience conversation is clearly here to stay. But where it leads, and whether it becomes a cover for the status quo or an antidote to it, will depend on whether those who best understand the needs and process of resilience are front and center. Acknowledging the climate change problem, at last, does not inherently suggest the right approach to solutions. It just changes the topic.

Florida has the opportunity to lead the way nationally. A starting point will be ensuring that "science" and "resilience" are correctly and honestly defined by these new initiatives, and that effective action follows from them. There is an opportunity for a new era of true community-building, unity and progress across Florida, but only if we look at our current approach—and look at any proposed solutions and their origins—critically and honestly. If we do, then a direly needed new and effective approach in Florida is possible, bringing security to its millions of residents.

The question is: As resilience becomes a prevailing concern and area of attention for business and government, will equity and safety become the prevailing standards for it?

## How Are We Approaching Resilience Today?

Our current national approach to climate resilience is not aligned with the outcome of protecting people from the countless adverse impacts of natural disasters, many of which can be ruinous: life-altering for individuals and debilitating for entire communities. The adverse impact on society will only increase, as will the number of people and communities affected, as the force and frequency of disasters increase. Since Hurricane Katrina ravaged the Gulf Coast in 2005, there have been 199 billion-dollar disasters in the United States.<sup>5</sup>

Florida, as this report documents, presents a particularly vivid example of how the current

approach plays out on the ground. As disasters have increased in size and frequency, the state has responded by dramatically slashing benefits such as unemployment insurance and creating barriers to disaster food assistance, making it more difficult—not less—for people to recover and rebuild.

During and following disasters, we must focus on rebuilding social infrastructure in addition to repairing physical infrastructure. Social needs must be on the list of things we pay for. Not just rebuilding damaged homes, but housing the workers who are doing so. Not just rebuilding the government and corporate offices and properties, but ensuring healthcare for the workers doing so. When we fail to meet these needs, we undermine true recovery.

At best, the focus on assessing resilience in terms of property damage is a poor proxy for assessing people's true needs for disaster preparation and recovery. Many other types of damage are just as important to evaluate—if not more important—if the goal is to enable both short-term repair and long-term community recovery, strength and growth.

In that case, the solution must include embracing a new framework for assessing and addressing the needs for true resilience, including solutions catered to our new climate impact realities.

At worst, the focus on property damage reflects a profound neglect of everyday people's needs by politicians and government agencies, who instead value and prioritize corporate interests: corporate-owned property protection during disasters, and corporate profiteering when it comes to appropriating resources and contracts during rebuilding.

In that case, the solution must include a plan to build the power affected communities require to force policymakers—and turn public will—toward addressing the true needs of the people whom politicians have a duty to represent.

In either case, real progress on climate resilience will begin only when we take an honest look at climate disasters and their impact on people across America. That means defeating the popular fantasy about disasters that holds us back: they come and go, buildings are damaged but then get rebuilt even better, and everyone moves on stronger than ever—a testament to people's ability to "pull together" and "stick it out during hard times" and demonstrate their natural capacity for resilience.

What this report reveals is the hard truth: through no fault of their own, and as much as they may try to

carry the weight of recovery on their own, millions of people are not able to move on without the supports that those whose recovery is prioritized receive.

Many people and communities, especially those already facing under-investment and discrimination, are not merely experiencing "setbacks" and "inconvenience" during disaster; they are experiencing permanent loss, insurmountable barriers to well-being and growth, and long-term debilitation.

We know that increasingly frequent climate disasters are the result of human-made climate change: choices we've made about pollution, natural resource extraction, consumption and other activities that affect climate. It is equally true that many of the disastrous impacts of climate disasters are also human-made: the results of the choices we've made about how we prepare, respond and recover in the face of disaster, especially when it comes to what and whom we value protecting (or not).

For far too many people, as pointedly summarized by one person in our study, "It's like we went through a hurricane twice; one trauma after another." Each individual story represents a much larger trend, the scale of which threatens the fundamental security and viability of far too many communities, states and regions across America.

## What Is the Resilience Economy and How Are We Approaching It?

We must also recognize that resilience spending creates its own economy, and therefore must be treated as such. Just as disasters can blunt economic activity, disaster recovery increases it. As climate change accelerates and its effects hit a highly climate-vulnerable state such as Florida, for example, an entire industry is emerging in response—the intersection of several industries that already exist.

Disasters bring damage, and, as a result, significant money follows them. The resilience economy includes activity related to disaster recovery and the immediate response phase, as well as the phase of long-term rebuilding, which can span years or decades. In places like Florida, where disasters hit again and again, a significant part of the resilience economy can include disaster preparation, and, at best, climate adaptation.

Where the money goes and how we use it determines how the resilience economy takes

shape. Those resources could be transformative for communities that rarely see investment, but not if the investment passes them over, or simply moves through them. We cannot allow an industry to be built on the backs of suffering communities but then not deliver any value to them, or even leave them worse off than they started. That is predation. The engine of the resilience economy and its growth must be investing in communities in a way that strengthens them and makes them more resilient.

In terms of infrastructure alone, as just one example, Florida's resilience industry includes massive debris removal and clean-up operations, followed by work to preserve roofs and repair homes (sometimes totaling in the tens of thousands), as well as massive operations to restore large public and private buildings such as city halls, hotels, hospitals and college campuses.

In certain regions, the resilience economy is becoming a major force, raising all the imaginable implications for labor, business, sustainability, politics and more. For example, in Florida, neither the economic growth nor the value and benefits created by disaster and resilience spending are shared equitably, let alone focused on supporting those hit hardest or those whose recovery may be inconvenient for politicians to address, but both are essential for sustainable and prosperous community rebuilding. The spending itself is an undeniable factor in the economic landscape of Florida.

After Hurricane Irma, \$3.7 billion in federal assistance, in FEMA spending alone, was spent in Florida that would not have been spent but for the disaster. According to Moody's Analytics, federal aid to states results in a macroeconomic multiplier of 1.4. That is, for every dollar in government spending, there is a \$1.40 increase in gross domestic product.<sup>6</sup>

The size of the resilience economy—rapidly growing in Florida—is actually much larger when considering that federal aid also came in from the Army Corps of Engineers, the U.S. Department of Agriculture, the U.S. Department of Housing and Urban Development and other federal agencies. There are additional resources as well: funds spent from a state's reserves ("the rainy day fund"), contributions made by philanthropy and charities, the restitution issued by private insurance companies and more.

This money can play a positive and transformative role. But it can also cause harm, especially when it comes to corrupt and dangerous profiteering by contractors. They can overcharge the public,

<sup>4</sup> Miami, Drowning and Scorching, Awaits Democrats for Debate, *The New York Times*, June 24, 2019.

<sup>5</sup> See National Oceanic and Atmospheric Administration (NOAA) National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2019), available at [www.ncdc.noaa.gov/billions/events](http://www.ncdc.noaa.gov/billions/events).

<sup>6</sup> Josh Bivens, Method memo on estimating the jobs impact of various policy changes, Economic Policy Institute, November 8, 2011. Available at [www.epi.org/publication/methodology-estimating-jobs-impact/](http://www.epi.org/publication/methodology-estimating-jobs-impact/).



## The Story of Florida: Hurricanes Irma and Michael

Each year, we see the results of the status quo as federal, state and local preparation and response strategies play out in disaster-affected communities. No better example is Florida, which has experienced two of the most severe disasters in the modern era just in the last two years, and this year just narrowly escaped another.

The need for system-wide solutions that can bring about true resilience in Florida, thereby securing a safe and prosperous future for its people, is evident in every detail of the story of Hurricanes Irma and Michael and in every lesson learned from them.

The effects of failed and unjust disaster response has defined a new reality for millions of people in Florida, yet it has also helped them develop new expectations for how their government—across multiple axes—can and must prepare for the many storms ahead.

Our research and interviews with community members across Florida, focused on their experiences of Hurricanes Irma and Michael, have uncovered realities we cannot continue to ignore. Their stories point to the many different facets of adverse impact and the policy failures that have caused them, and also suggest the serious threat to long-term welfare for all those who are experiencing dangerous climate conditions, policy failures and damage to the social support systems they need in order to thrive.

Experiencing multiple relentless disasters has been painful, and continues to be detrimental to so many people's lives, but it has also been revelatory in terms of forging a new vision for disaster response.

It began on the morning of September 10, 2017, when Hurricane Irma hit the Florida Keys as a Category 4 storm. The story continued through the initial period of loss and recovery and into the next season when Hurricane Michael hit the Florida Panhandle on October 10, 2018. Both storms were among the top ten most damaging hurricanes to strike the United States in the past 40 years, inflicting a combined damage of \$77 billion (as disasters are commonly measured).

Like those in many communities across America, Floridians are proudly resilient people. Resourcefulness is a treasured personal trait, expressed in every one of the many diverse cultures and communities that

withhold payments from those who work for them, or engage in any number of other realities for which there is currently a deeply troubling lack of oversight. Without intervention, the resilience economy could easily follow the model of the Wall Street economy in which large gains and growth benefit only a very few elites.

While the physical damage disasters cause is highly visible, the harmful financing arrangements, deal-making and spending on reconstruction are often not. The status quo rules of this economy, in addition to the lack of transparent and strategic stewardship, represent a threat to long-term sustainability and equity. New rules for this economy, including developing metrics that help decision makers remain accountable to equitable outcomes, must be part of a new approach to thinking about disasters.

The resilience economy can, in fact, create a Wild West environment that favors predation—an environment in which rightful outcomes in the public interest can easily lose out to large corporate interests and political corruption, just as with the advent of the war economy, the tech economy or any rapidly emerging economy reaching across multiple industry sectors and areas of life. But like any economy, it can also serve an immense public good, but only if it is regulated and directed wisely and responsibly. That requires putting the proper incentives and controls in place to ensure equity and to ensure affected communities are leading the way in setting the standard for what success looks like.

have made Florida unique among the states. This is no wonder: the character and resourcefulness of those communities have been put to the test more than most, with extreme weather spanning many generations and increasingly severe threats of climate change confronting the current generation.

What has become abundantly clear in the face of climate change, however, is that there is no degree of personal character and no amount of personal resourcefulness that can match the level of resilience capacity Floridians requires to survive the challenges they now face.

Section 1 of this report presents telling excerpts from the many interviews we conducted, which show where and how the current disaster response approach is failing, and which social systems that people rely on for support during a disaster are deteriorating.

## A New, Effective Approach to Climate Resilience

Each story of the failure of the system also reveals a path toward improving it, creating a level of climate resilience that can sustain communities in a new era of climate change.

Section 2 of this report outlines viable solutions and policy shifts at different levels, which, taken together, constitute a new framework for just and equitable disaster recovery. Federal and state interventions, and federal and state partnerships with local community groups and advocates, can play a transformative role in making recoveries just.

Several recommendations pertain to improving the implementation of supports and remedies that are

already established by law and have already been proven to be necessary. Whether at the federal or state level—or in the coordination between the two—basic disaster safety net protections and benefits are in need of a critical upgrade and a renewed commitment to administer them equitably and successfully.

At the same time, we need new laws and new types of government action and protection that are responsive to the challenges we now know disasters bring: security in housing, security for immigrants, and security and support for the Resilience Workforce—the people whose labor drives recovery, from care workers to construction workers.

There must also be oversight focused on enforcing lifesaving standards and laws related to worker rights, environmental protection and equitable development. Oversight focused on the resilience economy and the conduct of its main actors has been ignored for too long, enabling a perverse incentive structure that favors corruption and inevitably leads to harm for the most vulnerable people across the country: wasted tax dollars, wage theft, displacement, injury on the job, human trafficking and more.

Finally, Section 2 recommendations also offer mechanisms for solving the challenges of resiliency—its threats and opportunities—at a scale commensurate with the increasing force and frequency of disasters to come: investing in public jobs and job training, ensuring a just transition to a sustainable economy, and establishing a Climate Change Dividend to ensure community stakes in reinvestment as the corporate disaster sector continues to grow.





# SECTION 1

## The Experience of Climate Disaster When Resilience Systems Are Dismantled or Absent



### SECTION 1A

#### How We Think About Disaster Impact

The experiences of communities during and after Hurricanes Irma and Michael reveal just how vulnerable people are, and just how severely we continue to fail them during disaster and recovery. These disasters profoundly disrupted the lives of millions of Floridians, and continue to severely limit what is possible for their futures. This section details many of those experiences.

Sometimes those disruptions are easily visible and counted: families returned to find their homes had been destroyed beyond repair; many residents lost their jobs because their places of employment had been forced to close. Other disruptions are harder for an outside observer to see, yet they lead to permanent losses and lifelong impediments to development, growth, security and prosperity, given the response to disasters we currently accept as the status quo.

These disruptions can produce grave effects, especially for young children's development and opportunities, the safety of the elderly and people with disabilities, and the living conditions of many other vulnerable people.

Perhaps most importantly, what is visible is what gets paid for. If we do not recognize all the types of damage that matter, and all the types of effects that all of the damage has, then we will not be making the right investments in rebuilding. As a result, we will not see the kind of stability, well-being and growth that any disaster-affected region will need in an age of increasingly frequent and forceful disasters. And we'll lose resilience. In fact, under the banner of resilience, we will have created a much less resilient world.

#### The Damage We Hear About: The Strength of Hurricanes Irma & Michael

In September of 2017, Hurricane Irma's sustained winds of 130 miles per hour lifted boats onto shore and uprooted entire houses. Nearly 30,000

buildings were damaged across the Florida Keys. In one of the hardest hit communities, Big Pine Keys, wind gusts reached 160 mph<sup>7</sup> and more than one in four structures were completely destroyed.<sup>8</sup> From the Keys, Irma moved up the western coast of the peninsula, bringing powerful winds and rain that knocked out the power for nearly two-thirds of the state's residents. The storm flooded downtown Miami, and 1,000 homes in Miami-Dade County suffered major damage. Some 7,000 buildings were damaged in Brevard County, and another 4,000 in Osceola County.<sup>9</sup> As the storm moved north, heavy rainfall and winds produced storm surges that inundated the northeast coast. Floodwaters reached five feet in some areas of Jacksonville—the worst flooding in the city's history.<sup>10</sup>

Hurricane Irma was responsible for what Florida's Department of Emergency Management estimated as an exodus of nearly 6.8 million Floridians—nearly one-third of the state's population was forced to leave their homes. Many drove north, causing large traffic jams on freeways, while nearly 200,000 individuals took refuge in one of more than 700 shelters across the state.<sup>11</sup> The homes of more than 27,000 households were made immediately uninhabitable by the storm. The storm was officially responsible for 123 deaths in Florida.<sup>12</sup> By the time Irma dissipated, it had inflicted \$52 billion in damages, even more than the \$50 billion (adjusted for inflation) caused by Hurricane Andrew in 1992.<sup>13</sup>

Just over one year later, in October of 2018, as many communities in Florida were still struggling to rebuild in the long wake of Hurricane Irma, Hurricane Michael slammed into the Florida Panhandle. The storm hit the northern Gulf Coast, striking both Tyndall Air Force Base and the town of Mexico Beach. With winds that reached 160 mph, Hurricane Michael became the first Category 5 storm to hit the United States mainland since Hurricane Andrew, and only the fourth such storm on record to have done so.

The results were catastrophic. Every structure at Tyndall Air Force Base was either damaged or destroyed, with \$4.7 billion inflicted in total damage.<sup>14</sup>

Entire blocks of Mexico Beach were erased—some houses blown apart and others swept away by the 14-foot storm surge. Across the Saint Andrew Bay and to the north, in Panama City, the largest city in Bay County, the storm caused widespread destruction. It lifted roofs from homes, knocked over power lines and damaged schools and hospitals. More than 45,000

<sup>7</sup> Miller, Kimberly (2018) "Hurricane Irma: Unseen by tourists, threat of Keys' survival unraveling," *Palm Beach Post* (September 7), accessed at [www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/](http://www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/).

<sup>8</sup> Monroe County approximate damage assessment results from Hurricane Irma, accessed at [www.monroecounty-fl.gov/DocumentCenter/View/12459/Approximate-Damage-Assessment-Results?bidId=](http://www.monroecounty-fl.gov/DocumentCenter/View/12459/Approximate-Damage-Assessment-Results?bidId=)

<sup>9</sup> National Hurricane Center Tropical Cyclone Report, Hurricane Irma (June 2018), accessed at: [www.nhc.noaa.gov/data/tcr/AL112017\\_Irma.pdf](http://www.nhc.noaa.gov/data/tcr/AL112017_Irma.pdf).

<sup>10</sup> Stepzinski, Teresa (2018) "Hurricane Irma flood victims awash in memories one year later," *The Florida Times Union* (September 10), accessed at [www.jacksonville.com/news/20180910/hurricane-irma-flood-victims-awash-in-memories-one-year-later](http://www.jacksonville.com/news/20180910/hurricane-irma-flood-victims-awash-in-memories-one-year-later).

<sup>11</sup> Florida Association of Counties 2018 Policy Brief, "Hurricane Irma at a glance, accessed at [fl-counties.com/sites/default/files/2018-04/Emergency%20Management%20-%20Supporting%20Data%20Package.pdf](http://fl-counties.com/sites/default/files/2018-04/Emergency%20Management%20-%20Supporting%20Data%20Package.pdf).

structures were damaged and another 1,500 entirely destroyed in Bay County overall.<sup>15</sup> (Earlier this year, the *Washington Post* reported that 1 in 6 students in Bay County were now living in “temporary homes,” a category that the federal government considers homeless.)<sup>16</sup> The total damage caused by Hurricane Michael was \$25 billion. It is an exceptional figure in context: unlike Irma, which hit 50 counties across Florida, Michael’s impact was tightly concentrated in the Florida Panhandle, disproportionately destructive.

### The Damage We Don’t Hear About: Lives Disrupted and Communities Ignored

One clear shift we need to make is in the way we think about and define damage, and how that relates to what we focus on, pay for and measure in recovery.

Physical damage is an understandably dramatic news hook, but it represents a small part of the upheaval, loss and setbacks in people’s lives. Only by understanding the far-reaching impact on social structures and the lack of protection of those structures—beyond physical structures alone—can the profound impact of the hurricanes be truly understood. The factors that matter most for long-term recovery, rebuilding and renewal are people’s financial security, emotional stability, family and community cohesion, community health, life trajectory and overall capacity to thrive.

In the end, everyone is affected by disaster in some way. The effects on productivity, human development, prosperity and security in one community affect people in the state, the region and the country overall. That is true whether or not people affected indirectly realize it, and whether or not they pretend the recovery is over when, in reality, it still has years to go.

What does it look like for social supports—health, food, counsel, caretaking, job development, education—to break down at the level of an individual family or person’s life experience and social mobility? What does it look like for those who provide support—health aides, volunteer service providers, immigrant builders and cooks, counselors and caretakers—to be prevented from doing so by lack of funding and organization or even by government attacks?

The stories we heard, many shared in the pages below, provide a powerful picture of what it looks

like for social supports and systems to be damaged or ruined by disaster, and to go unattended to when only physical structures get rebuilt.

The first step toward resilience is recognizing both the full range of needs and the full range of people needed to meet them. Whether the media lose interest, politicians divert attention, community leaders and institutions fail to lead, and those farther away from the sites of impact refuse to see what it is inconvenient to see, the truth of disaster impact is something we must all now take responsibility for acknowledging. We must come to terms with it, and with its effects on all of us. In fact, the lack of recognition and accommodation itself can be among the worst effects people suffer, whether emotionally or materially.

“Sometimes I’m walking the dog and I’ll hear a tourist say, ‘Oh, they didn’t get hit very hard, everything looks fine,’ and I just want to scream.” That is how Stephanie Kaple, the executive director of the Florida Keys Outreach Coalition, explained the condition to the *Palm Beach Post* on the one-year anniversary of Irma. “Not all wounds can be seen from the outside.”<sup>17</sup>

Acutely disaster-affected people struggling to rebuild their lives often feel as though they have been forgotten—because they have been. They also feel that the importance of their recovery—not just for them but for all of us—is also ignored. The lack of others’ investment in their success is palpable. In June of 2019, a survey of Floridians found that more than two in five believed the Panhandle had fully recovered from the storm, and nearly half wouldn’t donate to help the area rebuild.<sup>18</sup> Among residents in Northwest Florida, however, which received the brunt of the storm’s impact, more than four in five respondents were aware that extensive damage remained.<sup>19</sup> Those living through the long-term effects can feel the neglect from those who aren’t.

There is an obvious emotional effect, but an equally important material effect—examples of denying the reality of people’s loss and injury can also take the form of someone not being allowed to take time off work to care for someone whose recovery is taking longer, not getting a break on a payment deadline after a job loss or reduction (or savings loss), having their workplace refuse to make accommodations for limitations related to injury, or receiving no guidance for dealing with children who are severely affected, or seeing increased discipline and punishment of children for behavior related to their experience.



<sup>12</sup> Miller, Kimberly (2018) “Hurricane Irma: Unseen by tourists, threat of Keys’ survival unraveling,” *Palm Beach Post* (September 7), accessed at [www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/](http://www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/).

<sup>13</sup> Hurricane damage based on data from the National Oceanic and Atmospheric Administration. See NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2019), [www.ncdc.noaa.gov/billions/](http://www.ncdc.noaa.gov/billions/). For table on “billion-dollar” weather and climate disasters, see [www.ncdc.noaa.gov/billions/events](http://www.ncdc.noaa.gov/billions/events).

<sup>14</sup> Secretary of the Air Force Public Affairs (2019) “Air Force stops all new Tyndall rebuilding efforts starting May 1,” (April 30), accessed at [www.af.mil/News/Article-Display/Article/1830658/air-force-stops-all-new-tyndall-rebuilding-efforts-starting-may-1/](http://www.af.mil/News/Article-Display/Article/1830658/air-force-stops-all-new-tyndall-rebuilding-efforts-starting-may-1/).

<sup>15</sup> National Hurricane Center Tropical Cyclone Report, Hurricane Michael (May 2019), accessed at [www.nhc.noaa.gov/data/tcr/AL142018\\_Michael.pdf](http://www.nhc.noaa.gov/data/tcr/AL142018_Michael.pdf).

<sup>16</sup> Sullivan, Patricia and Achenbach, Joel (2019) “Survivors of Hurricane Michael in the Florida Panhandle fear they have been forgotten,” *Washington Post* (April 6), accessed at [www.washingtonpost.com/national/survivors-of-hurricane-michael-in-the-florida-panhandle-fear-they-have-been-forgotten/2019/04/05/793ab5ce-563b-11e9-bef3-fbd41a2ce4d5\\_story.html](http://www.washingtonpost.com/national/survivors-of-hurricane-michael-in-the-florida-panhandle-fear-they-have-been-forgotten/2019/04/05/793ab5ce-563b-11e9-bef3-fbd41a2ce4d5_story.html)

<sup>17</sup> Miller, Kimberly (2018) “Hurricane Irma: Unseen by tourists, threat of Keys’ survival unraveling,” *Palm Beach Post* (September 7), accessed at [www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/](http://www.palmbeachpost.com/weather/hurricanes/hurricane-irma-unseen-tourists-threat-keys-society-unraveling/4ld5p0iktpx18j9YZ9GO/)

<sup>18</sup> McCrelles, Patrick (2019) “Survey shows many Floridians Unaware of remaining post-Michael damage,” *Panama City News Herald* (June 27), accessed at [www.news Herald.com/news/20190627/survey-shows-many-floridians-unaware-of-remaining-post-michael-damage](http://www.news Herald.com/news/20190627/survey-shows-many-floridians-unaware-of-remaining-post-michael-damage).

<sup>19</sup> The full results of the survey, including breakdowns by geographic regions, can be found at [media.graytvinc.com/documents/Hurricane-Michael-Survey-Analysis-June-2019.pdf](http://media.graytvinc.com/documents/Hurricane-Michael-Survey-Analysis-June-2019.pdf).

## SECTION 1B

### The Injustices Experienced During Hurricanes Irma and Michael

#### The Forces Working Against Recovery: Stories of the Willful Neglect and System Failures that Define the Status Quo

Most stories we heard revealed many interlocking challenges and structural barriers playing out in peoples' lives created by our legacy approach to disasters. For far too many, the damage was greater upon their return than during the evacuation itself.

For some, it was a matter of a very specific injustice they faced—caught within the contradictions of public policy system failures and the lack of recourse and accountability for those failures.

Workers facing unjust and inadequate rules of work, even in the public sector, present just one example. Among the millions were 12 of Miami Beach's public employees living in mandatory evacuation zones. They were directed to leave for Orlando, some even as far as Georgia. Yet, the lack of informed policies and support systems for dealing with disaster left them in an impossible situation: the designation of "essential employee" required them to work around the clock during hurricanes, often servicing temporary evacuation shelters; but the designation of "mandatory evacuation zone" meant they had to take on the work of moving their entire family away at the very same time. Upon their return, they were fired for evacuating and not showing up to work, despite the call for mandatory evacuations during which public officials also left the area.

"It was a very intense process that took over a month, but we were able to win their jobs back," recounted Jacqui Carmona, Political Director of AFSCME Florida. "We're working to introduce new policy and include new language in our contracts that protects these workers and their families from situations like this," she said. Their story is one among

thousands of situations that evacuations present for working people. They are turned into lose-lose scenarios by their own government working against them. And the damages rack up quickly in those scenarios.

Children were similarly put into impossible situations, as were their teachers. "Children are often the most severely impacted," said Susan Wellen, a teacher in Miami-Dade County. When schools closed due to the disasters, she explained, children from low-income families—who depend on two free meals a day provided by the school—went hungry. When schools resumed, Wellen noted, students were often dealing with storm-related trauma. That trauma can result from the losses suffered, but also from the conditions that continue: malnourishment, lack of healthcare and healing, stress and conflict at home, homelessness, family separation, lack of electricity to study, exhaustion from new work responsibilities outside of school related to home repairs, family caretaking and the dire need for cash. Another teacher reported that after Hurricane Michael, many students dropped out of school entirely to work full-time to support their parents.

It is a major miscalculation to assume that just because school has resumed, learning has resumed. Not only do disasters interrupt the school year in the form of an unexpected vacation, the response to the hurricanes (or lack thereof) can lead to a ruinous disruption in child and youth development. That principle is as true for entire local industries and their workers as it is for schools and their students.

Starting with the short-term and moving into the medium-term and long-term, if we care to look, we can see what happens to an entire generation when we neither prepare for disasters adequately nor support recovery in a way that aligns with the reality of their impact, rather than our fantasy of resilience. Again, we see how personal resilience can only go so far in the absence of a well-managed social system of resilience.

Many stories demonstrate the complete inadequacy of our approach to disasters on every level at once. These people did not fall through a few cracks. They were surrounded by nothing but cracks, and their ruinous trajectories were both completely unavoidable and all too predictable—a series of traps set by destructive public policies.

Many families were broken, for instance, even when everyone survived. The inescapable reality of policy

and social failures sent both children and parents down a nightmare path—a chain reaction of one impossible situation after the next.

**“It’s like we went through a hurricane twice.”**

Shane and Liz provide the telling example. A couple in their early thirties living in Panama City, they had three young boys. Prior to Hurricane Michael, Shane worked for a towing company and Liz was a part-time server at a restaurant in Panama City Beach.

They returned from evacuation to find their rental mobile home had been damaged, and soon after that their landlord evicted them. Shane's towing company went out of business after the storm, and the \$1,800 they had saved prior to the storm disappeared. They weren't sure what would come next, so they sent their kids to stay with Liz's brother an hour and a half away. And what came next made their poverty permanent.

"After Michael, everyone said there was money to be made, and that's why we stayed," said Liz. In reality, Shane was only able to find occasional jobs as a day laborer with no security. Without steady income and faced with skyrocketing rents in Bay County after the storm (part of the phenomenon known as climate gentrification), they became homeless. They slept on park benches and in a van parked at a Walmart parking lot. When interviewed two months after the storm, they had relocated to crowded tent city on the grounds of a church. "I feel like I don't have a life here anymore," said Shane. "It's like we went through a hurricane twice."

That is what is rarely seen: the disaster after the disaster suffered by entire families and even entire communities whose future looks only bleaker as the public story of recovery propagates a false reality of survival, reparation and restoration.

It is also directly related to the question of equity: money poured in, and someone surely made money,

but resources were not there to support those for whom access to aid made the difference between food and hunger, or their small business stabilizing or crashing. Money distributed in this way becomes a force working against resilience.

#### ANTI-RESILIENCE FORCES BY CATEGORY

##### A - Federal Benefits Effectively Denied by Florida

Though limited in approach and in need of a major redesign for the current era, the federal government has a longstanding set of policies related to disaster. The application and efficacy of those policies can vary greatly depending on the political commitments of a president and the competence and coordination of federal administrators, as well as existing state law and the proclivities and competence of governors and state officials.

The legacy federal disaster safety net includes two main programs: Disaster Unemployment Assistance (DUA) and Disaster Supplemental Nutrition Assistance Program (D-SNAP).

DUA provides cash assistance to those who have lost their jobs or business income due to a natural disaster, and is paid fully by the federal government: the U.S. Department of Labor pays out the funds and receives reimbursement from the Disaster Relief Fund administered by FEMA.<sup>20</sup> The program is administered by individual states, however. (In Florida, the administering agency is the Department of Economic Opportunity.)

DUA is intended for people who suffer work loss but are not eligible for unemployment compensation, including people who are self-employed, workers who are unable to reach their place of employment because of a disaster and workers who are unable to work because of an injury caused by a disaster.<sup>21</sup> The maximum weekly benefit is \$275 and the maximum duration is 26 weeks. In fiscal year 2018, which covered most of the Hurricane Irma recovery period, the federal government made \$40.9 million in DUA payments across all disasters during the year.<sup>22, 23</sup>

D-SNAP provides an electronic benefit for food purchases. D-SNAP is paid for by the federal

<sup>20</sup> Congressional Research Service, Disaster Unemployment Assistance, June 24, 2019. Available at fas.org/sgp/crs/misc/RS22022.pdf. (Last accessed October 29, 2019).

<sup>21</sup> Ibid., p. 2.

<sup>22</sup> Ibid., p. 5.

<sup>23</sup> The total payment amount for Hurricane Michael, and for FY 2019, was not available.



government through the U.S. Department of Agriculture, and, like DUA, is administered by individual states. (In Florida, the Department of Children & Families.) D-SNAP provides replacement benefits for regular SNAP recipients who lose food in a disaster, and also extends benefits to many households that would not ordinarily be eligible for food assistance,<sup>24</sup> including those households forced to spend their food money on evacuation, temporary shelter or repairing their home or business.<sup>25</sup> In fiscal year 2018, the period covering much of the recovery related to Hurricane Irma, the maximum monthly allotment for a family of four was \$640.<sup>26</sup> Congress granted \$1.27 billion to D-SNAP in a supplemental appropriation to cover the four major 2017 disasters, including Hurricane Irma.<sup>27, 28</sup>

In the case of Florida's response to Hurricanes Irma and Michael under Governor Scott, even the very basics of our federal response framework were undermined, leaving people without the aid intended to help them and resulting in a sequence of cascading negative effects, each amplified by the other. Other

experiences reveal the inadequacy of the federal framework itself and contradictions in how we think about resilience.

### **A1 - Blocking Remedies for Sudden Income Loss: Minimum Wage, Unemployment Insurance & Disaster Unemployment Assistance**

Disasters increase income insecurity and often lead to income loss. Our current disaster safety net related to income is out of date and inadequate, however, as the experiences of so many during Hurricanes Irma and Michael demonstrated.

Millions of people in Florida, similar to so many across the country, were already starting at a disadvantage as a result of larger economic policies. As Philip Stoddard, the Mayor of South Miami and a

biology professor at Florida International University, told *The New Yorker*, "Probably the best way to deal with climate inequity and risk is pay people a living wage. They can start to take care of themselves, and that's when resiliency starts to emerge."<sup>29</sup>

Florida's minimum wage remains stuck at just \$8.46, far behind states that have embraced living wage social movements and their rightful demands. According to the living wage calculator at the Massachusetts Institute of Technology, a single adult with no children in Miami-Dade County would need to make at least \$12.85 to earn a living wage—and with two children that rate rises significantly to \$26.87<sup>30</sup>

Along with the lack of a useful minimum wage, Florida also slashed unemployment insurance, turning what could be a short but manageable crisis—brought about by natural disasters or any other eventuality—into a driver for entering deep poverty.

Under Governor Scott, the share of unemployed workers receiving benefits fell by more than half, to just 10%—dead last among all fifty states. Additionally, Florida has drastically cut the number of weeks an individual may receive unemployment insurance. Most states offer unemployment for 26 weeks, while some offer more.<sup>31</sup> Florida has instead cut the time limit to just 12 weeks—again, last among the fifty states, tied with North Carolina. For the relatively few unemployed workers who actually receive assistance, the average weekly benefit is just \$246, equivalent to \$6.15 an hour for 40 hours of work, which ranks 47th among all 50 states and keeps people nearly as vulnerable as they would be without it.<sup>32</sup>

It is therefore no surprise that Floridians suffering through Hurricanes Irma and Michael were left stranded by another income insurance program, even though it was designed exactly for their plight and even though Florida should be the model case for the program given its steady pattern of natural disasters: Disaster Unemployment Assistance (DUA).

DUA in Florida has been its own slowly unfolding disaster. According to the National Employment Law Project (NELP) Action Fund, "When it came to delivering help to workers and small business owners who lost pay and were unemployed because Irma had shut down their places of work, Rick Scott's record was the worst of any Florida governor in thirty years."<sup>33</sup>

Both the low level of the benefit itself and its poor administration led to a cascade of crises for Floridians who needed it—people for whom DUA would have

made the difference between a resilient recovery and an unrecoverable, endless disaster.

The benefit in Florida is deeply lacking. The maximum benefit amount is just \$275 a week, less than the Florida and federal minimum wages at the equivalent of \$6.88 an hour for 40 hours of work. The minimum and maximum benefit amounts for disaster unemployment assistance are determined by the average benefit amount for regular unemployment compensation in Florida, which is kept artificially low by policymakers.

The management of the benefit compounds the crisis. Irma impacted more workers than any other disaster in 2017. Yet, when individuals tried to file DUA claims online, they were often sent to a page that failed to provide them an option to do so. If they did manage to file, they were asked a series of lengthy and complicated questions, which had either a "right" answer or a "wrong" answer, with no opportunity for the applicant to explain their circumstances or to ask questions. If the applicant entered a single "wrong" answer, the application was rejected and there was no way to revise an answer or attempt to file a new online claim.

The cumbersome and confusing online system led many people to seek assistance over the phone, but the phone system for Florida's Department of Economic Opportunity, which manages DUA, was frequently down. As Marcia Olivo of The Miami Workers Center, which helped people attempt to file DUA claims, told a journalist more than a month after Irma hit, "It's hilarious and also horrifying, all the ways it screws up." She noted that of the 20 people she saw trying to apply, only one was able to actually receive benefits, and only after an actual official with the DEO was brought in to assist.<sup>34</sup>

As a small but significant indicator of their priorities, the Florida Department of Economic Opportunity tweeted ten times about available assistance for small business owners after Hurricane Michael, but only twice about the Disaster Unemployment Program for anyone else. It was clearly a deprioritized outreach effort for a benefit people both deserved (by law) and direly needed (by circumstance). By contrast, the California agency that administers DUA tweeted 21 times about DUA during the California wildfires, including one that said, "EDD encourages people affected by CA wildfires to apply for Federal Disaster Unemployment Assistance,"<sup>35</sup> something that could easily get picked up by local news, community aid

<sup>24</sup> Food Research & Action Center, The FRAC Advocate's Guide to the Disaster Supplemental Nutrition Assistance Program (D-SNAP), July 2018. Available at [frac.org/wp-content/uploads/d-snap-advocates-guide-1.pdf](http://frac.org/wp-content/uploads/d-snap-advocates-guide-1.pdf). (last accessed October 29, 2019).

<sup>25</sup> DisasterAssistance.gov, Disaster Supplemental Nutrition Assistance Program (D-SNAP). Available at [www.disasterassistance.gov/get-assistance/forms-of-assistance/5769](http://www.disasterassistance.gov/get-assistance/forms-of-assistance/5769), September 11, 2019 (Last accessed October 29, 2019).

<sup>26</sup> U.S. Department of Agriculture Food and Nutrition Service, Disaster Supplemental Nutrition Assistance Program (D-SNAP) FY 2018 Income Eligibility Standards. Available at [fns-prod.azureedge.net/sites/default/files/snap/FY\\_2018\\_Disaster\\_Income\\_Eligibility\\_Standards\\_and\\_Allotments.pdf](http://fns-prod.azureedge.net/sites/default/files/snap/FY_2018_Disaster_Income_Eligibility_Standards_and_Allotments.pdf). (Last accessed October 29, 2019).

<sup>27</sup> William L. Painter, 2017 Disaster Supplemental Appropriations: Overview, Congressional Research Service, March 20, 2018 p. 6. Available at [fas.org/spp/crs/homesec/R45084.pdf](http://fas.org/spp/crs/homesec/R45084.pdf). (Last accessed October 29, 2019).

<sup>28</sup> The total payment amount for Hurricane Michael, and for FY 2018 and 2019, was not available.

<sup>29</sup> Kormann, Carolyn (2018) "Miami faces an underwater future." *The New Yorker* (July 3), accessed at [www.newyorker.com/news/news-desk/miami-faces-an-underwater-future](http://www.newyorker.com/news/news-desk/miami-faces-an-underwater-future).

<sup>30</sup> Data from MIT's living wage calculator for Miami-Dade County available at [livingwage.mit.edu/counties/12086](http://livingwage.mit.edu/counties/12086).

<sup>31</sup> Center on Budget and Policy Priorities (2019) "Policy Basics: How Many Weeks on Unemployment Compensation Are Available?," accessed at [www.cbpp.org/research/economy/policy-basics-how-many-weeks-of-unemployment-compensation-are-available](http://www.cbpp.org/research/economy/policy-basics-how-many-weeks-of-unemployment-compensation-are-available).

<sup>32</sup> NELP Action (2018) "Rick Scott's Record Helping Jobless Workers and Small Business Owners After Hurricane Irma: The Worst of Any Florida Governor in 30 Years," accessed at [nelpaction.org/rick-scott-s-record-helping-jobless-workers-small-business-owners-hurricane-irma-worst-florida-governor-thirty-years/](http://nelpaction.org/rick-scott-s-record-helping-jobless-workers-small-business-owners-hurricane-irma-worst-florida-governor-thirty-years/).

<sup>33</sup> Ibid.

organizations, communities throughout social media and other sources capable of broadcasting the call far and wide.

The result was that just 7,229 Floridians were able to submit DUA applications following Hurricane Irma, and of the 7,026 individuals deemed eligible, only 54%—3,744 people—were actually provided the DUA they were due as residents, workers and taxpayers. As the NELP Action Fund noted, this was the worst record in Florida in more than 30 years. After Hurricane Andrew in 1992, by comparison, 90% of those deemed eligible received DUA.

As further evidence of the need for a complete program revamp, and the need for accountability and remedies for those whose rightful benefits were wrongfully delayed or denied, more than a third of this small group of recipients received their first payment a full *six months* after Hurricane Irma hit. That was far too late to support people in crisis, avert serious suffering and damage, and set them on a stable course for recovery. It worked against resilience in every practical way.

## **A2 - Impeding Food Assistance for Poor People and People with Disabilities: D-SNAP (Disaster Supplemental Nutrition Assistance Program)**

After a major disaster, federal law allows for affected persons to apply for the federally funded Disaster Supplemental Nutrition Assistance Program, known as D-SNAP, which is administered by the Florida Department of Children and Families (DCF). The intent of D-SNAP is to provide food assistance to low-income households suffering food loss caused by disaster, including assistance to households who do not generally qualify for regular SNAP (Food Stamps) but have incurred disaster-related costs and challenges related to food security.<sup>34</sup>

Here too, however, Florida has systematically denied this benefit at the very moment it was needed most—when it could make the difference between being able to feed one’s family or going hungry. For many Floridians, D-SNAP benefits were their only source of food in the face of loss of income from cancelled work, unexpected expenses for hurricane

preparations or the loss of perishable food due to power outages.<sup>37</sup>

The DCF’s decisions about administering the program—an in-person process with no online option, unlike general SNAP—led to many Floridians being forced to go without the aid they deserved, with still unknown consequences for their health, well-being and general trajectory following the hurricanes. It was a program for which the DCF itself estimated as many as 2,487,817 households across the state would apply after Hurricane Irma.<sup>38</sup> But it should be no surprise that this did not happen, given the decisions of DCF. For example, Miami-Dade County has more than 2.7 million people, with a 20% poverty rate. DCF initially designated D-SNAP application locations in Miami-Dade County to be open for just 5 days during Hurricane Irma,<sup>39</sup> some located in areas with minimal access and minimal connectivity to public transportation.

Various poor, careless and almost purposefully obstructive decisions about the application process, such as those above, resulted in people being forced to wait in long lines for many hours in the scorching sun, or to just give up and go without benefits if they were not able to do so. Tens of thousands of people stood in long lines in Broward, Miami-Dade and Palm Beach Counties, desperate to receive D-SNAP benefits. The crowds were so large in Broward and Miami-Dade that processing sites were shut down early at the request of law enforcement; at a single site in Miami, officials estimated that 50,000 people had arrived.<sup>40</sup> The situation was hardly better in Palm Beach County, where the line at one processing center had grown to 3,000 people by 7:00 a.m. and people waited up to 12 hours simply to be interviewed. As the *Sun Sentinel* reported, “At disaster sites at Lake Ida and John Prince parks in Palm Beach County, cars were parked as far as a mile away. Many in the crowd sat underneath umbrellas to shield them from the beating sun as temperatures climbed into the high 80s. One woman sat hooked up to oxygen.” For many Floridians with disabilities, including medical conditions, physical disabilities and mental impairments, the barriers were impossible to overcome, which meant that many were unable to receive the food assistance they desperately needed.

In the absence of government doing its job or even recognizing where it had failed, it took a lawsuit to ensure people could access their rightful benefits and meet their actual needs. No other mechanism

of accountability, including multiple news reports highlighting the dire failures, was strong enough to ensure people received benefits.

The class action suit, *Miami Workers Center et al. v. Carroll et al.*, was brought against the DCF and the USDA, which manages D-SNAP on the federal level. The case was filed by the legal teams at Florida Legal Services, the University of Miami’s Health Rights Clinic, and Community Justice Project, on behalf of several organizations representing impacted people, including The Miami Workers Center, The New Florida Majority and Floridians with Disabilities. The suit alleged that the D-SNAP application failed to provide reasonable accommodations to persons with disabilities.

The plaintiffs won a landmark settlement forcing the DCF to provide an opportunity for nearly 160,000 Floridians with incomplete applications to reopen their applications for D-SNAP. For the first time, elderly and disabled Floridians were able to apply for D-SNAP via telephone, and more than 4,400 individuals who had previously been prevented from accessing D-SNAP were able to receive benefits.<sup>41</sup> Ultimately, \$4 million was dispersed to families in desperate need who had been denied benefits.

As a result of the settlement with the DCF and USDA, more than 158,900 Floridians with incomplete registrations were supposed to receive a text message from DCF with a time, date and phone number in order to participate in a telephone interview. During an interview, per the settlement, a person should be asked about their disability, whether their disability prevented them from applying, their identity, income and resources during Irma, and the expenses they incurred due to Irma, such as food that spoiled and needed to be replaced. Per the settlement, if a disability had prevented someone from going to an application site in-person, they should be able to apply for benefits over the phone.

But it did not change the norm of Florida’s response to disasters. During the first week of Hurricane Michael, Governor Rick Scott did not send out a single tweet about the availability of D-SNAP, despite his prolific tweeting about other available assistance, especially for homeowners and business owners.<sup>42</sup>

## **B - Local Vulnerabilities Turned into Destructive Forces by Florida**

Aside from stalling federal disaster aid and continuing to defend economic policies that leave most working people vulnerable, there are many other policies in Florida that have made communities less resilient and have ultimately worked against equitable and effective disaster preparation, response and recovery.

Many of those policies have to do with people’s status as low-income renters, workers at disaster sites, African Americans or immigrants—all of which became points of attack during Hurricanes Irma and Michael and in the context of climate change generally, rather than points of focus for support and intervention in a sensible and effective resilience policy and governance framework.

Whether communities affected by disaster in need of support and investment for recovery, or the workforce responding to disaster who can play an important additive role in rebuilding them, Florida’s resilience framework is hurting communities through neglect much more than helping them through support.

## **B1 - Failing to Meet the Most Basic Needs of the Resilience Workforce in Florida**

### **WHO MAKES UP THE RESILIENCE WORKFORCE?**

Resilience workers are the people whose labor powers preparation, response and recovery in the face of climate disasters. They are construction workers who clear and rebuild sites affected by disaster, people who board up houses and help people make disaster plans, first responders and health care workers who tend to people across a range of areas of health, food and medicine, delivery workers, shelter staff and coordinators, and even volunteer caretakers who check in on neighbors to ensure they can get what they need or get where they need to go.

They are people working in government, in the private sector, in nonprofits and even those simply working or helping out on their own. Some are long-rooted in the communities they serve, and others are coming to a community and meeting it for the first time in its greatest moment of need. Frequently, they

<sup>34</sup> Wile, Rob (2017) “Florida makes it nearly impossible to get unemployment benefits after Irma,” *Miami New Times* (October 19) accessed at [www.miamiherald.com/news/florida-makes-it-nearly-impossible-to-get-unemployment-benefits-after-irma-9759262](http://www.miamiherald.com/news/florida-makes-it-nearly-impossible-to-get-unemployment-benefits-after-irma-9759262).

<sup>35</sup> @EDD\_CA. Available at [twitter.com/search?q=%22%22disaster%20unemployment%22%22%20\(from%3ACA\\_EDD\)&src=typed\\_query](https://twitter.com/search?q=%22%22disaster%20unemployment%22%22%20(from%3ACA_EDD)&src=typed_query) and [twitter.com/search?q=%22DUA%22%20\(from%3ACA\\_EDD\)&src=typed\\_query](https://twitter.com/search?q=%22DUA%22%20(from%3ACA_EDD)&src=typed_query) (Last accessed September 18, 2019).

<sup>36</sup> [www.disasterassistance.gov/get-assistance/forms-of-assistance/5769](http://www.disasterassistance.gov/get-assistance/forms-of-assistance/5769).

<sup>37</sup> [www.miamiherald.com/news/weather/hurricane/article179220496.html](http://www.miamiherald.com/news/weather/hurricane/article179220496.html).

<sup>38</sup> *Miami Workers Center et al. v. Carroll et al.*, Complaint, Par. 40.

<sup>39</sup> *Ibid.*, Par. 52.

<sup>40</sup> Could hurricane food assistance have been handled over the phone? Some say yes. *Sun Sentinel*, October 20, 2017.

<sup>41</sup> Community Justice Project, *Lawsuit Settlement Helps Disabled and Elderly Floridians Re-Apply for Disaster Food Assistance*, May 4, 2018. Available at [communityjusticeproject.com/dsnap](http://communityjusticeproject.com/dsnap). (Last accessed November 7, 2019).

<sup>42</sup> Printout of Twitter.com @FLGovScott account as of October 17, 2018. Available at [bit.ly/RFScot-tweets](https://bit.ly/RFScot-tweets). (Last accessed August 12, 2019). The @FLGovScott account has since been deleted and is not archived. Available at [twitter.com/FLGovScott](https://twitter.com/FLGovScott). (Last accessed August 12, 2019).

are people whose own lives are being disrupted even as they are repairing and rebuilding the lives of others.

The “Resilience Workforce” is a new name for people who have been around a long time: those who play an indispensable role in helping communities become more resilient and to remain so during and after disasters, and who today drive the resilience economy. Another way of thinking about this workforce is this: aside from aid to those affected, every dollar that is spent on disasters is an indication of work that needs to be done. We call that work Resilience Work and the people who do it Resilience Workers.

As disasters increase, it is more important than ever to recognize the workforce that helps us survive and rebuild from them, whether newly arrived workers drawn to a community by the need for rebuilding or people who have lived in a community for generations. Given how often and how broadly we are now calling on Resilience Workers to play this vital role, we must recognize and meet their needs. Like any industry, our level of resilience will be only as strong as the workforce who builds it.

Resilience workers are U.S.-born incarcerated women of color fighting fires in California, and immigrant men of color rebuilding corporate buildings in New Orleans and individual homes in the Florida Panhandle. They are far too often overlooked and exploited, which stands in painful contrast to how much value they add both to people’s lives and to any recovering economy.

In Florida, as in many places across America, the Resilience Workforce is made up of people from vulnerable and marginalized communities whose work—visible or invisible, paid, unpaid or underpaid—helps communities manage climate change and its effects.

## HOW HAVE WE FAILED TO SUPPORT RESILIENCE WORKERS PLAYING THEIR VITAL ROLE?

As recently profiled in *The New York Times*,<sup>43</sup> Resilience Workers drawn to Florida to help with post-disaster recovery faced unique challenges when they arrived. (Those already living in a community hit by disaster often face the same challenges through a different angle—housing, food, recognition and support for their work.)

During Hurricanes Irma and Michael, these challenges posed serious threats to the safety of the Resilience Workforce and Resilience Work. The persistent failure to address them also threatens the long-term recovery of the communities in which they work—communities that depend upon a strong and stable Resilience Workforce for a viable recovery.

While several larger, more systemic failures (and solutions) related to supporting the Resilience Workforce are described in subsequent sections, it is helpful to outline here three failures related to their most basic needs as people struggling in disaster and post-disaster environments along with everyone else. The failure to meet these challenges has profoundly negative impacts on Resilience Workers, making them less likely or able—though no less motivated—to stay in the area and play their critical role in rebuilding.

## A

The first and most acute challenge was the need to find housing. Local housing stock was decimated by disaster. Whether long-time community residents or people traveling from nearby counties or even far away states, people devoted to Resilience Work in Florida found themselves living out of their cars or in tents for weeks and sometimes months, a situation both dangerous for them and a challenge for local residents.

Often homeless as a result of the lack of housing, Resilience Workers continued to return from long shifts spent in contaminated worksites without being able to bathe, which could result in negative long-term health consequences for both them and their families. If their employer did provide housing, it was typically substandard and overcrowded, and workers became much less likely to complain about workplace abuses (detailed below) because they knew their housing was contingent on their employment. If they ventured into the private rental market, they competed against displaced residents desperate to stabilize their lives.

One Resilience Worker shared that she was still living in her car. “I arrived shortly after Hurricane Michael made landfall, but all the hotels were closed and the nearest one was a 45-minute drive and there was no way that I could afford the nightly price. All the hotels nearly tripled in price after the hurricane hit. Most workers that I know share rooms with others,

live in their cars, or some have even been homeless, sleeping in the bushes. One worker that I met had been injured at work and could no longer work. He was forced to live on the streets for two weeks after the homeless shelter kicked him out. So here was this man injured and living on the streets.”

## B

The second challenge was finding food and water. After the storms, many grocery stores and restaurants were destroyed. Workers could walk for miles in search of food, sometimes joining relief lines alongside residents. Rebuilding work is extremely strenuous, with shifts that can last in excess of 12 hours. Malnutrition increases the likelihood of workplace injuries, as well as the lack of long-term tenure.

In Bay County, we interviewed one hungry worker who fainted atop a ladder and fell, requiring immediate medical care. “Most of the time we’re eating food bought from convenience stores because we cannot afford to buy nutritional food,” he said. “When we first arrived after the storm, stores were closed and weren’t selling food or water. I had to wait in line for food at the churches alongside residents that had survived the storm. I felt ashamed that I was taking the little resources that were here away from the residents, but there wasn’t any other options because all the stores were closed.”

## C

The third immediate challenge for Resilience Workers, which continues far after a disaster has passed, is the lack of a safe and dignified gathering space where they can learn about employment opportunities—and about their rights—and can connect with the services that help them. Instead of a central and designated hub, they make do with chaotic and informal gathering sites in parking lots or in front of local businesses that cause confusion and tension for both workers and contractors. To make matters worse, crowding can upset the local business owners who face a sudden appearance of large groups of people in front of their stores, and will bring the police in to deal with it.

## B2 - Working in Danger, Servitude & Abuse Without Intervention by Florida

### LACK OF SAFEGUARDS & UNACCOUNTABLE CONSTRUCTION CONTRACTORS

One of the largest groups of Resilience Workers in Florida or any post-disaster region are the repairers and rebuilders. They help rebuild the physical infrastructure after a disaster, whether long-time residents or workers who migrate to the area.

This work is particularly dangerous, a fact acknowledged by the Occupational Safety and Health Administration (OSHA), which has crafted a best practices program specifically for work conducted in areas impacted by hurricanes. Even Resilience Workers who are veteran tradespeople, such as highly skilled roofers, will encounter unfamiliar hazards including downed power lines and trees or contaminated flood water when working in post-hurricane conditions.

Adding to the dangers in post-disaster reconstruction is a heightened sense of urgency, as workers are pushed to complete tasks quickly, often without appropriate health and safety training or protective safety gear. The stories of injury, and the conditions that lead to it, litter the history of recent recovery efforts across America.<sup>44, 45</sup>



<sup>43</sup> Hurricane Chasers: An Immigrant Work Force on the Trail of Extreme Weather, *The New York Times*, October 5, 2019.

<sup>44</sup> After Hurricane Katrina, many Resilience Workers helping to rebuild New Orleans suffered from illnesses and injuries caused by workplace hazards and lack of protective gear. One foreman with an environmental waste company told researchers that workers had been fired when they complained about severe eye infections after being exposed to toxins. Browne-Dianis, Judith; Lai, Jennifer; Hincapie, Marielena; Soni, Saket (2006) *And Injustice For All: Workers' Lives in the Reconstruction of New Orleans*. Available at [nowcrj.org/wp-content/uploads/2010/03/and-injustice-for-all.pdf](http://nowcrj.org/wp-content/uploads/2010/03/and-injustice-for-all.pdf).

<sup>45</sup> After Hurricane Harvey hit Texas in 2017, a survey of 361 day laborers found that a majority were not provided the appropriate safety equipment, and 34% reported being injured on the job. Theodore, Nik (2017) *After the Storm: Houston's Day Labor Markets in the Aftermath of Hurricane Harvey*. Chicago: University of Illinois at Chicago. Available at [greatcities.uic.edu/2017/11/21/after-the-storm-houstons-day-labor-markets-in-the-aftermath-of-hurricane-harvey/](http://greatcities.uic.edu/2017/11/21/after-the-storm-houstons-day-labor-markets-in-the-aftermath-of-hurricane-harvey/).

Two stories recounted by workers during interviews illustrate how these problems have remained as present as ever in Florida's multi-year recovery effort, how the government has done nothing to address them, or guarantee restitution and regulation for the conditions that cause them, and how it is fundamentally unsustainable for Resilience Workers—and for the recovery effort at large—to allow these conditions to persist.

Just two weeks after Hurricane Michael, Mariano, a 46-year-old Honduran immigrant, came to Bay County, Florida, from his home in New Orleans to help rebuild. After a week of cleaning debris, his supervisor told the crew that they would be installing blue tarps on damaged roofs. "He told us that we had to hurry and do between nine and ten houses a day," Mariano said. They were driven to a house and began work without any safety training or equipment such as harnesses. "None of us said anything, because we felt that to ask questions or complain would cause problems."

When they were at the third house of the day, it began to rain. According to Mariano, the supervisor took refuge in his car but told the workers to continue. The rain and wind picked up, and when Mariano was attempting to nail down a tarp, he slipped and fell off the roof, landing on the cement driveway on his head. The employer never reported the accident to OSHA.

Mariano was transported to a hospital in Panama City, Florida where he spent several days in a coma. After a week he regained consciousness and was taken by ambulance to his home in New Orleans. Still in pain, he was transported to Tulane Hospital, where he underwent an emergency operation that removed blood clots in his brain and saved his life. He is currently suffering from a damaged disc in his back caused by the fall and has lost 30% of his vision. "After disasters, there are a lot of people who take advantage of us," he said. "The work we do is very important and very hard, and we deserve the same rights as everyone else."

Mario is another Resilience Worker. He traveled to Bay County with a crew from Dallas, Texas. Mario is 24 years old and comes from the northern Mexican state of Chihuahua, having fled his hometown in 2015 after being threatened by drug cartel members, leaving behind his wife and two young children. "I didn't want to go," says Mario, "but if I had stayed, my life would have been in danger, and I didn't want my kids to grow up without a father."



In Dallas, he worked as a roofer, though business slowed by mid-2018. He saw a posting on Facebook advertising roofing work in Bay County, Florida, with a crew that would be working for FEMA and paid \$200 a day to install blue tarps on roofs that had been damaged by Hurricane Michael. Mario's wife and children had recently been granted tourist visas and they made plans to come visit him in Dallas for Christmas, so he hoped to work for a month in Florida and then return to Dallas with enough money to buy presents for his family. He was excited that they would be spending their first Christmas together in four years.

In Bay County, Mario worked for a month on Operation Blue Roof, which was run by the U.S. Army Corps of Engineers in conjunction with FEMA, and which saved thousands of homes from further damage.<sup>46</sup> Mario's supervisor told him to go up on a roof one day without a safety harness, and near the end of the shift he slipped and fell from twelve feet high, knocking himself out and breaking his foot. The supervisor refused to call an ambulance or report the injury. He simply dropped him off at a hospital and then refused to answer his calls thereafter.

Without knowledge of the name of the company he worked for, Mario was unable to file a workers'

compensation claim, and as he didn't have a way to pay for the needed surgery to repair his foot, the hospital refused to perform the operation. Instead, a doctor paid for an Uber that brought Mario to a homeless shelter, where he lived for two weeks. The Christmas he imagined spending with his family was instead spent alone in the shelter. He then spent another two weeks homeless, and was eventually offered a place to stay by a passerby in a home without electricity damaged by the hurricane.

He spent many months trying to find his supervisor, without luck. "I came here healthy, and I want to return healthy," he said. After finding a workers' compensation attorney, he was eventually able to discover the complicated subcontracting scheme under which he had been employed. The Army Corps of Engineers held a master contract for Operation Blue Roof with Los Angeles-based Coleman Construction. Coleman subcontracted part of the work to a Florida company that subcontracted the job to another company in Texas, which then entered into a contract with Mario's direct supervisor to gather workers for the job. His attorney has since filed claims against the responsible employer, and Mario has finally begun receiving the medical treatment he needs as he begins his long road to recovery.

## LACK OF WAGE ENFORCEMENT & UNACCOUNTABLE CONSTRUCTION CONTRACTORS

Across all the interviews we conducted with Resilience Workers helping to rebuild after Hurricanes Irma and Michael, wage theft was the most commonly cited problem. Wage theft can take various forms—from not paying overtime or paying the minimum wage, to simply not paying workers at all, no matter how long they have already worked, a scenario frequently described by Resilience Workers.

Wage theft is endemic among Resilience Workers nationally. According to the survey of Houston day laborers cited above, in the four-week period after Hurricane Harvey, 26% of workers reported that they had suffered wage theft, with the combined amount owed among the group in excess of \$20,000.

It is a symptom of a larger problem: the lack of government enforcement on a range of wage-related issues, and the host of emboldened, abusive and unaccountable employers that operate easily in that environment. Many employers know they can get away with wage theft and have little fear of sanction.

In Florida, enforcement mechanisms are weak, due to lack of dedicated enforcement capacity (and will) at the state level, limited capacity (and will) in local branches of the federal Department of Labor, and gaps in U.S. labor laws that leave certain types of workers in Florida (and everywhere) without recourse, including Resilience Workers.

In 2000, the Florida legislature allowed then Governor Jeb Bush to dismantle the state's Department of Labor and Employment Security (DOLES) and replace it with the not-for-profit corporations Workforce Florida and the Agency for Workforce Innovation (AWI). AWI handles several responsibilities formerly held by DOLES, but not wage and hour complaints. As a result, Florida currently has no Department of Labor or other entity capable of and empowered to investigate wage and hour complaints, or to enforce its minimum wage law (currently set at \$8.46 per hour). As of November 1, 2018, Florida Attorney General Pam Bondi had not brought one action to enforce the state's minimum wage law enacted in 2004 on behalf of anyone or any work sector in Florida, let alone immigrant Resilience Workers.<sup>47</sup>

<sup>46</sup> [www.fema.gov/news-release/2018/10/17/us-army-corps-engineers-and-fema-begin-operation-blue-roof-florida](http://www.fema.gov/news-release/2018/10/17/us-army-corps-engineers-and-fema-begin-operation-blue-roof-florida).

<sup>47</sup> In 2016, Florida had 16 investigators at the Florida Department of Business and Professional Regulation assigned to agriculturally significant areas of the state to promote and ensure compliance with farm labor laws, rules and standards. National Transportation Safety Board, Agricultural Labor Bus and Truck-Tractor Collision at US-98-SR-363 Intersection Near St. Marks, Florida July 2, 2016, November 28, 2017, page 26. Available at [www.ntsb.gov/investigations/AccidentReports/Reports/HAR1705.pdf](http://www.ntsb.gov/investigations/AccidentReports/Reports/HAR1705.pdf) (Last accessed November 7, 2019) Florida DBPR also has investigators who enforce the state's child labor law.

During informal surveys of day laborers in Bay County, the majority of respondents reported experiencing wage theft, with amounts owed to individual workers ranging from \$100 to more than \$20,000. Once a job was done, the contractor often disappeared and refused to answer their phone. Other times, when wages were demanded, the employer responded with threats to call Immigration and Customs Enforcement (ICE).

That's what happened to Valeria, a 22-year-old Venezuelan Resilience Worker who came to Miami in 2016 and has filed an application for asylum. After Hurricane Irma, she was hired to clean and rebuild a large hotel in Key West. Getting the hotels and other tourist infrastructure reopened was of vital importance to the economy of the Keys, where tourism accounts for 60% of the economy and more than half of the region's jobs.<sup>48</sup>

For nearly a month, Valeria and a group of approximately 80 other workers, mostly Venezuelan immigrants like herself, cleared debris, removed toppled trees, tore down drywall and put up new sheetrock. Valeria was able to cash her first check, but reports that she did not get paid for the next four weeks of work. The other workers allege that their checks bounced. Many also remained on the job because they were promised the problem would be resolved. Valeria reported that the head of the agency that recruited her said the storm was causing a delay in processing. "The whole time we were asking about the checks, and he kept making excuses," recounted Valeria. "I was at the point of leaving many times, but I didn't because I didn't think this would happen in the United States."

After the job was completed, the group returned to Miami and demanded that their employers pay them. The agency head responded via text messages. "I'm going to report you to immigration," he wrote. "I'm American. Stop bothering me." In another message, he wrote, "Stop bothering me or immigration will come to your house." Valeria and her fellow Resilience Workers allege they have still not been paid. In September, Resilience Force brought a federal lawsuit on behalf of 85 workers, including 8 named plaintiffs, soon to be amended to 12. The claims are for unpaid federal minimum wage and unpaid overtime, and for unlawful retaliation against workers exercising their rights under the Fair Labor Standards Act.

## RACIAL DISCRIMINATION & UNACCOUNTABLE CONSTRUCTION CONTRACTORS

Along with frequently dangerous conditions and wage theft, Resilience Workers also face racism on the job.<sup>49</sup> The structural racism that bars African Americans and others from accessing jobs nationwide has also been present in the rebuilding of Florida.

Shortly after Hurricane Michael, four African American workers from another Southern city were hired by a subcontractor to supervise workers who were cleaning up and rebuilding the site of one of the major employers in Bay County. The line workers they supervised were mostly Latinx immigrants employed by a different subcontractor. The main contractor was a franchise operator of a major brand player in the "disaster industrial complex" of large national and multinational companies who have built profitable corporations on a business model of responding to (and exploiting) natural disasters. For nine days, the four men and their crews helped demolish and replace interior walls throughout the site. They worked 12 to 13 hours a day, on top of an hour's drive each way to their temporary housing (a crowded apartment), as they rushed to complete the job so the employer's site could reopen. They were shorted a significant amount of pay, which they still have not received.

Two days before the scheduled reopening of the site, the four men were told that they were being let go, despite the work not being completed. The person who fired them, who is also African American, explained that they were being fired because they were Black—once the employees and customers of the company began returning, they didn't want to see Black people walking around.

### B3 - Enabling Climate Gentrification & Displacement

As climate change intensifies and sea levels rise, areas with higher elevations become more valuable—a phenomenon known as climate gentrification. Florida, Miami in particular, has been at the center of this crisis. The city could face between 14 to 34 inches of sea rise by 2060.<sup>50</sup> Many of the higher elevation areas in the center of the city, neighborhoods like Overtown



<sup>48</sup> "Florida Keys tourism impacted by hurricane-battered resorts," CBS News, December 26, 2017, accessed at [www.cbsnews.com/news/florida-keys-hurricane-irma-impact-hotels-remain-closed](http://www.cbsnews.com/news/florida-keys-hurricane-irma-impact-hotels-remain-closed).

<sup>49</sup> After Hurricane Katrina, many African American residents risked their lives to save their neighbors, only to return home to find themselves locked out of living wage jobs. Six years after Katrina turned New Orleans into America's largest construction site, roughly half of African American men remained unemployed. See Rattler, Gregory, Jr., Sams-Abiodun, Petrice (2013) Recognizing the Underutilized Economic Potential of Black Men in New Orleans. Lindy Boggs National Center for Community Literacy, available at [www.loyno.edu/boggsliteracy/sites/loyno.edu.boggsliteracy/files/RecognizingPotential.pdf](http://www.loyno.edu/boggsliteracy/sites/loyno.edu.boggsliteracy/files/RecognizingPotential.pdf).

<sup>50</sup> Madan, Monique and Teproff, Carli (2017) "Why are people waiting hours for post-hurricane food stamps," *Miami Herald* (October 16), accessed at [www.miamiherald.com/news/local/environment/article222547640.html](http://www.miamiherald.com/news/local/environment/article222547640.html).



and Little Haiti, are populated predominantly by communities of color, but are now newly attractive to real estate agents and developers. It is exacerbated during a disaster, but it is a steady trend brought about by the effects of continuing climate change, one that current resilience policies only encourage.

“In Miami, historically, because of racism, red-lining and segregation, all of the brown and Black people were forced to live in the center of the city, which also happens to be the high elevated areas,” explained Valencia Gunder of The New Florida Majority. “So they pushed us here because they didn’t want us on the beach.”

With those properties now in high demand, longstanding and tight-knit communities are being threatened with large-scale evictions. “Climate change is displacing folks from places they called their home for decades and forcing them into areas of higher vulnerability,” argued Nancy Metayer, also of The New Florida Majority.

What activists have witnessed on the ground was confirmed last year by academics at Harvard University, who published a groundbreaking study on climate gentrification in Miami-Dade County. The researchers found that properties built on higher ground have indeed become more valuable, with the largest gains occurring in the very neighborhoods in the city’s center that are predominantly neighborhoods of color.<sup>51</sup>

“Sea-level rise and climate change are making the scarce supply of affordable housing even more scarce,” said Adrian Alberto Madriz with the Struggle for Miami’s Affordable and Sustainable Housing (SMASH). “Developers are buying up properties in high-elevation, low-income areas, driving up prices and driving out residents. They in turn face unsanitary and hazardous conditions in Miami’s slum housing stock, where roaches, rats, pestilence, disease and death are the norm. This is the essence of climate gentrification.”

Climate gentrification also took place in the Florida Keys following Hurricane Irma, which resulted in a loss of affordable housing stock that is now being replaced with high-end developments. “Mobile home parks are abandoned because the homes are damaged,” said Carlos, a Cuban immigrant who has owned a small fishing and tourist shop in Islamorada for more than 20 years. “What we’re starting to see is that those lots are being sold to build expensive homes and maybe even small businesses. I don’t

**“I HAVE PAID MY TAXES FOR 37 YEARS AND ALL I GET IS DENIED.”**

know where local workers will be able to live—it was already hard enough for regular working people to find someplace affordable.”

Displacement is an indicator of the larger system of neglect and negligence, as is both the failure to protect people from predatory corporations and the failure to provide the kind of support that would immunize them from the need to respond to them. In this way, the recovery period has become the real disaster for communities all across Florida.

Bay County is set along the coast of the Florida Panhandle. One lifelong resident there had been debt free and earning \$15.28 an hour before Hurricane Michael hit. She had also been making small and steady improvements to her house, which had originally been owned by her mother, a domestic worker, and is located in the heart of the city’s Black community.

When Hurricane Michael finally died down, she stepped outside. Her carport had been peeled from her home and had landed on her car. But she counted herself relatively lucky; uprooted trees had landed on many of her neighbor’s homes, partially or totally destroying them. The storm had made her home uninhabitable for just a while, she thought. She moved in with her sister, just for a while, she thought.

The storm had passed, but its impact on her life was only beginning. Like many people in her neighborhood, she didn’t make enough to cover homeowner’s insurance. FEMA agreed to pay her less than half the maximum benefit of \$34,000. Several months after the storm, desperate to fix her home,

she took out a pair of high-interest loans, including one for \$4,000 with an APR of nearly 30%. “I hate that I’m getting in debt,” she said, “but I got to do what I got to do to survive.” To help bring in extra money, she started driving twenty hours a week for Uber and Lyft.

More than a year later, she is still living with her sister and her home remains uninhabitable. In her neighborhood, many of the other homes have also not been repaired. Certain blocks appear as if the storm passed through last week. “Everyone here in my neighborhood is in the same situation,” she says. In her final letter to FEMA, she wrote, “I am trying to get help from a place where I have paid my taxes for 37 years and all I get is denied. If you have never been through a disaster you will never understand until it happens to you.”

Neither provided sufficient support to manage rebuilding on her own, nor supported by Resilience Workers funded to help, she has been left out of the recovery process, as has the overall community in which she has lived for decades.

#### **B4 - Florida’s Attacks on Immigrants that Hurt Everybody**

Just like people in vulnerable jobs and vulnerable homes, immigrants face a uniquely precarious situation in the face of disasters, often with additional vulnerabilities related to work and housing. Florida officials have made conditions for undocumented immigrants worse, rather than better or beneficial as they easily could—beneficial for immigrants themselves and also for the communities in which they play as much of an essential role in community resilience, well-being and growth as anyone else.

Data from the Bay County Sheriff’s Department, as one example, shows a dramatic increase in the number of immigrants transferred into ICE custody following Hurricane Michael. During the entire year of 2018, local law enforcement turned 25 individuals over to ICE, many for minor infractions. In just the first three months of 2019, law enforcement transferred 42 individuals. If transfers continue at this pace through 2019, the number of people placed in ICE custody in Bay County alone will jump by nearly 700%.

“They are trying to do whatever they can to arrest people just for the crime of wanting to work,” said

Campos, an undocumented day laborer whose friend was recently deported after being arrested for a traffic violation. “Everyone here is scared.” But even documented immigrants are not free of harassment, detention and even deportation.

As President of the South Florida Building Trades and the International Union of Operating Engineers Local 487, Mark Schaunaman has seen firsthand the importance of immigrant workers to the construction industry throughout Florida. “They play a huge role in the recovery and rebuilding work in Florida,” he says. “Without this workforce, the rebuilding phase after disasters would take a lot longer and may not even get done. So our recoveries and rebuilding depend on their well-being and their ability to do the work. They should be paid and they should be part of our society that they have helped to rebuild.”

That is rarely the case, however. Among immigrant Resilience Workers in Bay County, there runs a deep fear of interactions with law enforcement, and sometimes hostility from non-immigrant locals. One worker interviewed told the story of waiting in line at a convenience store in Panama City, Florida, and hearing a man tell him to “go back to his country,” after which the other people in line began to clap in support. They have also complained of frequent harassment by law enforcement while waiting for work at the local Home Depot, which, after Hurricane Michael, became the central gathering spot for day laborers. During interviews, they told stories of individuals who had been arrested for trespassing while waiting for work, then transferred from the Bay County Jail into the custody of ICE and placed in detention centers for deportation proceedings.

All of this was a choice on the part of Florida’s lawmakers. On June 14, 2019, Governor Ron DeSantis signed SB 168, the so-called “sanctuary cities” ban that turns local law enforcement officials into de facto immigration enforcement agents. Under SB 168, local law enforcement and other state agencies must hold people beyond their release dates and turn them over to ICE when ordered to do so, a practice that leads to more family separations and has increased an already significant level of fear within Florida’s immigrant communities.

“Minor infractions should not result in deportation,” said Thomas Kennedy, the Political Director of the Florida Immigrant Coalition, which opposed SB 168. Along with violating an individual’s constitutional rights by holding them beyond their release date,

<sup>51</sup> Keenan, Jesse; Hill, Thomas; Gumber, Anurag (2018) Climate Gentrification: From Theory to Empiricism in Miami-Dade County, Florida. *Environmental Research Letters*, available at [iopscience.iop.org/article/10.1088/1748-9326/aabb32#references](https://iopscience.iop.org/article/10.1088/1748-9326/aabb32#references).

Kennedy said that SB 168 seeks to paint immigrants as inherently criminal. “We have a criminal justice system and an immigration system—we shouldn’t criminalize our immigration system, especially when immigrants work so hard and are the fuel that runs our economy.”

Indeed, the attack on immigrants comes at the precise moment when their help and expertise in post-disaster rebuilding are most needed. In the summer of 2018, Florida projected an undersupply of construction workers. The State of Florida Action Plan for Disaster Recovery reported that for all seven construction trades it analyzed, the labor market was undersupplied.<sup>52</sup> Looking specifically at the areas affected by Hurricane Michael, which includes Bay, Franklin and Gulf Counties, there were 826 job openings for carpenters and 218 for roofers in 2018.<sup>53</sup> Six months after Hurricane Michael, there were only nine individuals in the three counties who were registered with the state employment system and looking for work as carpenters, and zero roofers.<sup>54</sup>

One of the people arrested and placed into ICE custody was Osman, a 30-year-old Honduran immigrant. He had grown up in one of the most

dangerous regions of Honduras, where fierce battles were waged between competing gangs, and came to the United States to avoid the violence and to help support his family. “For me, taking care of my sisters and my mother means everything,” he said. After Hurricane Katrina, he had helped rebuild New Orleans, and he arrived in Panama City, Florida, soon after Hurricane Michael struck, eager to work. “The idea was to come here and contribute—to help people,” he said.

Soon after arriving, Osman received a phone call from a man who said he needed his roof fixed. He told Osman that he had gotten his number from another worker at Home Depot, and gave him the address of the house. At the house, the man asked Osman repeatedly if he was a contractor, and Osman replied that he wasn’t—he was a laborer and roofer. (The man spoke in English, in which Osman is not proficient.) Osman was then arrested by the man, who was an undercover law enforcement officer, and charged with “contracting without a license,” which, during a state of emergency, is a felony.

Osman was one of twelve people arrested during a two-day sting operation to supposedly crack down on

contractors operating without licenses. Of the twelve arrested, eleven appeared to be Spanish-speaking immigrants. During the next month, a number of additional arrests were made as part of the contractor fraud investigation, but most of those people charged did not appear to be immigrants. Bail for Osman and many, if not all, of the Latinx defendants was set at \$25,000. Bail for many of the non-Latinx defendants was set at just \$5,000.

In jail, Osman said that he was told to sign a document so he could go free, but he held out for several months. Finally, desperate to be released and be able to rejoin his wife and two young children back in New Orleans, he entered a no contest plea to the charges. Instead of being freed, he was then transferred to ICE custody and moved to a detention center in Miami. He was finally reunited with his family after paying a \$15,000 immigration bond, but is now in deportation proceedings and faces the threat of being permanently separated from his wife and children.

“I came here to work, not to rob anyone,” said Osman. “Now I’ve been accused of being a criminal, with my name and photo put in the newspapers. They arrested me only for wanting to work, for wanting to help fix Panama City. I just hope God will give me strength. But the truth is sometimes I feel so sad, so sad.”

### THE FORCES WORKING FOR CHANGE: STORIES OF CHALLENGING AND COMPENSATING FOR THE STATUS QUO

State policies and practices—and the people responsible for implementing, assessing and improving them—often work at cross purposes with recovery. But community-based organizations are modeling what a people-driven approach to resilience would look like. They are setting the standard for the new rules of recovery.

Community-based groups and initiatives offer strong leadership in understanding where both government policies and action and corporate practices have gravely fallen short, and also in understanding the most important community needs to address for recovery.

They are also becoming powerful hubs of expertise: channeling an enormous amount of expertise related

to best practices for disaster response and recovery from among community members, Resilience Workers and others. It is an expertise forged by trial and error, resourcefulness and innovation—the real-world reckoning with disasters. Community leaders are now the people on the leading edge of both understanding climate disaster effects and imagining the most effective resilience solutions.

Several locally driven and activist-driven initiatives demonstrate powerful alternatives to the prevailing approach to resilience, or reveal the community resources and leadership that are often overlooked as critical and effective investment vehicles for resilience and expertise that should be tapped into for any process of resilience planning.

### A PEOPLE’S FRAMEWORK FOR DISASTERS: YOUR NEIGHBORS ARE YOUR FIRST RESPONDERS

After Hurricane Irma, The New Florida Majority and its partners created the Florida Disaster Preparedness Plan, recognizing that the most vulnerable Floridians—among them, the elderly and low-income communities of color—had been largely shut out of the disaster preparedness and response processes at the state and city level.

In early 2018, organizations held a series of meetings and forums with residents in Miami-Dade and Broward counties, focusing on communities including Little Haiti, Overtown, Richmond Heights and Sistrunk, among others. Residents shared stories about how Irma had impacted their lives and brainstormed steps they could take as communities to prepare for future storms, protect themselves and their neighbors when the storms arrive, and engage with public officials and agencies to establish new priorities and procedures.

In the summer of 2018, The New Florida Majority held a “serious games” exercise in South Florida with meeting participants, which dove deeper into identifying shortfalls revealed by Irma, outlined solutions to mitigate impacts of climate change and recruited people to become community captains. Community captains would both lead resilience efforts within individual neighborhoods and work to identify advocacy priorities for policy change and the corresponding resources needed to implement them.



<sup>52</sup> State of Florida, Action Plan for Disaster Recovery, June 28, 2018, p. 87 (showing that the Florida-wide 2017–2025 long-term supply gap for construction laborers, carpenters, first-line supervisors of construction trades and extraction workers, electricians, painters/construction/maintenance, plumber/pipefitter/steamfitter, and roofers is all “Under Supplied”), accessed at [www.floridajobs.org/docs/default-source/office-of-disaster-recovery/hurricane-irma/actionplanamend1substantial.pdf?sfvrsn=2](http://www.floridajobs.org/docs/default-source/office-of-disaster-recovery/hurricane-irma/actionplanamend1substantial.pdf?sfvrsn=2).

<sup>53</sup> Jobs by Industry, Workforce Development Area 4 - Bay, Franklin and Gulf Counties 2018–2026, Florida Department of Economic Opportunity, accessed at [srsresources.labormarketinfo.com/library/ep/2018\\_2026/wr04.xlsx](https://srsresources.labormarketinfo.com/library/ep/2018_2026/wr04.xlsx).

<sup>54</sup> Hurricane Michael Recovery Occupations Active Jobseekers, Florida Department of Economic Opportunity, April 5, 2019, accessed at [srsresources.labormarketinfo.com/jobseekers/index.html](https://srsresources.labormarketinfo.com/jobseekers/index.html).

These efforts have led to the creation of local Community Emergency Operations Centers, which serve as information and mobilization hubs during and after disasters. In Miami-Dade, the effort also led to direct input and influence with the Miami-Dade Emergency Operation Center through the creation of a Voluntary Organization Active in Disaster seat, which will ensure government information and resources are able to reach the most vulnerable communities. The goal of these operation centers is to ensure that when future storms strike, communities typically overlooked will be able to better protect themselves and to advocate for policies that create more equitable recoveries.

They represent a new model of community participation, but they also represent a new approach to disasters that focuses on investments in local expertise and leadership rather than in outside contractors or corporations that routinely neglect the public interest in favor of profit. Their motto says it all: *Your neighbors are your first responders.*

## ORGANIZING AND MOBILIZING THE RESILIENCE WORKFORCE

Earlier in 2019, Resilience Force began bringing Resilience Workers together to discuss their work, their challenges, their needs and their rights, and to build a network of worker leaders who can help put Resilience Workers on the map and raise awareness about the value that official and sustained support for Resilience Workers would create across Florida's disaster-affected communities.

Toward that end, the growth of the network has already led to a series of meetings, work projects and community Sunday dinners between Resilience Workers and the community residents whose properties they were helping to clear and rebuild. As referenced above, Resilience Workers are helping many communities think differently about resilience, and helping to forge a level of social cohesion that runs in contrast to the divisive rhetoric and the us-against-them frame of mind of the larger political environment today. For many of those on the receiving end of the expert labor provided by Resilience Workers, it is the first meaningful connection they have had with immigrants in their lives, seeing them as human beings instead of political scapegoats.

"They wanted to do whatever they could to help me and my daughter rebuild," said Mike Strickland, a longtime resident of Panama City whose home was damaged in the storm and whose fence was rebuilt from scratch by Resilience Worker volunteers. "It was shocking and touching that they would volunteer their time. They told me how they're working six days a week, that the only day they have free is Sunday, which they usually spend with their families. And they still want to make the sacrifice and help us by giving up their one free day to do volunteer projects.

Local residents have realized that when state government, private insurance and even their own local community leaders and congregations have failed them, immigrant strangers have come to their aid. This is the very type of interaction that can lead to the development and adoption of a new policy blueprint—a plan for rewriting the rules of recovery and resilience—that values the essential role immigrant workers play in post-disaster recovery and growth.

"We've had a lot of Spanish-speaking workers. I say, 'Thank Heaven for them.' We'd be a lot further from recovering if it weren't for them," said Pam Henderson, the mayor of Callaway in Bay County, Florida.

Overall, more than 250 workers have participated in meetings since March, 2019. Drawn together by issues including non-payment of wages (wage theft), health and safety issues and the targeting of workers by police and ICE, they have begun to claim their identity as Resilience Workers.

A Resilience Worker named Ana spoke of the importance of this nascent network: "Organizations like Resilience Force are very much needed in Bay County, particularly for us Latinos. We come here to help rebuild but don't have much support from anyone in the community. Being part of an organization that helps us stay informed about our rights has been very helpful. Working alongside other Resilience Workers and residents during our Sunday service projects has been very rewarding. It helps to remind me that I am not alone here and that the community values and recognizes the work I am doing."

Whether in the course of their weekday work, or in a series of weekend volunteer projects to help those who would otherwise be unable to afford to rebuild, they have cleaned and cleared land, rebuilt sheds and fences for homes and churches. Most of the Resilience Workers in Bay County are Honduran

and Venezuelan immigrants escaping violence and turmoil in their home countries, and they have served as a main engine driving rebuilding efforts following Hurricane Michael. Many have worked in multiple hurricane recovery zones, including New Orleans post-Hurricane Katrina and Houston post-Hurricane Harvey.

## STEPPING IN TO PREPARE FOR AND RESPOND TO DISASTER WHEN GOVERNMENT DOES NOT

In preparation for Hurricane Irma, Marcia Olivo, Executive Director of The Miami Workers Center,<sup>55</sup> began conducting political educational trainings and listening sessions with members and residents in Liberty. Throughout the years, Olivo has seen how families are displaced from their homes following natural disasters. "Our members that live in these low-income neighborhoods are sitting on higher elevations and on prime real estate for development with a lot of value. The city or county's code enforcement will come and force people out of their homes and communities or developers will offer to buy their homes. We informed residents about the value of their homes and properties."

During the listening sessions, community residents were asked if they had a hurricane plan in place, including where and how they would evacuate if mandatory, and what needs other residents had. Neighborhoods such as Liberty City and Overtown in Miami-Dade County are primarily low-income communities of color whose residents do not own automobiles and instead rely solely on public transportation.

"When we knew that Hurricane Irma would have a direct impact on South Florida, we prepared our office building to serve as a warehouse space for people to store important documents or other valuables. Using funding from our organization, we ordered water, first aid and safety equipment, diapers, batteries and other hurricane supplies. When our neighborhoods were given evacuation orders, we began to receive many calls from our members telling us that the city did not have a transportation plan in place and that people did not know which shelters were open. Our staff had to use our own minivan to provide people rides to shelters. There were many residents that

were in wheelchairs, handicapped children. We did what we could given our capacity, but the city's transportation and evacuation plan failed many. In the end we were able to help many, but we weren't able to help everyone," recounted Olivo.

Local groups also tuned in to specific needs at the intersection of multiple contexts, which reveal a fuller range of resilience needs. "When we were working in shelters, we realized that more women were coming in with domestic abuse cases during natural disasters, which is what the research shows: there are more domestic abuse incidents during natural disasters because their partners are typically out of work, stuck at home and feeling the stress from the disasters. Specifically, domestic workers have to work extra hours during disasters, staying in homes taking care of children and the elderly. This often results in them having to leave behind their own families and homes neglected. We don't yet know all the various ways that women are affected by natural disasters because we are usually working on meeting their immediate needs, like getting them water, food, shelter or diapers for their babies. Women also play a very important role pre- and post-disaster: they are first responders, among many roles, but we need to create a gender-specific plan designed for them" said Marcia Olivo.

In the wake of the government's failure to provide assistance, local groups, including the Family Action Network Movement, The New Florida Majority and The Miami Workers Center, stepped in to provide support and assistance to those waiting in line. "After Hurricane Irma hit, the Family Action Network Movement and other community organizations fed thousands of residents with our own resources," said Marleine Bastien of the Family Action Network Movement. But organizers also left into action to gather photos and testimony of elders, pregnant women and people with disabilities who were waiting for hours in the hot sun, documenting injustices in order to drive stronger advocacy.

To meet the crisis created by the shredding of Florida's social safety net, dedicated community groups and labor unions have stepped into the vacuum to provide whatever assistance they can in the face of major storms.

In Florida, 1199 SEIU United Healthcare Workers East represents more than 24,000 nurses and healthcare workers—caregivers who work during disasters to ensure the safety of their patients and

<sup>55</sup> In 1999, The Miami Workers Center (MWC) began organizing residents in Liberty City around welfare reform. But public housing residents demanded the MWC take on the issue of saving public housing from demolition. The MWC organized residents of Scott-Carver Homes and Liberty Square, also known as the Pork 'n Beans, to fight against attempts by Miami-Dade County to demolish the two public housing complexes and replace them with mixed-income housing. Their long-term campaign successfully prevented the demolition of Liberty Square and the displacement of residents. Today, the MWC organizes Black and Brown women, girls and femme along with domestic workers.

clients. After Hurricane Irma, the union helped its members meet their most immediate needs, such as access to clean water and food, providing 1,000 care packages for members who requested specific support, and establishing a center to help workers navigate the often cumbersome financial government assistance programs.

Rose Watson, a nurse with SEIU Healthcare who delivered food and supplies to other nurses, observed that “No one thinks about the nurses, but the most vulnerable people, like the elders, need us during and after a storm.”

Another group, Organize Florida, mobilized 130 staff and volunteers to help prepare residents for Hurricane Irma a week before the storm hit. Going door to door, focusing on low-income communities of color in Hillsborough, Orange, and Osceola counties, they delivered sandbags and water, which had become hard to find due to overwhelming demand. After the storm, they secured donations to deliver to residents, held daily cookouts, passed out water and pressured power companies to restore electricity.

Many smaller projects led by individual community leaders also spring up to fill the gaps left by poor policies and decision making, and pair their own makeshift solutions with an analysis of what needs to change system-wide. For example, as *The New York Times* reported, “Michael Clarkson helped found a collective that provides free cleanup and repairs to needy residents. He said the Little Haiti neighborhood of Miami is facing a ‘climate change invasion’ from investors looking for real estate on higher ground” following Hurricane Irma in 2017.<sup>56</sup>

But despite the efforts by local groups and individuals, the multi-year political project of slashing and restricting public benefits and investments has left more Floridians in poverty, far less able to face the challenges of the future as they are left devastated by the fallout of the disasters of the present. When Hurricane Irma struck, for example, the dismantling of the social safety net meant that thousands of people went without the most basic assistance that only government can provide—assistance specifically designed to help people when they need it most, and to ensure their capacity to recover.

Local groups must either be resourced to do the job of government at the scale required to meet the needs of communities across Florida, in addition to fighting policy change and representing people who have been abused or exploited, or relieved from doing

it by a government committed to a new framework for resilience that can sustain true recovery. But the status quo is fundamentally unsustainable.

## CARING FOR CARERS

“Hurricanes like Irma and Michael can have an especially devastating impact on low-income families, minority communities and our seniors. As we saw during Hurricane Irma, the lives of our seniors were put in jeopardy because some nursing homes ignored frontline healthcare workers and didn’t have the necessary protections in place to keep residents safe.

This concern is not just a result of natural disasters such as Irma and Michael, but is a direct result of a long-standing practice of chronic understaffing by health care service providers. Like many in Florida, 1199 SEIU healthcare workers in our nursing homes and hospitals faced tremendous threats to their economic security and health, including a lack of food and water, power loss, lost wages, lost or damaged property and unsafe working conditions, which all impact their ability to provide care to the most vulnerable among us during an emergency.

We need to take action to address the climate crisis before the impact of hurricanes and sea-level rise becomes even worse. The health and economic well-being of our communities are at stake.”

*Roxey Nelson, Director of Politics & Strategic Campaigns*



<sup>56</sup> Miami, Drowning and Scorching, Awaits Democrats for Debate, *The New York Times*, June 24, 2019.

# SECTION 2

## Rewriting the Rules of Recovery to Create a Truly Climate-Resilient Country

We need a national response to climate disasters. We must invest in adaptation in a way that is commensurate with the true needs, requirements and challenges of resilience in the present and in the near future.

The cases of Hurricanes Michael and Irma provide as good a basis as any to discuss both federal-level and state-level opportunities for more effective interventions and systems, as well as how they must interact. The experience of Florida's recent disasters is just one example of the national trend, illustrating what is possible and necessary.

Highlighting Florida, Section 1 documented only some of what we have learned about disasters in the last 15 years since they have become a more frequent and forceful factor in the new reality of climate change that communities across the country are facing.

Section 2 offers a framework for solutions: a path to forging a new approach, one that can address the failures of our legacy approach to disasters and also seize on the opportunities for renewal they represent, neither of which we can afford to continue ignoring. While an effective national framework requires serious but viable changes in orientation, expertise, policy and spending at the federal level, changes at the state level are no less critical to the success of a modern resilience strategy. Accordingly, Section 2 presents two sets of recommendations: one focused on federal interventions and one focused on state and local interventions.



### SECTION 2A

#### OVERSIGHT AT EVERY LEVEL

#### SOLUTION: Coordinate Efforts and Mechanisms for Oversight to Ensure a Just and Equitable Resilience Economy

Each set of recommendations—federal and state—begins with solutions focused on ensuring just and equitable recoveries following disasters.

One solution that demands investment and coordination across both levels is creating effective oversight, including an infrastructure for empowering proactive “watchdog” actors. This report documents significant problems with the implementation of federal disaster safety net programs, disaster profiteering and the utter disregard for state and federal law related to workplace rights and community protections. Laws do not enforce themselves. A robust and effective oversight and enforcement system is critical.

The U.S. government, the Florida government and private philanthropy should establish, fund and support a network of oversight and watchdog initiatives and mechanisms. Doing so is the only way to ensure that current and future disaster response and recovery efforts protect people from harm and defend the public interest. Resilience Workers, survivors, disaster-affected communities and the public at large need advocates focused on prevention and accountability.

The Florida legislature should establish a disaster ombuds office to receive, investigate and resolve complaints related to corruption, worker rights and other community concerns. The ombuds office must be equipped to receive and investigate complaints in multiple languages. It should have the authority to initiate investigations on its own, make public reports to the legislature quarterly for at least five years following each disaster (and provide them with actionable policy recommendations), and turn over

material from their investigations to enforcement authorities who can pursue them.

Similarly, Congress should establish a disaster ombuds office that does the same at the federal level, and can proactively coordinate with state-level authorities. Federal oversight, policy and appropriations focused on enforcement can establish a framework that enables (or forces) state-level authorities to take bad actors and bad actions seriously. There are currently federal ombuds offices that advocate on behalf of taxpayers within the Internal Revenue Service<sup>57</sup> and advocate for student loan borrowers within the U.S. Department of Education.<sup>58</sup>

Private philanthropy and civil society organizations can play an important role in making true oversight and accountability a reality. They can ensure that a robust and independent network of organizations exists to investigate, oversee and raise awareness about all aspects of disaster preparation, response and recovery, especially when the government fails to act. Few organizations currently exist with the expertise and resources to track the interventions of FEMA and other federal agencies involved in disasters. A strong national capacity must exist to quickly build up local capacity in advance of impending disasters. Capacities must include expertise in fiscal oversight, legal analysis and litigation, investigative journalism and grassroots partnership.



<sup>57</sup> Taxpayer Advocate Service. Available at [taxpayeradvocate.irs.gov/](https://taxpayeradvocate.irs.gov/) (Last accessed December 5, 2019).

<sup>58</sup> U.S. Department of Education, Federal Student Aid Ombudsman Group. Available at [studentaid.ed.gov/sa/repay-loans/disputes/prepare](https://studentaid.ed.gov/sa/repay-loans/disputes/prepare) (Last accessed December 5, 2019).

## SECTION 2B

### A NEW FEDERAL-LEVEL RESILIENCE FRAMEWORK

As this report demonstrates, the most important and high-value change in our approach to disasters is to address the needs of people who matter most, and the true needs of bringing about resilience, rather than thinking about property alone.

A new federal-level approach must work on two tracks: firstly, thinking seriously about the resilience economy and its labor force, for the very first time and in the context of a truly new era of increasing climate disasters; and secondly, wholly rethinking the current disaster social safety net, for the first time in decades.

## FEDERAL SOLUTIONS 1:

### Support the Scale of Resilience Work Required and Ensure a Just and Equitable Resilience Economy

1. **Create a National Public Jobs Program (“Resilience Corps”)**
2. **Create Career Paths for Resilience Workers: Rigorous Training Opportunities**
3. **Remove Barriers to Work and Employment for Immigrants**
4. **Remove Barriers to Work and Employment for Individuals with Criminal Records**
5. **Raise Wages and Labor Standards in Disaster Areas (Federal Contracting)**

With the United States facing a growing number of natural disasters caused or worsened by climate change—from hurricanes and wildfires to floods and droughts—there is an urgent need to expand and support the Resilience Workforce so communities can reliably and effectively prepare and rebuild. To rebuild communities, we must first build a new workforce.

The following recommendations provide a framework for Congress and any administration to remove harmful barriers and create effective opportunities for developing the long-term labor force we need to bring about true resilience in America, and therefore ensure growth, prosperity and a just and equitable resilience economy across America.

#### 1. **Create a National Public Jobs Program (“Resilience Corps”)**

A “disaster jobs” program can be implemented through legislation, which would create new and necessary jobs. This work would include climate change mitigation and preparation before disasters as well as disaster response, and post-disaster rebuilding of the physical and social infrastructure. The new Resilience Corps would be made up of unemployed or underemployed individuals, and use public funds to pay or partially pay their wages and benefits.

A key precedent for such a program is the Works Progress Administration (WPA), part of the New Deal, which employed 8.5 million people and supported an additional 30 million dependents at a federal cost of \$90 billion (in 2018 dollars) over eight years, with an additional \$9 to \$27 billion match from states and localities. Likewise, the Civilian Conservation Corps, a lesser-known New Deal program, saw 3 million young men (aged 17 to 28) engage in unskilled manual labor for conservation and development of natural resources in rural lands owned by federal, state and local governments.

#### 2. **Create Career Paths for Resilience Workers: Rigorous Training Opportunities**

Many occupations in the Resilience Workforce require significant skill sets, yet there are not enough workers to meet the demand caused by ever more frequent disasters. The launch of the Resilience Corps should include training programs that allow workers to learn new skills to both meet labor needs and to provide a path to stable and long-term careers, especially in the construction trades. The training programs should target women and people of color in particular, both of which groups have traditionally been excluded from the trades. The development of a job training infrastructure would overcome labor shortages in a sustainable way while providing access to middle-class jobs.

#### 3. **Remove Barriers to Work and Employment for Immigrants**

As *The New York Times* recently noted in an article about rebuilding after disasters, a significant number of workers who arrive in the wake of hurricanes and floods are immigrants. Unfortunately, as the article also notes, immigrants often fear that they will be targeted by immigration authorities, and this fear causes many to leave post-disaster areas that desperately need their labor, stalling the recovery. Providing work authorization to immigrant Resilience Workers will enable communities devastated by disasters to rebuild more quickly. A new immigration status should be available to those who help rebuild communities and should include a path to citizenship.

We cannot continue intimidating, harassing, tracking, attacking, reporting, detaining and deporting the very people who are rebuilding the cities and counties wrecked by disaster. Resilience Workers living in fear is bad for everyone, and it is also unjust to deny them any stake in the immensely valuable and vital product of their labor. Whatever their status before disasters, Resilience Workers must be recognized as the Americans they are, provided visas that lead to citizenship and guaranteed safety from capricious attacks by law enforcement and community vigilantes.

There are several options to implement this new status. One option is a temporary visa specifically for immigrants already present in the United States who would be employed by a public agency or publicly contracted agency (not a private employer). Another option is an entirely new type of work visa, based on regional needs, that provides significant labor protections for workers and extensive oversight to prevent employer abuse. (This could even serve as a pilot for eventual large-scale future flow programs.) In any variation, the goal is to provide stability to the Resilience Workforce so they can rebuild without the constant fear of deportation, and with the possibility of eventually becoming permanent residents or citizens.

#### 4. **Remove Barriers to Work and Employment for Individuals with Criminal Records**

Individuals with criminal records should not face unnecessary and counterproductive barriers when they seek to rebuild communities. In creating the Resilience Corps, legislation should mandate that the administrator of the program—whether a government agency, a grant recipient or a contractor—should have the lowest possible barriers to entry for people with criminal records. The program could include funds for legal assistance to apply for pardons and expunge arrests and misdemeanors (and, in the states where felony expungements are possible, felonies as well). The program could also include funds for, or require participation in, the U.S. Department of Labor’s Federal Bonding program, which provides bonds for at-risk job seekers while also protecting the employer from losses by the bonded employee, including theft, forgery, larceny and embezzlement.

#### 5. **Raise Wages and Labor Standards in Disaster Areas (Federal Contracting)**

Following a disaster, enormous sums of federal funds are poured into the affected area to reimburse states and localities for response expenses and to help in the rebuilding process. This provides leverage for raising wages and improving working conditions in post-disaster zones that are currently rife with

labor and health and safety violations. Legislation should be passed to attach labor standards to federal funds to help reverse the “anything goes” workplace atmosphere that often develops in post-disaster zones. These standards would be attached to FEMA funds given to homeowners that are used for residential reconstruction and in supplemental appropriations from Congress to reimburse states and localities for funds already spent, such as for clearing debris or rebuilding critical infrastructure. To receive such reimbursements, states and localities should be able to document that they vigorously protected the labor standards among the Resilience Workforce—including the payment of prevailing wages and all necessary health and safety precautions.

## FEDERAL SOLUTIONS 2:

### Ensure an Effective, Responsive and Adequate Disaster Safety Net

1. Update Disaster Unemployment Assistance for the Modern Era
2. Improve Oversight of the Disaster SNAP Program

#### 1. Update Disaster Unemployment Assistance for the Modern Era

The National Employment Law Project outlined steps that can and should be taken at the federal level when it comes to better protecting unemployed workers and businesses hit hard by disasters, based on their own analysis of Hurricanes Irma and Michael.<sup>59</sup>

After cost-cutting reforms to the DUA program adopted in 1988, the program was restricted to those workers who do not qualify for regular state jobless benefits, mostly including the self-employed and those who have exhausted regular state Unemployment Insurance (UI) benefits.

By shifting the responsibility from federal FEMA funding to the individual state UI programs, jobless families are often left with extremely limited support when they most need the help. At the same time, employers and the disaster states are left paying the extra costs of the program when they can least afford to do so.

#### Congress should reform the DUA program as follows:

- Remove the federal restriction requiring unemployed families from disaster areas who qualify to collect limited state unemployment benefits rather than federally-funded DUA;
- Establish a minimum DUA benefit that is 1.5 times the national average state UI benefit (or \$531), thus eliminating the extreme arbitrariness resulting from the current law—where DUA benefit levels are determined by the states—and mitigating the economic hardship imposed on workers in Florida and other states that pay especially low benefits relative to the average state wages;
- Extend the maximum period of DUA benefits from 26 weeks under the current law to 52 weeks to account for the especially severe economic hardship caused by today’s disasters.
- Increase the state administrative funding to cover all the costs incurred in processing DUA benefits during major disasters.

#### The U.S. Department of Labor (DOL) should reform the DUA program as follows:

- Consistent with the authority provided under federal law, DOL should significantly increase the minimum DUA benefits in the states above the current minimum amount (which is set at 50% of the average state UI benefit).
- DOL should remove the unfair offsets against DUA benefits for other sources of income, which far exceed the offsets required under most state laws.
- DOL should cover more workers employed outside the disaster area who were laid off by employers who lost significant revenue as a result of the disaster event.
- As it has done in response to prior disasters, DOL should extend the 30-day deadline required to

apply for DUA benefits and the 21-day deadline required to produce wage and work history information

#### 2. Improve Oversight of the Disaster SNAP Program

The U.S. Department of Agriculture should improve its oversight of how states administer the D-SNAP program. As a start, the Inspector General for the U.S. Department of Agriculture should open an investigation into how the state of Florida administered the D-SNAP program during Hurricanes Irma and Michael and make specific recommendations as to how USDA’s oversight can prevent the problems documented in this report.

## SECTION 2c

### A NEW STATE-LEVEL RESILIENCE FRAMEWORK (FLORIDA)

Every state has a role to play in resilience, from state-level system changes that run parallel to federal-level changes in spending, policy and regulation, to the more immediate administrative changes that respond directly to the assessment of government failures, community needs and personal vulnerabilities described in the account of Florida’s response to Hurricanes Irma and Michael in Section 1.



<sup>59</sup> National Employment Law Project, Responding at the Federal and State Levels to the Needs of Unemployed Families Resulting from Hurricanes Harvey and Irma, September 21, 2017. Available at [www.nelp.org/publication/responding-at-the-federal-and-state-levels-to-the-needs-of-unemployed-families-resulting-from-hurricanes-harvey-and-irma/](http://www.nelp.org/publication/responding-at-the-federal-and-state-levels-to-the-needs-of-unemployed-families-resulting-from-hurricanes-harvey-and-irma/) (Last accessed December 5, 2019).

# STATE SOLUTIONS 1:

## Support the Scale of Resilience Work Required and Ensure a Just and Equitable Resilience Economy

1. Fund, Formalize and Scale Resilience Jobs
2. Ensure Worker Protections on the Job
3. Ensure Civil, Labor and Human Rights Protections in Society at Large
4. Establish a Florida-Based Center for the Resilience Workforce
5. Create a Florida Department of Labor

### 1. Fund, Formalize and Scale Resilience Jobs

Florida can be a leader in the growing movement for public jobs. A public jobs program is an economic stimulus and workforce development program in which a state or locality invests funds in the labor force and labor market—not just for typical, legacy “job readiness” and “job training” programs that generally lead to weak outcomes, but for real living wage jobs with benefits doing work that the community needs.

A high-quality resilience jobs program will reduce unemployment, reduce spending on public benefits, convert typically unpaid and unrecognized work to paid and recognized work, and increase the resilience of communities affected by disasters.

The Works Progress Administration was a key policy success of the New Deal, which brought the nation out of the Depression by investing in jobs for the unemployed. Today, unemployment is low overall, but startlingly high in certain places, including neighborhoods and cities with a higher percentage of people of color. Florida can tackle unemployment, rebuild from natural disasters and prepare the



community for future disasters by implementing one or more public jobs programs. A special effort should be made to ensure that women apply for and are supported in these resilience jobs by providing child care and other work supports for primary caregivers.

The State of Florida, as well as its counties and localities, can create public jobs in several ways:

- through legislation and appropriation of funds following existing models including the Federal Jobs Guarantee Act, introduced by Senator Cory Booker (D-NJ) into the U.S. Senate;
- by modifying and expanding the programs run under the Disaster Recovery National Dislocated Worker Grant program administered by the U.S. Department of Labor;
- through federal disaster funds allocated to Florida under the Community Development Block Grant—Disaster Recovery (CDBG-DR) program;
- through existing federal AmeriCorps funds overseen by the Governor; and
- through existing federal and state workforce development funds overseen by the Governor.

### 1A. Create and Fund Public Jobs through Legislation and Appropriation

Florida legislators can propose and push to pass legislation modeled after the Federal Job Guarantee Development Act (FJGDA). This federal legislation provides grants to counties, cities and community groups for public jobs programs. To apply for a grant, the locality must have an unemployment rate of 150% of the national rate (3.7% in July 2019 so 150% of that is 5.5% or higher). Wages in the FJGDA are tied to Raise the Wage Act, which start at \$9.25/hour in the first year, to go up to \$15.00/hour by the seventh year of the program.

The jobs must provide the following benefits: **1)** health insurance options equal to a federal government employee’s health insurance; **2)** paid family leave; and **3)** paid sick leave.

The program should be targeted at Resilience Workforce jobs. Those are the jobs, many of which are currently unpaid, which are critical to communities recovering from natural disaster, critical to building resilient communities, critical to reversing the wealth



gap that generally grows wider after natural disasters, and critical for preparing the community for the next inevitable disaster. Florida's resilience jobs program could be limited to localities inside federally declared disaster zones in the last five years and those that are most vulnerable to future disasters. The estimated cost per job is \$50,000 to \$60,000 a year, so a program with 500 jobs would cost \$30 million.

Florida can use funds from the supplemental appropriations given to Florida for Hurricanes Irma and Michael. States frequently have difficulty spending all disaster-related funds, especially Disaster Community Development Block Grant funds (CDBG-DR) funds from the U.S. Department of Housing and Urban Development. CDBG-DR funds can be used for a variety of purposes including economic revitalization activities that address job losses, job training and workforce development, which squarely encompasses a resilience jobs program. Florida has ample funds for a resilience jobs program: in the last three years alone, HUD awarded more than \$1 billion in CDBG-DR funds to Florida: \$448 million for Hurricane Michael, \$615 million for Hurricane Irma, and \$117 million for Hurricanes Hermine and Matthew (2016), some of which may remain unspent. CDBG-DR funds are overseen by the Florida Department of Economic Opportunity, Division of Community Development. Also, by using CDBG-DR funds, the jobs can be offered to a wide group of people.

Florida also receives more than \$150 million in federal workforce development funds for youth and adults (\$51 million for Adult Activities, \$53 million Dislocated Worker Activities, and \$50 million for Youth).

A public jobs program focused on the Resilience Workforce could become part of nearly any of the workforce development streams of funding. Florida DEO and county workforce boards should create resilience jobs programs, as described above, using workforce development funds.

## 1B. Provide Disaster Recovery National Dislocated Worker Grants

Florida can also modify the programs it runs under funds received from the U.S. Department of Labor Disaster Recovery National Dislocated Worker Grant program. This program is meant to provide temporary

jobs that support clean-up and recovery efforts for people affected by natural disasters.

For example, Florida received \$5.8 million from this program for Hurricane Michael. Individuals interested in such jobs are directed to their local Career Source office. Career Source Gulf Coast, which covers much of the area affected by Hurricane Michael, has implemented a disaster relief employment program for general laborers, case managers and humanitarian workers. Workers who are considered long-term unemployed are placed with local government agencies and nonprofits. They may work for up to one year or 2,080 hours, whichever comes first, and are paid \$15 per hour as laborers and case managers and \$13 per hour as humanitarian workers. The workers do not receive benefits. In Bay County, approximately 120 individuals have participated in this program as of September 2019.

Florida can modify this program to increase the wages for all workers, raising humanitarian work wages from \$13 to \$15 per hour, and using local funds, or perhaps CDBG-DR funds, to provide benefits such as sick, vacation and family leave pay, and health insurance.

Florida must also improve advertising. The Gulf Coast Career Source web page, for example, only advertises the availability of general laborer positions,<sup>60</sup> however, staff there stated that humanitarian and case manager jobs are also available.<sup>61</sup> (U.S. Department of Labor guidance confirms that much more than just clean-up work is permitted under the grants.)<sup>62</sup> This type of limited advertising limits the number of Resilience Workers who will apply, especially the number of women and people with disabilities

## 1C. Optimize Use of AmeriCorps

The Governor oversees \$7.7 million in AmeriCorps funds which are given to Florida according to a formula established in federal AmeriCorps legislation. Florida organizations have won an additional \$7.1 million in AmeriCorps competitive funds, for a total of \$14.8 million. Funds are distributed by Volunteer Florida, a state agency with a bipartisan board of commissioners appointed by the Governor and confirmed by the Florida Senate and led by Chief

Executive Officer Clay Ingram, a former member of the Florida House of Representatives from Pensacola, who was appointed in January 2019. Disaster is already a stated priority of AmeriCorps and Volunteer Florida. In addition, there is a national competition for funds under the Governor and Mayor Initiative, with applications due in early 2020. A mayor or mayors of disaster-affected areas could persuade the Governor to put forward a resilience jobs program as part of the 2020 competition.

An AmeriCorps resilience jobs program could have higher wages because the maximum living allowance for an AmeriCorps member in 2019 was \$27,984 for a minimum of 1,700 hours, which works out to \$16.46 per hour. Health and other benefits such as child care may be provided. In addition, AmeriCorps jobs could be offered to a broader group of people than are allowed into the Dislocated Worker program. However, AmeriCorps funds do not pay for all the expenses of an AmeriCorps program. Localities and organizations must commit additional funds, and state, county, local or private funds would have to be part of any such program.

## 2. Ensure Worker Protections on the Job

### 2A. Expand Occupational Safety & Health Programs and Protections and Improve the System for Workers' Compensation

Florida can do a lot more to protect workers from accidents, injuries and death following disasters. Florida does not have its own approved occupational safety and health plan, and so most regulation-setting and enforcement is done by the federal Occupational Safety and Health Administration, a part of the U.S. Department of Labor.<sup>63</sup> Florida can and should commit funds to safety and health training for workers and employers, however. Florida should create and fund a mechanism to provide, at a minimum, the OSHA 10-hour training course for free to all reconstruction workers for two years after each disaster.

Florida can also advance regulation in areas where OSHA has not. Heat-related illness is one area that OSHA has yet to regulate, but that Florida could and should regulate. The Florida legislature should

convene a special commission to study heat-related illness regulations from other states<sup>64</sup> and recommend a Florida heat-related illness regulation.

For example, California has created a heat standard that requires employers to train all employees and supervisors about heat illness prevention, provide enough fresh water so that each worker can drink at least one quart per hour (and encourage them to do so), provide access to shade and encourage cool-down rests of at least five minutes.<sup>65</sup> The legislature should then enact this standard and the Florida Attorney General should enforce it.

When workers do get hurt, the state must activate the workers' compensation system and administer benefits quickly and fairly.

Florida must also cease prosecution of immigrant workers who file workers' compensation claims. In 2016 and 2017, at least 163 immigrant workers were charged with the felony of providing false identification (i.e., a false social security number) after they were injured on the job. In at least 159 of those cases, the employer or insurance company—i.e., those who have a vested interest in not paying out a work-related injury claims—reported them.<sup>66</sup> The Florida workers' compensation system must be neutral with respect to immigration status in order to avoid supporting perverse incentives that enable employers to exploit immigrant labor and insurance corporations to deny claims to people in need who have legitimate coverage.

### 2B. Create a Wage Enforcement Unit to Pursue Claims to Restore Stolen Wages

Florida Attorney General Ashley Moody is specifically authorized by statute to bring wage theft claims against employers under the Florida minimum wage law, yet no such claims have been brought even as wage theft is rampant in contexts of disaster-related work.

The attorney general must work with community organizations and worker advocacy organizations to log, investigate and prosecute cases of wage theft that are currently leaving Resilience Workers in an untenable—and unjust—situation of financial insecurity. In addition, the attorney general must set a new tone, indicating that they take these crimes seriously and will be watching the industry closely.

<sup>60</sup> Career Source Gulf Coast, Disaster Relief Employment Criteria. Available at [www.careersourcegc.com/uploads/Dislocated%20Worker%20Employment%20Information.pdf](http://www.careersourcegc.com/uploads/Dislocated%20Worker%20Employment%20Information.pdf). (Last accessed September 19, 2019).

<sup>61</sup> Interview with Dislocated Worker case manager at Gulf Coast Career Source on September 18, 2019. Notes on file with Resilience Force.

<sup>62</sup> U.S. Department of Labor Employment and Training Administration, Emergency/Disaster DWGs. Available at [www.doleta.gov/DWGs/Types-of-DWGs/Disaster-Emergency-DWGs/](http://www.doleta.gov/DWGs/Types-of-DWGs/Disaster-Emergency-DWGs/). (Last accessed September 18, 2019).

<sup>63</sup> U.S. Occupational Safety and Health Administration, State Plans. Available at [www.osha.gov/stateplans](http://www.osha.gov/stateplans). (Last accessed October 29, 2019) (stating that Florida is under the jurisdiction of OSHA).

<sup>64</sup> U.S. Occupational Safety and Health Administration, Heat. Available at [www.osha.gov/SLTC/heat-stress/standards.html](http://www.osha.gov/SLTC/heat-stress/standards.html) (Last accessed October 29, 2019) (citing California, Minnesota and Washington heat standards).

<sup>65</sup> California Department of Industrial Relations, Heat Illness Prevention. Available at [www.dir.ca.gov/dosh/heatillnessinfo.html](http://www.dir.ca.gov/dosh/heatillnessinfo.html) (Last accessed October 29, 2019).

<sup>66</sup> Maria Perez, Companies dump undocumented workers after gaining profits, Associated Press, December 22, 2017. Available at [apnews.com/2b813133dac4c09a017b13049a1d6f](http://apnews.com/2b813133dac4c09a017b13049a1d6f). (Last accessed October 29, 2019).

<sup>6</sup> For more details on states with AG-based wage enforcement programs, see Terri Gerstein and Marni von Wilpert, "State attorneys general can play key roles in protecting workers' rights," Economic Policy Institute, May 7, 2018. Available at [www.epi.org/publication/state-attorneys-general-can-play-key-roles-in-protecting-workers-rights](http://www.epi.org/publication/state-attorneys-general-can-play-key-roles-in-protecting-workers-rights). (Last accessed October 16, 2019).

That includes putting an end to employers engaging in both the practice of wage theft and the practices of intimidating or even threatening workers when it comes to pursuing their rightful wage theft claims.

The Florida attorney general must follow the example of the attorneys general in New York, Massachusetts, Illinois, Washington, D.C. and other states to create a specialized wage enforcement unit.<sup>67</sup> A well-staffed wage enforcement unit can meet regularly with community groups, labor unions, worker centers and workers themselves to determine the workers most in need of protection and scenarios most in need of enforcement, process more claims more rapidly, and sue employers in state court to ensure justice for workers and to change norms across the industry. Where they are not able to do so, they must allow for rapid contracting to lawyers or legal clinics and organizations that are ready to take up the cases quickly, efficiently and effectively.

### **2C. Allocate Victims of Crime Act Funding to Wage Theft Victims**

The Florida attorney general controls \$143 million in federal funds distributed under the Victims of Crime Act (VOCA), which allows their offices to provide grants to organizations that assist victims of crime. Those crimes include wage theft and other illegal workplace practices that have become rampant in the absence of enforcement against contractors and subcontractors in the areas of clean-up, disaster mitigation, residential and commercial reconstruction, hospitality and other major Florida industries for which there is a boom in demand and a major increase in operations before, during and after natural disasters.

California recently awarded VOCA funds to California Rural Legal Assistance to provide services to victims of workplace and employment-related crimes in rural and agricultural areas of California. This can serve as a model for what is possible in Florida, seeing community-based organizations and advocates as partners in a shared vision for ending wage theft and finally bringing employers into compliance with the law.

For starters, the Florida attorney general must explicitly encourage, facilitate and approve employment-related crime applications during the next Notice of Funding Availability, especially for projects that will serve victims from disaster zones.

### **2D. Build Worker Protection into State and Local Contracting Mechanisms**

One way that the state of Florida can reduce this lawlessness among employers and reduce harm among working people, especially Resilience Workers, is to use its power as a contractor. When Florida pours taxpayer funds into loosely legislated and loosely regulated environments, and provides funds to employers with a track record of negligence and exploitation, it takes on a special obligation to conduct enhanced oversight in order to prevent harm to workers and the public that inevitably follows.

Accordingly, all Florida state and local contracts for disaster preparation, response and recovery—including and especially long-term reconstruction that can take place in the years that follow—should include explicit clauses stating the consequences for violations of federal and state laws regarding wages, workplace safety, discrimination, harassment, workers compensation and retaliation, in addition to making clear the process of oversight to which employers must adhere. In addition, contractors bidding on work in Florida should be required to disclose all complaints, lawsuits, settlements and the results of internal investigations for the last ten years, including the contractors past noncompliance with violations of federal and state labor laws and their subsequent remedies and the effects of those remedies. Their record must be taken into consideration formally during the contract bidding process by any government agency or entity acting on behalf of a government agency, including contractors who are taking bids from subcontractors. For guidance, the Florida legislative and executive branches may look to Executive Order 13673 on Fair Pay and Safe Workplaces, issued July 31, 2014, by President Obama.

### **3. Ensure Civil, Labor and Human Rights Protections in Society at Large**

#### **3A. Issue T & U Visas for Victims of Trafficking, Forced Labor and Violence**

T & U visas provide victims of trafficking and other crimes with the opportunity to move freely (and remain safely) within the United States while criminal investigations continue. The risk of trafficking increases after disasters, as we have seen trafficking increase in every major storm clean-up and reconstruction.<sup>68</sup> Forced labor and other types of violence are also common during any major disruption, such as a natural disaster, especially when it comes to employers exploiting people who are young, undocumented, limited in language capacity or the main providers of income for their families.

Florida State Police and local law enforcement must provide compassionate and proactive support to victims of trafficking, forced labor and wage theft. State Police and local law enforcement must also use their authority to certify T & U visas for those victims. Specifically, Florida State Police and local law enforcement should certify U visas for trafficking, forced labor and wage theft cases. (The latter often involves focusing on obstruction of justice and witness tampering crimes, which are the more easily identifiable and proven crimes committed in wage theft cases.)

Once immigrants' visas are certified, they are more likely to participate in ongoing investigations that can help shut down or deter traffickers and other criminals from continuing to operate in those jurisdictions. At present, the Florida attorney general's office mandates that U visa information be given to all victims of sexual assault.<sup>69</sup> This is a good start, but the attorney general's office should update the protocols to provide U Visa information to victims of all the categories of crime that qualify for U visas, especially workplace-related crimes.

The Florida legislature can ensure that law enforcement officers working in counties hit by disaster are trained in the understanding and handling of human trafficking cases and other crimes immigrants often face. Even SB 168, requiring local law enforcement to participate in federal immigration

enforcement, contains exceptions for victims of trafficking and other crimes. Moreover, the Florida attorney general's office can further require providing information about T & U visas in all trainings and protocols. Without mandated training and protocol requirements in place and widely obliged, law enforcement will continue to treat all immigrants as perpetrators rather than victims.

#### **3B. Repeal Florida's Anti-Immigrant Law, SB 168**

The Florida legislature must immediately repeal Senate Bill 168 (SB 168), an act that turns law enforcement across the state into de facto federal immigration enforcement officers, whether they want to act as such or not, and prevents any county from enacting sanctuary policies to protect immigrants from targeted and undue attacks.

This amplification of immigration enforcement mandates law enforcement to rip people out of Florida communities, even as they work to rebuild them, contribute to them and live in them with dignity, respect and acceptance. The law is one of the most undermining in terms of resilience infrastructure and capacity for communities across Florida. It is also one of the most dangerous policies for Resilience Workers; in this environment, they cannot do their best work, advocate for their rights and protections as workers (for fear of the threatening leverage employers hold over them), or move freely about the state as they need to. The policy also serves to increase racial profiling, which affects immigrants already granted legal status, as well as U.S.-born Latinx community members, including Resilience Workers. SB 168 also represents a waste of much-needed resources, attention and energy by government personnel that is direly needed for true Resilience Work and recovery.

In the absence of repealing SB 168, the governor should create regulations and the legislature should enact policy to exempt state and local law enforcement agencies within disaster areas and emergency zones from the mandates of SB 168, as long as a state of emergency or federal disaster declaration is in effect.

<sup>68</sup> See, for example, Kathy Finn, "Indian workers win \$14 million in US labor trafficking case," Reuters, February 18, 2015. Available at [www.reuters.com/article/us-usa-louisiana-trafficking-idUSKBNOLN03820150219](http://www.reuters.com/article/us-usa-louisiana-trafficking-idUSKBNOLN03820150219). (Last accessed October 16, 2019) (describing trafficking by shipbuilder Signal International after Hurricane Katrina); Jasmine Garsd, "Human trafficking is a hidden aftermath of natural disasters," PRI's The World, October 5, 2017. Available at [www.pri.org/stories/2017-10-05/human-trafficking-hidden-aftermath-natural-disasters](http://www.pri.org/stories/2017-10-05/human-trafficking-hidden-aftermath-natural-disasters). (Last accessed October 16, 2019) (describing labor and sex trafficking after Hurricane Harvey).

<sup>69</sup> Office of the Attorney General, Adult and Child Sexual Assault Protocols, August 2015, p 11. Available at [myfloridalegal.com/webfiles.nsf/WF/JFAO-77TKCT/\\$file/ACSP.pdf](http://myfloridalegal.com/webfiles.nsf/WF/JFAO-77TKCT/$file/ACSP.pdf). (Last accessed August 12, 2019).



#### 4. Establish a Florida-Based Center for the Resilience Workforce

As essential as the Resilience Workforce is to disaster preparation, response, recovery and long-term rebuilding, it has never been studied or quantified, and neither have its needs. There is no centralized hub for assessing risks to the welfare and capacity of Resilience Workers, for clarifying the size and capability of the workforce Florida needs in the years ahead, or for generating ideas and promoting experiments targeted at removing the barriers that stand in their way, and therefore stand in the way of Florida's resilience.

Without government leadership on the policy, community engagement and civil society side of government, there is a distinct danger of inefficient and harmful military-style forces continuing to take over Florida's approach to disasters, and a danger of corporations operating with no oversight. We must ensure that disaster preparation and recovery funds build resilience and not dependence, and create security rather than harm.

Despite the mounting evidence that a fraying social safety net impedes preparation, response and recovery, no center studies this aspect of disasters, and no center ensures that immigrants, a key feature of all modern disaster recoveries, are celebrated and protected for their role in recovery. The intersection between resilience and larger economic and social conditions must also be part of assessment and planning.

For these reasons, Florida universities and state officials should come together to convince the U.S. Department of Homeland Security to establish a national Center for the Resilience Workforce in Florida, or find other partners to do so.

In the Homeland Security Act of 2002, the U.S. Congress mandated the DHS Secretary to establish "university-based centers for homeland security ... to establish a coordinated, university-based system to enhance the nation's homeland security." DHS funds several "Centers of Excellence" including the Critical Infrastructure Resilience Institute at the University of Illinois at Urbana-Champaign, and the Coast Resilience Center of Excellence led by the University of North Carolina at Chapel Hill.

The Illinois center conducts research and education that, among other things, aims to enhance the

resiliency of the nation's critical infrastructures. It is funded by a \$20 million five-year grant.<sup>70</sup> It conducts some degree of workforce research, but it is limited to skilled cybersecurity professionals.<sup>71</sup> The North Carolina center conducts research and education to enhance resilience concerning the impact of coastal hazards such as floods and hurricanes. It is also funded with a five-year, \$20 million grant. The center maintains some workforce programs, but they are more focused on creating the next generation of hazards researchers and practitioners, not on broadly ensuring that there is a well-supported Resilience Workforce to prepare and rebuild.<sup>72</sup>

Despite the fact that Florida hosts a number of world-class research universities, and is ground zero for disasters and will suffer the impact of climate change more than many states, none of the DHS centers are in Florida.

The mission of the Center for Resilience Workforce should be to conduct research and analysis of the Resilience Workforce to ensure a much more cost-effective, impactful and sustainable approach to natural disasters. Topics of inquiry would include quantifying the size of the Resilience Workforce, researching how worker shortages affect national security, identifying occupations and industries with worker shortages, and studying the efficacy of existing laws, policies and programs in protecting and supporting the Resilience Workforce over time and during acute instances of disaster preparation, response and recovery.

#### 5. Create a Florida Department of Labor

Florida should create a state Department of Labor with investigative powers and adequate staff throughout the state to take on wage theft cases with swift recovery of unpaid wages.

The evidence accumulating of the spreading illegal and ultimately anti-business practice of wage theft raises serious questions for Florida and local economies hoping to attract businesses and to grow their workforce. What are the actual impacts on individual employees, honest employers, local budgets and the state's economy? Why does Florida withhold adequate funding for enforcement of existing labor laws? It also raises the question of whether a county and state economy can be healthy and grow while

tolerating such an unjust business model that avoids contributing to tax revenues.

Questions about the cost of doing business in Florida and the risks of working in the state will also increase as more evidence of a climate of tolerance for wage theft and its impact on employees and honest employers becomes more widely known.

## STATE SOLUTIONS 2:

### Ensure an Effective, Responsive and Adequate Disaster Safety Net

1. **Ensure Functional, Universally Guaranteed D-SNAP**
2. **Ensure Functional, Universally Guaranteed Disaster-Related Employment Protection**
3. **Guarantee the Right To Return: Protection from Predatory Eviction & Gouging**
4. **Create a Florida "Resilience Dividend" Based on the Growth of the Resilience Economy**

#### 1. ENSURE FUNCTIONAL, UNIVERSALLY GUARANTEED D-SNAP

Florida should continue to make improvements to its administration of Disaster Supplemental Nutrition Assistance Program (D-SNAP) eligibility, public engagement and benefit distribution, ensuring that all eligible Floridians are encouraged to apply by means of engagement through all channels available to government officials, and that both eligibility requirements and substantive benefits continue to expand to meet the needs presented by continuing natural disasters.

Florida must ensure that D-SNAP is easy for Floridians—welcoming, accessible and user-friendly in the registration and qualification process, and

<sup>70</sup> Critical Infrastructure Resilience Institute, About Us. Available at [ciri.illinois.edu/about](http://ciri.illinois.edu/about). (Last accessed October 29, 2019).

<sup>71</sup> Critical Infrastructure Resilience Institute, Fostering an Educated Workforce. Available at [ciri.illinois.edu/research/workforce-development](http://ciri.illinois.edu/research/workforce-development). (Last accessed October 29, 2019).

<sup>72</sup> Coastal Resilience Center, About Us. Available at [coastalresiliencecenter.unc.edu/about-us/](http://coastalresiliencecenter.unc.edu/about-us/). (last accessed October 29, 2019).

timely in the disbursement process. And it must be administered equitably across the diversity of geographies and identities that constitute the entire body of residents of Florida.

Because D-SNAP is federally funded in full, there is no reason for the state government of Florida to deny families the sorely needed resources that the program offers as a sure way of helping children, students, workers, the elderly, people with disabilities and so many others stay healthy and nourished during disasters.

*Specifically, the Department of Children & Families should:*

- Create a Disaster SNAP Implementation plan with input from community groups and worker centers which allows for the greatest possible access to D-SNAP, the shortest possible lines and the best methods of communication to encourage applications from those who are eligible.
- Increase the number of application sites such that all who are affected by the natural disaster are no more than a 30-minute ride on public transportation from a D-SNAP application site.
- Increase the number of application sites in known and trusted community centers and provide compensation to those centers for use of their facilities.
- Increase staffing such that no person must wait more than one hour; for all those who are waiting an hour, offer a telephone interview option.
- Allow telephone applications for all D-SNAP applicants, as is allowed for regular SNAP applicants in Florida.
- Make provisions for home visits for those applicants who are not able to take advantage of in-person, telephone, mail or internet applications; contract with community organizations to conduct these home visits.

During the next disaster, the Governor should send out communications, including regular tweets, about assistance for individuals and workers at an equal rate as communications for people who own businesses.

## 2. ENSURE FUNCTIONAL, UNIVERSALLY GUARANTEED DISASTER-RELATED EMPLOYMENT PROTECTION

### Provide Employment Protection

No one should be fired or docked pay because they had to flee for safety, care for elders and children, or secure their homes during a disaster and its aftermath. Nor should any worker be fired or docked pay because they participated in the essential, backbreaking and dangerous work of clearing roads, or lending their expertise and effort to doing whatever their community and government may have called on them to do.

Whether they are salaried, hourly or contract employees, all workers should be covered at some level for the time they were forced to miss due to a disaster, and employers should be prevented from firing them for whatever they were forced to miss.

The Florida legislature and local elected officials can and must enact legislation for disaster-related paid time off and job protection. Employers of all sizes, including local and state governments, should be required to provide up to three weeks of partial paid time off and up to twelve weeks of unpaid time off (with guaranteed job security). These rules should apply to both part-time and full-time workers with legitimate disaster-related causes of absence. The law must also protect workers from any kind of retaliation for requesting or taking time off due to circumstances related to disaster.

Moreover, the legislature must fund proactive enforcement, ensure recourse for workers wronged by their employers and hold local authorities accountable for enforcement.

The model for doing so already exists. For instance, the federal Family and Medical Leave Act, and many state paid time off laws, provide protection from retaliation—it is a separate violation of the law (i.e., on top of the violation for denying time off) to retaliate against someone who is attempting to exercise their rights under the program. An insurance system to facilitate proper paid time off, and to reduce the cost to employers, could be modeled on the paid disability leave programs established in California and elsewhere.<sup>73</sup>

California offers partial wage replacement (60 to 70% up to a maximum of \$1,252/week)<sup>74</sup> for workers who go on leave for the birth of a child or because of a temporary disability. The program provides paid leave for all temporary disabilities up to one year and family leave for six weeks through a 1.2% employee-side payroll tax, though Florida could create a more modest disaster leave program for much less.

### Increase Disaster Unemployment Insurance

The Florida legislature must also raise the Disaster Unemployment Assistance benefit to the maximum allowed by federal law, which they can do immediately. This will provide needed stability, protection and economic stimulus, while also preserving or better directing state and charitable resources by substituting them with available federal funds.

In terms of the administration of the benefit, every governor must guarantee that 90% of eligible DUA recipients actually receive DUA within five weeks of a disaster hitting, which means they must commit to facilitating accessible, timely applications and payments.

The Florida Department of Economic Opportunity must also create a fully accessible and functioning application system with in-person, online and phone options for DUA claimants. The DEO should change the system immediately to a user-driven approach, so an applicant can get answers to their questions about the program and the DEO can get answers to the questions they have for applicants. DEO must allow for applications to be reviewed manually by staff when a further determination of eligibility is required, doing so with a presumption of eligibility. Doubling the staff at call centers, including the hiring of otherwise unemployed people or volunteers, are among the solutions needed.

This 90% standard was achieved in Florida following Hurricane Andrew in 1992, and it should remain the standard to which every administration is held. When it comes to processing a large number of claims, Florida can look to Texas, which processed 136,811 DUA claims after Hurricane Harvey—four times as many as the 30,646 claims Florida processed two months after Hurricane Irma, despite the fact that the affected workforce in Florida was much larger than the affected workforce in Texas.<sup>75</sup>

## 3. GUARANTEE THE RIGHT TO RETURN: PROTECTION FROM PREDATORY EVICTION & GOUGING

Every Floridian deserves the right to return to safe and affordable housing in their own neighborhoods following a natural disaster. Whether an immediate or longer-term return and resettlement, forced displacement cannot be an option, especially due to price gouging or predatory demolition and development.

There must be an effective assessment and enforcement mechanism to ensure it does not occur, including taking into account income losses and other reasonable disruptions to rental and mortgage payments, and tactics landlords may use to try to prevent tenants from returning, such as the refusal to make repairs necessary for habitability. There must be compensation for residents when forced displacement does occur, including guaranteeing their ability to return and resettle in the same neighborhood in which they lived at the time of the disaster.

As a disaster hits, the governor and local officials must institute an immediate moratorium on unscrupulous rent increases—a disaster-oriented form of rent stabilization—as well as a moratorium on tenant and small business evictions. The specified recovery period must allow for the realities of return and resettlement—likely a period of a year, rather than weeks.

In particular, Miami-Dade County can establish and implement a rent relief fund to help families replenish rent funds they were forced to use in their disaster preparations and response, so that they are not evicted for their inability to pay their rent—a form of public disaster insurance for those who do not have it or could not obtain it individually. Three Republican lawmakers in Ohio recently proposed a \$20 million rental housing relief fund for renters affected by natural disaster.<sup>76</sup>

<sup>73</sup> Eileen Appelbaum and Ruth Milkman, *Leaves that Pay: Employer and Worker Experiences with Paid Family Leave in California*, p. 2. Available at [paidfamilyleave.org/pdf/leaves\\_that\\_pay.pdf](https://paidfamilyleave.org/pdf/leaves_that_pay.pdf). (Last accessed August 12, 2019).

<sup>74</sup> California Employment Development Department, *About Disability Insurance*. Available at [www.edd.ca.gov/disability/About\\_DI.htm](https://www.edd.ca.gov/disability/About_DI.htm). (Last accessed September 19, 2019).

<sup>75</sup> NELP Action, *Rick Scott's Record Helping Jobless Workers and Small Business Owners After Hurricane Irma: The Worst of Any Florida Governor in Thirty Years*, May 3, 2019. Available at [nelpaction.org/rick-scotts-record-helping-jobless-workers-small-business-owners-hurricane-irma-worst-florida-governor-thirty-years](https://nelpaction.org/rick-scotts-record-helping-jobless-workers-small-business-owners-hurricane-irma-worst-florida-governor-thirty-years). (Last accessed September 18, 2019).

#### 4. CREATE A FLORIDA “RESILIENCE DIVIDEND” BASED ON THE GROWTH OF THE RESILIENCE ECONOMY

Many of the realities created or exacerbated by natural disasters in Florida create a need for economic security. At the same time, vast profits are made off of disasters throughout Florida, and as pointed out in this report, the infusion of capital into natural disaster areas under the current system increases, not decreases, income inequality.

One way to decrease income inequality and create economic security for Floridians is to create a citizen’s dividend program. Citizen’s dividends, also called asset-based egalitarianism, centralize and collect revenue from a specific source of wealth a given state enjoys and then distributes a share of that wealth to all its citizens.

For example, the Alaska Permanent Fund is a citizen’s dividend program based on the state’s oil revenue. The Alaska Permanent Fund, established in 1976, takes 25% of Alaska’s oil revenue and invests those funds conservatively. Each year, the Fund makes payments—i.e., dividends—to each Alaska resident (defined as all adults and children who live in Alaska for the full calendar year and intend to remain Alaska residents indefinitely, with limited exceptions). The lowest payout was \$331 in 1984 and the highest was \$2,072 in 2016. The 2018 payout was \$1,600.

Some Native American tribes have a similar form of asset-based egalitarianism referred to as “per capita distributions.” Some tribes own steady sources of revenue from natural-resource activities,

gaming (casinos) or other businesses. According to the National Indian Gaming Association, there are 562 tribes in the United States and 223 with casinos. About one-third of those tribes (77) provide per capita payouts. One tribe in California provides a monthly base payment of \$600 (\$7,200 a year).

As climate disaster increases in the United States and capital continues to consolidate, so grows what might be called the “Disaster Industrial Complex.” We saw it in New Orleans after Hurricane Katrina, with armed guards from Wackenhut Security and Blackwater USA and multinational corporations such as Halliburton and Cotton Holdings all converging in disaster areas to provide services, some needed, some questionable, and of course, to make profits—lots of profits.

With Florida home to five of the top ten cities predicted to be negatively affected by climate change, it is well poised to experiment with new models that tackle income inequality using disaster profiteering as a hook.

*Florida should create a Climate Change Citizen’s Dividend by:*

- **Creating a mandate to license or approve disaster mitigation and recovery companies, such as water cleanup restoration companies and property restoration and recovery companies;**
- **Creating a mechanism to require a percentage of funds or profits be put into a Florida Citizen’s Fund as a condition of such approval or licensure;**
- **Investing those funds;**
- **Creating criteria for distribution of the income generated by this fund to citizens; and**
- **Distributing those funds annually.**

*Some possible means for licensing or approving disaster recovery companies include:*

- **Adding a disaster recovery license to the types of licenses issued by the Florida Department of Business & Professional Regulation; and**

- **Making the receipt of disaster-related funds contingent on payments into the FCCCD. Florida’s own funds, such as the \$270 million in state funds approved in 2018 for Hurricane Irma, can also have conditions placed on them.**

The criteria for distribution should be broad and inclusive, following Alaska’s lead, but, unlike Alaska, Florida should create a mechanism for those in prison to receive funds as contributions to their prison commissary accounts or held in trust as funds to be used for the difficult task of re-entry into the community. Attempts should be made to avoid distributions going to those using Florida as a location for a second home or those using Florida merely as a tax haven.

our carbon-based economy. Fighting climate change and climate injustice are not competing priorities; we cannot address the fundamental causes of climate change without also addressing the injustices of the carbon economy.

It is imperative that the Florida state government move quickly toward a carbon-free economy with a just transition that empowers frontline communities who are displaced and disproportionately impacted by climate change and social disasters, including communities of color, indigenous people, low-income people, women and children, LGBTQ+ people, immigrants, farmworkers, refugees, people with disabilities, those who are incarcerated and individuals living with HIV/AIDS.

There are several immediate steps Florida can take to quickly move in the right direction, and support national and international efforts to address this existential threat.

## STATE SOLUTIONS 3:

### Ensure a Just Transition to an Energy-Sustainable and Environmentally Sustainable Economy

1. **Create an Environmental Justice Task Force**
2. **Seize the Opportunity to Reform the Public Service Commission (PSC)**
3. **Direct the Florida Department of Environmental Protection (DEP) to Finalize a Plan and Draw Down the \$166 Million from the VW Emissions Settlement**
4. **Establish a Just Energy Transition Task Force**

The recently released Intergovernmental Panel on Climate Change (IPCC) Report makes clear that we have a very limited window to avoid worldwide climate catastrophe—10 to 12 years at most. Climate change is already occurring, and Florida is among the places most impacted by climate change. But Florida’s most vulnerable communities are hurt first, and worst, by

#### 1. Create an Environmental Justice Task Force

to advise the Florida administration on climate, economic and environmental issues using a Social Equity framework. The Task Force should have a majority of its members appointed from indigenous, grassroots, and the most at-risk and disenfranchised communities facing the worst effects of our carbon economy and of climate change. The Task Force should be given explicit decision-making power in the development and implementation of Environmental and Climate policy. The Task Force must be able to organize itself in a manner consistent with cultural appropriateness, and have decision-making power that can be and will be implemented within the legislative and/or rule-making procedures. The Task Force must be able to identify its own leaders, come to its own decisions and decision-making procedures, develop its own processes for discussing, identifying, prioritizing and submitting issues of primary concern and recommendations, and not be subject to the dictates of an agency or legislative body, but given respect for the expertise and grassroots knowledge and experience of its members. The Task Force must also have access to direct communication with lawmakers and given status as more than an advisory



76 Laura A. Bischoff, “Local lawmakers want \$20M fund for post-tornado rental housing help,” Dayton Daily News, August 29, 2019. Available at [www.daytondailynews.com/news/local-lawmakers-want-20m-fund-for-post-tornado-rental-housing-help/QhwBY4hkB7duYUkeCxxgOM/](http://www.daytondailynews.com/news/local-lawmakers-want-20m-fund-for-post-tornado-rental-housing-help/QhwBY4hkB7duYUkeCxxgOM/) (Last accessed October 16, 2019).

board, but as an entity that brings expertise and community knowledge to the attention of the state.

## 2. Seize the Opportunity to Reform the Public Service Commission (PSC).

Appoint two members of the five-member PSC. The PSC has it in its power to remove many of the impediments to clean energy:

**A** - Reform the utility planning process through an integrated resource plan.

**B** - Prioritize the most efficient means of energy generation. Prioritize energy conservation and energy efficiency over new-generation and related infrastructure.

**C** - Site new energy facilities in areas that are not adjacent to and that will have no negative environmental or environmental health impacts on low-income communities of color and other vulnerable communities, and this includes in rural areas that are often overlooked because of lower density.

**D** - Ensure that environmental justice communities are not in the path of harmful toxic air emissions, including from diesel engines, that can cause and/or exacerbate asthma in children and adults in these communities.

**E** - Reinstigate 6800 GWh energy efficiency target the Public Service Commission cut in 2014.

## 3. Direct the Florida Department of Environmental Protection (DEP) to Finalize a Plan and Draw Down the \$166 Million from the VW Emissions Settlement.

Fund electric vehicle charging infrastructure and switch to all-electric buses. Prioritize areas with already diminished air quality, lack of affordable and available transportation.

## 4. Establish a Just Energy Transition Task Force

Florida should create a Just Energy Transition Plan for the State of Florida. A task force to:

**A - Propose rapid but equitable decarbonization strategies with a goal of Floridians using 45% clean and renewable energy by 2030 and 100% by 2050 or by the soonest date equitably possible. The recommendations would:**

1. Include all decarbonization strategies for all relevant sectors, including transportation, industry and labor, land use, energy, etc.
2. Include requirements that the appropriate agencies initiate rulemaking to move the state toward 100% renewable energy.
3. Seek solutions which enable job creation for Floridians who are unemployed, underemployed or who may experience work displacement because of climate change.
4. Evaluate all solutions possible by their impact on carbon emissions reduction and their impact on Florida's most vulnerable populations, without unduly prioritizing market-based regulatory solutions.
5. If the goals of 45% renewable energy by 2030 and 100% by 2050 are truly impossible within an equitable framework, we ask that the commission specify steps that other actors would need to take in order for the state to succeed.

**B - Include leaders from many of Florida's diverse communities, such as consumers, clean energy advocates, businesses, industries, state agencies and academics. Meaningful decision-making power must be given to representatives from communities which are most affected. Community leaders who are part of the task force should be compensated for their services and expenditures.**

**C - Oversee the work of Technical Advisory Groups, or TAGs, which would come up with the decarbonization strategies mentioned above. The TAGS would include staff from state agencies and other relevant experts. The Just Energy Transition Task Force mentioned would have the ability to oversee turning the final recommendations created by the TAG groups into a final proposal.**

**D - Decide, at least partially, the timeline of the issuance of the Just Energy Transition Task Force recommendations.**

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