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Speaker 2: [00:00:30] Good Morning Workplace Safety Review podcast fans. Our guest today is Abre' Conner. Abre' oversees the strategy and collaboration across the NAACP to dismantle environmental racism. She's taught education law and is currently faculty in the Environmental Policy and Management program [00:01:00] at the University of California, Davis. Abre' served as the directing attorney of health at the Law Foundation of Silicon Valley, where she led the litigation, direct legal services work, and advocacy regarding health, equity, and the social determinants of health that impact historically excluded communities across the Silicon Valley. Abre' also sat on the Law Foundation's Race Equity and Inclusion Steering Committee where she led work regarding jail conditions, encampment sweeps, alternatives [00:01:30] to involuntary medical and psychiatric treatment for individuals in Santa Clara County, and advocacy to close an airport that allowed planes to use lead fuel. Before joining the Law Foundation, Abre' was a staff attorney with the ACLU Foundation of Northern California where she advocated for the civil rights and liberties of Central Valley and Northern California residents, including an emphasis on issues that impact people of color in rural communities such as environmental justice.

As a staff [00:02:00] attorney at the Center on Race, Poverty and the Environment in Delano California, Abre' primarily worked with migrant farm workers and in unincorporated communities. She's worked at numerous civil rights entities, including the NAACP Legal Defense and Educational Fund. She was also an associate in the White House office of Presidential Personnel in the Obama administration. Abre's a graduate of American University, Washington College of Law, and the University of Florida, and she's received [00:02:30] a number of different awards, including being named a Top 40 Under 40 Nation's Best Advocate by the National Bar Association. Thank you so much, Abre', for joining us this morning.

Abre' Conner: Thank you. I'm so happy to be here with you all.

Mike: Yeah. Abre', this is Mike. It is definitely a pleasure to have you on our show. We really are excited to hear what you have to say today. Something I'm a little interested in, can you tell the audience a little bit about your work helping migrant farm workers and other vulnerable workers in [00:03:00] communities?

Abre' Conner: Well, in California, unlike other places in the country, California actually has an agency that's actually supposed to ensure that farm workers and migrant farm workers have additional protections. So oftentimes across the country, farm workers and migrant farm workers, they're put in positions where they're working seasonally. They may have to live near the place where they're working, and oftentimes, they are [00:03:30] exposed to additional pesticides and other environmental hazards. In California, there's actually an agency, the Agricultural

Labor Relations Board, that's actually supposed to help to ensure that there are additional protections. But what we know in California and then also across the country is that because of a number of other issues that impact the individuals who are in those spaces, such as fear of being deported, fear of their employer, in those kinds [00:04:00] of situations, oftentimes, the environmental hazards that they are facing go unreported.

So one of the things that was really important to me in working with migrant farm workers is ensuring that they actually understood their rights, they felt confident, and that they could actually move forward and go forward whenever they were facing environmental harms. What we would see is, for example, they would get to work and while they were working, they would be sprayed with pesticides, [00:04:30] and this was happening for a number of years. They would go home, be around their children, and then expose their children to pesticides that they were sprayed with at work.

And these kinds of issues, of course, cause generational harm to people of color communities who are oftentimes in these positions. And so one of the things that we wanted to make sure that number one, the state of California understood is that it's not just about having the protections, but it's also about ensuring that people [00:05:00] feel comfortable actually utilizing those protections. So I would represent migrant farm workers. We would also talk with county counterparts to the Agricultural Labor Relations Board and local elected officials who had the ability to ensure that they were actually doing the investigations that they needed to do within their communities to ensure that individuals weren't being sprayed by pesticides, that young people who were in those [00:05:30] situations weren't also being harmed by a number of environmental hazards as well.

Mike: I imagine that that's an issue across America and in various types of farm settings. Is that right?

Abre' Conner: Yeah, it absolutely is. And again, in California, the fact that there's an Agricultural Labor Relations Board and it's still a problem, signals that it's an even disproportionate problem in places and states where there isn't any kind [00:06:00] of additional enforcement that's available. Of course, federally, we have labor protections, but oftentimes, it doesn't actually help the most vulnerable populations who are migrant farm workers.

Mike: How do you go about or how does an agency or nonprofit go about educating workers across the country about, because obviously, if they don't have the knowledge of what the hazard may be, it kind of falls by the wayside, I would assume. So I imagine it's kind of difficult [00:06:30] to get the message out, if you will.

Abre' Conner: Yeah. I think that one of the important things, and this is something that is also important in my job now at the NAACP, is you really have to meet community members where they're at. So when I was working with migrant farm workers, I

speaking Spanish. So I would actually go meet with individuals after they got off work. So you can't necessarily set up those community meetings during the day. You need to set them up when they're off of work. You need to meet people [00:07:00] where they feel comfortable, and then you actually need to make sure that the information that you're sharing with them is information that will resonate culturally with the individuals who are the most impacted.

So I would actually create public education materials. Sometimes, especially within migrant farm workers, it was oftentimes easier to actually meet with people at their houses. So we would go door to door, actually meet with people, sit down, have a cup of tea, have a cup of coffee, have a small snack [00:07:30] with them, and then talk with them about their rights. Or we would actually meet with other organizers who were within the communities so that we built out that trust so that they understood that we were there to help them, and that we were actually committed to ensuring that their rights were being heard.

Speaker 2: Hey, Abre', let me take a step back here, and we mentioned this in your intro. Can you tell our listeners what exactly is or how would you define environmental justice and then tie [00:08:00] that into your current job with the ACLU and your initiative to dismantle environmental racism?

Abre' Conner: I would consider environmental justice the ability for people to eat, live, pray, and play within their communities without additional obstacles based on the fact that they may be a part of, for example, historically excluded communities. And my work at the Center on Race Poverty and the Environment, my work at NAACP Legal Defense Fund, my work [00:08:30] at the ACLU and now my work at the NAACP really has all been a through line and a thread to this kind of work. When we think about environmental justice, it's really about understanding how civil rights and how constitutional rights and fundamental rights of people are all intertwined so that they have the ability to actually enjoy where they're living. So oftentimes when people think about environmental [00:09:00] issues, they think about trees or they think about conservation, but the justice part really means that you have to look at the actual people. You have to look at the holistic view of what it is that people are experiencing on a day-to-day as well.

And my work that I do now in really disrupting and dismantling environmental racism includes what we consider a multi-pronged approach. So [00:09:30] when I'm looking at an environmental justice issue, we're looking at whether or not we need to deploy litigation, whether or not public education and know-your-rights are needed, whether or not it's mobilization, talking with folks on the ground, which is always a part of how I go about thinking strategically about where we need to actually employ our resources. It's also about ensuring that we're thinking about policy and advocacy. So maybe that means going to Congress and doing hearings. [00:10:00] It may mean looking at issues at a state legislative level. It also means ensuring that we are looking at what other tools may be available and that the community says that they need technical assistance, for example, so that they can have the resources to be able to move forward.

Mike: One of the questions I have, Abre', is, I often think about, okay, you take the word racism and environmental racism, I imagine some folks would think that an entity or an organization [00:10:30] or corporation intends to harm people of color. My guess is it could be just disparate impact, meaning a company may not intend to expose people of color to more so than non minorities, but it's more of a disparate impact as opposed to intent to harm. Is that right?

Abre' Conner: Yeah, that's absolutely the case. Obviously, when you have systems that may be built in a way that perpetuates racism, [00:11:00] then unless you're actively doing something to combat that, then you can unintentionally be perpetuating environmental racism. So one clear example is there is a report that was done, now, it's been done several decades ago, called Toxic Waste and Race. And the United Christian Church, they actually did this report to see where are toxic waste incinerators actually placed, and they overlaid it with [00:11:30] the racial composition of communities across the country. And they saw that disproportionately, those toxic waste incinerators and plants were in communities of color. They did the exact same or similar study 20 years later. We had the knowledge, we saw where the mapping was of where these plants were located. It did not get better as far as the positioning and where these toxic plants were actually placed, and in some instances [00:12:00] it got worse.

And so we continue to see the placement, for example, of where plants are, where facilities are in communities of color, despite actually having that information. Now, one of the reasons why that may be is because maybe that's actually where the plant was already located. And so as an extension of the contract, maybe it may be that's where land may be cheaper. But again, it's about making those intentional decisions to actually think about [00:12:30] what is the impact on the community once those decisions are made. And sometimes, it may mean actually disrupting the practices because if you continue down that same path, you will indeed intentionally or unintentionally cause harm to the communities who are already most vulnerable.

Speaker 2: Hey, Abre', does environmental justice involve at all workplace safety and health, or is it just the public at large? And if so, can you explain the interrelationship [00:13:00] if there is one?

Abre' Conner: There's absolutely a connection between work safety and health. As I was talking about earlier, for example, with migrant farm workers, that was a huge part of the conversation. So you have people who are going to work every single day who are being sprayed with pesticides while they're at work, and a lot of times they didn't really understand what the hazmat procedures were, what they were supposed to do after they got sprayed. [00:13:30] And then they end up going back into their communities based on the practices and the procedures that happened at their workplace. We often see this as well in other facilities where there may be mold, where there may be other kind of environmental harms. If that kind of thinking is not actually put into place, into the procedures, into manuals for people to easily access, then oftentimes it's not going to be a forefront [00:14:00] in their thinking as it relates to how they're going to be able

to mitigate harm as it relates to environmental hazards. Oftentimes, we've seen in school settings, there may be lead paint, for example.

You have students who are now in a position where they are inhaling and they're exposed to lead, but you also have teachers, you have administrators, you have staff who are in these buildings, and based on the kinds of environment that they've been put in, now, [00:14:30] this is impacting everyone who's involved. And so it's important in thinking about where people are actually physically located, what information the employer is actually making available in the decisions that the employer has as it relates to what it is that they expect for people to be breathing in, to be exposed to every single day. Those decisions matter. We even, for example, at the NAACP, we think about those decisions as well as it relates to where our [00:15:00] building is located as it relates to where our employees are going to actually have to sit, breathe in the types of air, drink safe drinking water every single day. Because those are the kinds of decisions that let employees know that their health matters to the employer, and that you are actually walking the walk as well when you're thinking about environmental justice.

Mike: Abre', this is Mike. I know one of the things that we talked about too is [00:15:30] extreme weather, which we've been getting more and more of as time goes on. Does that extreme weather disproportionately affect the minority community? And if so, what is the issue? Is it a lack of preparation? Is it lack of response? Is it all the above?

Abre' Conner: It's definitely all of the above. There's so many factors. One is obviously the emissions that are oftentimes in people of color in vulnerable [00:16:00] communities' carbon footprint that's in people of color and vulnerable communities oftentimes is disproportionate because of the points that we discussed earlier about where these facilities are actually located. And when that's actually the case, it indeed then causes a disproportionate and a swift shift in the kind of climate that they are experiencing on a day-to-day. So you'll see more flooding, you're going to see [00:16:30] extreme levels of cold and then heat and those kinds of things actually also deteriorate their infrastructure at a higher rate. So we look at a place like Jackson, Mississippi, where we've been doing a lot of work around their water infrastructure, although their pipes, for example, were already too small, and that's something that their former mayor actually alerted the state to and said, Hey, over time, this is going to be an issue.

We're not going [00:17:00] to be able to have, say, drinking water because of extreme weather conditions in Jackson, Mississippi, which is 83% black. They experience even more water issues. They've experienced an even quicker deterioration of their water infrastructure because of extreme weather. And so now, they're faced to foot the bill of a water infrastructure system and water issues that they didn't actually cause. It's caused because of a majority white [00:17:30] legislator who's insured in state governor quite frankly as well, who's ensured that there's been disinvestment of money from this predominantly

black city. But we also see with federal agencies over time, and now there has been more of a prioritization of thinking about environmental justice holistically around the federal government. But you've had federal agencies like FEMA and other agencies who are supposed to really [00:18:00] be prioritizing communities when it comes to disaster recovery, but really the entire disaster cycle, who in the past have not always prioritized the most vulnerable communities.

And this kind of thing builds up over time. So when you've had decades and centuries of federal agencies saying, we're not going to prioritize this community first, and then that community is left to try to rebuild, the longer that it takes [00:18:30] for them to rebuild, the more expensive it's going to be for them to be able to even think about that. And then they've probably experienced another one or two disasters since that time. So it comes down to, again, the long-term disinvestment in black communities and communities of color in vulnerable communities. That's led us to this point. And then also that the data around actually forecasting that just now a lot of agencies starting to think creatively about [00:19:00] how they can actually use the information that they've had for a long time to forecast where there may be disasters that happen in disaster prone areas.

They actually use that to create an experience for disaster resiliency in those vulnerable communities. And the last thing that I'll say as it relates to this is that there just hasn't actually been enough funding in the past as it relates to technical assistance for communities on the ground. So once [00:19:30] a disaster hits, oftentimes, especially if it's in communities who've faced disinvestment in a number of different ways, they haven't had the technical assistance to be able to actually fully think holistically about what it is that they're going to need. And the federal government is now starting to realize that through Justice 40, through these other kinds of resources, that they can use this to actually help communities to rebuild before the next disaster hits.

Mike: Going back a little bit, I have [00:20:00] one more question. We talked about how an oil refinery may exist, let's say in Louisiana for decades, and the population comes to it rather than it coming to the population. If a, I'm just using an oil refinery example, if they were open to the idea of to trying to address these types of issues and you got a spot at the table, what would be some of the things that you would encourage them to do to lessen that impact?

Abre' Conner: [00:20:30] Yeah, and I think that's a great question because one of the things that I think is really important, especially in thinking about what it means to actually have a place at the table, is taking that step back and thinking about who else needs to be at the table with you. So it's about having a place at the table, but it's about who else do you need to bring along? And so if you're already in these communities, number one, it's about actually [00:21:00] listening to the people there. It's about figuring out whether or not you're actually creating opportunities for them to actually be at those tables along with you. And then also being willing not to just listen, but to actually make

commitments to building out a better future for those people in that community. And some of those decisions may be really hard. They may be really tough, but again, if this company is actually committed to actually [00:21:30] ensuring that they write wrongs, that maybe some of those people may not have been there when that original decision was made, but they're there now.

And if it is really about creating a better future for all of us, that may mean taking a hard look, taking the ego out of it, figuring out who needs to be at the table with you and figuring out what needs to be done differently, even if it's drastically different than what's been done in the past. Because at the end of the day, we're not going to solve this climate crisis. [00:22:00] We're not going to get to a point of net zero or however the company wants to think about where we need to be in order to ensure that we actually have a future to look forward to unless we come to the table with creative solutions, with the people who've been most impacted, and with the community groups who've been fighting and who's been advocating for a different future for a long time.

Mike: I hear what you're saying is that it's one thing to... You're not asking to eliminate [00:22:30] the risk to zero, it's just can we materially reduce this at a reasonable cost and having these organizations invest in the communities itself? So that's very interesting. Adam, I think you had one last

Speaker 2: Question. No, I think that was it. You stole my thunder there, Mike, on the last question about what would you tell employers?

Abre' Conner: Well, I really very much appreciate being here with you all to talk about these issues because I think that we all have an important role [00:23:00] to play in order to ensure that we actually build a future that we all can be proud of moving forward. And so I think the conversations around particularly what can employers do, having conversations where we're talking with community groups, with advocacy groups, with folks who are thinking about environmental and climate justice at a very deep level is the only way that we're going to be able to build that future out.

Mike: Abre', thank you so much for being on the show. I know this has been [00:23:30] a treat for Adam and I because we've learned a lot. So if we've learned a lot, our audience has learned a lot, we really appreciate you taking the time to be on our show is very informative. And just remember everybody, stay safe out there.