

AFL-CIO

LEGISLATIVE ALERT

March 9, 2018

Dear Senator:

I urge you to oppose Senator Tillis' H-2B amendment and reject its inclusion in the omnibus spending bill. The AFL-CIO continues to oppose ideological riders in spending bills, and proposals such as this represent both bad immigration policy and bad labor policy. We strongly oppose expansion of work visa programs without substantial reform to uphold worker rights and labor standards. Moreover, the AFL-CIO views proposals to expand guest worker programs as particularly outrageous given Congress's failure to protect workers who will be losing their legal status because of the termination of DACA and TPS and ongoing efforts to increase funding for detention and deportation.

The egregious abuse of the H-2B visa program is well documented. H-2B workers are extremely vulnerable to abuse because of the structure of this seasonal visa program; it authorizes them to work long hours for low pay, but does not allow them to change employers, exercise their rights or truly integrate into our society. A recent BuzzFeed report exposing program abuses, characterized them no less than as "new American slavery." Numerous other reports, likewise, have found alarming levels of abuse, including forced labor, visa fraud, wage theft, sexual harassment and discrimination.

The dismal history of disaster recovery contractors using captive H-2B workers to displace local workers and undercut wages should not be forgotten. Such shameful tactics compounded the Katrina tragedy, and a vote for the Tillis amendment would legally sanction them in other communities rebuilding after natural disasters. Union members and other working people with varied immigration status who step up to assist with disaster relief should be trained and compensated at levels that reflect the danger and importance of their work. In such circumstances, labor standards must be protected, if not enhanced. This amendment does the opposite.

Industries have fought for years to block any efforts to ensure reasonable protections for H-2B workers and the U.S. resident workers employed alongside them. Allowing H-2B employers to recruit workers at substandard wages depresses the labor market and hurts all working people in those occupations and communities. Nothing should be done to further erode wages and standards for difficult and often dangerous work in industries such as landscaping, forestry, seafood processing, hospitality, and construction.

Further, any substantive changes to our nation's visa programs, whether this bill or equally concerning efforts to eliminate the seasonal requirements for the H-2A program should be made through the regular legislative process as part of broader immigration reform efforts that include a pathway to citizenship for hardworking immigrants in low wage industries. As the

labor market tightens, employers anxious about worker shortages must be urged to join the fight for systemic solutions, rather than being offered quick fixes that severely limit worker rights and enable low-road employment practices.

Thank you for your consideration of our views.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Samuel', written in a cursive style.

William Samuel, Director
Government Affairs Department

American Federation of Labor and Congress of Industrial Organizations

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