

# Groups call for balance in labor, immigration laws

By SUZANNE GAMBOA (AP) – Oct 27, 2009

WASHINGTON — Workplace immigration raids during the Bush administration interfered with ongoing labor investigations and allowed employers to exploit workers who complained about conditions on the job, labor groups said in a report released Tuesday.

The stepped-up immigration enforcement came at the expense of rigorous enforcement of labor protections that are guaranteed to all workers regardless of immigration status, the groups said.

"The single-minded focus on immigration enforcement without regard to violations of workplace laws has enabled employers with rampant labor and employment violations to profit by employing workers who are terrified to complain," said the authors of the report by the AFL-CIO, National Employment Law Project and American Rights at Work Education Fund.

The groups called on the Obama administration to balance immigration and labor law enforcement.

They recommend a return to the type of agreement forged in 1998 between the Labor Department and the now-defunct Immigration and Naturalization Service. It established rules for cooperation but prohibited immigration enforcement from trumping labor law enforcement to ensure immigrant employees would not fear complaining about problem employers.

"You can do both. You can enforce immigration laws and you can protect the workers who are being victimized by unscrupulous employers," said Julie Martinez Ortega, American Rights at Work research director.

Martinez acknowledged that the Obama administration has ended high-profile raids. Homeland Security Department spokesman Matt Chandler said work site enforcement policy distributed to Immigration and Customs Enforcement in April emphasizes targeting immigrants who have committed crimes and focuses on employers who knowingly hire people who cannot legally work in the country to "target the root cause of illegal immigration."

Among the disruptive enforcement actions highlighted by the labor groups:

Agriprocessors slaughterhouse in Postville, Iowa, in 2008, where at least three state and federal labor agencies were investigating when ICE raided the plant.

Pilgrim's Pride plants in five states in 2008, where a union recruiting campaign was ongoing and a law firm was developing a wage-and-hour lawsuit against the

company when ICE raided.

Arrests and detention of several day laborers in Port Arthur, Texas, in 2008. They had complained to their employer for failing to pay their promised \$13 an hour wage for demolition work after Hurricane Ike hit the Texas coast. The workers were evicted from the refinery where they were housed and the employer tipped off local police and ICE.

Mark Krikorian, executive director of the Center for Immigration Studies, said the Bush administration work site raids helped further worker protections.

The 2008 raid at the Agriprocessors plant came after repeated reports of violations that never resulted in action against the employer. The raid "burst open all the problems that were there," said Krikorian, whose center supports tougher immigration reform.

He said the report is "background music" for labor's ultimate objective of winning legalization for illegal immigrant workers.