

# INTERNATIONAL LABOR RECRUITMENT: THE PEOPLE INVOLVED AND WHY YOU SHOULD CARE



## THE PEOPLE INVOLVED

Fernanda came to the United States from Ecuador in 2011 on a J-1 visa. She had recently graduated from college and was seeking a professional experience in the United States that would advance her career in hospitality management.

A local recruiter linked her to a State Department-designated sponsor for the J-1 program.

The sponsor's materials boasted that participants in the J-1 program would receive "the knowledge, practical training, leadership and multicultural skills" necessary to succeed as a hospitality industry leader. Eager to jumpstart her professional career, Sully invested nearly \$4,500 to participate in the J-1 Intern and Trainee program, including \$1,500 in fees to the Ecuadorian recruiter and the J-1 sponsor collectively. Before leaving for the United States, Sully received a signed, detailed training plan from her sponsor that guaranteed her advanced training in management, leadership, supervision, scheduling, and customer service.

Upon arrival to the United States, the J-1 sponsor placed Sully in the Food and Beverage department at a hotel in Myrtle Beach, South Carolina. Instead of encountering the professional and cultural experience the sponsor had promised, Sully spent the duration of her program performing unskilled labor for substandard wages. Her primary tasks were wiping down tables, mopping, polishing silverware, and sweeping. She never received any of the advanced training she was promised. She was paid with a \$200 stipend every two weeks for performing at least forty hours of work per week - a wage well below the federal minimum wage. "When I arrived to the United States and started working, I felt tricked. I would have never invested so much money in the program had I known it was not going to be a training experience. But I had spent so much money to participate that I couldn't just turn around and leave."

## WHY YOU SHOULD CARE

Regardless of visa category, employment sector, race, gender or national origin, internationally recruited workers face disturbingly common patterns of recruitment abuse such as fraud, discrimination, severe economic coercion, retaliation, blacklisting and, in some cases, forced labor, indentured servitude, debt bondage and human trafficking. From visa category to visa category, regulations vary enormously, in some cases even incentivizing recruiters and employers to engage in abuses.

Current law is inadequate at protecting internationally recruited workers from these abuses. Because abuses of workers are pervasive across visa categories, a comprehensive reform to international labor recruitment, rather than a piecemeal visa-by-visa approach, is critically needed. Senate Bill 744 contains much needed reforms that would strengthen protections for workers across visa categories by improving transparency in the recruitment process, creating accountability in employment relationships, regulating the causes of economic coercion, and prohibiting discrimination and retaliation.



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