



## **New Guestworker Program Would Increase Risk for Exploitation and Trafficking of Migrant Workers**

*Yesterday, the House Judiciary Committee approved Rep. Bob Goodlatte's Agricultural Guestworker Act (AG Act). The International Labor Recruitment Working Group – a strategic alliance of organizations across labor sectors that works alongside internationally recruited workers, analyzes labor markets and economic conditions, and advocates for the rights of all working people in this country – issued the following statement in response:*

“The AG Act is a recipe for the exploitation of both internationally recruited workers and U.S. workers. The new H-2C guestworker program proposed under this legislation would backtrack on a decades-long fight to ensure labor protections for workers in the existing H-2A agricultural program and elements of the H-2B program. Instead, the law would exacerbate the flaws in both programs.

“According to Adrienne DeVartanian, director of immigration and labor rights at Farmworker Justice, ‘The AG Act creates a massive new guestworker program that spans a wide swath of our food system, from the fields to the processing and manufacturing plants, as well as the forestry industry. The program’s lack of labor protections combined with the financial burdens on workers would drastically impact labor standards for all workers in these occupations.’ Migrant workers would be vulnerable to abuses during recruitment and throughout their experience as H-2C workers. Among its numerous flaws, the proposed legislation would not protect migrant workers from recruitment abuses, such as fraud, discrimination, retaliation, and economic coercion. The proposed legislation would slash workers’ wages; eliminate key wage protections; order employers to withhold 10% of workers’ wages as a form of bond; and shift the costs of housing and transportation to the workers -- all of which would compound the economic coercion workers already face.

“‘The bill is a recipe for worker exploitation,’ said Shannon Lederer, director of immigration policy for the AFLCIO. ‘The bill would pile additional costs on guestworkers, leaving them indebted, vulnerable and with even more restricted ability to leave abusive workplaces.’ H-2C workers would be tied to the employers who brought them to the United States and dependent on those employers to continue working in the United States. Access to justice would also be severely limited.

“Deficient recruitment and workplace protections combined with inadequate oversight and restricted judicial relief will increase the risk of forced labor, trafficking, and other abuses. By catering to business interests alone, the AG Act would weaken protections for an already vulnerable population of workers, and would ultimately have a detrimental effect on working conditions for all workers in the United States.

“Given our collective experience in documenting abuses under the guestworker programs, we strongly oppose this unworkable anti-worker, anti-immigrant legislation,” said Rachel Micah-Jones, chair of the International Labor Recruitment Working Group. Rather than backtracking on progress, Congress should address our broken immigration system and guestworker programs by giving workers the dignity and respect they deserve, including meaningful workplace rights and the opportunity to earn immigration status and join the society they help to feed.”

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The International Labor Recruitment Working Group is a coalition of labor, migration, civil rights, and anti-trafficking organizations and academics seeking to reform international labor recruitment across visa categories and industry sectors. [www.fairlaborrecruitment.org](http://www.fairlaborrecruitment.org).