

**AFL-CIO Principles On Immigration:
Ensuring Worker Rights And A Better Life For All Working Families**

.....

Immigrants come to the U.S. to reunite with family members and in search of a safer, more economically sound life. Unions play an extremely important role in improving the lives of hard working, taxpaying immigrants who are members of our communities. Often the first vote cast by immigrant workers in the U.S. is in support of union representation. And it works both ways. Unions offer support by raising wages and increasing benefits, such as health care coverage, and immigrants are helping to reinvigorate unions across the country as they forge a bond with their brothers and sisters with a common goal of a better life.

Principle 1 - Legalization

Legalization means a broad program allowing workers from around the world who have contributed to their workplace and community here in the U.S. to adjust their status to permanent resident alien.

- The legalization program must allow people to adjust to permanent resident status, the gateway to U.S. citizenship.
- The legalization program should be open to undocumented people from any country who work hard, pay taxes.
- Due process, restrictions and other unfair provisions enacted into law during the 1980’s and 1990’s that make it harder for people to adjust their status, should be repealed.

Principle 2 – Repeal and Replacement of Employer Sanctions and the I-9 System

The current system of I-9 enforcement and employer sanctions should be repealed and replaced with a new law creating penalties for employers who seek to violate labor laws based on a worker’s immigration status, and providing stiff penalties for smuggling, document fraud and for those employers who break labor laws as a matter of business practice.

- Currently, immigration laws are enforced at the worksite through use of the I-9 system, a document verifying an employee’s authorization to work in the U.S. Employers may be liable for civil penalties if it is found that they *knowingly* hired undocumented (those without authorization to work) workers.
- Although employer sanctions were supposed to deter future flows of undocumented workers into the country, they have not worked. There are millions more undocumented people in the U.S. than in 1986, when the employer sanctions system was enacted into law.
- Due to weak enforcement, employers know they face little if any risk from employing undocumented workers. In other words, the current worksite immigration enforcement system is a paper tiger easily manipulated by employers.

- Employer sanctions must be replaced with a new system targeting employers who try to use a worker's immigration status to intimidate those seeking to organize or otherwise exercise labor and employment rights.
- The new system should have enhanced penalties for those employers who knowingly recruit undocumented workers, and for those employers involved in document fraud for commercial gain.
- Workers who file charges alleging labor violations, such as unfair labor practices and wage and hour complaints, should be protected from deportation.

Principle 3 – Reform, Not Expansion, of Guestworker Programs

A new large-scale guestworker program should not be the focal point of legalization efforts.

- Guestworker programs have a long, sad history resulting in oppressive working conditions, wages at less than the going rate, and denial of opportunities to U.S. and long-term immigrant workers.
- Although employers typically claim that “market forces” should determine wages and benefits, they are unwilling to let “market forces” work when it comes to guestworkers. A large guestworker program that ties workers to an employer or an industry will serve only to thwart market forces that would lead to increased pay and benefits for all workers.
- The guestworker program cannot become a modern day *bracero* program that ties foreign workers to bad jobs for long periods of time with the hope of a provisional or permanent resident status at the end.
- All labor rights, including the right to join a union, must extend to guestworkers.

Principle 4 – Family Reunification

Any proposal must address the backlog of people waiting to legally join their close relatives.

- Currently there are backlogs in the family preference categories of people have been waiting to join their close family members for years. Those family members who have been waiting in the backlog for the same length of time required for residence under a broad legalization program should be granted both a visa and a green card.