

Title: NCAP's role in Immigration Reform

Source: 5/17/13 Blog Post share in May 2013 issue of *NCAP Action News*

I am three-quarters Portuguese. My father's relatives immigrated from an agricultural province on the island of Madeira, Portugal. They fell on hard times, and with a famine and poor crops they decided to immigrate to Hawaii. The family, including three children, set sail around the horn of South America to the Islands of Hawaii in the 1880's. That must have been a long and arduous trip at sea.

They had their ship passage paid for by the Hawaiian Board of Immigration. Once they landed they started a three-year contract working for the Olowalu Sugar Company as indentured servants to pay back their ship passage. The contract that I have shows how much they each earned – married men \$18-\$20 a month depending on the age, and number, of children; and wife and children (again, depending on their age) from 25 cents to 50 cents per day.

Were they treated well? Did they feel safe? Were they discriminated against with their darker skin and foreign language?

We still have a form of indentured servitude as immigrants face dangerous border crossings. They often pay thousands of dollars to arrive at their employers and then have to work off their expenses, or worse, are forced into modern-day slavery as Barry Easterbrook points out in his book *Tomatoland* (Easterbrook, Barry; 2011; Andrews McMeel Publishing, LLC).

NCAP is taking more steps to be a stronger ally in the immigrant farmworkers' movement for equity, justice, and better worker protections from hazards like pesticides.

We are working at the federal level to push for stronger pesticide regulations including better monitoring of how pesticides are impacting farmworkers. We want to see improved monitoring lead to stronger regulation and enforcement.

Most recently we have begun to take a role as an ally in immigration reform, a key fight for farmworkers. While farmworker workplace safety, housing and other important issues are on the top of the list immigration reform is a high priority. If policies are well crafted, better working conditions for all immigrants including farmworkers will follow. No more indentured servitude or slavery conditions. With the right set of policies, farmworkers would have a voice and be able to push for better working conditions.

Immigration reform is a way to give farmworkers more of a voice and to protect human dignity. In the longer run we hope continued reforms, with full labor rights, advocated together with farmworkers will achieve better worker protections from pesticides and other hazards.

As a National Sustainable Agriculture Coalition (NSAC) member we have signed onto an advocate set of immigration reform policy principles.

The principles as outlined in the paper *NSAC Principles on Immigration Reform (Adopted April 2013)* are as follows:

1. Legalization of all current undocumented individuals

There are an estimated 11 million undocumented immigrants in the country, and the only way to resolve this problem is to legalize them, giving them either work visas (temporary status) or green cards (Legal Permanent Resident status). Long-term residents given temporary visas should have a fast-track opportunity to obtain green cards.

2. A path to citizenship for those who continue to work in the United States

There should be a clear path to citizenship for anyone brought into the United States to work. We should not create groups of second-class workers who can never become citizens. Not all immigrants will stay and choose this path, but the opportunity should exist.

3. All workers have full labor rights, including the right to change jobs and work for any employer

By granting all immigrant workers full labor rights, their impact on the labor market will be minimized. There should be no restrictions on the labor market mobility of any group of immigrants. This is a basic American value. Farm workers should be included in the protected right to freedom of association and collective bargaining, as they are in a few states. All immigrant workers should also be able to collect on insurance payments that they and their employers contribute, including unemployment, workman's compensation, disability, and social security. They should also have the right to have drivers' licenses, have some way to purchase health insurance, and be included in nutrition programs.

4. Enforcement of labor law standards

The continued provision of immigrant labor to American employers should be counterbalanced with strict enforcement of labor standards.

5. No industry-specific guestworker programs

Programs that limit workers' rights and trap them in specific jobs or industry sectors will simply lead to desertion and the continued employment of undocumented workers by employers for whom the guestworker programs are too costly, slow, or unworkable. Guestworker programs are unfair to the workers involved, present unfair competition to domestic workers, favor a particular set of employers with the resources to utilize them, and create incentives leading away from a legal labor force.

6. Work visa program for manually skilled workers and other classes of workers implemented rapidly

In order to avoid the re-creation of an undocumented labor market in agriculture and other manually-skilled sectors, we propose that the government move rapidly to implement programs of provisional work visas for new immigrants. These portable work visas, good for some period of years, would allow immigrants to enter and exit the United States and work for any qualified employer.

7. Quotas of different provisional worker types set by a commission

A commission would set the total number of manually skilled or highly educated or other types of workers that would be admitted, define the characteristics of such workers, choose the countries of origin, and decide which employers would be qualified to hire them, if not all employers. It could also conduct research on the role and trajectory of immigrants in the American economy.

8. Minimize the role of the federal government after issuance of visas; rely on labor markets

Every attempt should be made to confine the government's role to issuing the visas and enforcing laws, both immigration laws and labor laws.

9. Fees are charged to immigrants to cover the direct costs of the programs

Though it is no doubt true that the costs of such immigration programs should be borne by all of society, immigrants can be charged fees to cover the direct costs. Employers should not be charged excessive fees for employing immigrants because it will lead them to attempt to recover these costs through poorer wages and working conditions.

10. Support development programs in migrant-sending countries to encourage options to emigration

Programs to support development initiatives in areas of migrant origin will eventually lessen migration pressures.

11. Support training programs to help workers integrate into American society or return to their countries of origin

Many manually skilled immigrants enter the United States with low levels of formal education. They should be provided opportunities for adult education and skill improvement.