



50 Broadway, 29th Floor
New York, NY 10004

T 212 631 0886
F 888 370 3085

www.ALIGNny.org

Testimony on Resolution No. 1598

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Thank you for the opportunity to provide testimony today. My name is Melanie Willingham-Jaggers and I am an organizer at ALIGN: The Alliance for a Greater New York, a community-labor coalition dedicated to creating good jobs, vibrant communities and an accountable democracy for all New Yorkers.

I am here to express ALIGN's strong support for New York City Council Resolution No. 1598, calling on Congress and President Obama to pass and sign into law the Protect Our Workers from Exploitation and Retaliation (POWER) Act.

The POWER Act gives workers, regardless of their immigration status, the ability to stand up to abusive employers. It prevents employers from violating the rights of immigrant workers with impunity, and from using immigration law enforcement to skirt labor law. Under the POWER Act, immigrant workers are covered by the protections they need to pursue workplace claims, and whistleblowers who are victims of employer retaliation can apply for legal status.

There are too many stories of immigrant workers facing retaliation and deportation for standing up to unscrupulous employers. Just months ago, guest workers at a Louisiana plant of Walmart-supplier C.J.'s Seafood were threatened with physical violence and deportation when they raised objections to deplorable working conditions—extremely low wages and no overtime pay, 24-hour shifts, and locked worksites. Under the POWER Act, immigrant workers can report forced labor situations without fear of employer retaliation, and the kinds of labor violations suffered by the C.J.'s workers can finally be rooted out.

It is critical that the New York City Council take action in support of immigrant workers. New York City is home to approximately 2 million immigrant workers, who comprise an enormous share—over 40 percent¹—of the City's workforce. Immigrants are just 15% of the workforce, nationally.² We have seen damage done to our communities because of a broken immigration system. Immigrant workers, especially those who are undocumented, face some of the most exploitative and dangerous working conditions in the city. Industries employing mostly immigrants, such as food manufacturing and home and domestic care, have among the highest rates of wage theft and health and safety violations. Some health and safe violations have even proven fatal: there was recently a candlelight vigil held for Juan Baten, a 22-year-old worker from Guatemala, who lost his life when he was pulled into a dough-mixing machine at Tortilleria Chinantla, a Brooklyn tortilla factory. Under the POWER Act, immigrant workers can report dangerous working conditions without fear of employer retaliation, and tragedies like the one that claimed Juan Baten's life can be prevented.

In the coming years, New York will rely on immigrant workers more than ever before: Our city's senior population is projected to grow rapidly in the coming decades as Baby Boomers reach their golden years. An aging population demands the labor of hundreds of thousands of home care workers, over 70 percent of whom are immigrant women. In fact, home care is the fastest-growing occupation in New York City. Unfortunately, wage theft and occupational health hazards are rife in the care industry. NYC's more than 60,000 undocumented care workers face the worst kinds of exploitation due to their vulnerable immigration status.³

Fixing the broken immigration system will have a positive impact on all New Yorkers. In the care

¹ <http://www.nationaljournal.com/thenextamerica/workforce/immigrants-keep-big-apple-humming-post-sandy-20121030>

² <http://www.cepr.net/documents/publications/unions-immigrants-2010-03.pdf>

³ <http://archive.truthout.org/article/unprotected-laws-domestic-workers-face-exploitation>

industry, bringing workers out of the shadows will reduce high turnover and improve the quality of home care for our loved ones. Our communities grow stronger when families are not torn apart by deportation, when workers earn a family-sustaining wage, and when workers are not subjected to occupational health hazards.

New York City, given its immense immigrant workforce, should be a leader in protecting the rights of immigrant workers and advancing policy that brings workers out of the shadows—policy like the POWER Act.

Thank you.