

## **Proposed Immigrant Bill Will Hurt, Not Help**

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By Annette Bernhardt and James DeFilippis

This week, the debate about immigration comes to Suffolk County again, as legislators vote on a bill that would require businesses applying for occupational licenses to prove they do not hire undocumented workers. Unfortunately, the bill's proponents are making their arguments in the absence of evidence. The result is a bill that makes no sense – and, if passed, would have the exact opposite effect of what its promoters are saying that they want.

Advocates argue that the bill is about shutting down unscrupulous employers who exploit vulnerable workers. But our research shows that it instead will silence those workers, and exacerbate already bad working conditions on the ground.

We base this conclusion on hundreds of interviews conducted over the past three years with employers, workers, government officials and other stakeholders in the underground economy. The resulting report, *Unregulated Work in the Global City*, documents a world in which the core protections that many of us take for granted – the right to be paid the minimum wage, the right to be paid for overtime, the right to a safe workplace, the right to organize to improve working conditions – are not provided. These conditions exist in industries across the economy, from retail outlets, grocery stores and dry cleaners, to home health care, domestic work and nail salons, to construction, auto repair and manufacturing.

Public policy has been part of the problem, but it is also part of the solution. Most important is that we reverse the recent trend of weak, ineffective enforcement of worker protections at the federal, state and local levels. That means shifting to a proactive strategy, one that sends an unmistakable signal to employers throughout the labor market that compliance with workplace standards is not optional. This will require more (and better use of) resources, and it will require working with impacted communities, who have the expertise to identify the industries and employers where workplace violations are rampant.

By contrast, the Suffolk bill would do nothing except exacerbate the problems identified in our research. The bill wrongly focuses on immigration enforcement, when the real problem is unscrupulous employers actively deciding to cut costs by ignoring the most fundamental worker protections.

In our research, we found a wide range of workers in jobs affected by workplace violations, including undocumented immigrants but also legal permanent residents, naturalized citizens, and U.S.-born Americans. So this is not a story about immigrant workers driving down labor

standards. It is a story about the low-road employers who break the law when worker protections are not enforced. And it is a story about the responsible employers who, in turn, are then forced into a race to the bottom.

Moreover, the bill's misguided focus will only drive immigrant workers further underground, when in fact we want them to come forward and feel secure in making complaints about exploitative working conditions. We repeatedly saw these dynamics in our research: employers use immigration enforcement as a threat to keep workers from complaining about workplace violations, and in turn, workers understandably do not come forward when they fear immigration reprisals.

In short, to claim that the Suffolk bill is somehow about protecting workers is disingenuous. Our findings point to one clear lesson: strong enforcement of minimum wage, overtime and other standards is the best policy tool we have to ensure that all workers – whether born here or abroad – have full protections on the job. Any other strategy that creates a second class of workers in terms of labor rights only opens the door to exploitative business practices, which inevitably spill over to hurt all of us.

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*Annette Bernhardt, Ph.D., is Policy Co-Director of the National Employment Law Project. James DeFilippis, Ph.D., is Assistant Professor at Rutgers University's Edward J. Bloustein School of Planning and Public Policy.*