



Members
Assembly Judiciary Committee
1020 N Street, Room 155
Sacramento, California 95814

August 5, 2013

RE: SB 516 (Steinberg) – SUPPORT

Dear Committee Members:

On behalf of the International Labor Recruitment Working Group, we are writing in support of SB 516 (Steinberg). Formed in October 2011, the ILRWG is a coordinated effort to strategically address abuses in international labor recruitment across visa categories. The Group is comprised of organizations working in various industries and with workers with a wide variety of visa types. The Working Group seeks to end the systemic abuse of international workers who are recruited to the U.S. by collaborating across labor sectors to develop comprehensive policies to stem abuse in the recruitment process.

Workers entering the United States lawfully on temporary visas are vulnerable to labor abuses, exploitation and human trafficking. The visa process and procedures create opportunities for labor recruiters to exploit these workers since foreign labor recruiters often make false promises to workers to entice them to come to the United States, and then enslave them in horrible working conditions under threats of violence, blacklisting, or imprisonment.

SB 516 takes a multi-prong approach to preventing human trafficking by foreign labor recruiters. First, foreign labor recruiters will be required to provide full and fair information to foreign workers, in a language they understand, about the terms and conditions of work in California. A recruiter may not knowingly provide a worker with false or misleading information. Employers using the services of foreign labor recruiters to obtain workers will be required to report those activities. Additionally, no recruiter may solicit a foreign worker for a job in California in the absence of a bona fide offer of employment. A recruiter may not charge a worker a fee related to recruiting activities. Contract terms and conditions may not be changed without adequate notice to workers. Foreign labor recruiters seeking to provide workers to California-based employers will also be required to register with the California Department of Labor.

- AFL-CIO
- AFT
- Centro de los Derechos del Migrante, Inc. (CDM)
- Coalition to Abolish Slavery and Trafficking (CAST)
- Department for Professional Employees (DPE)
- Economic Policy Institute (EPI)
- Farm Labor Organizing Committee (FLOC)
- Farmworker Justice
- Global Workers Justice Alliance ("Global Workers")
- National Domestic Workers Alliance (NDWA)
- National Employment Law Project (NELP)
- National Guestworker Alliance (NGA)
- Safe Horizon
- SEIU
- Solidarity Center
- Southern Poverty Law Center (SPLC)
- UNITED

Employers will be required to use the services of registered contractors. Finally, foreign labor recruiters, and employers using unregistered recruiters, will be subject to civil and criminal penalties for violations. Aggrieved workers will have civil causes of action against both contractors and employers to protect their rights and help prevent future cases of exploitation.

Human trafficking is the civil rights violation of our generation. The International Labor Recruitment Working Group applauds this effort to better protect victims of slavery. We urge you to pass SB 516 and give California a valuable tool to prevent human trafficking.

Sincerely,

The International Labor Recruitment Working Group

The following organizations also sign in their individual capacities:

AFT
Centro de los Derechos del Migrante, Inc. (CDM)
Coalition to Abolish Slavery and Trafficking (CAST)
Department for Professional Employees, AFL-CIO
National Domestic Workers Alliance (NDWA)
Southern Poverty Law Center (SPLC)
UNITEHERE! International Union
UNITEHERE! Local 2- San Francisco
UNITEHERE! Local 19- San Jose
UNITEHERE! Local 11- Los Angeles
Verité