The National Guestworker Alliance (NGA)

The National Guestworker Alliance (“NGA”) is a multi-sector membership-based national organization dedicated to improving the labor and migration conditions of guestworkers. Through organizing, policy advocacy, and legal defense, NGA members have combated severe exploitation that often rises to the level of forced labor and involuntary servitude.

Exploitation in the H-2B Guestworker Program

The problems with the H-2B program are numerous, and well-documented. Rampant abuses occur in the system, and include: failure to pay promised wages, retaliation for defending basic rights on the job, and even involuntary servitude. For Shellion Parris and her co-workers, the H-2B program meant $0 dollar paychecks, threats of deportation, overcrowded living conditions, and illegal rent deductions.

Given the program’s problems, NGA applauded the Department of Labor’s 2015 H-2B Interim Final Rule (“DOL H-2B Rule”) aimed at eliminating some the program’s worst abuses. The commonsense Rule provides vital protections for all involved, including guestworkers, U.S. workers, and high-road employers.

Appropriations: A Backdoor Way to Drive Down Wages and Working Conditions

This year, industry is using the appropriations process as a means to gut vital protections in the DOL H-2B Rule. The entirety of the DOL H-2B Rule is needed as it helps ensure that U.S. workers and guestworkers have decent wages and working conditions.

Policy riders—ideological legislation tucked into the appropriations process—that weaken the DOL H-2B Rule, or erode H-2B worker protections, should not be part of any omnibus or appropriations measure.
Specifically, the proposed policy riders would:

- Lower the wages of U.S. workers.
- Allow employers to bring guestworkers and have them wait, unable to earn a living and potentially pushing them into great debt.
- Triple the size of the H-2B program while reducing oversight.
- Allow employers to virtually bypass recruiting of U.S. workers.

H-2B Riders Make All Workers Easier to Exploit and Undercut High Road-Employers

At the core, these policy riders fuel a race to bottom that takes a toll on every worker in the U.S. The industry’s riders promise a future of lower wages and working conditions while undercutting high-road employers. Congress must stand-up to these attempts and help ensure that all workers are protected.

Want More Information?

For more information about the abuses that guestworkers routinely experience, and the need for entirety of the DOL’s Rule, please check out:

Life as Donald Trump’s Guestworker (The Hill)

These Workers Came From Overseas to Help Rebuild After Hurricane Katrina—and Were Treated Like Prisoners (The Nation)

Subcontractor Servitude (NY Times)

I worked all week for free?!: The horrifying, true story of $0 paychecks (Salon)

She Came to the US, Was Forced Into Indentured Servitude, and Now Faces Deportation (The Nation)

For more information about these issues, please contact Mary Yanik, National Guestworker Alliance, at myanik@nowcrj.org or (504) 264-4219.