

Statements on the Impact of Unlawful Discrimination Against Undocumented Workers

Petitioners to the Inter-American Commission on Human Rights

“My husband was sent to work on an unsafe, unpermitted job, and he died there. Now they tell me that because he was undocumented, his life is worth less than that of other workers. How do I explain this to my children?”

- Yolanda LR

“By not protecting undocumented workers, the government is sending the message to employers that they can abuse and harass immigrant women, and that our lives are not as valued as other workers. No woman should be allowed to be exploited against her will, no matter what her citizenship status is.”

- Melissa L

“A year after falling out of a tree when I was picking apples, I still suffer from chronic pain and have trouble walking. I may never be able to work again, because I cannot find work that does not require physical labor. It is not right that all workers who suffer injuries on the job – such as I have – are not treated equally. It is not right that I am now unable to provide for my family because of discrimination under the law.”

- Leopoldo Z

Policy Makers

“Immigrant workers are among the most vulnerable men and women in our nation. They perform much of our society’s most difficult and dangerous work. Yet, because the law does not provide the same penalties for abuse of undocumented workers, employers can violate their rights with relative impunity. Other workers suffer when unscrupulous employers undercut American laws by hiring undocumented workers. It is unconscionable for employers to use our immigration laws as a shield for unlawful and abusive behavior. All workers should be entitled to the protections of our labor laws, regardless of their immigration status.”

- Senator Edward Kennedy, sponsor of comprehensive immigration reform bill

Union Leaders and Leaders of National Worker Advocacy Organizations

“The UMWA was founded to fight against the exploitation of immigrant workers and we’re proud to join in this effort in a continuation of that fight. The miners at the Co-Op mine in Utah were subjected to some of the worst working conditions in a North

American mine in decades, yet when they tried to seek an end to those conditions they were fired. They were denied their human rights as working people, and that's something that should never happen in the United States to any worker, regardless of their immigrant status.”

- Cecil Roberts, United Mine Workers of America President

“The religious community is united in its support for immigrant workers. U.S. policy of discriminating against immigrants is an affront to our faith traditions’ theme of ‘welcoming the immigrant’ that resonates throughout our sacred scriptures. Interfaith Worker Justice is honored to support the petition to the Inter-American Commission challenging U.S. policies of discrimination against immigrant workers.”

- Kim Bobo, Executive Director, Interfaith Worker Justice

Counsel for Petitioners and Other Undocumented Workers in U.S.

“The tragedy is that we have allowed a failed immigration policy to become a de facto labor policy. America, which prides itself on the values of equality and justice, can do better to protect the human rights of its most vulnerable workers.”

- Rebecca Smith, Attorney, National Employment Law Project, co-author of briefs to the U.S. Supreme Court and Inter-American Court of Human Rights.

“Lost in the current immigration debate is the central role equal enforcement of our labor and employment laws must play in comprehensive immigration reform. Until the law recognizes workers’ human rights, providing equal rights and remedies to all without regard for immigration status, we will continue to see unscrupulous employers recruiting and exploiting undocumented workers, to the detriment of the health, safety and dignity of all workers.”

- Sarah Paoletti, Clinical Supervisor and Lecturer, Transnational Legal Clinic, University of Pennsylvania Law School

“The most poorly paid and least desirable jobs in the United States are filled by undocumented immigrants, yet the government increasingly limits the safeguards available to this population, leaving them vulnerable to exploitation and workplace discrimination. The United States government has an obligation under universal human rights norms to protect vulnerable populations, such as immigrant women, and has failed in this regard.”

- Claudia Flores, attorney with the ACLU Women’s Rights Project.

“International human rights law requires the United States to apply its workplace protections equally and without discrimination based on immigration status. We bring this petition to cast a global spotlight on the U.S. government’s poor human rights record in protecting undocumented workers from discrimination and to demand accountability

from states and the federal government, all of whom are obligated to protect and defend human rights.”

- Chandra Bhatnagar, a staff attorney with the ACLU’s Human Rights Program.

“It is a catch-22 when employers can knowingly hire undocumented workers and then, once they are injured, require them to submit proof of status or they are subject to termination of benefits.”

-James Monaghan, Attorney at Law, Pennsylvania