



## Gulf Coast Hurricane Survivors Ask International Body to Investigate Human Rights Violations

by Melissa Crow, National Immigration Law Center, Gulf Coast Policy Attorney

[Editor's note: Our thanks to *Immigrants' Rights Update*, March 23, 2006, pp. 7-8, for allowing us to reprint this article.]

Representatives of national civil rights organizations and community groups based in the Gulf Coast appeared before the Inter-American Commission on Human Rights on March 3, 2006, to allege that the US government's response to Hurricanes Katrina and Rita has contravened internationally recognized human rights norms. In particular, the hurricane survivors and advocates presented testimony delineating the ways in which the government's disaster planning, immediate response, and ongoing recovery and reconstruction efforts violated the rights of low-income African-American and immigrant communities under international law. The hearing, which took place six months after Hurricane Katrina ravaged New Orleans and the Gulf Coast region, was granted in response to a request from 27 organizations, including the National Immigration Law Center. A copy of the letter requesting a hearing is available at [www.nilc.org/disaster\\_assistance/iachr\\_hearingrequestltr\\_2006-1-17.pdf](http://www.nilc.org/disaster_assistance/iachr_hearingrequestltr_2006-1-17.pdf).

The Inter-American Commission is an independent human rights body established by the Organization of American States, an international organization comprised of countries in the Americas. The commission's functions include monitoring governments' conduct and making recommendations intended to promote respect for and defense of human rights.

Roxanna Altholz of the International Human Rights Law Clinic at the University of California at Berkeley opened the hearing by emphasizing the need to protect the human rights of victims of natural disasters. Testimony was presented by Jessica Wyndham of the Brookings-Bern Project on Internal Displacement, Victoria Cintra of the Mississippi Immigrant Rights Alliance, Leah Hodges of the Causeway Concentration Camp Foundation, and Monique Harden of Advocates for Environmental Human Rights. Wyndham gave an overview of the international legal framework that applies in disaster settings, including the United Nations Guiding Principles on Internal Displacement, which require governments to provide basic humanitarian assistance to all survivors regardless of their immigration status. The applicable international norms provide a yardstick by which to measure the US government's response to the Gulf Coast hurricanes. As the advocates who spoke after Wyndham plainly established, the US government's conduct has

fallen short of the protections afforded to survivors of natural disasters.

Cintra emphasized that many immigrant populations were not adequately warned of the threat posed by the hurricanes because evacuation orders and hurricane advisories were issued only in English. She also noted that the government's failure to assure all survivors that they could safely seek emergency aid regardless of their immigration status, coupled with increased immigration enforcement following the hurricanes, deterred many immigrants and refugees from coming forward. This omission contrasted sharply with the assurances against deportation provided to the immigrant community in the wake of the September 11 tragedy and after Hurricane Charley hit Florida in 2004. (For more information, see *Administration's Failure to Reassure Leads to Fear, Isolation, and Hardship in Immigrant Communities Affected by Hurricanes*, IMMIGRANTS' RIGHTS UPDATE, Oct. 21, 2005, pp. 4 - 5.) In some cases, Cintra reported, the American Red Cross, a federal instrumentality, flatly denied assistance to foreign-born individuals.

Hodges's and Harden's testimony highlighted the impact of the hurricanes on African-American communities and the importance

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### ATTORNEY VOLUNTEERS NEEDED

Attorneys are needed to represent Gulf Coast reconstruction workers and survivors of Hurricane Katrina. Labor and employment attorneys are needed to represent individuals and groups of workers in individual and class action cases involving wage and hour violations, representing subcontractors that have not been paid by primary contractors in breach of contract claims, representing workers in breach of contract claims for non-payment of wages where the work performed does not fall within the FLSA, and representing workers in cases arising out of work-related injuries. Attorneys interested in being included in the list of those available to handle these types of cases should contact Monica Guizar, Employment Policy Attorney, National Immigration Law Center at [guizar@nilc.org](mailto:guizar@nilc.org).

## Report from the Bay Area L&EC

The Bay Area NLG L&EC continues to work on a number of projects.

**Sweatfree.** Congratulations to **Laura Juran** who represented the NLG L&EC on the San Francisco coalition and was recently named as one of the San Francisco Board of Supervisor's appointments to the official San Francisco Sweatfree Advisory Group. **Laura** is with the firm of **Altshuler Berzon Nussbaum Rubin & Demain** in San Francisco.

We are now participating in the coalition to secure an ordinance in Berkeley. Taking a lead in this effort is **Dean Royer** of **Siegel & Yee**. Also active are **Leslie Levy** and **Jean Hyams** of **Boxer & Gerson**, **Fran Schreiber** and **Denise Abrams** of **Kazan McClain Abrams Fernandez Lyons Farrise & Greenwood**, and **Steven Weiss** from **Bay Area Legal Aid**. Participating law students include **Mercedes Castillo** and **Gurdeep Dhaliwal** both from UC Davis.

**November 2005 election.** We helped defeat the 4 anti-worker, anti-union initiatives sponsored by California Governor Schwarzenegger. Congratulations to the Alliance for a Better California and the California Labor Federation for spearheading the campaign. As well, we helped defeat the initiative attacking the right to choose.

# MAGGIE ROCK

## THANKS FOR EVERYTHING WE WISH YOU THE BEST!



## PEACE & JUSTICE

### NATIONAL LAWYERS GUILD

### LABOR & EMPLOYMENT COMMITTEE

## PLEDGE to SUPPORT UNITE-HERE

We, members of the Bay Area legal community, support **UNITE-HERE LOCAL 2** and hotel and restaurant workers throughout the United States in their attempt to reach a fair and just resolution of their labor dispute with the hotel industry.

**WE PLEDGE THAT WE WILL NEITHER ATTEND NOR HOLD CONFERENCES OR EVENTS, NOR BOOK ROOMS FOR CLIENTS, AT ANY HOTEL ON UNITE-HERE'S LOCAL OR NATIONAL BOYCOTT LISTS.**

**Support UNITE-HERE's struggle for justice and a fair contract.** This is a focus not only of our Bay Area L&EC but also of our entire chapter. **Hunter Pyle**, President of the San Francisco Bay Area Chapter of the NLG, recently wrote to 20 Bay Area legal organizations asking them to join us in taking a pledge to support workers here and throughout the US in their attempts to reach a fair and just resolution

of their labor disputes with the industry. The pledge states the legal organizations will neither *attend nor hold conferences or events, nor book rooms for clients, at any hotel on the UNITE-HERE local or national boycott list*. We urge others to PLEDGE to support UNITE-HERE and to GET INVOLVED by contacting other law firms, legal organizations and individuals. A model request letter is below.

### MODEL LETTER for PLEDGES

For several years the union representing hotel and restaurant workers around the country has led a valiant campaign to secure a decent and just contract for its members. We hope your organization and members support this struggle, as do we in the *National Lawyers Guild*. This struggle is a national campaign and the union is facing the determined opposition of multi-national hotel chains. The time has come for those of us in the progressive-wing of the legal community to stand with these workers, many of them female and mostly people of color.

Why this special effort in the legal community? As legal professionals, all of us attend multiple events each year in these large hotels, from fund-raisers to annual dinners and educational conferences and events. We use these hotels when traveling, for meetings or depositions in other cities, and occasionally we book rooms locally for our out-of-town clients.

The time has come to take a stand. We invite your organization to sign the enclosed Pledge and promote it among your membership as we plan to do. Please also join with us in a joint appeal to more *mainstream* bar associations, law firms and other legal organizations.

We would also like you to be included in efforts to publicize support for the union's struggle. Please ask your Board for a donation of \$250 or whatever you can afford to be used for a publicity fund so we may place ads in appropriate newspapers.

In addition to the Pledge, we enclose for you and your members a brochure prepared by the union about the issues in the negotiations and background on the struggle, a local hotel boycott list, a list of *safe* hotels at which to book events, plus a publication prepared by UNITE HERE's attorneys offering independent advice on meeting planning for hotel events. If you would like to schedule a speaker from the local union, to discuss these issues or to provide more information to your Board or membership, please contact Kelly Duggan or Alek Felstiner [afelstiner@unitehere.org](mailto:afelstiner@unitehere.org) at UNITE-HERE Local 2. A current up to date local and national boycott list can be obtained from these boycott staff members.

Thanks for any help you can provide and your solidarity with these workers.

## NLG Sugar Law Center to Pursue Wage & Hour Cases Seeks Attorney Partners

The NLG Maurice and Jane Sugar Law Center for Economic and Social Justice [GLC] receives dozens of inquiries every week seeking our expertise on a variety of labor and employment issues. Because the GLC has for many years been a leader in the prosecution of cases under the WARN Act, many of these inquiries are from dislocated workers, unions, and government agencies regarding potential WARN Act violations. Some are even from employers attempting to comply with the law. The GLC continues to represent thousands of these dislocated workers nationwide in litigation. We have had considerable success co-counseling these cases with private cooperating attorneys.

In addition to WARN Act cases, the GLC is now focusing on cases prosecuted under the FLSA or similar state wage and hour laws. Wage and hour claims are among the most frequent issues presented to the Center by individual workers and labor unions, and we are in the process of building a network of attorneys who can handle FLSA cases referred by the GLC.

**Members of the NLG, the L&EC, or other firms interested in representing such claims, are invited to partner with the GLC on wage and hour cases.**

In other news, the GLC recently completed a report for the City Council of Detroit on the effectiveness of the Detroit Living Wage Ordinance (originally passed with the help of the GLC). As a longtime leader in living wage campaigns, the Center works with community-based organizations to implement and/or monitor living wage ordinances throughout the country. Under a grant from the Sociological Initiatives Fund, the GLC also worked with the Wayne State University Labor Studies Department to complete a comprehensive survey of the enforcement practices of the 18 Michigan communities that have passed living wage ordinances. A copy of that report is available from the GLC.

If you or your firm want to be part of the GLC referral network and partner with the GLC on cases protecting workers' rights, please contact us at [Holly.Herndon@sugarlaw.org](mailto:Holly.Herndon@sugarlaw.org) using the subject line *Potential partnership*.

## Fusion Voting: A Cure for What Ails our Political System

by Barbara Dudley

Did you work hard to elect John Kerry, but worried that if he won, it might not make that big a difference in economic policy, education policy, health care or even foreign policy? Have you voted for third party candidates but worried that you were throwing your vote away or worse yet, helping to elect the greater of two evils? Are you frustrated by the number of working people who vote Republican, against their own economic self interest? Do you think the Democrats have lost their focus? Do you want to make your voice heard in elections as more than a symbolic protest? Well, it's time to talk about fusion.

Back when our democracy was younger and more vibrant, fusion was a common voting system throughout the US. There were multiple parties competing for votes based on strong and clear programs. But precisely because it gave a choice, and a voice, to workers and farmers, the Republicans outlawed it in all but a few states at the turn of the last century. Fusion is now legal only in a few states, and only used actively in New York and Connecticut.

Fusion gives voters a new choice, a way to make their vote meaningful without being forced to vote for a hopeless candidate, or wind up helping elect a distasteful one. Fusion voting permits more than one party to nominate the same candidate, or cross-endorse, so that voters can vote for the party that stands most strongly for their issues while knowing their votes will go to someone with a chance to win. The votes from the different parties are tallied separately, reported publicly, and then combined for that candidate's total. This gives greater influence with elected officials, especially when a third party provides the margin of victory.

That's what happened in the 19th century, when fusion was legal throughout the country. Populists and Democrats had common economic interests but were divided culturally. Populists tended to be rural, Protestant and "dry," while Democrats were more urban, Catholic and "wet." But Populists regularly "fused" with the Democratic Party on the ballot when economic issues were at stake (and when in our history haven't they been). As a result, many populist reforms were put in place, and growing numbers of Populists were elected to state office, including several western governors. As a result, the Republicans focused their energy on making fusion voting illegal, and they succeeded in most states.

Fusion voting remained legal in New York and a few other states. In 1998, a coalition of labor unions and community organizations formed the Working Families Party in New York. It now has over 60 affiliate organizations and over one million members in chapters throughout New York State. The Working Families Party regularly fuses with Democrats, and with the occasional Republican, who support their issues, which include living wages, fair progressive taxes, support for public education, and universal health care. The Party will run their own candidates when neither of the two major parties' candidates supports working families' issues, but their greatest impact comes from aggressively promoting their issues rather than personalities, and using fusion by cross-endorsing major party candidates who commit to support WFP issues.

As a result of WFP pressure, New York State has managed to avoid the right wing tax cut frenzy. In 2002 the WFP led the fight for solving the New York City budget crisis through progressive revenue

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### Breakfast at the LCC:

### Post-Katrina Labor Conditions in the Gulf Affecting Low-Wage Workers

Labor violations have been rampant in the Gulf in the aftermath of Katrina. Among other things, companies recruiting workers for clean up and reconstruction activities refuse to pay minimum wage or overtime compensation, deny responsibility when workers are injured, and subject workers to serious health and safety risks. Low-wage and immigrant workers are most affected. Legal advocates will discuss post-Katrina labor conditions and what can be done to enforce workers' rights and to support local organizing efforts.

**Join Gulf Coast local organizers and legal advocates and**

Jennifer J. Rosenbaum, Attorney, So Poverty Law Center  
Marielena Hincapie, Attorney, National Imm Law Center

# Winning and Losing A Strike

by Ursula Levett

This was going to be the article about the brave transit workers who went on strike against all odds and walked away with a better contract than any other city workers could boast of. Through a strange twist of democracy in action it was not to be. As in-house counsel for TWU Local 100, I have a biased perspective on all of this, which I will share with you now. In my book this was a strike against all odds over a dispute that defied conventional wisdom and set the tone for a true revival of the labor movement, with both parties engaged in a collision course provoked by the MTA while the Union elegantly managed to get out of the strike as soon as it got in. Finally, I will try to fit into my book why the members failed to ratify the proposed contract.

First the odds. The transit workers went on strike in spite of New York's draconian Taylor law which makes striking by public sector workers illegal. Penalties for striking are hefty: an extra day's loss of pay for every striking worker, dues check-off suspension for the union, and heavy penalties for the union, including possible jail time for union officials. Although the extent of penalties for the union is still subject to legal battles, the average cost of the strike to the workers will be in the range of \$1000 per person. Second odds: the union was on the outs with both Bloomberg and Pataki because, contrary to many other public sector unions, it never endorsed either for public office. Then, once the strike was called, New York's rabid media went all out lambasting the union, not the MTA, for provoking the strike. After all, the way to sell newspapers is by giving full play to sentiments of *victimhood* by the no longer riding public rather than analysis.

In a way, the biggest odd of the strike was its trigger. The strike was not triggered by a desire to hold out for higher raises or better benefits. The immediate trigger for the strike was the MTA's demand that, in the future, new hires would pay a 6% pension contribution. The union was thus striking to preserve the gains it had made over decades of collective bargaining for future generations. As Union President Toussaint has said: the proposal put access to the middle class behind lock and key for our children.

This put the struggle between the transit workers and the MTA right in the middle of the much larger battle that is, too quietly, taking place in this society: the vanishing prospect of upward mobility for all working Americans. The notion that all deserve access to a living wage, health and pension benefits, and respect and dignity on the job has gradually been lost, beaten by the free market ideology that whatever benefit one derives from working is a result of one's personal ability to *play* the labor market well. And too bad for those who do not play well.

This is why the strike defied conventional wisdom. Too many of the strike's critics, including middle class professionals, deemed it sufficient to point out that they could not retire at age 55 themselves or that they too had to pay towards their health insurance. That is indeed the problem: theirs as much as the transit workers'. But average Americans are so brainwashed that they accept their condition as the outcome of the market and an immutable fact instead of trying to influence the rules of the game. Mayor Bloomberg evinced a similar kind of brainwashing when he qualified the strikers as selfish and greedy, disregarding the real, and altruistic, trigger for the strike. Could he just not believe that people can act out of a principle and out of self-respect?

Also beyond Bloomberg was an understanding that labor activism in the end results in better terms of work for all. But it was not beyond him to actually set up *lower* working class New Yorkers against working class transit workers. Those 'lower' working class New Yorkers, arguably the biggest victims of the strike, showed a much deeper understanding of the issues in poll after poll of substantial public support for the union. Truth be told: more so before the strike was on, than after.

The union's refusal to create a two-tier workforce, with new hires performing the same work for less remuneration is also a signal to the labor movement about its future. Too many unions in the last decades have agreed to lower rates and benefits for new hires as concessions because of the poor economic climate or global competition. Although this manoeuvre keeps current members content in the short run, it is a dagger in the soul of the union in the longer run. The different rates will create tension and distrust on the work floor and severely impair the union's functioning, and ultimately, its power at the bargaining table.

Pension benefits for future generations aside, the strikers were also motivated by a deep seated desire to *show* the MTA, or as folks in the union say internally, to give the MTA a *stiff kick in the ass*. TWU Local 100 has a militant tradition of collective action which is, by and large, treasured by the membership. As much as members know the severe consequences of striking, they also know that their union's willingness to strike regardless has increased their leverage. Unlike other public sector workers, transit workers have not worked without a contract, because the expiration date of their contract has equaled the start date of a possible strike. The 2002 contract, for example, resulted in the same increases than the retroactive DC37 contract for the same period, but without concessions for new hires and other *givebacks*.

But after negotiating for 25 years with a strike threat on the table, rather than an actual strike, members started doubting that they were really getting as much as they could through bargaining and whether it was not time to engage in a real strike again. The willingness to strike was also fed by an equally deep-seated feeling of being abused on the job. The MTA, sitting on a billion dollar surplus, did not make one proposal to use this money to the benefit of its NYCT employees. Instead it passed its budget two days before the strike deadline, spending all the goods on other pet projects.

The MTA's out-of-control disciplinary system with one write-up for every two workers is another indication of a workplace governed by top-down authority instead of trust and cooperation. Local 100 being a majority minority union, issues of race are also always shimmering. As such, Toussaint's speech about dignity and respect in response to Bloomberg's name calling came straight out of his heart and the hearts of many other transit workers.

At the same time, the MTA also seemed bent on a course of calling the union's bluff, by refusing to engage in good faith negotiations, putting extreme proposals on the table at the last minute, and ignoring the union's clear signal that proposals "selling the unborn" were unacceptable. There is no doubt in my mind that many of the powers that be in New York would have loved to see the MTA bring down an *uppity* union leader who dares to dictate principles in collective bargaining and invoke Rosa Parks when defying the Taylor law.

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The MTA thus risked a strike, costing the City an estimated billion dollars, over a pension proposal worth twenty million dollars. And the circus began. Although the above cost comparison appeared in the New York Times on the first day of the strike, and was acknowledged in the same paper on January 5, 2006 by MTA Chairman Kalikow admitting to a mistake, this was no reason for the media (including the NYT) to put at least part of the blame for the strike with the MTA. Instead, all headlines and editorials blared incessantly about defiant transit workers engaging in illegal activities. Similarly, the MTA's illegal insistence on pension contributions in its final proposal received short shrift after the Public Employment Relations Board (PERB), composed of a majority of Pataki appointees, refused to issue an injunction.

And did the strikers *show* the MTA? Yes they did! We have all heard about the thousand scabs, but what's a thousand scabs out of 33,000 members? Moreover, all strikers, incessantly interviewed by the media, stuck to the party line, no matter their qualms and worries: *If my union tells me to strike, I strike*. For old hands in the labor movement, this may all sound logical and predictable, but I believe that for many New Yorkers this showing of collective action was unfathomable. What made all these people do the same thing at the same time when it hurt their pocket books and they were being vilified by the media? What mysterious force inspired them? I heard a young woman calling into a radio show to say: "I had never heard about unions and now I wonder how they work."

All of this did not mean that it was not important for the union to get out of the strike as soon as it got in. Striking comes at a great price for workers and their families. Striking in the days before Christmas comes at an even greater price. The same was true for the MTA, which had finally realized that it was hurting the City more than it was helping it by sticking to unreasonable pension proposals. A compromise was reached whereby the MTA took its ill-considered pension proposals off the table and the union agreed to a new 1.5% contribution towards improved health benefits for retirees (a top three demand according to a member survey).

It appears that the MTA had gotten so scared of continued labor unrest that it agreed in addition to several *sweeteners* to get members to ratify the contract: a pension refund for older workers of needlessly paid pension contributions in the 90's, a new disability benefit, and a parental leave stipend. The deal contained no give backs in terms of work rules whatsoever.

Interestingly, the resulting package contained more concrete benefits for older members, the pension refund and the promise of health benefits after retirement, than for younger members. Of course, eventually, the younger members would also benefit from the retiree health benefits, and in that sense, the package did not create two tiers. But it required an act of faith on behalf of the younger members that when their time came, the union would still be defending pensions and retiree health benefits the way it was doing now.

Maybe that was too much to ask for many members after all the other sacrifices that had been made. Maybe members expected to get even more after picketing in the cold for three days. Maybe they had gone full swing from putting all their faith in the union and its leadership at great personal expense for altruistic reasons to becoming individual players again, looking out for their own personal gain in the short run, disdaining a 1.5% surcharge for a benefit they might never see. One of the biggest objections against the 1.5% was that

it was over gross income, which meant that the higher paid titles and those who work a lot of overtime would pay more than others for the same benefit. For those looking to defeat Toussaint in the upcoming union election in December, it was easy to play into these sentiments by making it sound as if it would be easy to renegotiate the package.

On January 20, 2006, members rejected ratification of the contract proposal by a margin of seven votes. The MTA did not miss a beat to petition for binding arbitration and to reintroduce proposals for give backs and two tiers. There have been no true signs yet of the MTA's willingness to renegotiate the package besides a vague offer to *talk*. Short of another strike, the union has no option but to await its fate at the hands of arbitrators, without even the threat of a strike on the table. Similar arbitrators dictated the new lower wage for incoming police officers, the first step to a two-tier system.

UPDATE: PERB has just ordered the parties back to the bargaining table. A last chance?

This is the story of the brave transit workers who gave us a taste of the power of collective action, a glimpse of what the labor movement could stand for, and hope for a more humane way to earn a living in a world *After Free Market*. The moment did not last long, but the spark will catch fire again. Maybe even this summer, when New York hotel worker contracts are up.

*Ursula Levelt, the author, is in-house counsel for TWU Local 100. All opinions in this article are her own, not the union's.*

## The Transit Workers Violated No Law

by Jim Pope

When the transit workers struck, they were exercising their most basic labor right: the right to quit work. Nobody denies that this right is guaranteed by the Thirteenth Amendment to the United States Constitution, which prohibits slavery and involuntary servitude. But employers argue that the Amendment guarantees only the individual right to quit in isolation from other workers. This argument misses the whole point of the right to quit, which is – according to the Supreme Court – to give workers the “power below” and employers the “incentive above to relieve a harsh overlordship or unwholesome conditions of work.” Obviously, most workers cannot obtain any power just by quitting on their own. During the first half of the 20th century, labor leaders understood this truth. They publicly defended the workers’ constitutional right to strike despite adverse decisions from courts. . . . Even that crusty old conservative Samuel Gompers thundered: “The American Federation of Labor and its president have declared that manifestly unjust decisions of courts must be defied, and there is no disposition to recant.” It is past time to revive that tradition.

For the full text of this article, go to: <http://www.labornet.org/news/0306/twulaw.htm>. For more on labor's 13th amendment rights, go to: <http://www.campaignforworkerrights.org/paper.html>.

# New Trade Union Initiative Launched in India

*by Robin Alexander, Director of International Affairs, United Electrical, Radio and Machine Workers of America (UE)*

I arrived in Delhi shortly after president Bush showed up to cut a deal on nuclear power. Fortunately, I received a much warmer welcome. While Bush was met by hundreds of thousands of protesters, I was warmly greeted by trade unionists who had come together for the founding conference and convention of the New Trade Union Initiative (NTUI).

We got to know the NTUI through the struggle of GE workers in India. (See sidebar). Over the last few years we, along with other unions in the US, have come to realize that we have to understand India and build relations with Indian unions. So, although India is half a world away from our union headquarters in Pittsburgh, Pennsylvania, when the NTUI invited the UE and FAT to participate in their founding convention our organizations both decided that it was important to participate.

The challenge they face is enormous. Imagine a country which is approximately one-third the size of the US with a population of over a billion people - more than three times the size of our population. Hindi is the first language of 30% of the population. English - a legacy of the British among the more educated - is increasingly spoken in urban areas, but in all, there are 24 languages which are spoken by a million or more people, in addition to other languages and several thousand dialects. This means that most people from one part of the country have no common language they can use to communicate with someone from another part of the country.

Politically the challenges are also tremendous: There are six major national parties, along with a variety of smaller national parties and regional parties of varying sizes and strengths. The trade union federations have historically been aligned with political parties, so as the political parties divided, so did the trade union movement, leaving one right wing, one nationalist, one social democratic, and three left wing federations. Because of its history, Indian law incorporates strong protections for the rights of workers, but gives unions limited access to the workplace. This is one of the reasons that the trade union movement has generally relied on its political connections, a practice which has become less effective over time due both to divisions within the trade union movement and globalization.

As India became more open to corporate globalization, the impact of the neo-liberal economic agenda became increasingly evident. While in the U.S. we hear a lot about Indian call centers and the out-sourcing of technologically skilled jobs, these workers represent a tiny percentage of the Indian labor force. Privatization, de-regulation, down-sizing, and outsourcing have generated massive unemployment, with the vast percentage of Indian workers employed in agriculture or the informal sector. Outsourcing has been even greater in public enterprises, and perhaps the most shocking thing we learned was that the dalits, or members of the lowest caste, upon losing their jobs in the public sector are unable to find work in the private sector as no employers will hire them.

Not surprisingly, the traditional labor movement is strongest in the declining public sector and what was national industry,

much of which has been forced out of business or bought up by transnational corporations.

Unless an upsurge in organizing counters the debilitating effects of corporate globalization, multinationals will continue to view India as a new low wage haven where they can afford to pay workers, in many cases, less than a dollar a day, bringing wages down for everybody.

The NTUI is an attempt to provide a response which is both political and organizational. The heart of their program is unity, and instead of confronting the other federations, their policy is to push for consensus, and only where it is not possible to strike out on their own.

The founding resolution of the NTUI, which becomes the preamble to their new constitution provides: "The strength of the working class movement is built on solidarity, respect and democratic ethos amongst workers, their organisations and concern for the well-being of all humanity. In the context of political and organisational fragmentation, this means, for us, unity of the trade union movement on the basis of independence from government, employers and political parties."

The second resolution establishes a committee "to initiate bilateral discussions and negotiations with all progressive national trade union centers with the objective of building trade union unity."

The new constitution provides a flexible mechanism to promote democratic decision-making in a context in which a variety of political tendencies will undoubtedly vie to promote adoption of their positions. Consequently, any matter of a political nature may be raised by 1/4 of the members present in any of the decision-making bodies, but can only be decided by a 3/4 majority. Nevertheless, forums "to provide for the autonomous development of policy focus, campaign and mobilisation on specific issues or positions that are consistent with the aims and objectives of the NTUI" may be initiated by ten percent of the general council.

The third resolution addresses the deficiency of a purely political response to globalization, concluding: "The focus and gravity of labour's opposition has to shift away from being limited to a parliamentary engagement with government. Asserting rights in a democracy requires that not just representatives of people, but people themselves in direct relationship to the forces of capital have to build a sustained and in-depth opposition, in every factory and every field, in every industry and every sector, and at the national level."

That is really the bottom line. The NTUI must be able to organize, as unity alone will not be sufficient. And it cannot limit itself to the seven percent of workers in the organized sector, given the extent of subcontracting and unemployment, increasing working hours, and even the return of slavery in some instances.

Yet the beginning seems auspicious. The new leadership reported that approximately 200 unions have affiliated from many different parts of the country. They are of various sizes, and range from unions in industrial plants owned by well known

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## India Trade Union Initiative Launched

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transnationals such as Siemens and General Electric, to unions of workers from the informal sector, from agriculture, construction, mining and even those workers considered “volunteers” with government anti-poverty programs. Together, the NTUI estimates that they represent some 500,000 workers. However, this does not include the unions which have not yet completed their internal processes of affiliation, which will most likely increase these figures by many hundreds of thousands.

Nor does it include the associated organizations which also have the right to join the NTUI, although with more limited voting rights. The NTUI constitution provides that “Any organisation or alliance of working people, other than trade unions, which has a concern for labour and supports/complements trade union movement and subscribes to the general aims and policies of the NTUI may become an associate member.”

Among those present at the founding congress were representatives of indigenous organizations and dalits. The breadth of the NTUI’s vision was also evident in international organizations present: ranging from prominent trade unions such as the CGT from France to unions from Turkey and Sri Lanka; from Jobs with Justice in the US to the Coalition of Asian Women.

The NTUI slogan is Unity, Democracy, Militancy. The challenges they face and the serious and creative way in which they have begun to address them should serve as an inspiration to all of us. We congratulate them and wish them well. We believe that together we can and will create a better world!

## Gulf Coast Hurricane Survivors Seek Justice

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of consultation with affected populations during long-term recovery and reconstruction. Hodges described the harrowing conditions to which she and other African-Americans, who fled their flooded homes and neighborhoods in New Orleans, had been subjected while detained for four days by the US military at a highway exit. Harden discussed federal, state and local proposals to reduce the size of New Orleans that would wipe out historically African-American neighborhoods. She also noted that upcoming elections in New Orleans were organized in a way to preclude the primarily African-American displaced population from voting from locations where they are currently living. In addition, she discussed the unfounded stigmatization of African-Americans in New Orleans as criminals, which has resulted in violent acts against them by armed vigilantes and law enforcement officials and has discouraged African-Americans from seeking temporary housing in certain neighborhoods. Harden concluded by emphasizing the need for a comprehensive plan to assist hurricane survivors, akin to the US Agency for International Development’s policy for responding to overseas disasters.

Many advocates also addressed the US government’s violations of workers’ rights involved in reconstruction efforts. Only days after Hurricane Katrina hit the Gulf Coast, President George Bush suspended application of the Davis-Bacon Act, which requires the payment of prevailing wages for work performed under federal contracts. The administration also issued a notice informing employers in the hurricane-damaged areas that Homeland Security would refrain from enforcing the employer sanctions provisions of the Immigration and Nationality Act, which prohibit employers from knowingly hiring workers who are not eligible to be employed in the US. In addition, the Occupational Safety and Health Administration (OSHA) waived enforcement of health and safety regulations in areas affected by the hurricanes. These OSHA regulations remain suspended in the areas that suffered the greatest damage.

As rebuilding began and the demand for workers in the construction trades exploded, federal contractors and subcontractors have consequently been able to exploit workers, including thousands of Latino immigrants who were lured to the area under false pretenses, with little oversight or accountability. Reconstruction workers have reported a litany of violations, including underpayment and nonpayment of wages, egregious violations of health and safety standards, and failure to provide workers’ compensation insurance for job-related injuries. To date, the US Dept. of Labor’s enforcement efforts remain woefully inadequate. Indeed, of all the federal laws that apply to workers (and employers) in the region, only immigration laws have been consistently enforced, as US Immigration and Customs Enforcement officers have conducted opportunistic raids of Gulf Coast reconstruction worksites.

The hearing participants asked the commission to undertake an immediate, on-site visit to the Gulf Coast to investigate the human rights issues discussed during the hearing and in the written submissions of the advocates. Following such an investigation, the participants called on the commission to formulate recommendations to the US government delineating the steps necessary to bring its natural disaster planning, response, and reconstruction into compliance with its international human rights obligations.

The UE got to know the NTUI through the struggle of GE workers in India after we received a fax telling us that several hundred workers in Hosur had been locked out after a two week occupation of their plant protesting the discharge of their union officers. We learned that their officers had been fired because they had the audacity to hold a press conference and post the resulting article - which was critical of GE - in the plant. We had no idea where in India Hosur was located, but we had no doubt that we wanted to get to know those workers!

And so we began to develop a relationship with them. Their lawyer met with us, and joined GE workers from Erie and Lynn for a meeting at the Labor Notes Conference in 2004. We publicized their struggle and, following the World Social Forum, representatives from the UE and our partner organization the Frente Autentico del Trabajo or (FAT) - which also represents GE workers in Mexico - finally had the opportunity to meet with those courageous workers in Hosur and participate in a press conference denouncing GE’s union busting. This was followed by other concrete demonstrations of solidarity on their behalf: plant gate collections by UE Local 506 in Erie, Pennsylvania, and coordination with the Hosur union’s lawyer, who succeeded in obtaining a temporary court injunction in India stopping GE from closing the plant - in part due to information we were able to provide regarding the company.

Some time later we worked with Jobs with Justice to host a visit to Erie by trade unionists from the NTUI. Upon their return, the company finally decided to negotiate a settlement with the union.

# Seventh Labor & Employment Committee Delegation to Cuba Convenes in Santiago

by Rita Verga



*Delegates at the Second Front memorial in the mountains north of Santiago*

The seventh bilateral research exchange of labor lawyers and trade unionists organized by the National Lawyers Guild Labor & Employment Committee met from March 15-21 in Santiago de Cuba. This was the first time that the delegation visited the eastern province of Santiago, which figures prominently in Cuba's revolutionary history. The delegation consisted of 13 US labor and employment lawyers and 21 Cuban labor lawyers and trade unionists. The participation of such a large number of Cuban colleagues laid the foundation for perhaps the most rewarding exchange to date.



*Charcoal worker shows US delegate chainsaw*

The research program included two half days of orientation including an overview of the challenges facing Cuban workers. Lawyers and staff of the *Central de Trabajadores de Cuba (CTC)*, Cuba's National union, presented on topics including neoliberal economic policy and its impact on labor relations in Cuba, the impact of the recent elections in Venezuela and Bolivia on Cuban workers, and the structure and role of Cuban unions. Delegates learned about the processing of individual and collective grievances, efforts to improve occupational health and safety, and the accommodation of disabled workers. American delegates

contributed presentations on topics including workers' First Amendment rights, the recent NYC transit workers' struggle, and innovative alternative dispute resolution mechanisms.

Following the orientation program, the delegation visited a formerly marginal Santiago neighborhood and interacted with community members, including retirees. Retirees described the national education program which offers retired workers entry into university programs and the ability to earn certificates in myriad programs. During the course of the exchange, delegates repeatedly heard from workers and community members about major obstacles facing Cuban workers, including the housing shortage and lack of transportation, which are, at least in part, attributable to the US imposed blockade and travel ban.

Work site visits at which delegates conducted worker interviews made up the largest portion of the itinerary. These included visits to various labor centers, including an agricultural collective, an elementary school, a charcoal and lumber production site, and numerous cultural and service sector work sites. Cuban workers described wage and incentive programs, the role of labor unions and management in setting production goals, investigating and resolving complaints through the *Organos de Justicia Laborales (Organs of Labor Justice)*, and improving other conditions of work.

National Lawyers Guild and LCC member **Robert Schwartz** has written a new book called **Strikes, Picketing and Inside Campaigns: A Legal Guide for Unions**. It is available from Work Rights Press (800) 576-4552 or at [workrightspress.com](http://workrightspress.com) for \$20. The book covers such topics as working without a contract, secondary picketing and bannering, molding a ULP strike, decertification threats, unemployment benefits, offers to return and lockouts.

## **Court Settlement Touted as Breakthrough for Agricultural Guest Workers FLOC wins Major Victory**

*by Robert Willis*

More than 15,000 migrant farm workers in North Carolina won a landmark victory with the help of the Farm Labor Organizing Committee (FLOC) and three National Lawyers Guild attorneys -- Robert Willis, Carol Brooke and Jack Holtzman -- providing a major step toward achieving fairness, equitable treatment and dignity in the employment process for guest workers. The settlement the farm workers received as a result of years of litigation that began in December 2002 ensures that workers coming from Mexico will no longer be forced to endure illegal wage deductions or pay exorbitant transportation costs to work in the fields of North Carolina.

FLOC, which received a national charter from the AFL-CIO last month, represents 10,000 farm workers in the midwest and North Carolina.

"This is a breakthrough for farm workers that will allow even more farm workers to win a voice on the job," said FLOC President Baldemar Velasquez. "Through non-violent campaigning we will reach out to others and make a difference for many more farm workers and their families."

On March 10 the Wake County Superior Court in Wake County, NC, approved a settlement in a class action suit spearheaded by FLOC and Robert Willis, FLOC's North Carolina counsel and NLG Labor & Employment Committee member, against the North Carolina Grower's Association [NCGA] and all of its approximately 1,000 current and former grower members. Originally filed in federal court, the suit sought to force growers, under both the federal minimum wage law and the North Carolina Wage and Hour Act, to pay for all visa and transportation costs for temporary workers under the H-2A guestworker program. The settlement approved on March 10 provides a settlement fund of \$1.475 million to compensate temporary agricultural workers for the illegal wage deductions they suffered under state and federal law. It also ensures that growers live up to their obligations by paying recruiting, visa, border crossing and transportation fees in Mexico or the US, which will save farm workers well over \$4 million over the next two years.

North Carolina farm workers won a union in 2004 when, after a five-year boycott of Mt. Olive Pickle, they signed a collective bargaining agreement with the NCGA and Mt. Olive Pickle allowing farm workers in a guestworker program to have a union for the first time. The innovative partnership between FLOC and the NCGA provides a steady workforce for growers and collective bargaining rights for the workers they hire.

The recent settlement contains an injunction that requires all growers in the state to abide by its provisions concerning the visa and transportation costs for guestworkers, regardless

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## **New Mexico Law Suit Filed to Prohibit Ag Employers from Classifying Farmworkers as Independent Contractors**

*by Olga Pedroza*

Las Cruces, New Mexico has long been engaged in a war. Both Texas and New Mexico claim to have the world's best chile and over the years many battles have been waged to see which state gets the title.

In recent years Northern Mexico and China have also begun to grow "New Mexico green" and the war continues.

What has not changed is the plight of the worker. From start to finish, from planting to harvest, workers from both Mexico and the United States have worked in the hot fields for long hours, often bent over to plant, weed, thin and harvest the world's best chile.

For over twenty years Legal Aid offices have represented farm workers attempting to enforce the federal labor laws which apply to them. These are the Fair Labor Standards Act and the Agricultural Workers Protection Act. Additionally, state laws apply and in some instances extend other protections to the workers. In New Mexico, however, state law does not give farm workers the right to Workers Compensation.

A law suit was filed in February to challenge a common practice among employers of farm workers. In order to save money, employers have classified their ordinary workers, those who come to the field empty-handed, with nothing but the strength of their arms and backs, as "independent contractors". As such, the employer does not withhold FICA or social security taxes and puts on the worker the burden of reporting his own earnings. The employer represents to the taxing authorities, by omission, that the pickers in the field, the bent-over men and women planting and weeding have their own business and must report and pay in all taxes due on the earnings they have had.

The effect of this practice is 1) that the worker may not receive minimum wage, one the taxes are taken into consideration and 2) that no record of earnings is made with the Social Security Administration.

This last may be the worst effect because of what happens when the worker reaches retirement age. He or she applies for Social Security and finds that there is no record of his ever having worked and therefore, he or she is not eligible for even a meager Social Security in old age.

Farm workers will have worked in a precarious position all their lives, since they are deprived (in New Mexico) from Workers Compensation benefits and then when they are old enough to retire, they find out they have been cheated over and over from the benefits of the Social Security system.

Hopefully this will change as a result of this lawsuit and others like it.

*Olga Pedroza is an attorney with Southern New Mexico Legal Services. For more information, contact her at [olgap@nmlegalaid.org](mailto:olgap@nmlegalaid.org) or (505) 541-4851.*

## Teach Your Children Well

by Sylvia Ramirez

Labor in the Schools? Sure! The California Federation of Teachers [CFT] has developed a series of teaching materials to reach an all-important audience -- schoolchildren. "How can we expect to have a strong labor movement in the future if most young people never learn about their working class history and most of them don't even know what a union is?" asks Bill Morgan, a San Francisco 3rd grade teacher. Morgan and his colleagues on CFT's Labor in the Schools Committee have prepared a series of curriculum materials designed to teach just those things:

***Trouble in the Henhouse*** - a play for kindergarten to third grade, is set in a barnyard. Chickens, angered at their bad treatment at the hands of *Farmer Brown*, organize and take action!

***Along the Shore*** - a coloring book for young children which focuses on longshore workers and their union, includes basic concepts like health plans, pensions and collective action. Prepared with the help of ILWU Local 13 of San Pedro, California, it is available in a bilingual (Spanish/English) edition.

***The Yummy Pizza Company*** - is a series of lessons written by Los Angeles teacher Phyllis Chiu. It guides teachers through the establishment of a classroom based pizza company, complete with job applications, union building, labor-management disputes, and everything in between. Suitable for grades 3-9. Teacher's materials available in Spanish.

***I, Tomato*** - Who picks our food and gets it to our tables? Farm workers, that's who! This book is the *autobiography* of a tomato plant, from her birth in a hothouse to her months in the fields, up to the moment when her children are picked, and beyond. It is the story of all the workers who help her along the way. Suitable for grades 3-6. Bilingual English/Spanish.

***Let Me Tell About This Man - This Man*** is César Chavez, co-founder and leader of the United Farm Workers Union. Chavez helped build a movement that challenged California's huge agribusinesses and put the *forgotten people* and their fight for unionization on the map. His work continues to this day. For grades 4-8. Bilingual English/Spanish

***AutoWorks*** - tells the story of auto workers, beginning in the 1890s, and how they built a union and gained basic rights and justice in the workplace. Written in a kid-friendly comic book format, this is a story our children need to hear. It includes the famous *sit-ins* of the 1930s. For grades 6-12.

CFT has also prepared materials for high school and community college students, including the ***Collective Bargaining Institute***. In this simulation, students are assigned management and labor roles and a series of issues to negotiate under the guidance of teachers and coaches from the labor and management communities. CBI simulations have taken place all over the US.

In addition, CFT has produced the classic Oscar-nominated 3 ½ hour documentary ***Golden Lands, Working Hands: A History of the California Labor Movement*** which uses interviews, archival footage and photographs to tell the story of California's working people from 1800 to the present. A *must see* for our students and anyone interested in the labor movement.

These materials may be purchased. Contact Fred Glass CFT Communications Director at (510) 832-8812 or [www.cft.org](http://www.cft.org).

## Fusion Voting Can Yield Progressive Power

*continued from page 3*

increases, not deep social service cuts as Oregon and so many other states have done. The WFP has also been given substantial credit for the passage of strong campaign finance legislation in New York City and a \$2/hour raise in the NY State minimum wage.

In New York the Working Families Party attracts voters from the right, left and center. They get culturally conservative voters in the suburbs and rural upstate New York who think the Democratic Party stands for elitism. They attract voters with no party affiliation who are generally distrustful of both major parties. And they get votes from the left and from progressive Democrats who think the Democrats should and could be much better on economic issues and who want to send a message without throwing their vote away or helping to elect a Republican.

In the past year, labor and community activists in several states - Oregon, Washington, Massachusetts, Ohio, Missouri - have been working to legalize fusion voting and build Working Families Parties, and in some states where fusion is already legal - as in Connecticut, South Carolina and South Dakota - to start participating in elections as early as 2006. If you want to learn more, or to get involved in your own state, you can contact us through [www.workingfamiliesparty.org](http://www.workingfamiliesparty.org), where you will also find a link to state party websites.

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## NC Farm Workers Win Settlement

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of whether their workers are covered by the NCGA collective bargaining agreement with FLOC. Because growers will no longer be able to shirk their responsibility to temporary employees by leaving the NCGA and thereby negating the union contract with FLOC, the settlement is expected to strengthen farm workers' ability to form unions.

FLOC is a major force on behalf of migrant farm workers in the midwest and in North Carolina. Taking on large corporations like Campbell Soup and Mt. Olive Pickle, FLOC has successfully won contracts for farm workers that have led to improved working conditions, increased wages and benefits — and better prices for small farmers.

For more information, contact Bob Willis at [rwillis@rjwillis-law.com](mailto:rwillis@rjwillis-law.com) or (919) 821-9031.

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## Immigration Law Reform - Endnote

*continued from page 11*

These bills are: The ***Secure America and Orderly Immigration Act*** (S. 1033) introduced by Senators John McCain and Edward Kennedy; the ***Comprehensive Enforcement and Immigration Reform Act of 2005*** (S. 1438) introduced by Senators John Cornyn and Jon Kyl; the ***Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005*** (H.R. 4437) introduced by Congressman James Sensenbrenner; a four-part legislative package introduced by Senator Chuck Hagel (S. 1916, 1917, 1918, 1919); and the ***Securing America's Border Act*** introduced by Senator Frist.

# Immigration Law Reform - The Heat is On

by Ana Avendaño, AFL-CIO Associate General Counsel and Director of Immigrant Worker Program

Reform of our immigration laws is back on the front burner, fueled in part by the introduction of several major pieces of legislation in the 109th Congress. [See endnote p. 10] Immigration policy has also become a heated topic of political debate, pitting the neo-conservative element of the Republican party (that opposes any legalization of the undocumented population) against the party's corporate arm (that is strongly advocating for a massive new guestworker program). A new and unexpected side of the political and legislative debate emerged over the last few weeks, when hundreds of thousands of immigrants and their supporters began taking to the streets to demand humane and dignified treatment, and rejecting the framework of immigration adopted by the House of Representatives in December, which would have criminalized otherwise law-abiding immigrants and sent millions of immigrants further into desperation and poverty.

The issue of immigration reform is complex, multi-faceted, emotional, and deeply political, and will most likely continue to be on the national agenda as we head to the 2006 mid-term elections. The following is a thumbnail sketch of the current debate.

Over the last few years, there has been general agreement among labor unions, the business community and civil rights advocates that the current immigration system is broken, resulting in crisis conditions at the US-Mexico border, the entry point for 80 - 90 % of the more than half million undocumented workers who enter the US annually, as well as in workplaces and communities across America. Until very recently, the consensus had been that any serious reform must meet two distinct challenges: it must provide a mechanism for the 12 million people currently living in the US without authorization to adjust their status, and it must reduce future undocumented migration, while at the same time allowing sufficient legal migration to fill real long-term labor shortages in the US. Even through there is strong disagreement among the AFL-CIO, the Chamber of Commerce, SEIU and UNITE HERE over how to address the future flow of workers into the US - with the AFL-CIO, UFCW and IBT opposing guestworker programs and the Chamber and SEIU and UNITE HERE supporting them - all stakeholders remained strongly committed to a real path for permanent residency for the current undocumented population.

That consensus began to disassemble in early April, when Republican Senators Hagel and Martinez crafted a "compromise" bill, which, instead of guaranteeing a path to citizenship would have created a *three-tiered solution*: only those who have been here longer than five years (4-7 million) would have a clear path to permanent residency. Another estimated 3 million (those here between 2 and 5 years) would have to leave the US, *touch base* in their home country, and then apply for readmission. Those here less than two years would have to leave and would only be able to return as *guestworkers*, IF they are able to obtain a visa. Business groups strongly supported the compromise. Labor and immigrant advocacy groups were split. Some supported the compromise (SEIU and UNITE HERE, as well as the National Immigration Forum), and others opposed (the AFL-CIO, LIUNA, IBT, and numerous grass-roots organizations around the country.) In the AFL-CIO's view, the *three-tiered* approach was inhumane. It would only serve to drive workers further underground and split apart families who hover around the 3 year/5 year line by requiring some family members to go through the simply punitive exercise of *touching base*. As President Sweeney stated, "the idea that any group of workers in America should be treated as less than equal is downright appalling. It undermines a

core value of our society and jeopardizes all workers' rights.

Further, the *three-tiered* approach to legalization was accompanied by a huge new guestworker program that would have allowed employers to import 325,000 foreign workers into year-round *unskilled* jobs in the first year, that number growing by 20% annually based on employer demands. The compromise also included a number of measures that would undermine the spirit and effectiveness of the legalization provisions, eroding the rights of current and future immigrants. The Center for Human Rights and Constitutional Law strongly opposed the compromise, noting it "will leave millions of immigrants in undocumented status, greatly increase the size of the undocumented population in the next few years by blocking traditional avenues of legalization, and drastically cutback on the legal and human rights of immigrants residing in the United States." ([www.centerforhumanrights.org](http://www.centerforhumanrights.org))

## How did we get Here and Where is Immigration Reform Going?

The legislative debate over immigration reform has focused on three major approaches: (1) an enforcement-only approach (Sensenbrenner-King, Frist), which would militarize the border, transform the undocumented into instant felons, and broaden the scope of the employer verification and enforcement program; (2) an enforcement-plus-guestworker approach (Cornyn-Kyl), which would permit the 10-12 million currently undocumented workers to apply for permission to work temporarily in the United States after they report to the US government - aka *report to deport*; and (3) a so-called *comprehensive* approach, which would address the status of the currently undocumented by providing an earned path to legalization - aka *amnesty*, address the *future flow* of foreign workers into the US job market through a hugely expanded guestworker program, as well as tightening the border and interior enforcement of immigration laws (McCain-Kennedy and Hagel).

In December, 2005 Senator Specter introduced his Chairman's proposal, which had been widely expected to embrace all three components, with the purported goal of exerting enough pressure on each side to reach a consensus on all three approaches in a single bill. However, when that proposal was actually unveiled the path-to-legalization component had been omitted, leaving the *report to deport* plan as the only means of addressing the 10-12 million undocumented workers currently in the US, the McCain-Kennedy guestworker program to control the future flow of new immigrants, and the strong enforcement language from the Cornyn-Kyl bill. After heated debates in the Senate Judiciary Committee, the Committee reported out a bill that has a legalization path for the current 12 million undocumented people, but also contained a large guestworker program. Once the debate started on the Senate floor, factions of the extreme Right offered harmful amendments that would have, at a minimum, stripped the legalization component of the bill that had been voted out of committee, which prompted the *compromise* discussed above.

It is not clear at this time whether there will be enough *will* on either side to bring the issue back to the Senate. If not, the prospect remains that an enforcement-only bill could re-emerge later in the year. There is also the prospect - remote as it may seem - that the voices of hundreds of thousands of immigrants and their supporters will be heard on the Hill, and that we may be able to move forward with a comprehensive and humanitarian approach to immigration reform, which instead of being framed around punitive *national security* measures, puts workers' interests at the forefront.

**National Lawyers Guild Labor & Employment Committee  
2006 LCC in New Orleans**

**Post-Katrina - Labor Conditions on the Gulf Coast  
Affecting Law-Wage Workers**

**TUESDAY - May 2 - 7-8:15 am - BREAKFAST**  
with

Jennifer Rosenbaum, Attorney, Immigrant Justice Project, Southern Poverty Law Center  
Organizers and Legal Advocates from the Gulf Coast

Marielena Hincapie, Attorney, Director of Programs, National Immigration Law Center

RSVP to [fcs@kazanlaw.com](mailto:fcs@kazanlaw.com) - Breakfast will be in the Prince of Wales room

**Monday - May 1 - 12:50-2:15 pm**  
**L&EC Committee meeting - all welcome**

Stop by the L&EC table for information on where we will meet

**National Lawyers Guild  
Labor & Employment Committee**

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