

Ending Forced Labor by Securing Immigrant Workers' Rights

Point of View column, Centerpoint, December 2009 By Denise Brennan, incoming Wilson Center Fellow

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Immigration reform that protects the rights of all workers in all industries is a critical step toward ending trafficking into forced labor in the United States. Trafficking—labor that involves force, fraud, or coercion—is a particularly violent form of migrant labor exploitation that emerges out of everyday labor practices in places where migrants work.

Forced labor exists today in part because a range of other exploitative labor conditions are allowed to proliferate. Preventing trafficking requires securing greater workplace protections for U.S. and immigrant workers.

When exploitation is the norm, forced labor not only can flourish, but also can blend into a background of abuse. Since trafficked persons are not typically physically restrained, those who pick tomatoes, wash dishes, sew clothes, or sell sex may appear to be working under the same conditions as their co-workers.

Workers in sites that are relatively hidden such as factories or private homes, or are geographically isolated such as in agriculture, are particularly vulnerable to systematic labor violations. These workers believe they, or their families, will be physically injured if they try to leave. All trafficked persons, regardless of the industry-specific circumstances of their exploitation, live in fear and silence. They stay quiet in settings where unsafe working conditions, wage violations, or abuses thrive, especially in the underground economy.

Exploited migrants have little incentive to come forward. ICE (Immigration and Customs Enforcement) raids on workplaces employing undocumented migrants, and the implementation of 287(g) programs to empower local law enforcement to enforce immigration laws, have clearly chilled the relationship between law enforcement and migrant communities. Those vulnerable to situations of forced labor are likely to mistrust local and federal law enforcement, and labor abuses are less likely to get reported. As extreme abuses become more difficult to detect or to prevent, rights-based organizing is needed within migrant communities. This means building partnerships in migrant communities among law enforcement, migrant leaders, and community-based organizations.

The Coalition of Immokalee Workers, an agricultural workers' membership-based advocacy organization in Immokalee, Florida, provides a model of rights-based organizing and investigative work. Through their drop-in center, regular meetings, radio show, and ongoing outreach in places where farmers work and live—along with undercover investigations on abusive farms—they are well-poised to detect a range of abuses while working daily to inform workers of their rights. Rights-based organizing campaigns that inform and empower workers are essential to preventing trafficking and to finding individuals in forced labor in a range of industries.

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