



**INTERNATIONAL
BROTHERHOOD
OF ELECTRICAL
WORKERS.**

900 Seventh Street, NW
Washington, DC 20001
202.833.7000
www.ibew.org

EDWIN D. HILL
International President

SAM J. CHILIA
International
Secretary-Treasurer

February 21, 2013

To: All IBEW Local Union Business Managers in the United States

Re: Immigration Reform

Dear Sisters and Brothers:

We are writing to address the issue of immigration reform which has been given a high priority by both the Obama Administration and the Republican leadership in Congress. While most of the impulse behind the proposed changes is founded in just and humane motives, this debate provides an opportunity for the worst instincts of the corporate community to be written into law, doing tremendous damage to American citizens and those seeking, in good faith, to become citizens.

We will not go into every aspect of the proposal made by the President, nor will we address the language being circulated on Capitol Hill, as those are changing too rapidly to be discussed clearly in this letter. Rather we will focus on clarifying the IBEW's position and comparing it to the policy statement issued jointly by the AFL-CIO and the Change to Win coalition.

Delegates to the 37th IBEW International Convention held in Vancouver, British Columbia in 2011 debated the immigration resolutions passionately but respectfully. The final resolution adopted by overwhelming voice vote states that the IBEW will urge the U.S. Congress to adopt immigration policy based on the following principles:

- Secure the nation's borders and regulate the flow of immigration by enforcing laws now on the books;
- Support a worker verification program such as E-verify so that only those authorized by the federal government to work in the United States are able to do so; however, any approved worker verification program must contain effective safeguards against "false positives" and *at the same time protect the privacy of workers*; (The language in italics was added by floor amendment.)
- Penalize those who employ undocumented workers with substantial fines and jail time, which would act as a strong deterrent to those who knowingly exploit undocumented workers at the expense of citizens and legal immigrants;
- Establish strong labor protections including wage floor provisions when expanding the use of visas to fill labor shortages; and
- Reject any new guest worker programs.

The language added on the floor as noted above came about from the recognition that some of the verification system now in place are flawed and have victimized the innocent and compromised the privacy of citizens and legal immigrants.

We believe this is a clear statement of principles that reflects the majority view within the IBEW. And while we know that not every element of immigration reform can



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be easily reduced to simple sentences, we feel strongly that the intent of what we support must be crystal clear, which is what our resolution sought to achieve.

In examining the statement set forth by the AFL-CIO and Change to Win, we find that we have many areas of agreement. Our respective stances on a secure worker authorization mechanism that protects the rights of individuals and the urging of liability for employers who fail to use the system properly are in harmony. The IBEW's language on border control is more decisive, but the intent of the AFL-CIO/Change to Win statement is not dissimilar.

The resolution did not address the issue of a path to citizenship for those undocumented workers who are currently employed in and have put down roots in the United States. It is clear from the shape of the current discussion on the issue that a path to citizenship *will* be enacted, as such a system appears to have broad bipartisan support. The AFL-CIO/Change to Win statement notes the reality that deporting some 12 million immigrants makes for a good sound bite but is not realistic. The statement further says that a path to legal status will take away the large shadow workforce that is currently available to unscrupulous employers and undermines the wages and standard of living of all workers. We believe the final language on this aspect of reform must reflect these principles and objectives.

One area of ambiguity with the combined labor statement is in the area of guest worker programs. The IBEW, along with the Building and Construction Trades Department, have taken an unequivocal stand against any new guest worker programs. The labor federations call for "improvement not expansion of temporary worker programs," and while their explanation seems to support our viewpoint, we believe a clearer and stronger position is vital at this important stage of the national debate.

The IBEW sees the issue of guest worker programs to be the core point of debate. Business groups are fully expected to push for the most loophole-ridden provision possible so that they will continue to have access to large numbers of easily exploitable workers to whom they can pay less and avoid workplace regulations and safety. For us, this has been the crux of the entire immigration debate, and we will not yield on our opposition to new guest worker programs, especially while unemployment in America, especially in some of our key industries, remains stubbornly high.

The federations address the issue of "future flow" of legal work-based immigration. They note that currently Congress arbitrarily sets the level of temporary and permanent visa allocation without regard to real labor market needs and rarely updating it to reflect changing conditions. The joint labor statement calls for the creation of an independent commission that can assess labor market needs on an ongoing basis and determine the number of foreign workers to be admitted for employment purposes.





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The IBEW believes this is a good faith effort to address the abuses of the current system, especially in the allocation of visas for skilled workers, but we would argue strongly that safeguards against future abuses must be clearly stated in the law and built into any new system under which an independent commission would operate.

The AFL-CIO is currently seeking to build a consensus within the movement on immigration. They will be asking state federations and local labor councils to pass resolutions on the issue. As you participate in these discussions, we ask that you advocate for the major points of the IBEW's position:

- Secure the nation's borders
- Support verification programs that allow only authorized individuals to work in the United States with adequate safeguards for privacy and accuracy
- Institute stronger penalties for those who employ and exploit undocumented workers
- Establish strong worker protections including wage floor provisions when allocating visas to address labor shortages
- Reject new guest worker programs.

We believe that these principles will form the basis of a coherent and just immigration policy.

With best wishes, we are

Fraternally yours,

Edwin D. Hill
International President

Salvatore (Sam) J. Chilia
International Secretary-Treasurer

EDH/SJC:ceb

Copy to all International Vice Presidents in the United States

