

# AFL-CIO

## LEGISLATIVE ALERT

October 3, 2017

The Honorable Robert Goodlatte  
Chair  
U.S. House Judiciary Committee  
2138 Rayburn House Office Building,  
Washington, DC 20515

The Honorable John Conyers  
Ranking Member  
B351 Rayburn House Office Building,  
Washington, DC 20515

Dear Chairman Goodlatte and Rankin Member Conyers,

I am writing on behalf of the AFL-CIO to urge you to oppose the Legal Workforce Act (H.R. 3711). Absent broader immigration reform, a national E-Verify mandate will push millions of working people deeper into the shadow economy, further undermining our freedom to join together and fight to raise wages for all.

This narrow bill does more to obscure the real challenges involved in lifting labor standards in our country than to address them. Workplace immigration enforcement can only be effective if the federal government addresses the economic factors that lead U.S. employers to routinely break the law by hiring unauthorized workers in the first place. That's why the labor movement remains united around a comprehensive approach to immigration reform and labor law enforcement.

To have a functioning immigration system, we need an employment eligibility verification mechanism that holds employers accountable and respects workers' rights. E-Verify in its current form falls far short of that mark. The system has shown persistent error rates and affords insufficient privacy and due process protections, opening the door to discrimination and retaliation. Any expanded electronic worker authorization regime must address these core concerns and ensure that workers have enforceable legal remedies against employers who misuse the system.

All too often, employers are able to evade mechanisms like E-Verify and use them as tools to bust unions and chill the exercise of workplace rights. That is why the verification process must be taken out of the hands of employers, and employers who fail to use the system properly must face strict liability.

If the supporters of H.R. 3711 were serious about holding employers accountable, they would close loopholes that allow and even encourage rampant misclassification of employees as independent contractors. Instead, their bill misdirects the blame for our dysfunctional system and gives employers a free pass to continue to skirt their obligations while putting working people at greater risk.

Any serious attempt to use immigration policy to lift wages and standards must start with a broad and inclusive pathway to citizenship, not the costly expansion of a flawed mechanism that fails to ensure basic worker protections. We urge you to oppose the Legal Workforce Act and any other enforcement-only proposals that embolden abusive employers to discriminate and retaliate against hard-working people.

Sincerely,



William Samuel, Director  
Government Affairs Department

WS/lkr

cc: House Judiciary Committee Members

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**American Federation of Labor and Congress of Industrial Organizations**

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