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Labor Set To Fight Over Guest Workers

By KRIS MAHER and MIRIAM JORDAN

Union officials are embarking on what is likely to be a protracted fight with business over the programs that enable immigrants to enter the country for temporary work.

On Tuesday, leaders of two rival labor federations announced a framework for overhauling the U.S. immigration system that includes setting up an independent commission to assess how many immigrants should be admitted to fill temporary and permanent jobs without displacing U.S. workers.

The AFL-CIO and Change to Win propose that such a commission would analyze regional and industry needs to make recommendations to Congress on annual levels of employment visas. The unions argue that current visa levels are outdated and often keep immigrant workers in temporary status, with fewer benefits and job protections. Business groups say temporary-worker programs are effective and don't disadvantage workers.

Given the economic downturn and other administration priorities, several observers said they don't expect quick action by Congress on the complex immigration issue. But the labor announcement is expected to rekindle debate and give congressional Democrats and the Obama administration new leverage to try to push through legislation.

Business groups also favor overhauling the nation's immigration laws and have found common ground with labor on a range of issues. The U.S. Chamber of Commerce supports several of the labor coalition's proposals, as broadly outlined, including granting citizenship to many of the estimated 12 million illegal immigrants in the U.S., revamping the current system of verifying immigrants' credentials, and revising border policies.

But temporary-worker programs remain a major sticking point. "We think any legislation should allow for a robust temporary-worker program," said Randel Johnson, vice president for labor policy at the Chamber. He said he did not expect immigration legislation to come to a vote until 2011. "This sets the table for long negotiations."

Such programs garner strong support from business, particularly agricultural interests, because the sector says it hasn't attracted U.S. workers in recent decades. Business believes such programs are vital to filling labor-intensive, low-skill jobs that Americans shun.

"Because of domestic unemployment, the guest-worker program flies in the face of the perceived need for such a program," said Bob Gray, chief executive of Duda Farm Fresh Foods Inc., a large grower, packer and processor of fresh fruits and vegetables in California and other states. "Still, we have the issue of whether American workers are willing to work outdoors, in fields and on farms. It's the kind of work that is traditionally hard to recruit and fill."

Trade groups that focus more on skilled workers also favor the programs, and some expressed concern about the idea of creating a new commission to adjust immigrant flows to meet labor demand.

"I think that's just a way to avoid having a guest-worker program, and our view is that there is definitely a need for that," said Dan Yager, chief policy officer of the HR Policy Association, a Washington business group. He said he expected the issue to continue to be contentious.

The move resolves a past division within labor. In the past, the Service Employees International Union has favored a guest-worker program, while the AFL-CIO has opposed it, arguing that some employers seek out temporary foreign workers they can exploit by providing poor pay and working conditions instead of hiring U.S. workers.

Eliseo Medina, an executive vice president with the SEIU, said creating a commission that will analyze labor demands is a "rational" approach. "It goes to the question of how we...make the decisions based on real need," he said.

The new proposals are based on a report written by former Labor Secretary Ray Marshall in coordination with the Economic Policy Institute, a liberal think tank in Washington. On Thursday, the institute will release a 68-page report by Mr. Marshall outlining more-detailed proposals.

Write to Kris Maher at kris.maher@wsj.com and Miriam Jordan at miriam.jordan@wsj.com

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New, comprehensive blueprint, backing of key allies, raises hope for immigration reform

The current immigration system is so badly broken that, despite the tough economic times, the Obama administration [announced](#) last week that it will soon start work on “policy reform that controls immigration and makes it an orderly system.” While full details are yet to be developed, it is known that the President favors including a path to legal status for the undocumented and plans to put this issue on track for action this year.

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CONTACT
Nancy Coleman
Karen Conner
202-775-8810
news@epi.org

Fixing that broken system is the subject of a new report, [Immigration for Shared Prosperity: A framework for comprehensive reform](#), by Ray Marshall, and released today by the Economic Policy Institute. The framework grew from a [paper](#) by the former Labor Secretary, published two years ago as part of EPI's [Agenda for Shared Prosperity](#). That initial concept has been expanded and refined through consultation with interested and allied groups.

“Current immigration laws subject foreign workers to grave risks, exploitation, and uncertain futures, while depressing wages and working conditions for all workers. This framework addresses these defects,” said Marshall. “All workers will benefit from these reforms.”

Among the innovative concepts is the establishment of an independent commission to monitor industry trends and labor needs for future immigration. The commission would be part of an interconnected framework working with:

- A secure and effective worker authorization mechanism;
- Rational operational control of the border;
- Adjustment of status for the current undocumented population; and
- Improvement, not expansion, of temporary worker programs, limited to temporary or seasonal, not permanent, jobs.

This framework has been adopted by both the AFL-CIO and Change to Win. Given the new political climate in Washington, there are [hopes](#) that with a common sense plan and a united front, including labor and immigrant advocates, real reform can be implemented this year. Already there is support from unions, immigrant and civil rights leaders, community organizations and immigration experts. A series of symposia on conception and measurement problems related to occupational shortages are planned to strengthen the factual and analytical base of the report.

About the Author

Ray Marshall was Secretary of Labor in the Carter administration. He is Professor Emeritus and holder of the Audre and Bernard Rapoport Centennial Chair in Economics and Public Affairs of the LBJ School of Public Affairs at the University of Texas. Marshall is one of the founders of the Economic Policy Institute, where he currently serves on its board.

The Economic Policy Institute (EPI) is an independent, nonprofit, nonpartisan think tank that researches the impact of economic trends and policies on working people in the United States and around the world. EPI's mission is to inform people and empower them to seek solutions that will ensure broadly shared prosperity and opportunity.