

Break the Chains

Repeal Employer Sanctions Now!

Break the Chains Alliance:

*Asian American Legal
Defense & Education Fund
New York, NY*

*Asociación de Trabajadores
Fronterizos
El Paso, TX*

*Border Agricultural Workers
Center
El Paso, TX*

*Chinese Staff & Workers
Association
New York, NY*

*Coalition of African, Asian,
European & Latino
Immigrants of Illinois
Chicago, IL*

*Day Laborer Collaboration
Chicago, IL*

*Fann Ayisyen Nam Miyami
Miami, FL*

*Frente Indígena de
Organizaciones Binacionales
Fresno, CA*

*Mississippi Poultry Workers
Center
Morton, MS*

*Mississippi Workers Center
for Human Rights
Greenville, MS*

*National Mobilization
Against SweatShops
New York, NY*

*Nebraska Appleseed Center
Lincoln, NE*

*PODER
Austin, TX*

*Pueblo Sin Fronteras
Chicago, IL*

*San Lucas Workers Center
Chicago, IL*

*Somali Justice Advocacy
Center
St. Paul, MN*

*Tonatierra
Phoenix, AZ*

AN OPEN LETTER TO PRESIDENT BARACK OBAMA

Dear President Obama:

As you begin to take on the issue of immigration reform, we call on you to provide the leadership necessary to repeal the modern-day slave law that has devastated the lives of so many working people in this country: the Employer Sanctions Provisions. We write on behalf of communities of citizen and immigrant workers who are organizing to improve our conditions. We have seen how even before the economic crisis came to a head, because of Employer Sanctions, conditions for working people in the U.S. had grown worse than ever.

Employer Sanctions was part of a law passed under the Reagan Administration during the immigration reform in 1986. This law is a sanction on employers in name only. In reality, “Employer Sanctions” criminalizes immigrants by creating an underclass of labor with no rights or protections under the law. Ever since the first chattel slave laws in this country were abolished, there have been new laws that have adjusted to current economic conditions in order to reinstitute slavery in new forms.¹ As we see today, it doesn’t take physical chains to enslave workers. Like the slave laws before, under Employer Sanctions undocumented workers are stripped of the freedom to sell their own labor.

The result of this modern slave law is deteriorating conditions for everyone. Because of this law, the underground economy is expanding, dividing native-born, documented and undocumented workers. It has created cutthroat competition and keeps workers from organizing together, causing all workers’ wages to plummet and making life unbearably hard. Good jobs have become bad jobs, and unionizing is undermined time and time again because documented workers are forced to compete with an underclass of labor that has no rights. Not only workers, but even law-abiding businesses can no longer survive.

Some are proposing stronger Employer Sanctions Provisions, claiming that this slave law is a good law just enforced badly. They advocate for stronger, harsher punishments for employers. But we have seen that stronger enforcement will only push the underclass further underground, not eliminate it. It will push conditions down further and faster, making it impossible for workers to survive--creating increased mass unemployment, while forcing others to be completely overworked. This law should not be amended, it should be abolished.

¹ Examples of this include the Northern “free states” before the Civil War where slaves from the South fled to escape slavery, but needed a document declaring they were freed slaves in order to work; the Jim Crow laws; the Chinese Exclusion Act; the Bracero Program.

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All undocumented workers should be provided with a means to adjust their immigration status, but not at the expense of criminalizing others who come afterward. The proposed legalization and guestworker programs will open a path for some undocumented to get papers. However, these measures are like paroling a few pardoned criminals out of jail while incarcerating thousands more. This will create another layer of slave labor. It will only further the effects of employer sanctions, expanding the underclass and continuing the deterioration of conditions for all workers.

You have announced that in May you will begin discussing immigration reform proposals. We are calling on you, as the Chief of State to this nation, to:

- 1. Repeal Employer Sanctions Provisions**
- 2. Legislate Equal Rights for All Workers**
- 3. Create an on-going mechanism for undocumented workers to adjust their status.**

Repealing employer sanctions will be a bold step towards justice and send a strong message that our country is finally ready to eliminate slavery once and for all. This will pave the way for workers to come together, native-born and immigrant, to organize for a better life for us all.

Signed:

Break The Chains Alliance

and endorsing organizations

Chinese Staff & Workers' Association – New York, NY
National Mobilization Against SweatShops – New York, NY
Border Workers Association – El Paso, TX
Chicago Workers' Collaborative – Chicago, IL
Somali Justice Advocacy Center – Minneapolis, MN
Border Agricultural Workers Project – El Paso, TX
Tonatierra Community Development Organization – Phoenix, AZ