

THE MISSION of NORTHWEST WORKERS' JUSTICE PROJECT is to improve enforcement of the workplace and organizing rights of low-wage, contingent, and immigrant workers in the Northwest.

Inspiring Social Change

NWJP's work, at its best, isn't just about securing the individual rights of individual workers.

Ideally, the experience of standing up to wrong can create a sense of solidarity, a broader hunger for justice and the strong resolve to achieve it. We were inspired recently by the reaction of Melissa to the resolution of her racial discrimination case. Melissa's mom is Native American, her father, African American. Despite growing up as a person of color in Oregon, her first real encounter with ugly racism was in her work place. It affected her profoundly; she became so deeply depressed, anxious and fearful that she could no longer go to work.

She writes about her experience in seeking justice, "*I have grown in so many ways this year . . . I have found my voice and a passion for civil/human rights & fair treatment, things that I felt, but through fear, had stayed dormant. You showed me that it is ok to speak up because somebody will hear me and change will happen. . . . I am not a statistic, I am part of the solution.*"

Something in her own experience led Melissa to want to connect with the struggle of others. On her own,

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NAFTA Labor Side Agreement Strategy Begins to Bear Fruit

As regular readers know, in April 2005, NWJP filed a petition in Mexico City under the NAFTA labor side agreement to protest workplace abuses in the U.S and to challenge certain "guest" workers' ineligibility for

federally funded legal services. (One of NWJP's priority issues is expanding access to justice for low wage, immigrant and contingent workers.) This petition began a chain of events that would lead to the approval in the Senate of an amendment to expand access to legal representation of temporary foreign workers.



NWJP attorney Michael Dale with client Manuel Camero at press conference in Mexico City explaining NAFTA Labor Side Agreement petition.

Working with a lawyer from the Brennan Center for Justice at NYU, NWJP Executive Director D. Michael Dale filed the petition in Mexico on behalf of a number of Mexican and U.S. organizations, as well as sixteen workers who came to the United States from Guatemala, Mexico, and Panama to perform low-wage work under the "H-2B" program. Unlike the agricultural "H-2A" workers, who are eligible for legal services from programs funded by the nation's Legal Services Corporation (LSC), "H-2B" workers are left without legal recourse, even though they are required to pay U.S. taxes that support those services.

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NWJP NEWSWATCH

- * In June, NWJP co-sponsored a Jobs with Justice meeting of labor activists interested in learning more about immigration reform. About 150 attended the event.
- * 1 in 4 U.S. jobs pay less than a poverty-level income.
- * 1 in 7 people have no work, no spousal support, and no other government benefits.
- * 2/3 of the reported "shrinking" gap between white and black men's wages is attributable to black men dropping out of the labor market altogether. The true jobless rate of black men in their 20s without a high school diploma is 72%.
- * Michael was quoted in a front page article in the May 28 Sunday edition of the New York Times about the exploitation of contract fire fighters working on national forests.
- * In March, in order to fund tax breaks going mostly to the very richest in America, the Senate voted 52-48 to raise the legal ceiling on the national debt to \$9 trillion for this year. This amounts to roughly \$30,000 owed by each and every man, woman, and child in America.
- * In Chicago's poorest areas, the ratio of check-cashing outlets to banks is 10-1.
- * The 2005 trade deficit with China with China is \$202 billion dollars, making it America's most imbalanced trading relationship. This means that the U.S. buys 6 times more from China than we sell there.
- * Michael presented a workshop on immigration reform to the state-wide annual meeting of the Rural Organizing Project, a network of community organizations in rural Oregon.
- * 41% of those making less than \$30,000 think there is "a lot" of tension between the rich and the poor. Only 18% of those making \$100-150,000 think this.
- * The official unemployment rate as of May 2006 was 4.6% or 7 million people.
- * The official number of underemployed people who can't find work full-time or at their skill-level is 14 million.
- * The rise in wages for blue collar workers (80% of U.S. work force) since 2000 is 0.00%. However, the cost of living has risen 8.1%.
- * Walmart recently announced to investment advisors that, in order to increase profitability, it intended to increase the percentage of part-time workers from 20 to 40 % and impose a wage cap on long-term employees. (wakeupwalmart.com/press/)
- * Immigrant workers are no longer isolated in agriculture. According to the Seattle Times about one in five undocumented workers is now employed in **construction** — five times the number working in farm jobs. (Seattle Times, September 17, 2006)
(Factoids from motherjones.com/exhibit/poorlosers and hightowerlowdown.com).)

Inspiring Social Change, continued from page 1

Melissa decided to support those working for fair reform of immigration laws. She does not speak Spanish and had never been involved in the Latino community. Melissa had never been to a demonstration before, and felt awkward and out of place. Through her husband, she asked NWJP attorney Michael Dale if she could join him on the historic March for Immigrant Rights in Salem on May 1, 2006.

In the tremendous, boisterous crowd, they soon became separated, and did not reconnect until the following day, when she wrote Michael in an email, *"Thank you for allowing me to march with you, it . . . gave me such a great comfort and an absolute to my heart that I was doing the right thing. [I have learned] that it is ok to stand against those that are taking something from us as human beings and to keep on fighting until we are equal."* She continued, *"I know how all of these people feel with the injustice they endure every day and I will stand up for the rights of all people and hopefully be on those front lines again."*

At its best, the work of NWJP may, in whatever humble ways, help to inspire future champions in the cause of equal rights and social justice.



May 1 March for Immigrants' Rights, Salem Oregon

Profile: Welcome Meg Heaton

In March of 2006, staff attorney Meg Heaton became part of the permanent staff at NWJP.

Meg's advocacy for workers' rights dates back to 1996, when she participated in the AFL-CIO's Union Summer program in Denver, Colorado. Inspired by her experience working on SEIU's Justice for Janitors campaign, Meg continued her involvement with SEIU during college at U.C. Berkeley as an intern at Local 1877.

While studying at Lewis and Clark Law School, Meg focused on labor, employment, and human rights law. She had the good fortune to advance all three of these interests by spending a semester and a summer as an extern at the International Labor Rights Fund in Washington, D.C..

ILRF, representing victims of many of the worst tragedies of the global economy, is a pioneer in the field of international labor rights. Its innovative enforcement strategies include using a wide range of domestic laws to protect those rights on an international level, from obscure 18th century federal laws establishing federal jurisdiction over certain international torts, to modern state laws regulating business competition.

Meg worked on cases against U.S. corporations for their international human rights violations, including lawsuits against Unocal Corporation for using forced labor in Burma, and against Del Monte for its abuse of union leaders in Guatemala.

Inspired by the dedication and creativity of the attorneys at ILRF, she began volunteering as a law clerk in support of NWJP's litigation efforts once she returned to Portland. After passing the Oregon bar last summer, she continued to volunteer as a *pro bono* attorney while conducting her job search. Her job search ended shortly thereafter, when NWJP asked her to fill a fellowship position. Thrilled to be working once again for workers who are simultaneously at the center of the economy and the margin of rights enforcement, Meg quickly earned a permanent home.

NWJP is pleased to welcome Meg to our staff.

Mia Moves to New Role in the Fight for a Better World

Earlier this year, NWJP co-founder Mia Butzbaugh left NWJP's staff to take a position at Portland-based Technical Assistance for Community Services (TACS). Established thirty years ago, TACS "helps make good will into good work" by providing thousands of nonprofits with the tools needed to operate more effectively.

NWJP itself has benefited from TACS' work. In 2004, NWJP received a grant from TACS for database development. Currently, NWJP is benefiting from a TACS program that provides free training and consulting services to organizations serving immigrant and refugee communities.

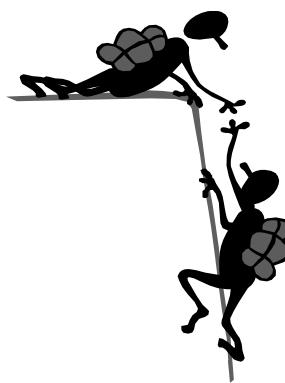
It was Mia's experience helping establish and run NWJP that showed her how tied a nonprofit's effectiveness is to the integrity of its infrastructure and management. "As NWJP gained momentum, its need for litigation staff intensified. At the same time, my personal interest in being a litigator was eclipsed by my (geeky, I know) penchant for nonprofit compliance and administrative matters," says Mia.

Despite her job change, Mia remains an active and integral part of NWJP, not only serving as a member of the Board of Directors but also volunteering her time to NWJP's fundraising efforts and to implementation of a project to upgrade NWJP's technology.

We wish Mia well in her new endeavors and look forward to her continuing support in backing up workers' fight for a better life!

NWJP Awarded \$120,000 over two years in Matching Funds!

Thanks to our supporters, \$50,000 dollars were matched dollar-for-dollar last September! Now, the Meyer Memorial Trust has awarded us an additional \$120,000 over the next two years, which must also be matched.



NWJP is excited to have been awarded another opportunity to raise money to help the working poor. This grant will support the general operations and a project to diversify the organization's revenue streams. Thanks to your generous support in the past, we are confident and hopeful to begin raising funds once again.

You can continue to help expand the access to justice by making a tax-deductible donation to the "NEED Fund" today! (The Northwest Employment Education and Defense Fund is a 501(c)(3) that fund's the NWJP's work.) Meyer Memorial Trust will match your contribution, dollar for dollar. You can send a check to the NWJP office, or could donate on-line at the website, www.nwjp.org.

Thanks for all of your support!

NAFTA Labor Side Agreement Strategy Begins to Bear Fruit *continued from page 1*

Pulitzer Prize-winning investigative journalist Tom Knudson, from the Sacramento Bee, came to Mexico City to cover the filing of this petition, and took particular interest in the stories of exploitation told by Latino H-2B forestry workers. Knudsen undertook a nine month investigative study of "Los Piñeros," the workers who plant and thin trees in U.S. National Forests.

In an in-depth, three part report called "The Piñeros: Men of the Pines," Knudson reported on horrible living conditions, safety violations, unreported injuries, unsafe transportation, workers being cheated of pay, rehiring of abusive contractors, and the passive role of the Forest Service in protecting its contract employees.

NWJP's clients in the Mexico complaint were featured in this reporting. The Bee published an op ed written by NWJP calling on Congress to allow H-2B workers access to legal services.

This series was published in November, and within

weeks of its appearance, many were discussing the injustices suffered by the H-2B workers. Chief Dale Bosworth vowed to change the way the agency supervises labor contracts nationwide to better protect migrant Latino forest workers. In addition, four members of Congress requested hearings to address concerns voiced by the article. California Rep. Joe Baca expressed interest in eliminating the ban on LSC-funded representation.

On March 2, a Senate subcommittee conducted a hearing to address the abuses in contracting by the U.S. Forest Service. Michael was invited to testify. Much of the discussion centered on awarding work to contractors who hire unskilled, untrained migrant laborers who

work fast and cheap. In turn, honest companies who pay and treat workers well are put out of business as they cannot compete with cheaper bids on Forest Service contracts.

Michael called upon Congress to eliminate the restriction on legal services programs representing H-2B workers. Chairman Larry Craig of Idaho said at the hearing, "Evidence suggests we continue to have great difficulty enforcing health, safety, immigration and labor laws of this country when it comes to these contracts." He noted that a way to achieve reform would be to fold the issues into the package of immigration legislation then under consideration by the Senate.



Manuel Camero recounts his experiences in the United States as an H-2B "Piñero."

Two months after Craig's suggestion, an amendment informally known as the "Piñeros" amendment, was sponsored by Senator Jeff Bingaman of New Mexico, the ranking minority member of the subcommittee. The amendment, which would allow H-2B forestry workers to be represented by federally funded legal aid lawyers, was approved by the U.S. Senate as part of its sweeping immigration reform package.

The Piñeros amendment's proposed expansion of access to legal

services is too narrow, and it remains to be seen whether the Senate version of immigration reform will ever be adopted. Nonetheless, though this is just one small step in the complicated and controversial struggle for migrant worker's rights, it is a step forward in achieving just treatment.

NWJP believes that the problems facing working people in this country have international roots, and will require international collaboration to solve. This success suggests that using international law in international tribunals in waging that struggle in collaboration with international allies can be a useful tool.

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