The 2013 legislative session in Oregon is in full swing, and NWJP has been hard at work leading our partners in the Oregon Coalition to Stop Wage Theft to address weaknesses in the law that allow some employers to get away with stealing wages. As of early May, our current focus is on better regulation of wage thieves in the construction industry. Wage theft is rampant in construction, due in large part to the use of exploitive labor brokers who lack the integrity, financial stability or sound business practices to be responsible for workers’ hard-earned wages.

HB 2977 seeks to eliminate such abusive employers from the subcontracting chain by requiring construction labor brokers to get a license and post a bond. The bill extends to construction an established regulatory system that has already proven effective in reducing abuse of Oregon’s farm and forestry workers.

Two other bills are also still under consideration, including legislation to ensure that employers provide legally-required breaks (HB 3307) and to strengthen definitions of employment to combat misclassification and help workers hold employers accountable for unpaid wages (HB 3142).

A fourth bill to create a wage lien to help collect unpaid wages (SB 573) will not advance further, but a bipartisan work group is exploring ways to solve the problem of uncollectible wage judgments.

The Coalition appreciates the strong support for anti-wage theft efforts shown by members of the legislature already this session, particularly leadership from Senators Shields and Prozanski and Representatives Barton, Dembrow, Doherty, Fagan, Holvey, Matthews, Reardon, and Witt.

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See PAGE 3 for more about the campaign
New attorney stands for workers’ rights

Violet Nazari

One of the ways that NWJP strengthens enforcement of workers’ rights is to enlist cooperating attorneys and provide these attorneys with training and support.

Banafsheh Violet Nazari, a solo practitioner serving working people and immigrant communities, is one of the attorneys with whom we’ve recently joined forces.

Violet started on the path of workers’ rights soon after she and her mother immigrated from Iran. “At work, my mom got the short end of the stick,” she explains. “She didn’t understand the language and she didn’t understand the corporate policy and procedure. I often had to negotiate on my mom’s behalf. It irked me that non-native speakers didn’t have advocates in the workplace.”

At CUNY Law in New York, Violet was inspired by her labor law class. After law school, Violet clerked with Multnomah Co. Circuit Court Judge Janice Wilson and then hung out her own shingle, focusing on plaintiff-side employment cases. Violet is currently co-counseling a misclassified “independent contractor” case with NWJP.

When asked why workers’ rights, Violet says, “What our clients really want is their dignity and humanity restored. I want to go through that process with them, as a team, so that they can grow and heal.”

We are delighted to be working with Violet and other new attorneys like her.
Clients advocate for stronger protections

With Oregon’s state legislature in session, many of the workers that NWJP has represented in legal actions are now speaking out for laws to prevent the kinds of wage violations they suffered.

Debbie (pictured to right) and former co-worker Jennifer are both single mothers who were misclassified as independent contractors. They were paid far less than the minimum wage for hours of work taking photos of foreclosed homes for banks.

In addition to pursuing their own wages, the two women are raising awareness by participating in NWJP’s “Stories to Stop Wage Theft” project—a series of short videos featuring low-wage Oregon workers who have had their wages stolen. You can view the videos as we roll them out online at www.nwjp.org.

Selso (pictured below, second to left) has been fighting for more than three years to get paid for two weeks of landscaping work. Despite a decision in his favor from the state Bureau of Labor, he has been unable to collect his wages from his employer, a notorious wage thief.

In February, Selso made his first trip to the Oregon State Capitol for a Stop Wage Theft lobby day organized by NWJP and our partners. There, he joined dozens of other contingent workers and allies in advocacy training and visits to lawmakers. He returned to the Capitol a few weeks later to give testimony at a committee hearing on the need for more effective tools for wage recovery.

Maria Rosa and José Luis (pictured left) also have a history of standing up for their workplace rights, with NWJP’s support. Both raised their voices again last month at a hearing on a bill to give workers who don’t receive legally-required rest and meal breaks an effective way to hold their employers accountable to the law.

At the legislature and in places of worship, Oregonians of faith are coming together to help rid the state of wage theft. Over 100 leaders and members of faith communities signed a letter in Feb. urging Oregon’s legislature to take action against wage theft in 2013. Oregon faith leaders have spoken this year at numerous events and public hearings to move forward solutions. Since Labor Day 2012, many congregations have held events to educate their members about wage theft.

Ecumenical Ministries of Oregon, IMIrJ, Oregon Center for Christian Voices, Jewish Federation of Greater Portland, Jobs with Justice, and the Archdiocese of Portland’s Office of Life, Justice & Peace have been working closely with NWJP and other partners in the Oregon Coalition to Stop Wage Theft to organize faith communities against stolen wages.
Progress in fight to disentangle local police & immigration

After years of advocacy by local residents, Multnomah County Sheriff Dan Staton has taken an important step toward restoring family unity and community trust by limiting compliance in county jails with immigration hold requests from Immigration and Customs Enforcement (ICE).

Under the Sheriff’s new immigration hold policy, the Multnomah County Sheriff’s Office will no longer hold individuals.

NWJP extends our congratulations for ICE after they would otherwise be released. Neither will it comply with ICE hold requests based solely on immigration charges or convictions.

This change was achieved through years of advocacy by immigrant families and member organizations of the ACT Network, of which NWJP is part. We are heartened that Sheriff Staton and the Multnomah County Commissioners have finally taken action to start breaking the links between local law enforcement and deportation, and we look forward to working together to further strengthen the county’s immigration hold policy.

A call for stronger worker protections in comprehensive immigration reform

NWJP applauds U.S. Senate bill on immigration reform, S. 744, for the possibility of immigration relief for millions of hard-working immigrants. This relief includes a registered provisional immigrant (RPI) status that will allow many to start working legally and to work toward permanent residence and, eventually, citizenship.

However, we do have serious concerns. Among them is the potentially dramatic increase in the number of temporary foreign workers that will be allowed under the bill, especially given the lack of adequate worker protections.

As we have seen over and over again, temporary worker programs put foreign workers, whose immigration status is tied to their employer, at risk for exploitation.

In addition, good wages and even good jobs for current U.S workers, including those who will be seeking permanent status under immigration reform, will be at risk. Some employers will undoubtedly seek to obtain a cheaper, foreign labor force through these expanded programs.

Those with RPI status will particularly be at risk as their continued presence in the U.S., as well as the possibility of permanent status, will be linked to whether they can stay continuously employed.

This bill does not go far enough to protect foreign temporary workers or U.S. workers. We are working with our allies to find ways to improve protections and not to let proposed protections be amended out of the bill.

Battle continues to strengthen H-2B visa regulations

NWJP continues to work with our allies nationwide to improve protections for H-2B workers and U.S. workers affected by this temporary worker program.

In recent months, the U.S. District Court in Philadelphia granted a permanent injunction to prevent the Department of Labor (DOL) from continuing to use a method to calculate wages for temporary workers that the Court and DOL had already found was illegally depressing U.S. wages. The Court’s injunction required DOL to promulgate new rules within 30 days.

However, while we were waiting for new regulations to be issued, the 11th Circuit decided in a Florida case that only the Department of Homeland Security (DHS), and not DOL, has authority to make rules in the H-2B program.

In response to this apparent conflict, DOL and DHS, together, promulgated new interim final rules on how the wages for H-2B workers will be calculated.

The new formula has the potential to raise wages by as much as $2.12 an hour for H-2B workers and similarly employed U.S. workers recruited during the H-2B application process. Such a wage increase is likely to also make these jobs more attractive to workers in the U.S. Comments on this new rule are due June 10, 2013.

The Senate proposal for immigration reform could change the way that wages are calculated once again. As the bill advances, NWJP and allies are working to enhance protections in the bill for foreign and U.S. workers.
Scenes of celebration

SEIU Local 49’s union hall was packed on February 23rd as 150 people gathered to celebrate NWJP and the 65th birthday of Executive Director, Michael Dale. The party brought in $12,000, and every dollar of that was doubled by matching funds from the Meyer Memorial Trust. The powerful sense of community at the party was inspirational, and we are deeply grateful to everyone who helped make the celebration a success!

CONTINUED FROM PAGE 1:

We’ll be working hard over the next several months to raise the remaining $21,000 and bring more allies into the struggle. Together, we’re building NWJP’s power to stand with low-wage workers in future decades.

Donations to our Tenth Anniversary Campaign are currently being matched 1:1 by support from Meyer Memorial Trust!

Special thanks as well to Tenth Anniversary contributors:
The Initiative for Public Interest Law at Yale
Kaiser Permanente Community Fund at Northwest Health Foundation
And more than one hundred individual community supporters!

Tenth anniversary donor spotlight:

We are deeply grateful to all of our Tenth Anniversary campaign supporters and honored to highlight a few:

United Food and Commercial Workers Union Local 555, Oregon School Employees Association, and the Coon Family Foundation have each contributed $5,000 to support Oregon’s most vulnerable workers.

Long-time Portland attorney and NWJP ally, Phil Goldsmith, devised an innovative strategy to contribute to the campaign. He first helped hold an educational event about wage theft at his synagogue, and then offered to match donations made by other members of his congregation to NWJP to help solve the problem. His creative efforts have already brought a number of new allies into NWJP’s work.

As part of our campaign against wage theft, we have resources available to support congregations and other groups in hosting wage theft workshops. You can find them online at www.nwjp.org or feel free to contact us directly.
The Oregon Coalition to Stop Wage Theft is pushing hard for stronger state laws to get all workers paid.

NWJP is honored to work alongside this diverse group of partners, which includes 35 worker, immigrant, faith, community, and small business organizations across the state.

Join NWJP’s Tenth Anniversary campaign!
Your gift will help intensify our efforts for worker justice for years to come.
And, every cent you give now will be doubled, thanks to the support of the Meyer Memorial Trust!
Please use the enclosed envelope or donate online at www.nwjp.org. Learn more about the campaign inside.
Thank you for your support.

Oregon Coalition to Stop Wage Theft members are (in alphabetical order): Adelante Mujeres, American Friends Service Committee, Beyond Toxics, Causa Oregon, Centro Latino-Americano, Common Cause, Community Alliance of Lane County, Economic Fairness Oregon, Ecumenical Ministries of Oregon, Family Forward Oregon, Human Dignity Coalition of Crook County, Interfaith Movement for Immigrant Justice, Jewish Federation of Greater Portland, Main Street Alliance of Oregon, Northwest Workers’ Justice Project, Office of Life, Justice & Peace of the Archdiocese of Portland in Oregon, Oregon Action, Oregon AFL-CIO, Oregon Center for Christian Voices, Oregon Center for Public Policy, Oregon School Employees Association, Oregon Strong Voice - Southern Oregon Chapter, Oregon Thrives, PCUN Oregon’s Farmworker Union, Portland Jobs With Justice, Project Reconomy, Rural Organizing Project, SEIU Local 49, SEIU Local 503, Tax Fairness Oregon, Teamsters Local 206, United Food and Commercial Workers Union Local 555, VOZ Workers’ Rights Education Project, We Are Oregon, Oregon Working Families, and growing!