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Workers Without Borders

By JENNIFER GORDON

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AMERICANS are hardly in the mood to welcome new immigrants. The last thing we need, the reasoning goes, is more competition for increasingly scarce jobs. But the need for immigration reform is more urgent than ever. The current system hurts wages and working conditions — for everyone.

Today, millions of undocumented immigrants accept whatever wage is offered. They don't protest out of fear of being fired or deported. A few hundred thousand guest workers, brought in for seasonal and agricultural jobs, know that asserting their rights could result in a swift flight home. This system traps migrants in bad jobs and ends up lowering wages all around.

The solution lies in greater mobility for migrants and a new emphasis on workers' rights. If migrants could move between jobs, they would be free to expose abusive employers. They would flow to regions with a shortage of workers, and would also be able to return to their home countries when the outlook there brightened, or if jobs dried up here.

Imagine if the United States began admitting migrants on the condition that they join a network of workers' organizations here and in their home countries — a sort of transnational union. Migrants could work here legally. They could take jobs anywhere in the country and stay as long as they liked. But they would have to promise to report employers that violated labor laws. They could lose their visas by breaking that promise.

This plan, which I call Transnational Labor Citizenship, would give employers access to many more workers on fair terms. It would give people from countries like Mexico greater opportunities to earn the remittances upon which their families and economies rely. It would address the inconsistency and inhumanity of policies that support free trade in goods and jobs but bar the free movement of people.

How could we make this happen? Congress could certainly mandate the change. If that seems unlikely, we could start with a bilateral labor migration agreement with a country like Mexico, making membership in a transnational workers' organization and a commitment to uphold workplace laws a requirement for Mexicans to obtain work here.

We might try a smaller pilot project involving a single union in an industry like residential construction or agriculture. One model would be the Farm Labor Organizing Committee's guest worker union, which protects migrant agricultural workers on some North Carolina farms. The union provides representation and benefits wherever the workers are. It has organizers near North Carolina's tobacco and cucumber fields, and an office in Mexico, where the laborers return home for the winter.

Migrant mobility has been tried with success in the European Union. When the Union expanded in 2004 to include eight Eastern European countries, workers in Western Europe feared a flood of job seekers who would drive down wages. In Britain, for example, the volume of newcomers from countries like Poland was staggering. Instead of the prediction of roughly 50,000 migrants in four years, more than a million arrived.

Yet, as far as economists can tell, the influx did not take a serious toll on native workers' wages or employment. (Of course, what happens in the global downturn remains to be seen.) Migrants who were not trapped in exploitative jobs flocked to areas that needed workers and shunned the intense competition of big cities. And when job opportunities grew in Poland or shrank in Britain, fully half went home again.

To be sure, Europe's approach has its problems. Some migrants were cheated on their wages and worked in unsafe conditions. This illustrates that mobility alone is not enough. We also need good workplace protections, and effective support to realize them.

Unions could play a key role in rights enforcement if they embraced migrants as potential members, becoming for the first time truly transnational institutions. And government could partner with workers' organizations. Recently, the New York Department of Labor announced that it had begun to work with immigrant centers and unions to catch violators. This is a promising example of a new alliance to protect the rights of both immigrants and native-born workers.

Like it or not, until we address the vast inequalities across the globe, those who want to migrate will find a way. Despite stepped-up enforcement at the borders, hundreds of thousands of immigrants still come illegally to the United States every year. Raids terrorize immigrants but do not make them go home. Instead, rigid quotas, harsh immigration laws and heavy-handed enforcement lock people in. As the recession deepens, undocumented immigrants will hunker down more. They may work less, for worse pay, but they will be terrified to go home out of fear they can never return.

The United States needs an open and fair system, not a holding pen. The best way forward is to create an immigration system with protection for all workers at its core.

Jennifer Gordon is a professor of labor and immigration law at Fordham Law School.

For a more detailed legal discussion by Gordon on Transnational Labor Citizenship, see:

[Transnational Labor Citizenship](#)

[Restructuring Labor Migration](#)