

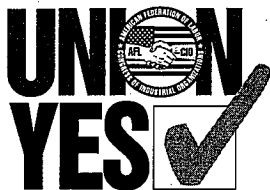
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TESTIMONY

On HB 2575, HB 2577 & HB 2492
House Federal and State Affairs Committee
By Andy Sanchez, Executive Secretary-Treasurer
Kansas AFL-CIO
February 15, 2012

Thank you Chairman Brunk and members of the committee. I appreciate this opportunity to appear before you today and speak in favor of HB 2575, HB 2577 and HB 2492. Our reasoning for supporting this legislation is based on immigration policies that are not working and create an environment that is harmful to workers. First, we are aware that HB 2577 is stricter on violators in recovering liquidated damages and want to make sure we are on record for the stronger law of the two bills. HB 2575 appears to effect only new employees of the State of Kansas which we also support. Our position is that an E-Verification program should be implemented as a tool to protect workers, but done so with caution.

It should be made clear that it is not our intent to harm undocumented workers, but instead to begin to remove incentives that bring down workplace conditions. Labor law enforcement is as much a problem as that of failed immigration policy and labor law enforcement needs to be part of the strategy moving forward. Enforcing standards in the workplace should be part of the discussion because this removes that as incentive to take advantage of vulnerable employees. The Kansas AFL-CIO believes that it makes sense to pass legislation aimed at employers who knowingly and intentionally hire illegal immigrants. It is on this premise that the state government and the contractors it utilizes should be held to the highest standard. This is especially important because it extends to contractors and sub-contractors awarded public works contracts.

With ten states have implemented E-Verify and surrounding states of Nebraska, Missouri, Colorado and Oklahoma passed legislation on some level to require the use of E-Verify, Kansas should also act. Most would agree the current system is especially harmful to employees. Too many employers seek to avoid, evade and ultimately negate U.S. labor and employment laws through the recruitment an even the importation of undocumented workers.

We believe there is more that the Kansas Department of Labor can do to uphold standards in the workplace throughout all industries to help solve the problems associated with undocumented workers. In any instance where workers are overrepresented employers are frequent violators of wage and hour laws. Such standards that may be compromised in favor of unscrupulous employers are that of minimum wage and overtime just to name a couple. But, the violations often go undetected. In the end the problems mean fewer jobs and diminished working standards for Kansans. Again House Bills 2575, 2577 and 2492 all take a step in the right direction to solving this complex problem. Thank you

