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## **Informative report of immigration and job opportunities**

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### **Kirmser Award**

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### **Abstract & Keywords**

In this informative report, I have written a mock memo to the United States Secretary of Labor informing him of the immigration policies and laws in place that target Latin Americans. By doing this, my goal was to raise awareness of the racial inequality the immigration laws and policies were centered on in the mind of the United States Secretary of Labor, in the hopes that this awareness might lead to change. First, I found policies that restricted the number of visas and citizenships granted by the United States to Latin American countries. Next, I explored the policies that restrict the hiring of Latin Americans, once again discriminating their employment freedom in the United States. Finally, the last set of policies I looked into were those that Latin American business owners must follow to run a business and hire employees. The policies discussed in this paper were brought to the attention of the Secretary of Labor in the hopes that a change in the policies and the policy making within the government's departments might lead to an equality for all people in the job industry.

**Keywords:** Immigration, Jobs, Race, Latin Americans, Hardships

### **Course Information**

**School:** Kansas State University  
**Course Title:** Expository Writing I  
**Instructor:** Erica Ruscio

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TO: U.S. Secretary of Labor: Mr. Thomas Perez

CC: Expository Writing Teacher: Ms. Erica Ruscio

FROM: Abigail Friesen

DATE: December 11, 2014

SUBJECT: Informative Report of Immigration and Job Opportunities

## **Introduction**

Most Americans reflect a negative view of immigration, especially targeting Latin American immigrants in the U.S. today. Del Cid, a senior psychology student at Liberty University, believes that this has been caused by media and politicians highlighting the illegal immigrants who have unwelcomingly crossed the border in search of jobs (Del Cid 6). Of the approximately 11.43 million illegal immigrants in the United States in 2012, about 8.5 million of them were of Latin American descent (“Demographics”). Cast in this light, some Americans have reached the decision that all Latin Americans within our country’s borders are here illegally and are ultimately harmful to the country. These viewpoints have led politicians to pass laws with the intent to protect American citizens and rid the country of all illegal aliens. However, the policies instead restrict immigration in the wrong ways, cause even more discrimination, and hurt the reputations of Latin Americans who are U.S. citizens.

Latin American workers are affected by federal and state policies because they hinder their opportunities for immigration and jobs. The three major types of policies that restrict immigration and jobs are those that regulate the people coming into the U.S. labor force, those that cause employees to racially discriminate against Latin Americans to avoid long term hassles, and those that affect Latin American business owners looking to hire new employees. This greatly impacts the Department of Labor because these policies are classified as immigration laws, but they directly affect the labor force of the United States in a negative way. Therefore, Mr. Perez, this memo is written to bring to your attention that your department would come to understand that monitoring the immigration bills that come forward is important as they directly affect the job opportunities of all those in the United States.

## **Restrictions of Immigrants**

Since 2001, federal policies have been instituted to restrict the flow of immigration into the United States, legally and illegally. Latin American people wanting to enter the United States must be granted a visa or citizenship or otherwise, they must use ‘coyotes’ who are smugglers that charge outrageous prices to carry Latin American people across the border illegally, just to reach U.S. soil. Those who cannot achieve citizenship or obtain visas sometimes opt to illegally enter the country by sneaking across the border. Since 2001, more funding has been provided to secure the border, making it more challenging to sneak across without help. Because of the harsher policies, illegal immigrants who still smuggle across the border face new challenges. Most who reach America travel at the mercy of ‘coyotes’ or smugglers, to whom they owe a large amount of money upon reaching U.S. soil safely. To pay the ‘coyotes’, these Latin Americans must work longer in America to pay for their debt before beginning to earn money needed to send back home

(Champlin & Hake 66). These illegal immigrants also fall under the Department of Labor's responsibility. There are also immigration quotas exist that restrict the total number of people who can earn United States citizenship based on their current country. For example, the U.S. only grants citizenship to 20,000 Mexicans a year (Champlin & Hake 63). This is a relatively low number when compared to the Dominican Republic, from where 20,000 are also given citizenship each year, even though the total population is only a tenth that of Mexico (Champlin & Hake 63). Because of the overall small total of available citizenship cards, Latin Americans who still strive to work in America apply for visas. However, current federal laws make it difficult for unskilled Latin American workers to earn work visas in the United States (Champlin & Hake 63). This is due to the educational requirements to get one, which the majority of Latino immigrants do not meet. According to the Bureau of Labor Statistics, 83 percent of Hispanics have earned less than a Bachelor's Degree for their education (U.S. Bureau of Labor 3). According to the U.S. Visas' website, each year 140,000 visas are issued to work in the United States, of that approximately 28.6 percent or about 40,040 of those visas are set aside for workers with a Bachelor's degree or lower ("Employment"). The 40,040 visas are available for the entire globe. Latin American immigrants have to not only overcome their lack of education, but also compete with every other under-educated person in the world trying to obtain a visa. Immigration policies reflect unfair distributions of visas towards Latin Americans by not equally distributing them based on population ratios and limiting the number of work visas available to these countries based on their lower education rates. Therefore the restrictive visa policies and the partially protected border lead many Latin Americans to use 'coyotes' to smuggle across the border to find jobs.

Latin American workers who do obtain working visas have little bargaining power in their jobs compared to U.S. citizens. Therefore, Champlin from the Dixie State College of Utah and Hake from Eastern Illinois University say Latino's needs and rights to basic safe working environments and fair pay are held at lower standards and they have less bargaining power based towards unions to fight for what they need (Champlin & Hake 66). This is an example of a structural reality of race. Being directly labeled undereducated and Spanish speaking, Latin Americans are valued less than a white U.S. citizen, therefore the majority race in the country holds more bargaining power. As the head of the Department of Labor, your job is to create policies that promote the good of all job seekers and to make sure they have a say in their working conditions. However, very little has been done to help Latin Americans. A factor of this might be that most of the restrictions for them are written under immigration laws and tend to be overlooked as labor issues by your department.

By understanding the struggles illegal and legal Latino immigrants face, your department might begin to recognize a potential need for a useful and universal system to check the citizenship status of every employee to unbiasedly weed out illegal immigrants from job opportunities. The Department of Labor and the Department of Homeland Security benefit from this information by understanding how to positively impact the individuals of other countries wanting to work in the United States and also to positively protect those who already work in the U.S. Identifying ways to increase visas and citizenships and enforce border control might positively affect immigration and change the negative opinions of immigrants in the U.S. population.

### **Hiring Discrimination**

Once in the U.S., Latin American individuals face the racially biased employers and their hiring restrictions stemming from more job related immigration policies. The immigrants' struggles to reach the United States affects the job availability for Latin Americans because of the

negative light cast on immigration and the strict job policies for employers after hiring Latinos. Prior to 1986, there was little to no criminality for an employer to hire illegal immigrants because the laws did not set aside orders for investigation (Champlin & Hake 64). However, new state laws passed in Arizona and Alabama require law enforcement to determine the immigration status of anyone detained, arrested, or stopped if the officer has reason to believe the person may be in the states illegally (Jost 1). This law scares U.S. citizens into thinking about racial profiling and stereotyping all Latino immigrants as illegals based on the negative media broadcasts about Latin American immigration. The news networks tend to focus on the illegal immigrant's status, lack of border control, and immigrants stealing hard earned American jobs. Other similar laws, such as the HB 56 in Alabama, make it a state crime for aliens to enter into any legal contract, including employment; to help enforce this, provisions within the law make it illegal to conceal, harbor, or rent housing to illegal aliens (Jost 6). It is now illegal for employers in Alabama to stop on the road to hire workers based on the assumption that the potential workers are most likely illegitimately in the country (Jost 6). Racial profiling leads to employers forming biased conclusions about hiring Latino immigrants. Combined with the strict policies in place for hiring Latin Americans, many employers chose not to hire immigrants. When hiring Latin American immigrants, employers are very cautious because if they hire an illegal immigrant, even without knowledge they were illegitimate, the employer stands to lose his or her operating license (Jost 2). Latin American immigrants find it difficult to acquire jobs in the U.S. because many policies scare business owners away from hiring these immigrants to avoid the possibility of investigations and penalties.

This is why most immigrants resort to working in agriculture. The harvest usually requires large amounts of hand laborers to pick certain perishable crops such as tomatoes, oranges, and cotton, which few U.S. citizens are willing to put forth the hard-labor to harvest. Linda Levine, a member of the Congressional Research Service, says that farmers find it slightly easier to hire immigrants who are willing to work in these harsh conditions because farmers can pay these immigrants lower wages while working in poorer conditions (Levine 2). These workers come into the United States under the H-2A Guest Worker Program (Levine 2). However, over the last few years, the number of H-2A applications and admittances has declined. The continued increase in the number of illegal immigrants coming and staying in the United States has grown larger, due to the illegal immigrants first having to work off their debt to the 'coyotes' before they can begin to raise money to send back home. The program's decline is because employers are less likely to hire immigrants with visas or U.S. citizens because the illegal aliens work for a cheaper charge in their need to earn money. This happens mostly among migrant workers who harvest the seasonal crops because they are not as frequently monitored to check their legal status (Levine 6). The penalties of the current immigration policies steer Latin American immigrants towards working in agriculture, however, the number of legal workers in this field has declined because of the high number of illegal immigrants working to pay off smuggling debts.

However, Levine also brings in the point that domestic workers would be willing to accept these harvest seasonal jobs if the wages would increase and there would be better working conditions than what are currently provided for the seasonal immigrants (Levine 2). These Latin migrant farmworkers do not have the rights to collective bargaining, days off, or overtime pay; they can take what the farmer offers them or they can leave. Some of these farm workers are the visa holders mentioned in the first point and others are illegal immigrants who have no power because they are not supposed to be in the country. Once hired, they are usually paid on average over \$2.50 less than a U.S. citizen worker (García-Colón 4). This stems from their background in the Spanish language resulting in low English skills. These migrant workers from Latin America have more than likely never handled pesticides and other chemicals before, which reduces their

skill level and their value (García-Colón 4). They bring down the wage rates of employment in the agriculture industry because they don't advocate for higher wages for themselves because Latin American immigrants, illegal or not, are earning a higher salary than what they most likely earned back in their native countries.

As head of the Department of Labor, identifying racism within the hiring and employment processes of U.S. citizens and immigrants makes it easier to promote the well-being of all U.S. workers. Employers and employees find themselves on two polar ends of the spectrum. Some laws strictly punish employers for infractions of hiring illegal aliens. These laws scare future employers into not wanting to hire any immigrant for fear of possible repercussions. Yet, in agriculture, immigrants are welcome for their low labor costs. Therefore, a happy medium across all industries needs to be considered. The punishment for illegal workers would be more effective if it were directed towards the illegitimate workers themselves. It is hard to make employers face such restrictions, nor should they fear the consequences of employing aliens. Rather, they should hire based on skill and competency to handle the job. Reflecting that in agriculture, policies to make the working conditions and wages of all migrant, temporary, and permanent workers would show more equality by reflecting the individual's qualifications and ability rather than their legal status.

Considering how all of these immigration policies affect the discrimination of workers in American industries should lead you and the Department of Labor to understand how connected the labor and immigration laws are in our country. Understanding of this connection can lead the Department of Labor towards finding cases of hiring discrimination within the laws and work to create an unbiased job market.

### **Latin American Business Owner's Discrimination**

Latin Americans in search of jobs are not the only individuals who face job opportunity discrimination. Latino U.S. citizens wanting to start their own business or continue running their own business face new challenges from the impacts of new federal and state policies. First, in Arizona and Alabama, Jost, a Harvard graduate and Associate Editor of the CQ Researcher, brings to the reader's attention piece of the Alabama law that, "...prohibits unlawful aliens from entering into any business transaction" (Jost 2). This means that in these states, in order to receive public utilities, such as water and electricity, for their homes and businesses, Latin American residents must show proof of immigration status (Jost 2). Starting a business is all about timing, however, under this new policy of proving citizenship to have access to water and electricity, can set a new owner's business plan back while the approval for water or lights is processed by the utility company. The Hispanic person loses money as they wait to receive confirmation of their legal status while at the same time, a white U.S. citizen who is also opening a business receives their water right away. By the time the Hispanic businessman can open his own business, he is behind the white citizen in clients and popularity; if both are in the same industry, the utilities setback can eventually lead to the Hispanic-owned business being forced to close.

Another struggle for Latino business owners is that because of the negative discrimination that surrounds their race, some U.S. citizens of different races do not want to work under a Hispanic boss. The 2013 Population Census found that while 40 percent of white citizens in the work force held professional management positions, only about 20 percent of Hispanic citizens held management jobs ("Employed"). These citizens might fear of a job loss because the Hispanic boss could be deported. In 2011, an increased enforcement by the U.S. Immigration and Customs Enforcement department found, convicted, and deported a record high number of 396,906 illegal workers in the United States (Jost 11). The reasoning for the lack of Hispanic employers with

white employees could also be a matter of pride. White people have been the dominant race following the forced submission of the American Indians when the U.S. was first settled. Since then, white people have struggled to accept equal diversity within the country, first with the African Americans, then the Chinese immigrants, and currently with Latin Americans (Jost 8). Jost also makes the point that, “Immigrants are alternately celebrated as the source of diversity and criticized as agents of disunity” (Jost 8). White supremacy dominates the cultural understanding of many Americans and Latin Americans rank towards the bottom of the culture list because they are so different from white Americans. Therefore, Latin American business owners tend to hire other Hispanics to work for him or her, which puts them under the suspicion and watch of law enforcement. Vanessa Cárdenas, Vice President of American Progress, found evidence that in 2007, 30 percent of businesses owned by Hispanics were focused in the wholesale and construction sectors (Cárdenas). The statistics from the 2013 Population Census, found that Latin American workers made up 50 percent of the total U.S. workforce in the fields of construction, such as brick masonry, carpentry, home installations, road construction workers, building construction workers, drywall installers, painters, roofers, and miscellaneous construction workers (“Labor Force”). Hispanics also filled 11 percent of the employment of wholesale representative jobs (“Labor Force”).

Latin American business owners struggle to open a business and hire workers due to these structural realities of race and the expectations of Latin Americans in the U.S. The Department of Labor could potentially find a new solution to check legality status of citizenship before allowing running water to flow through a building. You, Mr. Perez, and your staff could use this knowledge to better understand the discriminations of working under someone of a different nationality. Understanding these problems could lead to an end of the constant cycle of Hispanics only hiring other Hispanics and whites hiring only other whites for higher jobs could be reached. Within the country, a job market could be created that is not affected by race, but rather where all employers hire the most qualified people regardless of their ethnicity.

## **Conclusion**

Immigration laws have directly affected the job opportunities of Latin American immigrants in the U.S. by making the process of obtaining a U.S. job difficult and keeping that job challenging. Immigration laws also make it difficult for Latinos to successfully run their own businesses in the U.S. These are only the beginning of the adversities Latin Americans face in the job industry. As Secretary of Labor and cabinet advisor to the President of the United States, you are in a very strong position to help bring about equality in the treatment of all workers within the job market based on their skills. While providing policies that are created in conjunction with other groups such as the Department of Homeland Security, one day the racist stereotypes and their negative reflection onto the hiring of employees might be eliminated. By bringing this to your attention, you and your department can delve further into thinking and understanding how the policies made by other government departments affects the overall “health” of your department. When all departments begin to work together in harmony to create policies, a truly free nation that does not have to worry about people smuggling across U.S. borders to cause conflicts that result in a lack of minority job opportunities could be established. A change in the dynamics of the job opportunities could eventually lead to a change away from the biased views about immigrants among all citizens.

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## Reflective Essay

After brainstorming in class, I had narrowed down my racial topic to Latin American discrimination; that is where I turned to the Library's online database, ProQuest. I began by first researching Latin American discrimination, then I began searching for scholarly journals. Instead of first finding a scholarly journal, I found a dissertation regarding labor laws affecting immigrants. This idea sparked my interest, so I began to do more research and found lots of policies that affected the freedom of Latin Americans to gain jobs in the United States, thus my thesis statement was formed. As I began my research, I ran into trouble, because there was not an overwhelming amount of research and scholarly journals about the topic. I turned to the books in Hale Library and found no credible sources that had been published in the last 15 years.

Facing the choice of finding some source to begin or changing my topic, I started at the beginning. I went to the government's immigration website and started building my paper and my speech development with direct statistics. As I continued to build my report with statistics, I had an idea in my head to look at states that might be most affected by Latin American immigrants looking for jobs. So as I expanded my search to include state laws especially from Arizona, New Mexico, and California. My expanded searches began to yield more results; some yielded no worthwhile materials while a couple articles did provide useful testimony and claims that I could use in my paper. Upon finding a couple credible scholarly journals, I used the works cited at the bottom of the article to find more sources that contributed more information that I could add to my paper.

In order to continue building my report, I first needed to go back through my sources and determine their credibility. That left me in a rut, because I had disregarded some of the articles I had saved for use, because they had been written in the late 1990s and early 2000s and were no longer relevant. This set me back, because one of my main points had been centered on the claims of the first article I had found. So, to reselect my second main point, I turned to a Google search to find more sources to come up with a new main point. The Google search did not produce any new credible sources. I was left stuck as to where to turn to find another main point. I spent my time rereading the sources I had already gathered and began typing the other two body paragraphs. While creating the rough draft, I ran across a small phrase in one of the scholar sources. I returned to the ProQuest website to find more information about the struggles of Latin American business owners. This led me to select this idea as my final main point.

Once I had all of my main points and my thesis statement, I built and wrote my report. After compiling my first draft, I realized I needed more sources to beef up my paper, therefore I returned to the sources I had found and followed their citation sources back to look for the specific thoughts or materials I was looking for. I thought then, that my research was finally over. However during peer editing in Expository Writing 1 class, I found my final and eleventh source from reading another classmate's paper and asking her permission to use the source. I used this final source to wrap up all the speech. Using the library's data bases, books, and sources I was able to successfully write a strong paper with credible sources.

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