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Workplace Immigration Enforcement and Undocumented Immigrants' Continuing Presence in the Low-wage Labor Market

Erin Delargy

BACKGROUND:

- The Immigration Reform and Control Act of 1986 (IRCA) criminalized the employment of undocumented immigrants
- Undocumented workers still toil in many low-wage industries, including meatpacking

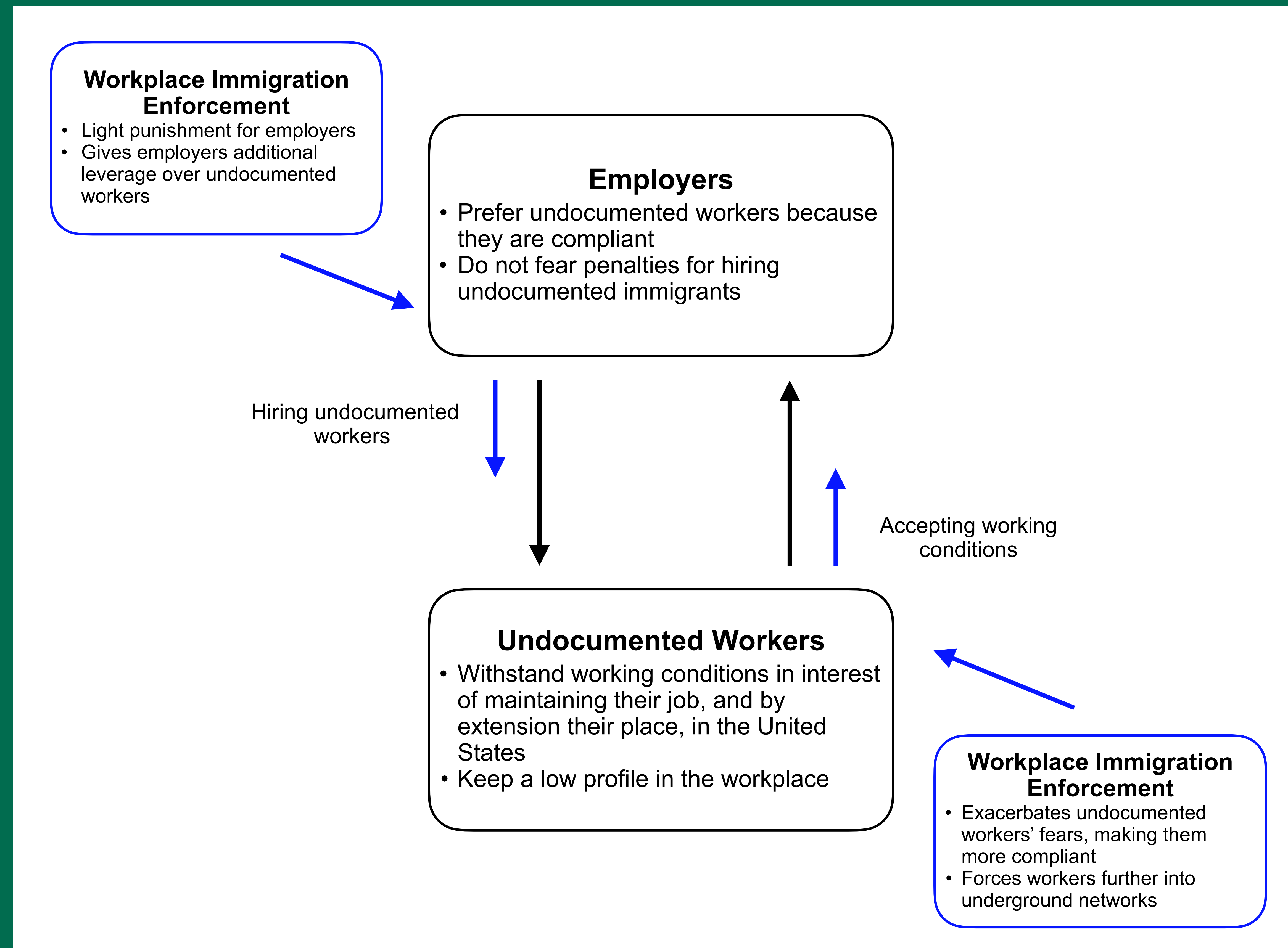
APPROACH

- Identified undocumented workers' and employers' motivations in the workplace
- Investigated how employment verification programs and workplace raids have affected or failed to affect these motivations in the meatpacking industry
- Achieved the above using primary source material and previous scholarship

CONCLUSIONS

- Employment verification and workplace raids fail to disturb undocumented immigrants' desire to work in the United States and do not affect employers' desire to hire them
- Such efforts restrict undocumented immigrants' options in the workplace and heighten their fear, while giving employers leverage over undocumented workers

Workplace immigration enforcement tactics have failed to disturb undocumented workers' presence in the United States labor force. Rather, they have further entrenched undocumented workers by exacerbating the power imbalance between them and their employers.



Motivations sustaining the relationship between undocumented workers and their employers (black arrows). These motivations are intensified by workplace immigration enforcement (blue arrows).

COMPONENTS

Undocumented Workers

- Dual frame of reference: inclined to view opportunities favorably, even in the meatpacking industry
- Tendency to withstand conditions in the workplace rather than seeking to change them or search for employment elsewhere

Employers

- Prefer workers who accept wages, working conditions, and employers' authority
- Incentive to keep wages low in the meatpacking industry, allegedly to stay competitive

Employment Verification

- Undocumented workers made more fearful of discovery, more likely to accept wages and conditions
- Employers can use verification as grounds to dismiss undocumented workers, making it a tool of coercion for abusive employers
- Those workers who are dismissed may turn to employers who pay "off the books," increasing likelihood of wage and hour violations
- Inadequate enforcement and the ability to negotiate fines leads employers to doubt the severity of punishments

Workplace Raids

- Always result in undocumented workers' arrest, while employers are not as heavily affected
- Employers who are charged do not act as a deterrent to other employers
- Lack of access to legal counsel leaves workers at a disadvantage in subsequent legal proceedings

REFERENCES

Shannon Gleeson, Ruth Gomberg-Munoz, Michael I. Lichter, Laura Nussbaum-Barberena, Angela C. Stuesse, Roger Waldinger