

Topic 16.5 Employment: Illegal immigrant labour & the law

- **wage theft** N-UNCOUNT

When an employer doesn't pay a worker for the work that he has done, he is committing **wage theft**.

In California, a federal appeals court ruled last week that FedEx had in effect committed wage theft by insisting that its drivers were independent contractors rather than employees.

- **undocumented worker** N-COUNT

Undocumented workers are foreign nationals who reside and work in a country illegally. It particularly refers to the U.S.

He describes how his bosses often yell at undocumented workers and treat them harshly.

- **Immigration and Customs Enforcement**

An agency of the U.S. Federal Government that carries out immigration and customs law. One of their tasks is to deport illegal immigrants.

- **immigration status** N-VAR

An immigrant to a country can be legal or illegal. The terms and conditions of their entry to the country are referred to as their **immigration status**.

The NLRA protects all employees covered by the Act regardless of immigration status.

- **screen** (screens, screening, screened) VERB

When an immigration agent **screens** workers' worker status, he checks to see which immigrant workers are legally entitled to work in the country and which are not.

Chuck Schumer urged the TSA Wednesday to make airports screen all workers.

- **file charges** (files, filing, filed) VERB
- **drop charges** (drops, dropping, dropped) VERB
- **uphold charges** (upholds, upholding, upheld) VERB

When you **file charges** against someone, you accuse the person of breaking the law. If the person is innocent, the charges will be **dropped**. If the person is not, the charges are **upheld**.

Europe's competition regulator is preparing the groundwork to file charges against Google Inc in the antitrust investigation over the next few weeks.

- **dodge laws** (dodges, dodging, dodged) VERB

When a company **dodges a law**, it avoids complying with it.

Crackdown on illegal foreign drivers who dodge the law.

- **enact legislation** (enacts, enacting, enacted) VERB

When legislation has been passed by a legislature or other governing body, it has been **enacted**.

- **pending**

When something is **pending**, it has not yet happened or is still awaiting decision or settlement.

While an application is pending, the organization can treat itself as exempt from federal income tax under section 501(c)(3).

- **exploit** (exploits, exploiting, exploited) VERB

An employer who **exploits** his workers makes them work in conditions that are considered to be unfair.

Insurers have been accused of exploiting elderly customers' inability or lack of inclination to shop around to overcharge them by hundreds of pounds.

- **impunity** N-UNCOUNT

If doing something usually results in punishment, but you do it with **impunity**, you will not be punished for the deed.

The vast majority of these crimes remain unpunished due to the impunity granted to the perpetrators.

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1. Complete each sentence with an expression from the box.

for undocumented immigrants	that would enact a 3-year moratorium
have filed criminal charges	pending
dodging the law and its various requirements	have a hard time adequately screening

- The Maryland House today passed legislation _____ on fracking statewide with a 93 – 45 vote in favor.
- Police say charges are _____ in connection with a domestic dispute and a firearms complaint in the early hours of Friday morning.
- States such as Georgia, Alabama and Arizona have implemented laws that require proof of legal residency to enroll in school or to seek medical treatment, making it difficult _____ to live there.
- Despite harsh laws, undocumented immigrants stay put within U.S _____ or move to a more immigration-friendly state.
- The 11 million immigrants in the country illegally would have to pass national-security and criminal-background checks before receiving legal status under an immigration overhaul bill the Senate is considering, but some critics say the federal government would _____ such a large number of people.
- Los Angeles prosecutors _____ against a San Fernando Valley man accused of practicing immigration law without a license, part of a new effort to target immigration-related fraud as the federal government prepares to expand a program that offers work permits to millions of people in the country illegally.

2. Match each headline on the left with its respective lead on the right.

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|--|--|
| 1. Fox News 'exploited' new Black Panther Party case | a. Week after week, Guadalupe Rangel worked seven days straight, sometimes 11 hours a day, unloading dining room sets, trampolines, television stands and other imports from Asia that would soon be shipped to Walmart stores. Even though he often clocked 70 hours a week at the Schneider warehouse here, he was never paid time-and-a-half overtime, he said. |
| 2. More workers are claiming 'wage theft' | b. The military judge in the trial of Pfc. Bradley ---- decided on Thursday not to drop a charge accusing the soldier of "aiding the enemy." |
| 3. Judge upholds charge against Manning | c. Meet the only Wall St. executive prosecuted as a result of the financial crisis. Has justice been served? |
| 4. The rise of corporate impunity | d. ---- has gone too far in hyping 2008 case of alleged voter intimidation, according to one <i>New York Times</i> columnist. |
| 5. Why we should screen immigrants for HIV and hepatitis B | e. I tabled an amendment to the Immigration Bill this week to protect our public health from the risk of communicable diseases. |

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3. Read the text and answer the questions.

David Weil, the director of the federal Labor Department's wage and hour division, says wage theft is surging because of underlying changes in the nation's business structure. The increased use of franchise operators, subcontractors and temp agencies leads to more employers being squeezed on costs and more cutting corners, he said. A result, he added, is that the companies on top can deny any knowledge of wage violations.

<http://www.nytimes.com/2014/09/01/business/more-workers-are-claiming-wage-theft.html>

- i. Is wage theft increasing or decreasing?
- ii. Why can companies at the top of the business structure claim that they know nothing about wage theft?
- iii. How has the change in business structure affected employees at the bottom?
- iv. What pressures are put on the employers who are franchise operators, subcontractors or temp agencies?