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Section: ROP News

Legal migrants claim abuse NAFTA complaint
16 nonfarm workers say U.S. employers broke labor laws

Morgan Lee; The Associated Press

MEXICO CITY — Sixteen legal Mexican and Central American migrant workers recruited by U.S. companies filed a complaint yesterday alleging they were abused and denied rights guaranteed by the North American Free Trade Agreement (NAFTA).

The complaint, filed with the Mexican government under the companion labor agreement to NAFTA, maintains that 16 migrant nonfarm workers from Mexico, Guatemala and Panama suffered labor abuses in the United States but had no way to file a complaint and no access to U.S. courts.

The complaint, lodged with the help of eight U.S. and Mexican labor and migrant organizations, calls on the Mexican government to ask the United States to better enforce its labor laws.

Backers of the petition say labor-enforcement issues for legal migrants are taking on increasing importance now that President Bush is proposing a temporary-worker program for Mexican migrants .

"It doesn't help the laborers to have a guest-worker program, to have a visa, if in reality — as we are seeing with this testimony — labor laws are not respected," Karina Arias, a representative of the Mexico City-based migrant support group Sin Fronteras, said at a news conference.

One of the Mexican migrants, Manuel Camero, said he spent \$2,000 on transportation, overcrowded housing and protective equipment for a job with an Idaho reforestation company and never received a paycheck.

The company tried to charge workers for their Social Security cards, Camero said. He said he fled the job with other workers after they were threatened by the business owner.

The migrants filing the complaint lacked the money to hire legal counsel, and they were not entitled to be represented by public legal-aid offices in the United States because they are not farmworkers, said D. Michael Dale, an attorney with the Northwest Workers' Justice Project in Portland, one of the groups helping the migrants .

While NAFTA's side labor agreement, the North American Agreement on Labor Cooperation, doesn't require particular labor protections for migrant workers, "what it does say is that whatever laws you have, whatever rights you do recognize under your own law, that you enforce them," Dale said.

Under the labor-cooperation agreement signed by the United States, Mexico and Canada, alleged violations are presented to the member country in question, which decides whether to take up the complaint.

In this case, workers hope the Mexican government will hold hearings to investigate the reports of abuse and ask the United States to improve enforcement of labor law, while allowing legal-aid providers to extend representation to more migrants.