



Year In Review:

We are proud of how we have advanced portable justice for workers in 2015. Here are some highlights we would like to share with you.

Advocate & Defender Voices

Global Workers Justice Alliance combats worker exploitation by promoting **portable justice** for transnational migrants through a cross-border network of advocates and resources.

The key to our legal action program is the **Global Workers Defender Network**, comprised of human rights organizations and lawyers in El Salvador, Guatemala, Honduras, Mexico, and Nicaragua, whom we team up with U.S. and Canadian lawyers to make justice across borders a reality for transnational migrants. A U.S. lawyer recently partnered with a Global Workers Defender to ensure that her migrant farmworker client – who was cheated out of pay for many hours toiling in the fields – could participate in a minimum wage case against his former employer in Florida. With the help of our Defender, the client was able to seek justice for these labor violations, even from his remote village in Mexico.

“My client lived in a rural mountainous area in southern Mexico and we were under a deadline to have him sign court-ordered interrogatories. Global Workers’ Defender had to traverse on foot because our client lived in a remote area not accessible by car. She was efficient and professional, found my client and got the job done. My client would not have been able to comply with his responsibilities as a litigant had it not been for Global Workers. Whether you are a legal services organization or a private attorney, you are under pressure to move cases forward quickly. The logistical hurdles we face in representing migrants who must return to their countries of origin at the end of their contract period in the U.S. really complicate our cases. I am so grateful to Global Workers for providing case facilitation services through their Defender Network. I was confident in the Defender they assigned to my case and I knew that if issues arose along the way the Global Workers legal team would be able to help troubleshoot.”

- Andrea Ortega
Florida Rural Legal Services, Inc.

“I just worked with a U.S. lawyer on a case where the worker I needed to contact lived in a place that was very difficult to access, very remote. When I arrived at the county seat, the person I had to interview lived still another two-hours away. There was limited access by car because it was rainy season and the roads were problematic. Also, they had recently experienced a heavy political conflict in the area that made it a high-risk endeavor to travel there. The only options to access the community were to hire a van or truck that could manage the terrain, or walk. I walked. The people there told me, ‘if you go in, you will have to stay overnight because after dark you can no longer leave (due to the roads). I stayed. I had to return two more times to get the job done. It was a difficult experience to reach the worker, but I found a way and at all times felt completely supported by the U.S. lawyer and Global Workers. This case was rewarding for me, because I knew that my work was contributing to help a person that had suffered violations to their rights. It was worth it despite the level of difficulty and risk involved. I appreciate working with Global Workers, and to know that together we can ensure their rights are not violated, or that they achieve justice when they are.”

- Maribel Marcial Santiago
Global Workers Defender Network, Oaxaca

Ensuring Justice Across Borders for Migrants

Overall we had close to 70 legal actions in 2015, addressing a variety of challenging and significant legal cases realizing portable justice for migrants. These include in depth “case facilitations” where a Defender works directly with a U.S. advocate to help a migrant who has returned home or to gather evidence in the country of origin, advice for U.S. advocates on a particular portable justice challenge, referrals for support outside the Defender Network, and support to Defenders as they initiate fraud cases against criminals offering jobs in the U.S. that do not exist.

An example of one such case involved a labor trafficking survivor. Migrants endured terrible conditions, such as 17-hour workdays and stolen wages, and were threatened with guns and deportation when they complained. After seeking legal help the case slowly advanced through the U.S. legal system.

But one worker had returned home and the lawyers faced major obstacles as they sought to ensure that he could continue in the case. Teaming up with one of our Defenders made all the difference. Working closely with the U.S. lawyer, the Defender collected facts for a sworn statement about the abuse suffered and fears of retaliation, provided a safe space for the worker to participate remotely in a settlement negotiation, then helped the worker receive his share of the settlement proceeds. This is just an example of one migrant we helped this year -- and we are proud to report we helped over 300 more. Without this type of secure, reliable, and effective support in countries of origin, many employers would feel free to violate the law and treat vulnerable foreign workers as if they were disposable.

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To help U.S. advocates to overcome these portable justice challenges we also conduct a variety of trainings. One advance this year was a cross border training as part of a new strategy to engage in legal actions on both sides of the border simultaneously to address abuses perpetuated by recruiters or employers in two countries. Guatemalan Defender Aroldo Palacios trained U.S. lawyers on the practice of recruiters who confiscate property titles of workers so that they will not complain about abuses suffered while working in the U.S. on H-2 visas. This issue came to the fore when U.S. advocates noted that Guatemalan workers were terrified to complain about conditions out of fear of losing their family lands. The practice violates both Guatemalan and U.S. law and a coordinated bilateral strategy is in development to address it.

Improving Government Responses in Mexico and Central America

One of the goals of the Mexico and Central America policy work is to ensure that the governments effectively address the abuses that their migrants face when being recruited to work abroad or when working in the United States. These actions include everything from prosecuting the criminals who steal money from migrants by offering jobs in the U.S. that do not exist, to making sure human trafficking victims can access justice in the U.S. once they return to the safety of their home.

As a step toward achieving these goals, Global Workers trained over 25 Guatemalan officials from three ministries on how these temporary foreign worker visas are supposed to work and the rights of their nationals when working in the U.S. There was unprecedented interest and commitment from the government and they have asked Global Workers to continue collaborating to design referral mechanisms so that they can provide assistance to the workers who experience these abuses.

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Due to Mexico’s vast geography, we chose to focus much of our efforts on two state governments this year: Michoacán and Oaxaca. Working hand in hand with key Defenders in those high migrant-sending states we encouraged the governments to step up to aid their migrants who work abroad by training officials and supporting community outreach efforts.



Just recently we signed an agreement with the Oaxacan government laying out a plan of collaboration including case referral mechanisms and education efforts. We expect a similar agreement in Michoacán by the end of this year. With these foundational efforts achieved in Mexico and Guatemala in 2015, we expect solid gains to address migrant abuse in 2016.

Another aim is to encourage governments in the region to harmonize their laws that protect workers being recruited to work abroad. Weak protections result in more abuses. To start this effort, we kicked off the first phase of the project by partnering with Defender Network members to produce an analysis of the recruitment rules in Mexico and Central America. We released the report in El Salvador and Guatemala, and expect to continue the roll out in 2016. The point is to look at the region as a whole to identify best practices and then move collectively to ensure that workers across the region have the same rights. A common baseline of rights will help prevent the now common practice of recruiters moving between countries always in search for ever more vulnerable workers.

Advocating for Transparency to End Human Trafficking

On the home front, we continue to push for transparency in the temporary foreign workers visas to reduce human trafficking and other rampant abuses. Global Workers and partners previously authored draft legislation requiring public disclosure of data currently collected but held secret. The bill continues to build momentum, with bipartisan support in the House already achieved and building in the Senate. The bill would require government agencies to publicly report on these visas and their impact on U.S. and foreign workers alike.

“...Global Workers is sought out to speak on these issues...”



Our deepening knowledge is resulting in an improved Visa Pages, the national e-resource on how these visas work from a rights perspective. As a recognition of our increasing expertise, Global Workers is sought out to speak on these issues, as happened twice before Congressional staffers regarding the importance of protecting these vulnerable workers.

Building the Capacity of Our Partners

Empowering the members of the Global Workers Defender Network is a priority for us so that we can effectively partner with them to win justice for migrants in the legal cases or to advocate with their governments to make local change. As part of these ongoing efforts, we conducted fourteen trainings this year, just for the Defenders, covering a myriad of topics including the President’s Executive Action, so that the Defenders could combat local fraud schemes and orient local communities; procedures to work with U.S. lawyers on cases, to share lessons learned and best practices to make the case facilitations more effective and efficient; an update on the new H-2B visa regulations, so the Defenders are educating the migrant workers with the most current information; and a two-day course for the Mexican Defenders on security risks and protective measures because they are working in an increasingly dangerous climate.

“...the Defenders are educating the migrant workers with the most current information...”

More than 30 Defenders participated in these and other trainings we provided either in-person or in online seminars, an increasingly effective tool as technology is more accessible every year.



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**CAMMINA Alliance -- Avina
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Catholic Relief Services

Cushman Foundation

General Service Foundation

MacArthur Foundation

**Pat and Patty Crowley Fund at The
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Porticus

Public Welfare Foundation

The Resource Foundation

**U.S. Department of State, Office to
Monitor & Combat Trafficking in
Persons**

Defender Network

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**Centro Juvenil Generando
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**Centro Regional de Defensa
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**Comité de Derechos
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NicasMigrante