

Discrimination, Detention, and Deportation: Immigration & Refugees

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COLUMBUS - The American Civil Liberties Union of Ohio will testify today before the Ohio Senate Insurance, Commerce & Labor Committee opposing Senate Bill 323. The legislation would prohibit injured, undocumented workers injured on the job from receiving workers' compensation benefits. It would also prohibit lawsuits against an employer when these workers suffer injuries, unless the employer knowingly employed an undocumented worker.

Ideally all employees in Ohio would have legal authorization to work, but we all know that is not the current reality, said ACLU of Ohio Associate Director Gary Daniels. SB 323 would worsen the current problem by encouraging employers to remain ignorant about the immigration status of their workers while simultaneously leaving those workers and their families with little recourse should they fall ill, get injured, or die.

There is no doubt that we have imperfect federal immigration laws, added Daniels. Unfortunately, this legislation reinforces that system by continuing to allow employers to profit from the undocumented status of their workers the same workers who are given the lowest paying, most dangerous jobs.

Theoretically, SB 323 would still allow undocumented workers to sue their employer in state court for intentional or criminal acts resulting in injury. However, lack of resources and fear of deportation prevents many undocumented immigrants from using the legal system when they have been wronged.

These are people who have stepped away from our broken immigration system and accept low paying, dangerous jobs to provide for themselves and their children, said Daniels. Many employers already exploit undocumented workers because they are among the most vulnerable in our society; this law further marginalizes them.

For our nation, immigration has always has been a complex issue, added Daniels. The answers are not easy, but encouraging a more dangerous workplace while making it easier for business to profit from that danger is unacceptable, no matter what.

The Senate Insurance, Commerce & Labor Committee will meet at 4:00 p.m. on Tuesday, November 27, 2012 in the South Hearing Room of the Statehouse.

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