

## **Mexican Guest Workers, Laid Off, Want BP's Help**

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### **Body**

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NEW ORLEANS -- Soon after the oil from the Deepwater Horizon began gushing into the Gulf of Mexico, business at the Ramada Plaza Beach Resort in Fort Walton Beach, Fla., dried up -- and so did the jobs of five Mexican housekeepers who were guest workers at the hotel under contracts guaranteeing them work until Nov. 1.

"On June 30, they told us our jobs were over, and that we had to leave our housing and go back to Mexico," Salvador Luna Espinoza, one of the housekeepers, said in a telephone interview conducted with a translator. "I'm staying with friends now, but I don't know how long they'll put up with me."

While thousands have lost their jobs as a result of the oil spill, the layoffs present special hardships for guest workers, mostly hotel workers and those working in shellfish processing.

Under their H-2B visas, they are allowed to work only for the employer who arranged their visa, and they must leave the United States within 10 days of losing their job.

Most took on debt of \$1,000 or more to pay for the trip to the United States, planning to pay it back with their earnings.

Mr. Luna Espinoza, who has a wife and five children at home in El Tizate, Mexico, said that without the \$7.75-an-hour hotel job, he had no hope of repaying his debt -- and unless he could do so, no one would back him in arranging another visa or another job.

So he is still in the United States, awaiting compensation.

"What they face is basically a guillotine the moment they're laid off," said Saket Soni, executive director of the Alliance of Guestworkers for Dignity, a grass-roots New Orleans organization that is helping the laid-off housekeepers, and other guest workers laid off from a Baton Rouge seafood processor, file claims with BP. "We would like to see them treated not as disposable workers, but as people who deserve relief in a disaster."

In theory, guest workers have the same rights to compensation from BP as anyone else who lost income due to the oil spill. But as a practical matter, getting that compensation is far more difficult for workers from another country, who speak little English and may not understand the claims process or have the documentation from employers to file a claim.

With the help of Mr. Soni's alliance, Mr. Luna Espinoza filed a BP claim for lost wages of \$5,498.63, backed up by a letter from Ramada saying that his layoff was due to the oil spill. He has not yet received compensation, though. On July 9, the alliance filed a petition with the Labor Department, asking that it issue a formal policy directing those in the spill zone who employ guest workers to pay all the wages due under the contract, as well as the quest workers' fare home.

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"It shouldn't be on the quest workers' shoulders to bear the costs of the spill," Mr. Soni said. "The employers are in a much better position to get BP to reimburse them."

Indeed, quest workers are in a tenuous position, usually living in labor camps or other housing run by their employers, with little connection to the surrounding community, and little understanding of their legal rights. Many fear retaliation from employers or immigration authorities if they make complaints. And when their jobs end suddenly, many have no idea where to turn, and, like Mr. Luna Espinoza, drift off to stay with someone from their home country.

The alliance petition said many quest workers would no longer be in the United States when any compensation was issued. If BP does issue Mr. Luna Espinoza a check, it will be sent to the alliance, since he has no fixed address.

At the Labor Department, a spokeswoman for Nancy Leppink, deputy administrator of the Wage and Hour Division, would say only that the division would "respond appropriately" to the alliance's petition.

At the Ramada, business is still depressed, said Joseph Guidry, the general manager. Mr. Guidry declined to comment on the petition or the issue of requiring employers to pay out the contract and then await reimbursement from BP.

Mr. Luna Espinoza said he had been a quest worker before, working on a tobacco farm in Virginia. So which did he prefer?

"It was much better in tobacco," he said. "They had more hours of work for me."

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