

# What Immigration Reforms Mean to Finishers

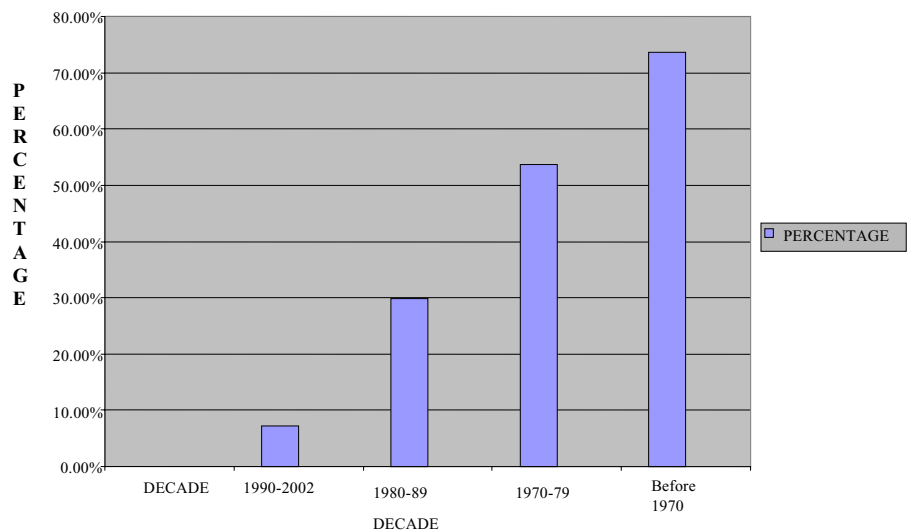
By Woodruff Imberman & Mariah DeForest

Hungry union organizers believe President Bush's new proposals (see box) to provide eventual citizenship to millions of illegal immigrants, mainly Mexican, will spark a new wave of unionization efforts in America's finishing industry.

Although some platers and finishers have nearly 100 percent Spanish speaking employees, the industry overall had about 16 percent Hispanic workers in 2000, a number projected to reach just over 27 percent by 2010. ( See "Managing With Hispanic Workers," *Plating & Surfacing*, June 2004.) Although nobody can accurately say how many immigrants are here legally (or even here!), the Census Bureau estimates that 73.3 percent of those coming to this country before 1970 are citizens, whereas only 7.3 percent of those coming here since 1990 have that status (see accompanying chart).

President Bush's proposals have already been attacked by liberals for being too

US CITIZENSHIP OF FOREIGN-BORN HISPANICS BY YEAR OF ENTRY



conservative, and by conservatives for being too liberal. While it is a safe bet his new initiative will be well mangled in the Congressional meat grinder, many believe the outcome of Bush's proposals will be that millions of law-abiding, undocumented immigrants will receive some sort of protected status. After all, this is an election year. Led by AFL-CIO President John Sweeney, most unions have championed Bush's move because they think it will make it easier for them to organize Hispanics.

## 1987 Déjà Vu All Over Again

When immigration laws were last liberalized 17 years ago, unions targeted Hispanics in a series of organizing drives. The 1987 changes granted amnesty to illegal immigrants who had lived continuously in the U.S. for five years or longer. Millions applied, and many are now full American citizens.

## Current Estimates Of Indocumentados

The nation's top demographers report the number of *indocumentados* now is between 7.1 and 8.5 million, of which 3.9 to 4.5 mil-

lion are Hispanic. This is far higher than in 1987, when experts "guesstimated" that between 1.5 and 3 million Hispanics were here illegally. Undocumented immigrants have long been able to easily secure the papers needed for U.S. employment (birth certificates, social security cards, driver's licenses, "green cards," etc.) from counterfeiters in most major American cities. "This is a big business," said Chicago's Marquette Police District Cmdr. Dennis Prieto, who estimated that counterfeit rings make from \$15,000 to \$20,000 a week. ("Four arrested in sale of bogus IDs," *Chicago Tribune*, Jan. 27, 2004.) This trade is probably one of America's strongest growth industries.

The human wave flooding over America's borders is because of U.S. prosperity contrasted against widespread poverty in Mexico and Central America. As a result, Hispanics are America's fastest growing ethnic group. (See accompanying table.) Most Hispanic immigrants are from hard scrabble rural areas, with little knowledge of American unions or American labor laws. They don't know that unions and collective bargaining in the U.S. are far different than in Mexico or Central America. The average legal Mexican immigrant has less

Free Details: Circle 105 or visit [www.aesf.org](http://www.aesf.org)

than a sixth grade education. The undocumented ones no doubt have spent even less time in school.

While most try to be unobtrusive, there is a large numbers of *undocumentados* in the Greater New York City area, California and the Southwestern states, and the heartland "rust belt" cities of Mid America like Chicago, Milwaukee, and Cleveland.

## True Employment Situation

Experts aware of employment realities and U.S. labor laws know some of the most exploited employees in the nation are undocumented workers. Fearful of being deported back to the poverty they escaped, they rarely complain about supervisory abuse and must cope with conditions most Americans would not tolerate. These Hispanics know that if their papers are scrutinized too closely, their true status would become known, and back they go South of the Rio Grande, courtesy of Uncle Sam.

The Supreme Court has even tied the hands of the National Labor Relations Board, the Federal agency whose expansive eclecticism in policing our nation's labor laws has so angered employers over the years. Under the 2002 Hoffman Plastic Compounds case, the Supreme Court ruled that even if an employer illegally fires an undocumented worker for pro-union activities (a common tactic, according to the unions), that worker is not entitled to re-instatement nor is he eligible for back pay of any type. In short, not even the most aggressive union can help him now.

As proved true in 1987, experts predict Hispanic workers will again quickly assert their rights when offered legal protection. And as before, union organizers will be just as quick with promises to help, in return for votes in representation elections.

## POPULATION BY RACE AND HISPANIC ORIGIN 1990-2050

Resident Population in Thousands as of July 1

YEAR	WHITE	BLACK	HISPANIC ORIGIN	AMER. INDIAN	ASIAN	TOTAL
ESTIMATE						
1990	188,601	29,374	22,549	1,802	7,076	249,402
PROJECTIONS						
1995	193,566	31,598	26,936	1,931	8,788	262,820
2000	197,061	33,568	31,366	2,054	10,584	274,634
2005	199,802	35,485	36,057	2,183	12,454	285,981
2010	202,390	37,466	41,139	2,320	14,402	297,716
2020	207,393	41,538	52,652	2,601	18,557	322,742
2030	209,998	45,448	65,570	2,891	22,993	346,899
2040	209,621	49,379	80,184	3,203	27,614	369,980
2050	207,901	53,555	96,508	3,534	32,432	393,931

Source: Day, J.C. U.S. Census Bureau, *Population Projections of the U.S. by Age, Sex, Race, and Hispanic Origin, 1995-2050*, Current Population Reports, P25-1130, Table I U.S. Govt. Printing Office, Washington D.C., 1996.

## Ill Treatment Wide-spread

Afraid to complain, or even to be noticed, today's *undocumentados* stand in the shadows of American life. A number of them are exposed to a range of employer abuses in some plating plants where safety standards and federal wage laws are sometimes ignored. These silenced workers are often paid less than Anglos or others having similar jobs—but far more than they could ever earn in their native lands.

In addition, undocumented workers must sometimes tolerate abusive supervisors, almost invariably behind the backs of senior management. Supervisors have been known to "sell jobs"—a new employee must turn over his first week's paycheck to his foreman; forced purchases of Amway or similar products hawked by supervisors; favoritism in overtime and job assignments, etc. Senior executives are almost invariably unaware of these abuses, because they do not speak Spanish, and the Hispanics are reluctant to complain.

Less pernicious but equally galling are the slights and insults unknowingly visited on these workers by supervisors who understand neither the Spanish language nor the Hispanic cultures. Even well mean-

ing supervisors often inadvertently offend their Spanish speaking employees by their supervisory approach (see "Managing With Hispanic Workers," *Plating & Surface Finishing*, June, 2004).

As hope engendered by President Bush's proposals spreads, the most recent wave of Spanish speaking immigrants will stand tall for their rights, just as have earlier ones. Like other minorities who suffered abuse in America's past, Hispanics will not tolerate such treatment when the law protects them. They will remember past abuses, and who inflicted them, as they look for spokesmen (and politicians) who claim they can eliminate the indignities.

## Enter the Union Organizer

Easily-led, eager-to-believe Hispanics flock to Spanish speaking organizers who promise an end to insults and abuses, who offer "free" health and medical insurance, more paid holidays, and pie-in-the-sky raises. And all for just "signing this little ole (union) card." No union organizer has blushed guiltily when promising the sun and the moon and all the stars in the sky to would-be recruits, any more than a used car salesman is guilty of understatement.

## Key Provisions Of President Bush's Proposed Reforms

- Three year renewable visa would confer legal status on undocumented workers.
- Workers could only take jobs that employers showed were not wanted by American citizens.
- Undocumented workers already living in the US would pay an unspecified fee to apply
- Visas would be free to those who have not yet entered the US.
- Immigrants with work visas could begin citizenship process.
- Workers who lose jobs or break the law would have to leave the US.
- US labor laws would apply to legal foreign workers.
- Tax deferred savings plans for workers with visas would be provided, and could be drawn upon when workers return to their native countries.
- Annual number of "green cards" (now 140,000) would be increased.

## Positive Prevention

Employers with high Hispanic populations need unbiased and unfiltered knowledge of their employees' current morale and attitudes in order to uncover and cure any beneath-the-surface problems that might make their finishing plant a fertile ground for union organizers. This is best done in face-to-face interviews by a knowledgeable interviewer in an employee audit. Obviously, such an audit should be conducted by an outsider who can be trusted by the Hispanic workers, and to whom they will speak freely. (See "Improving Business Through An Employee Audit

Program," *Fabricator* December, 1993.)

As a result of an audit, actions toward improvement can be taken—rest rooms can be cleaned, safety hazards (which cause sky-high workman's comp claims) can be rectified, wage and benefit programs unscrambled and explained, lunch rooms brightened, and supervisory practices improved.

## Supervisory Training Important

Using employee interviews as case studies, supervisors can be trained in how to treat and motivate Hispanics in specialized supervisory training tailored to meet the specific needs and problems of their individual plant.

Unfortunately, canned training is most frequently used by many platers and coaters because it is inexpensive. Rarely worth more than its price, such training is full of generalities and discounted by supervisors who cannot connect the lessons with their own specific situations. Effective training requires materials drawn from the supervisors' own plant, so they understand that the problems are real and are having deleteri-

ous effects on their employees and their performance. (See "Training Hispanics for Supervisory Jobs," *FDM Magazine*, March 1998.)

## Double Barreled Results

The results of an employee audit and supervisory training are two-fold. First, they create an environment conducive to high employee performance—safety, quality and productivity. While many Hispanic employees are not educated, they are far from ignorant. They have as much common sense as anybody else, and if asked in an encouraging way, they can quickly point out many ways in which productivity, quality and on-time deliveries can be improved. Second, an employee audit and customized supervisory training will reduce the appeal of the union organizers—who no doubt will soon come a-calling—to near zero.

High workplace performance and a disinterest in unions—Isn't that what most platers and coaters like you want from your employees?



## About the Author

*Dr. Woodruff Imberman is president and CEO of Imberman and DeForest, Inc., 1740 Ridge Ave., Evanston, IL 60201. The management consulting firm specializes in human resource administration, including group employee incentive*

*compensation plans to motivate workers for performance improvement, employee communications programs, management development and supervisory training efforts, diversity advocacy programs with special emphasis on Latino cultures, and positive employee relations programs in both union and non-union settings. He has lectured at more than a dozen universities, including Indiana University, Tulane University, Lake Forest College Graduate School of Management, and Depaul University. He has published more than 400 articles on various aspects of human resource administration and compensation. The firm has been involved in many segments of industry in the U.S., Canada and Mexico. He can be contacted by e-mail at [IMBandDEF@aol.com](mailto:IMBandDEF@aol.com).*