ISSUE PAPER: Immigration Policy

Source: National Turkey Federation (NTF)

The turkey industry employs more than 100,000 workers who produce more than $10 billion worth of turkey products at more than 60 plants across the country. The turkey industry pays salaries well above minimum wage and makes health coverage available to its employees and provides other benefits. Most turkey plants are located in rural, low-unemployment areas. To fully staff these plants, the industry must recruit from outside their local area and, in many instances, must rely on first-generation Americans. Practical immigration reform is important to the industry's future. There is currently no one bill that is a "silver bullet," but it is time to resolve the immigration debate for the good of the country. In order for companies to ensure the legal hiring of enough qualified workers, using a trusted E-Verify program is essential and critical to the long term success of the U.S. economy.

Request to Congress

The National Turkey Federation (NTF) supports comprehensive immigration reform that includes the following policies and provisions that will maximize benefits to the turkey industry and ensure a strong and durable immigration system that meets the needs of the U.S. economy.

Employer Liability: NTF supports legislation that creates a strong safe harbor provision that removes legal liability from employers that use the verification system in good faith. We also seek the authorization of a voluntary authentication program, that requires the office of Immigration and Custom Enforcement show "clear and convincing evidence" that an employer complying with E-Verify technical requirements did not act in good faith is needed. These changes are needed to protect those in charge of hiring workers at large and small businesses across the country.

Access to Labor: Provide opportunities for the inclusion of an expanded visa program for full-time, lower-skilled workers. It is important that any final legislation address the needs of the entire business community, not just the seasonal agricultural industry.

Anti-discrimination Liability: There is significant overlap in the duties and jurisdiction of federal agencies, such as the Department of Justice, the Office of Federal Contract Compliance Programs at the Department of Labor and the Equal Employment Opportunity Commission regarding standards for hiring new employees. Turkey companies are committed to hiring a diverse workforce and complying with the law; therefore, any final legislation should include language that gives companies a clear understanding of the process, along with guidelines that explain what is permissible when hiring new employees and what is specifically prohibited.

Earned Legalization: An earned legalization program should contain clear, specific requirements and offer less stringent requirements to agricultural workers under a "new agricultural worker program." A seasonal agriculture worker program does not meet all of agriculture's or other businesses' labor needs. The turkey industry supports the inclusion of year-round, lower-skilled workers, not just in an agricultural workers' program, but for all business.

Border Enforcement: Maintaining border security and combating visa overstays are vital to creating a path to citizenship.

Background:

Turkey producers are committed to hiring only legally documented workers. The current outmoded immigration system and the increasing sophistication of identity theft makes it difficult to secure enough legal, qualified workers in rural areas and retain those documented workers who are hired. Our industry strongly supports a workable immigration system that properly manages the future flow of legal workers, including a viable guest-worker program and an accurate, reliable electronic system to verify work authorization documents.

E-Verify

The existing E-verify system created as a pilot program in 1996 is a step in the right direction; however, it does not work adequately in its current form to prevent identity fraud. It provides for the electronic verification of employment authorization documents and assists employers in determining the validity of an applicant's identity and legal status. Under E-Verify, participating employers access Department of Homeland Security (DHS) and Social Security Administration (SSA) databases to input Social Security and alien work authorization numbers. Many meat and poultry processing companies currently utilize E-Verify and have since its inception. These companies will continue to use E-Verify regardless of its flaws, as it is currently the only available hiring tool.

By participating in E-Verify, our industry has become familiar with its significant problems. It does not effectively address the problem of identity theft, which enables individuals to use Social Security or alien work authorization numbers that are legitimate and exist in SSA databases, but do not belong to the individual presenting them to an employer. While DHS can cross reference Social Security numbers, employers have no ability to do the same when they hire an individual. This results in employers hiring persons with stolen identities and creating costly business disruptions, facing stiff fines and criminal penalties if DHS discovers the identity theft and removes the offender from the workforce. While the employer in such circumstances may be protected from liability because it properly complied with E-Verify requirements, the loss of workers trained at considerable expense and resultant business disruptions make it imperative that the identity theft problems of the program be addressed in legislation.

Guest-Worker Program

The majority of general labor skilled entrants come to the United States seeking employment illegally because there is currently no clear legal avenue. Moreover, there are very limited permanent visas for general labor skilled workers, and the existing temporary programs for general labor skilled workers are for seasonal labor only, which does not help manufacturers at all. AgJobs legislation does little to help food manufacturers. For instance, there are difficulties with most of above proposals that make it difficult for the poultry industry model. Any authorization for work of less than three years is not feasible, due to the investment in training, cost of overseas relocation- and finding housing. During times of full employment when our economy is creating jobs and qualified Americans are unavailable or unwilling to fill those jobs--employers need access to a pool of legal, lower-skilled immigrant workers. Correcting the existing visa system will prevent future waves of illegal immigration by those seeking these available jobs.

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