

Dan Ruben  
Executive Director  
Equal Justice America  
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Midlothian, VA 23112

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Dear Mr. Ruben,

I am writing to express my gratitude for the fellowship Equal Justice America awarded me this year. Due to EJA's support, I was able to spend my summer as a law clerk at the New Orleans Workers' Center for Racial Justice. I was interested in working with the Workers' Center because it is recognized as a national leader for its creative legal strategies designed to advance the rights of immigrants across the South. Because the Workers' Center has three membership-based organizations within it, the Legal Department works in a variety of practice areas. I arrived this summer especially interested in its immigration and labor law work, and the way that the Legal Department's efforts are utilized to support the community organizing efforts of its members.

Most of my work was related to the Workers' Center immigrant members, who are either undocumented or working as guestworkers in the seafood and hospitality industries. Despite the differences in their immigration statuses, both groups of workers are subject to exploitation by their employers and racial profiling by law enforcement. For much of the first month, I was working on a visa filing for a large group of Jamaican guestworkers who had been abused by their employer in Florida. The workers had been recruited to clean hotels and had paid significant fees in order to be brought to the United States. Despite being "legal," the workers found themselves under the control of an employer who stole their wages, charged hundreds of dollars in rent for unfurnished and unsafe conditions, and threatened those who complained with deportation. Although immigration law provides a visa for victims of crime, adjudicators have historically been somewhat hostile to visa applicants when they are the victims of workplace crime. The Workers' Center is one of a handful of organizations that are challenging this by bringing strong, employment-based claims on behalf of its members.

I worked intensively on five cases, including on one of a woman named Judith. Judith, like most of her co-workers, had no connection to the United States before coming on her guestworker visa. Although appreciative of the efforts of the Workers' Center on her behalf, it was clear that the slow pace of the legal process was discouraging to her. We had many opportunities to talk as I drafted her declaration, and I got to know many of her family members as I worked with them to draft letters of support to include with her application. The more I got to know Judith, the more difficult to fit her into the mold of the type of victim she had to appear to be in order for her visa application to be successful – she had endured

very difficult situations, and had spoken out against an abusive employer despite the threats against her. I was challenged to find ways to help Judith tell her story about her experience on her own terms, in a way that would also help her meet the legal standard necessary for the visa. A highlight was when she came to the office to pay the filing fee for the application. She was one of the last to come in, so she was able to see her completed file. She spent 30 minutes in the office, asking me to explain each document and why we had included it; after awhile, she turned to me and said, "Really? This is all about me? I can't believe someone would have done all that for me." It was a powerful reminder for me about the important role lawyers can play in helping restore a person's sense of dignity and self-worth.

One of my other projects was to work with a guestworker who had been retaliated against by her employer after she started being involved in organizing for better work conditions. As a seasonal guestworker, Olivia was rehired each year; under labor law, it was difficult to establish that she had been fired instead of just not rehired. Although the National Labor Relations Act provides protections for the type of organizing in which Olivia was involved, it was difficult to establish that she was an employee entitled to NLRA protections. But doing so could help dramatically expand the application of the NLRA not only to immigrant workers, but to the growing number of contracted and seasonal workers working around the country. I conducted research on NLRB case law defining blacklisting, drafted and translated Olivia's affidavits, and helped prepare her for her interview with the Department of Labor. It was an amazing experience to be able to translate for Olivia during her interview with the investigator and to help her explain her experience in her own words. In addition to learning a great deal about labor law, I gained an appreciation for how many barriers workers must surmount in order to access protection from their employers. I have immense respect for the amount of courage it took both Judith and Olivia to stand up to their employers and to demand that their rights be respected.

My time at the Workers' Center solidified my commitment to working in civil legal services in the future. I was able to see firsthand how dedicated, creative lawyers can have an impact far beyond individual clients. Since returning to Boston I have begun an externship with Justice at Work, another organization that works at the intersection of labor and immigration law and provides strategic support to workers centers across New England. I am grateful to EJA for its support of my work this summer, and my career as an attorney dedicated to working in the public interest.

Sincerely,  
Danielle Alvarado