



# AA AND NHPI WORKERS



## Empowering AA and NHPI Workers

NCAPA advocates for the following steps to be taken to protect AA and NHPI workers: (1) expand coverage under the National Labor Relations Act to all workers including those in garment, caregiving, and agricultural industries, (2) ensure workers are being compensated fairly by supporting a living wage of at least \$15 an hour and bringing employers, workers, and government together at industry-wide bargaining tables to negotiate wages; (3) protect AA and NHPI immigrant workers whose legal status can make them targets of discrimination, intimidation, and wage theft; (4) strengthen AA and NHPI workers' ability to unionize and negotiate for better workplace conditions by providing stronger deterrents and fairer remedies for workers who face retaliation, discrimination, or other employer interference.

## Recommendations

- Increase workplace protections, including health and safety regulations, for nail salon workers, domestic workers, restaurant workers, and other professions with high rates of immigrant workers.
- Provide full whistleblower protections for immigrant and guest workers.
- Expand labor and employment legal protection to workers with temporary non-immigrant work visas.
- Labor law enforcement agencies must be adequately funded to ensure full enforcement of existing labor protections.
- Guest workers of all skill and wage levels should be able offered a pathway to citizenship and be able to self-petition for green cards.
- Maintain work authorization for dependent H-4 visa holders.
- Employers who have committed violations of labor and employment law should be barred from using temporary work visa programs.
- Ensure Department of Labor (DOL) funding for programs supporting recruited workers in countries of origin know their rights and understand their available options for recourse if such rights are violated.
- Increase federal funding to the Department of Labor's Wage and Hour Division, the Occupational Safety and Health Administration, and other investigation and enforcement agencies to hire more investigators and provide for more robust monitoring of employers and worksites across the country.
- Streamline the enforcement procedures of the National Labor Relations Board to provide for more timely, effective enforcement of the law and fast-track procedures for complaints and retaliation cases Agencies tasked with enforcing labor standards should affirmatively target and investigate high-violation industries through conducting unannounced investigations in priority industries and regions to uncover violations against workers.
- Gradually raise the federal minimum wage to at least \$15/hour, end the tipped minimum wage disparity, and expand access to overtime pay for all workers.
- Encourage employers across industries to provide predictable and stable schedules through advance notice and predictability pay; provide employees with the right to request a schedule change without fear of retaliation, as well as a right to 11 hours of rest between scheduled shifts, or time-and-a-half pay if an employee consents to work with a shorter break.
- Set a national standard for paid sick days that requires all employers to provide one hour of sick leave for every 30 hours worked, Expand the Family and Medical Leave Act to provide coverage to all workers and a wider variety of family caregiving relationships including LGBTQ families, and create a federally mandated paid parental leave policy of at least nine months for either parent, including parents of adopted children.
- Restore Equal Employment Opportunity Commission (EEOC) wage gap data collection to include data disaggregated by race and gender, in addition to by ethnicity.
- Adopt policies that protect the dignity, rights, and equitable treatment of AA and NHPI women workers by ensuring protections against retaliation for discussing salaries with colleagues, prohibiting employers from screening job applicants based on salary history, and requiring employers to prove that pay disparities exist for legitimate, job-related reasons
- Protect and strengthen the collective voice and negotiating rights of workers for basic workplace improvements, including increasing penalties on predatory employers that violate workers' rights.