2024 Policy Platform

Empowering AA and NHPI Workers

For more than 80 years, loopholes in federal labor laws have excluded industries with high concentrations of AA and NHPI workers from basic, but critical, labor protections – such as the right to form a union, earn a minimum wage, and receive overtime pay. This means that millions of tipped workers, farm and agricultural workers, and domestic workers are at risk. Low-wage AA and NHPI workers often lack access to even the most basic benefits, including sick leave, and tend to be isolated in industries where they cannot organize to improve their working conditions. They are particularly vulnerable to wage theft and other forms of employer abuse.

Despite the dominant narrative, recent reports show that about four million (one in five) Asian Americans live at less than 200 percent of the federal poverty level. By building power for workers to organize for better wages, benefits, and conditions in their workplaces, we can finally close the racial wealth gap for AA and NHPI communities.

Protect Immigrant Workers

- Increase workplace protections, including health and safety regulations, for nail salon workers, domestic workers, restaurant workers, and other professions that are largely made up of immigrant workers.
- Expand labor and employment legal protection to workers with temporary non-immigrant work visas.
- Adequately fund labor law enforcement agencies to ensure full enforcement of existing labor protections.

Strengthen Avenues for Employment-Based Immigration

- Offer guest workers of all skill and wage levels a pathway to citizenship and be able to self-petition for green cards.
- For the H-1B and H-2 visa program, changes should include:
  - (1) Allowing visa portability for workers H-1B and H-2 visas;
  - (2) Empowering the Department of Labor to enforce prevailing wage requirements and employment contracts for H-2B workers;
  - (3) Authorizing the Department of Labor to have oversight over H-2B employers and recruiters to protect workers against exploitation;
  - (4) Ensuring that all workers have the ability to organize and bargain collectively in an effort to protect vulnerable workers in all industries;
  - (5) Prohibiting recruiters from charging recruitment fees to H-2B workers; and
  - (6) Providing a grace period prior to initiating removal proceedings against laid-off H-1B and H-2B workers.
- Maintain work authorization for dependent H-4 visa holders.
- Prohibit employers who have committed labor violations from using temporary work visa programs.
- Ensure the Department of Labor (DOL) receives funding for programs supporting recruited workers in countries of origin so that individuals may learn about their rights and understand available options for recourse if such rights are violated.
- Defend and expand immigrant worker protections, such as temporary status and work permits, for immigrant workers who are organizing and taking action to ensure labor laws are enforced.

Shift the Burden and Risk of Enforcing Labor Standards from Workers to Employers

- 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 ensure more robust monitoring of employers and worksites across the country. This includes ensuring language access for limited English proficient workers – not only through translated materials but by hiring investigators with proficiency in the languages spoken within the AA and NHPI community.
- 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 (e.g. the California Labor Commissioner's creation of a separate Retaliation Complaint Investigation Unit).
- Agencies tasked with enforcing labor standards should affirmatively target and address labor violations by conducting unannounced investigations in priority industries and regions in order to proactively protect workers.

Build Thriving Communities Through Living Wages and Good Benefits

- Gradually raise the federal minimum wage to at least $17/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 eleven 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 thirty hours worked, allowing workers time to recover from illnesses, access preventive care, provide care to a sick family member, or attend school meetings related to a child's health condition or disability.
- 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.
- Enact national paid leave legislation that ensures time off for victims of domestic violence, sexual assault, human trafficking, stalking and other forms of gender-based violence.

Ensure Equal Pay for AA and NHPI Women

- 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.
- Apply penalties to employers for gender wage disparities.
- More funding/enforcement for the DOL Wage and Hour Division, which collects reports of wage theft.

Restore Fairness By Protecting Worker Rights

- Pass H.R. 20/S.567, the PRO Act (Protecting the Right to Organize Act), and restore workers' rights including the right to launch secondary boycotts. Strong American labor unions help increase wages and job standards for workers across the economy.
- Repeal state laws that undermine worker power and lead to lower wages and less protection for workers across the economy.
- Ensure those who have been left out without wage and hour protections for decades – including domestic workers and farmworkers – have the same rights as other workers.
- Strengthen whistleblower and anti-retaliation protections for workers who speak for themselves or their coworkers.
- Rein in anti-competitive corporate power by rewriting the rules that have undermined workers' ability to advocate for themselves, including non-compete clauses, no-poaching agreements, and contracts that force workers into mandatory arbitration to resolve violations of employment laws.
- Encourage card-check recognition of unions and ban captive audience meetings.
- Impose meaningful penalties against companies who bargain in bad faith.
- Protect all private-sector workers' rights to strike without fear of coercion, interference and undue delay.
- Establish the federal government's role in promoting and facilitating collective bargaining and assist the parties to bring negotiations to a rapid and successful conclusion.
- Commit to a higher standard for intervening in strikes, including under the Railway Labor Act.
- Increase funding and staffing at the Department of Labor and National Labor Relations Board to aggressively enforce wage, hour, health, and safety rules across the economy.

- Prevent the misclassification of gig and platform workers who deserve minimum wage and overtime pay but are denied these rights as they are not defined as “employees.”
- Pass H.R. 5727, the Public Service Freedom to Negotiated Act, which would provide federal guarantee for public-sector employees to bargain for better pay and benefits and the working conditions they deserve.
- Increase funding to the Equal Employment Opportunity Commission and increase its authority to initiate directed investigations into civil rights violations, violations of the rights of people with disabilities, and violations against LGBTQ+ people, especially transgender women of color.