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Obama's pink slips for garment workers

The administration's immigration policies callously cost 1,800 Angelenos their jobs.

By Tim Rutten

This week, unemployment among American workers climbed to its highest level in a quarter of a century. In parts of Los Angeles, joblessness has reached levels unmatched since the Depression. In many predominantly African American and Latino neighborhoods, nearly one in four people is out of work.

Yet the Obama administration has chosen this moment to deprive more than 1,800 Angelenos, nearly all Latino immigrants, of jobs that not only pay a living wage but provide health insurance and other benefits. The workers are employed by American Apparel, the largest employer in downtown L.A.'s garment district. The company and its workers are victims of a shift in federal law enforcement that began under George W. Bush and now has taken a particularly callous turn under President Obama.

The firings are taking place because the American Apparel workers were found to be using identity documents that federal immigration authorities have deemed illegitimate. Mayor Antonio Villaraigosa has called the firings "devastating."

In 2007, the Bush administration began investigating the documents American Apparel's workers had presented when they were hired. The probe was part of a nationwide focus on companies known to employ large numbers of immigrant workers, launched in the wake of Bush's failure to push comprehensive immigration reform legislation through Congress. Under Bush, when investigations turned up irregularities in employees' papers at other companies, workplace raids and deportation proceedings followed. (Previously, federal immigration authorities had probed only employers alleged to be routinely violating health, safety or labor laws.) In the case of American Apparel, officials went after a firm that pays its

workers \$10 to \$12 an hour -- well above the federal minimum wage -- and provides health benefits (including an on-site clinic), subsidized lunches and transportation, a stock-purchase plan and guaranteed year-round employment, a rarity in the garment industry.

Obama's administration, which came to office promising immigration reform, has continued the investigations, but instead of concluding with a raid, Immigration and Customs Enforcement simply compels the employers to fire anybody whose papers aren't in order under pain of ruinous civil penalties. As John T. Morton, the career federal prosecutor Obama appointed to run ICE, smugly told the New York Times this week, the administration intends to "change the practices of American employers as a class."

This is Barack Obama's idea of reform?

"As far as the families involved are concerned, it's just your old immigration raid without the photo-op," said Msgr. Jarlath Cunnane, pastor of St. Thomas the Apostle Catholic Church in the Pico-Union area, where many of American Apparel's workers live.

The company's founder and chief executive, Dov Charney -- himself a Canadian emigrant -- has been perhaps the most vocal supporter of immigration reform in the garment industry. As he wrote on the company's blog this week, "Although the current administration has moved away from ICE raids, the nearly 2,000 hardworking American Apparel employees affected can tell you the new policies are anything but fair. Because of a broken system, we were forced to let go of many factory workers -- people who have been part of our family for nearly 10 years -- and the country seems further from addressing this issue than ever."

In fact, the most appalling aspect of the Obama administration's wretched conduct of this affair is its studied indifference to the fate of the men and women it has thrown out of work. Cunnane's church serves as a vital social service agency in a neighborhood that is bursting at the seams with working people from southern Mexico and Central America. The mass firing at American Apparel, he said, "is going to put all these families under terrific pressure, and who's going to pick up the pieces?" Cunnane, himself an immigrant from Ireland's County Sligo, points out that it is "crazy to think that people are going to go back to their homelands when they've married

and have American-born children in school here."

As one fired American Apparel worker told a reporter this week, "I'm going to have to go to one of those sweatshop companies where I'm going to get paid under the table."

If the Obama administration wants to force employers to more scrupulously examine the documents of new applicants for employment, that's all well and good. But legally coercing companies to fire workers who've been on the job and paying taxes for, in some cases, more than a decade is far worse than folly.

It may be strictly lawful, but the justice involved is the sort that sent Pilate to wash his hands.