

# The Washington Post

## A Guest-Worker Program That Does Well by Migrants

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MONTERREY, Mexico -- If a quarry needs a migrant worker who can haul 50-pound loads of rock out of a mine, or a big landscaper wants to hire a man who'll mow grass from sunup to sundown for \$8 an hour without overstaying his visa, Jeffrey West scrolls through his computer, clicks the mouse and fills the order.

West, an American who lives in Texas and runs an office here, provides a legal passageway to the United States for several thousand temporary Mexican workers every year, signing them up, helping them get visas, putting them in a database for companies in the north to peruse. Though the pay is low and the work grueling, he hardly has to go looking for willing workers.

"They find us," said West, 45, a matter-of-fact Midwesterner. "We don't have to go out and recruit."

West's secure database -- MexicanLabor.com -- contains photos and profiles of more than 20,000 Mexican men and a few women. Most are from rural villages, few have more than a third-grade education, some cannot read. Once they're in the database, West has his assistants look through, seeking workers accustomed to hard labor -- those who don't "look soft," he said.

West began LLS International eight years ago, and its history is, in part, the story of the modern U.S. guest-worker program. Once small and obscure, it has grown in size and attracted controversy. The role of guest workers in the U.S. economy is being hotly debated as Congress considers the largest overhaul of immigration law in two decades. The existing program admits about 158,000 guest workers each year. A bill before the Senate would more than double that number, and business leaders are pushing lawmakers to allow even more foreigners.

Call him a labor recruiter, and West bristles. The term is sullied. There are hundreds of recruiters in Mexico, including some who charge trusting workers thousands of dollars for nonexistent jobs in the United States.

With so many desperate for work, West occupies a powerful position as an American standing at the door to legal jobs. This month, he perched behind a computer at his headquarters in this busy industrial city, navigating the database, which assigns each man and woman a bar code so he can track their movements like FedEx packages.

David Sanchez Martinez sat in a cushioned chair nearby, hoping to become one of those bar codes. The pimply-faced 19-year-old borrowed \$2,000 at a monthly interest rate of 30 percent from a loan shark in his hometown of Mazamitla Jalisco to finance his bus trip to Monterrey, buy food, pay the recruiter, pay the U.S. Consulate and -- if all goes well -- buy a Greyhound bus ticket to Richmond, where he'll push a lawnmower for hours each day.

"The pay is \$7.75 per hour; \$11.75 for overtime," Sanchez said, reading aloud the employment contract an LLS employee handed him. Ten times more than he can make in Jalisco.

Eager and strong, Sanchez, the father of a three-month-old baby girl, is only sporadically employed in his home town. He gladly paid West \$160 for the chance to work in the United States. He would know in the late afternoon whether the U.S. Consulate accepted his application.

For that \$160, West will do all the visa paperwork, arrange an interview with the U.S. Consulate and connect a laborer with an employer under the guest-worker program referred to by its legislative designation as H-2B, which allows about 121,000 migrants to work up to 10 months in seasonal industries. Many Mexicans also apply for H-2A, which admits 37,000 foreigners to tend U.S. farms and fields.

Complaints against some recruiters have resulted in lawsuits. One, filed by the Southern Poverty Law Center, alleges that recruiters charged Guatemalan forestry workers more than \$1,000 and seized the deeds to their homes as collateral. Another class-action suit claims recruiters of laborers in Peru, Bolivia and the Dominican Republic required migrants to pay from \$3,500 to \$5,000 to work in hotel jobs in New Orleans after Hurricane Katrina. Their employment contracts required them to labor three to four months without pay to recoup the recruiters' fees.

West said he has had relatively few complaints, but he did stop filling requests for agricultural companies after he was named in lawsuits by disgruntled guest workers in pay disputes. Farm workers receive access to free legal services, but other migrant workers do not.

West carefully monitors what he calls his "AWOL rate," the number of migrants he sends to the United States but who don't return when their visas expire. There are 3 or 4 percent every year, he said.

When it happens, his office calls the worker's mother or wife, saying, "We really need to know where he is, immigration is looking for him." Usually the worker, who is legally bound to a specific employer and cannot work elsewhere, surfaces.

West started LLS -- a hastily chosen acronym to which he later applied the words Latin Labor Solutions -- after facing his own workforce shortage in the late 1990s. West oversaw the construction of a 400-acre golf course in southeastern Michigan, hiring locals to move dirt for \$7.50 per hour. They rarely lasted past lunch time.

"I'd have stacks of pay stubs in my desk for four hours of work that these guys had done, and I'd never seen them again," West recalled.

After flood or a late frost wiped out the crops in a nearby town, West hired the unemployed migrants working those fields. Two and a half years into the project, the Internal Revenue Service sent him a letter warning that his employees' Social Security numbers did not match their names.

He had an inkling some of the men weren't legal, but, now forced to act, he asked how he could properly rehire them. The answer: Have them deported and re-enter as guest workers. It took two years, but West did it. The Mexicans arrived complaining that the recruiter West hired treated them roughly.

A few months later, on a business trip to central Mexico with his Mexican-American wife's sister, West -- who does not speak Spanish -- made the connections that became the foundation of the recruiting business. He hired an unemployed American expatriate who helped him match 60 Mexicans with employers. Year after year, the business has doubled or more.

Now nearly 95 percent of the migrants West moves north are veteran guest workers whom U.S. employers request by name. The company has six offices throughout the country, most near poor villages. Around October, his employees begin calling former guest workers, asking the job-seekers to travel to an LLS field office where they will have a unique bar code attached to their passports and a photo taken.

The migrants deposit \$160 directly into the company's bank account. West stopped taking cash after he caught one of his employees selling visas to desperate job-seekers for hundreds of dollars.

"It took a long time to find people who took the job seriously, who took the job more as a ministry and calling than a career," said West, whose father was a Baptist minister in the Bible Belt. "It helps families and the country."

He recently ran out of the Spanish copies of the New Testament he offers departing migrants but issues each a flyer that reads: "Dios, familia, pais, trabajo." God, family, country, job. It lists a toll-free number workers can call if they're lost or aren't getting enough hours, or if their employers place them in poor living conditions.

U.S. Citizenship and Immigration Service spokesman Chris Bentley could not comment on West's company but said that recruiters play a valid role in the guest-worker program and that "the program runs exactly the way Congress intended it to."

A low AWOL rate appeals to employers, who don't want the liability of a missing worker. In pursuit of that, West sometimes rejects employers. This month, a candied-apple maker requested 30 migrants to wrap apples at \$6.89 an hour, not even enough to pay for traveling to the United States.

"It's not going to happen," West said to his general manager Salvador Morales, who runs the day-to-day operations in Monterrey when West is home in Texas.

"If workers take that, it is usually just to run away," Morales agreed.

If Congress expands the guest-worker program, West, who already puts a global-positioning device on buses transporting migrants to the United States when possible, plans to expand his technology. He'd like to issue guest workers ID cards equipped with a radio frequency device that would register on his computer during a weekly check-in.

Workers like Sanchez don't seem to mind. According to West's database, Sanchez received his visa and is working in Richmond. He is to return to Mexico in December.