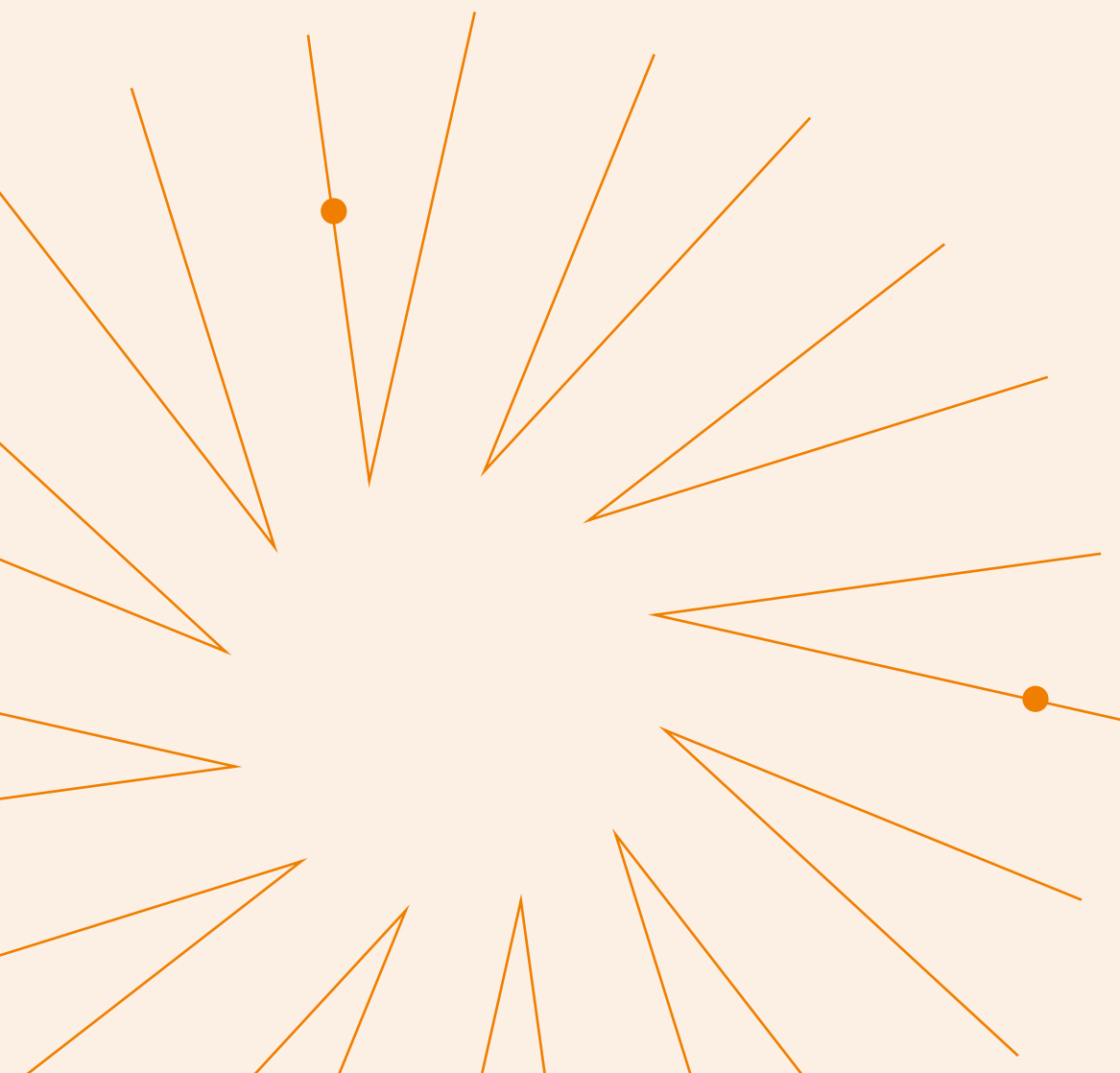


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Post-disaster human trafficking risks: Case studies from Hurricane Katrina



In 2005, Hurricane Katrina displaced hundreds of thousands of people in Louisiana, Mississippi, and Alabama, caused more than \$100 billion in damages, and triggered a massive redevelopment effort to rebuild homes, infrastructure, and industries. The federal government spent over \$100 billion on recovery efforts that required hundreds of skilled and unskilled workers.

Katrina exposed many risks that immigrant workers face in post-disaster short and long-term recovery

Companies and contractors face a shortage of workers to fill reconstruction jobs. Many illicit recruiters use deceptive tactics to lure workers from abroad or prey upon documented and undocumented immigrants already in the U.S. Exploitative tactics used include:

- Charging high fees to foreign workers to access jobs, with promises of long-term work and visa assistance
- Confiscating passports and documentation, and threatening deportation if workers complain
- Transporting workers already here to post-disaster sites and keeping workers captive in company housing or camps

Post Katrina cases:

Issue	Skilled worker shortage (2005-2015)	Teacher shortage (2010)	Hospitality workers (2006)	Construction (2007)
Case	<ul style="list-style-type: none">• Signal recruited 500 men from India through the U.S. H-2B visa program to work as welders and pipefitters to repair damaged oil rigs and facilities• Recruiters charged workers \$10,000-\$20,000 in fees and promised good jobs and permanent U.S. residency for them and their families• Upon arrival at the Signal shipyard in Mississippi, men were told that they would not receive permanent residency and were required to live in and pay for company housing• Immigration authorities approved and then reauthorized the workers' temporary visas	<ul style="list-style-type: none">• Universal Placement Agency (UPA), a California based recruiter, helped find teachers from the Philippines• 400 among thousands interviewed in the Philippines hired• UPA assisted in getting H-1B visas for teachers• UPA charged \$5,000-\$16,000 in "nonrefundable recruitment fees" to secure jobs and visas• Upon arrival, some teachers threatened by deportation when they complained about the high cost of housing	<ul style="list-style-type: none">• Decatur Hotels recruited workers from Central and South America• Accused of charging workers exorbitant fees• Workers paid \$3,000-\$5,000 and only given 25 hours of work per week when promised 40• With fees resulted in below minimum wage	<ul style="list-style-type: none">• Thai workers charged \$11,000 in fees for agricultural jobs in North Carolina by Million Express Manpower• Instead sent to do construction work in Louisiana• Held hostage by armed guards who confiscated their documents
Visas	H2A, H2B	H1B	H2B	
Laws	TVPA (Federal)	California Unfair Competition Law, other CA labor laws (State)	Fair Labor Standards Act (Federal)	Fair Labor Standards Act (Federal)
Outcome	In 2015, a jury awarded \$14 million in damages to Indian workers exploited by Signal	Teachers filed a class action lawsuit, and in 2012, a jury awarded \$4.5 million finding that UPA violated California employment and unfair competition laws	2009 FLSA Bulletin clarifies that worker fees count towards prevailing wage, could not be used retroactively	Workers won \$1 million default judgement

Risks in recovery:

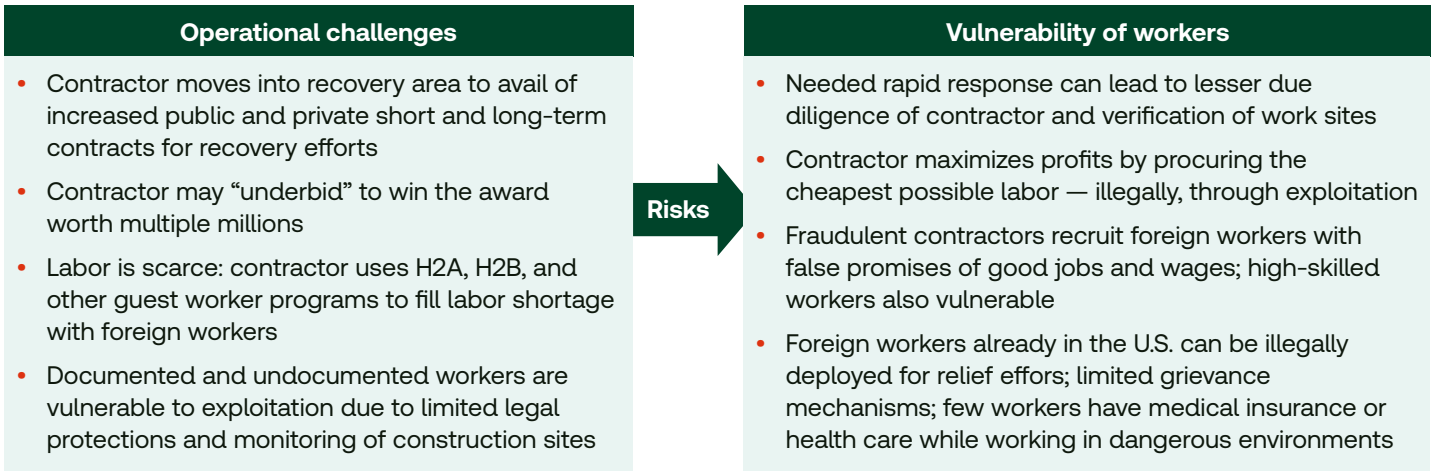
Natural disasters and hurricanes lead to massive spending by the federal and local governments for cleanup and reconstruction. Assistance needs to be dispersed quickly, often bypassing strict government contracting regulations and traditional worker protections.

Given the economic opportunity, a scarcity of workers, and the need to quickly begin reconstruction, Katrina exposed various risks to businesses utilizing contractors to fulfil labor needs. For expediency, seven days after Katrina, the Department of Homeland Security suspended certain labor regulations for 45 days and the Department of Labor lifted wage restrictions for two months

“These men experienced constant stress and humiliation. Yet, they were stuck. The defendants showed a shocking disregard for their basic human rights.”

– Southern Poverty Law Center

Risks and vulnerabilities:



Strategies to prevent exploitation:
Recommendations for
consular officials

Educate your citizens:

- Work with the local U.S. Embassy or U.S. Department of Homeland Security to educate your citizens about tactics used by illicit labor recruiters and contractors
- Distribute awareness and rights-based materials to at-risk communities and workers

Empower your communities in the U.S.:

- Liaise with and educate diaspora communities about identifying signs of human trafficking
- Train front-line consular officials on identifying signs of trafficking and exploitation, and best practices in conducting interviews to identify trafficking victims

Liaise with U.S. business community:

- Establish lines of communication with U.S. businesses hiring worker populations about risks faced by foreign workers in your community
- Share information about illicit contractor and recruiter behavior gleaned from your citizens who are being targeted

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