



Immigration Policy Priority Brief

Fair Labor

What is Fair Labor?

All workers, regardless of immigration status, should receive equal treatment and protection under labor laws. This includes fair wages, safe working conditions, the right to organize and join unions, and access to legal recourse in cases of exploitation or workplace abuse. Immigrants, who make up a significant portion of the workforce in industries like agriculture, construction, and hospitality, often face heightened risks of wage theft, unsafe conditions, and labor exploitation. Ensuring fair labor for immigrants living in the South means guaranteeing that immigrant workers are paid equitably, are provided safe working conditions, and are protected from discrimination, harassment, and abuse. It also means enforcing labor standards that prohibit employers from leveraging a worker's immigration status to undermine their rights.

Fair Labor in the South

While the participation rate for immigrants in the labor force is greater in areas such as the West and Northeast, [18.1% of the South's labor force](#) is made up of immigrants. In the South, fair labor policies for immigrants vary significantly by state, with many states lagging behind in the protection of immigrant workers' rights. While some Southern states have made progress in strengthening labor laws and enforcement mechanisms, many still lack comprehensive legislation addressing wage theft, workplace safety, and labor exploitation, particularly for immigrants.

Workers in the South, regardless of citizenship status, have endured inferior pay and job quality in comparison to other regions, due in great part to an economic model that was rooted in [racism and economic exploitation](#). Immigrant workers likewise face significant barriers to reporting wage theft or workplace exploitation due to fear of retaliation, including deportation or job loss. Many immigrant workers [remain vulnerable](#), especially those working in low-wage industries like agriculture and construction. In states that have attempted to address workplace abuses, immigrant workers often remain unaware of their rights due to language barriers or fear of interaction with law enforcement.

How Can Fair Labor Advance Equity in the South?

Ensuring fair labor standards for immigrants is central to advancing racial and class equity in the South. Immigrant workers, particularly those from Black, Latino, and Asian communities, often find themselves marginalized by systemic racial inequities that intersect with economic injustice. By enforcing fair labor practices, Southern states can [disrupt the exploitative labor conditions](#) that disproportionately harm communities of color and low-wage workers. Establishing stronger labor protections for immigrants can create more economic stability within immigrant communities, contributing to broader class equity by lifting marginalized workers out of cycles of poverty.

When immigrants are treated fairly in the workplace, it strengthens their ability to integrate into the local economy and contribute to their communities. Fair labor laws that provide equitable treatment for immigrant workers not only protect individuals but also promote broader racial equity by reducing racialized labor exploitation and closing wage gaps between immigrant and non-immigrant workers. Additionally, fair labor practices for immigrant workers can also drive economic growth in the South by increasing productivity, reducing turnover, and stabilizing industries dependent on immigrant labor. As the Southern economy becomes more inclusive, equitable treatment of immigrant workers can enhance the overall economic prosperity of the region.

Legislative Efforts Related to Fair Labor

1. **Texas:** [House Bill 2872](#) (failed): This bill sought to establish a public database of employers in Texas who have been penalized for wage theft or convicted of related offenses. Employers would be notified 180 days before being listed, and could dispute their inclusion, with removal possible after three years or upon successful dispute resolution.
2. **Kentucky:** [House Bill 284](#) (failed): This bill sought to create a prohibition on wage theft, including classifying it as a misdemeanor, unless the value of wages is at least \$500 or more, in which case it would be classified as either a Class C or D felony.
3. **Virginia:** [House Bill 157](#) (failed): This bill sought to eliminate the exemption for paying minimum wage to persons employed as farm laborers/employees and certain temporary foreign workers.