

USA Attorneys

How Global Workers Can Assist you with your Overseas Low-Wage Clients



Global Workers Mission

Global Workers Justice Alliance combats worker exploitation by promoting portable justice for transnational migrants through a cross-border network of advocates and resources. Global Workers believes that portable justice, the right and ability of transnational migrants to access justice in the country of employment even after they have departed, is key to achieving justice for today's global workforce.

Global Workers Defender Network

To realize its mission, Global Workers trains and supports the Global Workers Defender Network, comprised of experienced human rights advocates in the migrant sending countries, to facilitate employment law cases for migrant workers in partnership with advocates in the countries of employment. Through this network, returned migrants who have suffered exploitation in the countries of employment must no longer abandon their legal rights simply because they want to go home. The Defenders also educate migrants as to their rights before they migrate and identify labor cases for workers who may not have received assistance before they went home.

Geographic Coverage

Global Workers launched the Defenders Network in Southern Mexico and Guatemala to serve workers who were employed in the United States. Until we formally expand our programs to additional countries, we will conduct trainings and facilitate cases outside of this geographic area on a case-by-case basis.

Case Facilitations

When a client, or prospective client, leaves the United States, attorneys are faced with additional difficulties in ensuring that the aggrieved worker remains an active part of the litigation. Too often communication complications will result in a client missing a deadline and losing their hope for justice. Global Workers addresses this challenge through the Defenders Network. Clients have increased access to justice when a local human rights organization can offer assistance to abused workers. Moreover, US litigators can get key local support to make their transnational cases more efficient and, ultimately, more effective.

How it Works

When a USA advocate needs assistance with a client who has returned to Southern Mexico or Guatemala, they contact Global Workers. Once the exact assistance and scope has been identified Global Workers contacts the Defender in that clients' area to determine if they can take the case. Once agreed all three parties sign a Case Facilitation Contract. From that moment, the USA advocate works directly with the Defender. Global Workers staff ensures the facilitation's success by serving as back-up and offering follow-up. To ensure the fluidity of the case facilitations, Global Workers signs contracts with the Defenders and USA advocates so that the terms and conditions of the responsibilities and obligations are clear.

Examples of Global Workers Services:

When the Client is outside of the USA

The following examples are not exhaustive. The type of service and the method of execution will vary with the attorney's needs.

- *Locating Clients:* Global Workers Defenders can locate clients with whom you have lost touch or find additional clients who may be similarly affected.

- *Interrogatories*: Global Workers Defenders can either fully execute interrogatories or simply lend its office phone for the USA advocates to conduct the interviews themselves.
- *Depositions*: Although Global Workers Defenders can not conduct depositions (they are not USA attorneys) they can arrange for the USA advocate to conduct the deposition by telephone, video, or arrange for a local on-site deposition.
- *FLSA Opt-ins*: Defenders can sign up additional clients for cases such as FLSA cases. This can be just placing radio ads for workers to call the USA or doing outreach themselves and signing up clients
- *Visas*. Defenders can accompany clients to visa interviews.
- *Injured Workers*: Defenders can assist injured workers find local medical assistance.
- *Settlement/Award distributions*: Defender services can range from advertising announcements to filling out class claim forms or delivering checks.

Please note Global Workers does not offer translation services.

When the Client is in the USA but the Need is Outside the USA

- *Witness Affidavits*: To support trafficking claims, Global Workers Defenders can local and interview witnesses.
- *Document Collection*: Global Workers Defenders can obtain birth certificates and other documents only available in the country of origin.

Litigation/advocacy in the Migrant Home Countries

Global Workers Defenders are human rights attorneys with years of experience in litigation and other advocacy. The Defenders can bring actions on behalf of your client in local courts for violation of their rights in their home country. Some common examples of home country abuse related to USA employment include: threats for being engaged in law suits in USA; property deeds confiscated as a guarantee on the return of guestworkers; and children held as collateral by traffickers.

Additional Programs to Support USA attorneys

Global Workers has authored a Transnational Litigation Manual to assist USA attorneys with the legal challenges they face when representing clients who have left the US. A manual on practical tips (from sending money the most efficient way to making phone calls) is in development. Global Workers staff lectures frequently on transnational litigation issues.

For more information please contact:

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See our website at www.globalworkers.org

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