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Workers Who Lost Factory Jobs After NAFTA Sue Department of Labor for Violating Trade Act Training Law

### ***Government Broke Law by Not Providing Vocational Training to Thousands of Workers Whose Jobs Were Outsourced***

WASHINGTON, D.C. – The U.S. Department of Labor (DOL) has systematically violated a law requiring it to provide job retraining to workers who have lost their jobs because of trade agreements, according to a lawsuit filed today by [Texas RioGrande Legal Aid](#) and Public Citizen on behalf of [Asociación de Trabajadores Fronterizos](#) (the Association of Border Workers, or ATF).

The law, the Trade Act of 1974, creates a [Trade Adjustment Assistance](#) program for workers who lose their jobs to foreign competition. Workers are to receive training so they can obtain a job that pays at least 80 percent of what the workers made previously. However, the DOL instead has approved remedial English classes for thousands of Hispanic workers despite the fact that these classes do nothing to help the workers learn new job skills.

The DOL's own Office of Inspector General documented the waste of more than \$100 million federal taxpayer dollars on ineffective English classes in El Paso, Texas, alone. As a result, Hispanic workers who lose good jobs to overseas competition often end up in minimum wage jobs that they could have obtained even without the DOL's remedial education classes.

"The Department of Labor's mismanagement of trade laws that require retraining of U.S. workers has hurt not only thousands of workers and their families but also the entire economy of El Paso, Texas – the city hit hardest by NAFTA layoffs," said Guillermo Glenn, director of ATF.

Added attorney Carmen Rodriguez of Texas RioGrande Legal Aid, "First the workers are stunned by sudden job loss, and then the promise of job training turns into a bureaucratic nightmare and no real job skills. The so-called 'training benefits' are of no benefit at all to Spanish-speaking workers."

The suit alleges that the DOL violates the law by: 1) allowing state agencies, including the [Texas Workforce Commission](#), to approve incomplete training; 2) allowing state agencies to renounce Congress' 80 percent wage replacement objective for all Trade Act training; and 3) making on-the-job training – which the law requires as much as possible – an option that state agencies may ignore.

Records show that the DOL pays roughly \$8,000 to train each worker in other states, but only \$2,000 to train the average worker along the U.S.-Mexico border. A high proportion of training for workers with limited English skills consists exclusively of English as a Second Language courses, which cannot by themselves provide the job skills that workers need to return to the workforce.

Spanish-speaking workers need bilingual skills training that provides the vocational skills needed to work in a specific occupation. Bilingual training is used throughout the United States to train English-proficient workers in occupations ranging from truck driving and phlebotomy to precision machining. Yet the DOL persists in approving cheaper English classes as a substitute for vocational training.

"The Trade Adjustment Assistance program is questionable enough as far as its effectiveness in helping displaced workers," said Michael Kirkpatrick, an attorney for Public Citizen who is representing ATF. "But now the agency charged with implementing the law has blown it. Congress should know how incompetently the DOL manages these training programs as it considers accelerating outsourcing of U.S. jobs as part of the Central American Free Trade Agreement."

ATF seeks an order directing the DOL to adopt policies that comply with Congress' statute, to enforce those policies and to provide adequate training for workers who were denied it, particularly workers who need bilingual skills training to remain productive members of the U.S. labor force.

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### MEDIA CONTACTS

Angela Bradbery, Director of Communications  
(202) 588-7741  
[abradery@citizen.org](mailto:abradery@citizen.org), [Twitter](#)

Joe Newman, Deputy Director of Communications  
(202) 588-7703  
[jnewman@citizen.org](mailto:jnewman@citizen.org), [Twitter](#)

Barbara Holzer, Broadcast Manager  
(202) 588-7716  
[bholzer@citizen.org](mailto:bholzer@citizen.org)

Dorry Samuels, Press Office Coordinator  
(202) 588-7742  
[dsamuels@citizen.org](mailto:dsamuels@citizen.org), [Twitter](#)

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The lawsuit is available at <http://www.citizen.org/documents/complaintfinal.pdf>.

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