



Immigration Reform

Position:

The National Grocers Association (NGA) believes that any legislative effort to reform our nation's immigration laws must be comprehensive, preempt state & local laws and include the following principles: border security, employment verification with protections for employers, expanded guest worker program for unskilled workers, and a path to legal status.

Border Security:

- Must secure the nation's borders and respect the rule of law.
- Transportation of commodities across borders should be improved and made more efficient. The nation needs an adequate number of inspectors with the USDA and FDA and Customs officers in addition to the USCIS and Border Patrol officers that would be needed to create operational control of the border.

Employment Verification:

- Support mandatory E-Verify for all employers at no cost to employer available electronically or telephonically.
- Employers must be afforded a strong safe harbor (civil and criminal) for acting in a good faith effort by relying on information provided by the US Government through the E-Verify system regarding an applicant's immigration status.
- No requirement to re-verify current workforce.
- Federal law must prevail, preempting state / local immigration laws.
- Employer rights and due process during immigration investigations must be preserved. Consider a private sector arbitration program run by certified human resource professionals to resolve disputes between applicants and employers. Costly labor lawyers cannot be used in a global economy that moves at internet speed.
- Must include education and outreach to employer community in addition to general public, especially during transition period.

Expanded Guest Worker Program:

- Expand guest worker program for retail supermarkets and wholesale distribution centers to include workers with skills such as bakers, butchers, food service in addition to other low-skilled workers.
- Prevailing wage for the same job in the same area prevails.
- Congress should consider food sector Agriculture visa that encompasses farm to supermarket.

Continued

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Path to Legal Status for Undocumented Immigrants and Children of Immigrants

- Support a clear path for undocumented immigrants to come out of the shadows and keep families together.
- Must include criminal background checks and civil penalties.
- Children brought to the United States illegally should have a clear path to legal status.
- Must address documentation issue as some states will not issue state identification without proof of citizenship.
- A safe harbor is required for employers verifying employment status of workers

Independent retail and wholesale grocers are keenly interested in immigration reform both from the perspective of the local grocer serving many local communities who are directly impacted by this issue and also from the perspective of the employer. The current system is broken and badly in need of comprehensive reform.

Today, independent grocers are being negatively impacted by the lack of progress on passing comprehensive federal immigration legislation as a number of states and localities have moved to fill the void by enacting legislation while also taking on law enforcement actions that have historically been the responsibility of the federal government.

Border Security: Inspectors with the USDA and FDA and Customs officers are needed in addition to the USCIS and Border Patrol officers that would be needed to create operational control of the border. The food industry needs produce and meat to move both ways across the border during the growing seasons.

Employment Verification: A phased in mandatory verification system is essential to level the playing field and maintain uniform E-Verify of workers who come in for a job. We need the safe harbor for employers, who rely on the documents presented, the confirmation and the employee's statements on the job application. HR managers and small business owners are not immigration enforcement officers. Employers need a private sector arbitration program run by certified human resource professionals to resolve disputes between employees and employers. Costly labor lawyers cannot be used in a global economy that moves at internet speed.

Expanded Guest Worker Program for Unskilled Workers: The supermarket industry has a need for temporary guest workers for retailer and wholesaler operations to cover the employees who leave to pursue higher education, trade training skills or other employment opportunities. The turnover rate in the retail supermarket industry is about 44% and we employ well over 3,000,000 people in the US.

The Supermarket industry is a training ground for marketable job skills not taught in public schools. We continue to believe than the proposed caps for unskilled guest workers are not realistic for any part of the agriculture or retail food industries.