



April 2, 2012

Juan Somavia
Director General
International Labour Organization
4 route des Morillons
CH-1211 Geneve 22
Switzerland

Re: Complaint for Filing with Committee on Freedom of Association

MARY KAY HENRY
International President

ELISEO MEDINA
International Secretary-Treasurer

MITCH ACKERMAN
Executive Vice President

KIRK ADAMS
Executive Vice President

GERRY HUDSON
Executive Vice President

EILEEN KIRLIN
Executive Vice President

VALARIE LONG
Executive Vice President

TOM WOODRUFF
Executive Vice President

SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW, CLC

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Dear Director Somavia:

Enclosed for filing with the Committee on Freedom of Association please find the Complaint of the Service Employees International Union, CTW, CLC and its affiliate, the Southern Regional Joint Board of Workers United (jointly "SEIU") against the Government of the United States of America.

The complaint addresses the failure of the government of the United States to ensure that the State of Alabama adequately respects the rights of trade unions and workers set forth in ILO Conventions 87 and 98. The complaint is directed, specifically, to a law recently passed by the Alabama legislature and signed into law in June 2011, the Beason-Hammon Alabama Taxpayer and Citizen Protection Act (henceforth, "H.B. 56"), which imposes heavy penalties on immigrants living and working in the state without valid visas or residency status. H.B. 56 criminalizes attempts by some immigrants to associate for purposes of mutual aid and protection in their workplace by joining a labor organization or otherwise.

This complaint documents the current and anticipated cost to trade unions of: 1) general denials of equal protection and access to justice to undocumented immigrants; 2) the climate of fear produced by this law, which extends its impact beyond undocumented immigrant workers to workers who are from racial minority groups – including many who are legal residents and citizens; and 3) provisions that have a direct and demonstrable impact on trade union activities such as new organizing, representation of existing members, and enforcement of individual and collective contractual agreements on behalf of workers.

We believe that the U.S. government's inability to act promptly and decisively to put in place a national policy related to immigration – attentive to international guarantees related to individual workers' rights as well as to the rights of trade unions with immigrant members – has given the space to individual states to enact laws that are in flagrant violation of international norms. The fact that the violations in this case are the work of an individual State, does not insulate the U.S. from responsibility. Furthermore, the efforts of the executive branch of the U.S. government to challenge the law are simply insufficient to protect these workers and our trade union now, or into

the future, without a deeper commitment to federal legislative reform.

We request that the Committee direct copies of all communication in this matter to Judith A. Scott, SEIU General Counsel and Orrin Baird, SEIU Associate General Counsel at 1800 Massachusetts Ave., NW, Washington, DC 20036.

Thank you for your prompt attention to this matter.

Very truly yours,

Mary K. Henry, International President
Service Employees International Union

Eliseo Medina , International Secretary-Treasurer
Service Employees International Union

Enclosure

MKH/smt

cc: Judy A. Scott, General Counsel – SEIU
Orrin Baird, Associate General Counsel - SEIU