



January 11, 2023

Dear Chair Moller and Members of the House Public Safety Finance and Policy Committee

We are writing on behalf of the Coalition to End Wage Theft supporting proposed revisions to our outdated labor trafficking laws, H.F. 42. These revisions fix technical problems with the statute and ensure that it is comprehensive, usable, and effective.

Labor trafficking occurs when a trafficker forces a victim to work against their will through violence, threats, blackmail, abuse of the legal process, debt bondage, fraud, or coercion. Wage theft and other violations of worker protections are almost always part of labor trafficking, as traffickers seek to profit from their victims. Legitimate businesses lose contracts to criminally low bids, while workers are trapped in unsafe, underpaid jobs. Unfortunately, Minnesota's law combating labor trafficking leaves workers unprotected, while traffickers face minimal punishments.

Though under current law (MN 609.282) labor trafficking is illegal, there have only been three cases charged in Minnesota since its adoption in 2005. At the time, Minnesota was one of the first states to adopt labor trafficking laws and consequently, we did not benefit from the experiences of other states when drafting the legislation. Since then, 26 other states have included language that is more inclusive and effective, leaving Minnesota (and Minnesotan workers) trailing behind.

In only one case has a trafficker been convicted under Minnesota's labor trafficking law, and because of its shortcomings, he received only nine months in prison for a crime that left his victims injured and traumatized.

Minnesota has made a significant effort to combat wage theft by increasing criminal penalties, funding effective enforcement, and establishing crucial worker notification requirements. That effort will fall short, however, if we do not also help workers who are trapped in trafficking situations, unable to complain or access the protections of the wage theft law. The proposed revisions will allow law enforcement and prosecutors to effectively prosecute traffickers who use debt, threats of serious harm, and violence against their victims.

The revised statute would also provide meaningful consequences for severe forms of labor trafficking, creating additional penalties for trafficking involving children, or where the victim suffers great bodily harm or death. Adopting these changes helps to ensure that no person working in Minnesota is doing so against their will or without proper compensation.

In protecting our workers, we ensure a safe and prosperous community. The current well-intentioned law is not working to combat even the most egregious cases of labor trafficking. This proposed legislation presents meaningful augmentations of those laws, and finally provides law enforcement and prosecutorial agencies the power to end this abuse of Minnesota workers.

We respectfully ask committee members to support this bill.

The Advocates for Human Rights
Centro de Trabajadores Unidos en Lucha (CTUL)
LIUNA Minnesota and North Dakota

Minnesota AFL-CIO
North Central States Regional Council of Carpenters
SEIU Minnesota State Council
UFCW 663