



Written Testimony on House Bill 1543 – Support (FAV)

HB1543 – Labor and Employment – Temporary Workers

Government, Labor, and Elections Committee

March 5, 2026

Dear Honorable Chair Wells, Vice Chair Kerr, and Members of the Committee,

Centro de los Derechos del Migrante, Inc. (CDM or “Center for Migrants Rights”) submits the following written testimony in support of HB1543 – Temporary Workers, a bill to combat human trafficking and labor exploitation in Maryland.

For two decades, CDM has worked alongside migrant and immigrant families and communities to ensure that borders are not a barrier to justice and that migrant workers’ voices, experiences, and priorities shape labor migration policies. With offices in Baltimore and throughout Mexico, CDM provides direct representation and referrals for migrant workers and their family members, builds migrant worker leadership, conducts know-your-rights trainings across Mexico and the United States, and advocates for improved working conditions in the United States. Over the past 20 years, CDM has spoken with over 44,000 workers and recovered more than \$50 million in unpaid wages and compensation.

HB1543 would help protect migrant workers from economic coercion in recruitment, improve worker accessibility of the Maryland Department of Labor administrative complaint process, and make explicit migrant workers’ right to guests in employer-provided housing.

HB1543 is timely. The number of temporary work visas granted under the H-2A and H-2B guestworker programs has risen, but the protections have not. As advocates, we have seen over and over again how temporary guestworkers in these programs continue to experience debt bondage, poor housing conditions, and wage theft. In the last 5 years, there were almost 17,000 visas granted under the H-2 program in Maryland.¹ Moreover, industries that employ large numbers of guestworkers continue to pressure lawmakers for additional H-2B visas. However,

¹ USCIS . (n.d.). H-2A Employer Data Hub. Retrieved from. U.S. Citizenship and Immigration Services : <https://www.uscis.gov/tools/reports-and-studies/h-2a-employer-data-hub>; USCIS. (n.d.). H-2B Employer Data Hub. Retrieved from U.S. Citizenship and Immigration Services: <https://www.uscis.gov/tools/reports-and-studies/h-2bemployer-data-hub>

missing in these demands is a call for heightened protections and proper oversight to ensure that no migrant worker ends up in a labor trafficking situation.

CDM has advocated for temporary guestworkers in our home state of Maryland, particularly those in the crab industry. In 2020, CDM published *Breaking the Shell: How Maryland's Migrant Crab Pickers Continue to be 'Picked Apart'*.² The report examined the experiences of guestworker women in the Maryland seafood processing industry employed through the H-2B temporary work visa program. The majority, if not all, of the women were recruited in Mexico. Women taking these jobs still report having to pay some type of recruitment fee or a “kickback” to get a job in the U.S. Even though federal law requires that an employer reimburse guestworkers for their transportation and lodging costs to the U.S., they rarely get a full reimbursement. Guestworkers essentially pay to work in the U.S.

In 2013, CDM published *Recruitment Revealed: Fundamental Flaws in the H-2 Temporary Worker Program and Recommendations for Change*.³ The investigation focused on international labor recruitment across industries of workers coming to the U.S. on H-2 visas. In that investigation, 58% of workers reported having been charged fees; 47% reported taking out a loan to cover pre-employment expenses; 52% were not shown contracts; and 10% reported experiencing fraud because they paid a fee for a job that did not exist.

Recruitment fees for H-2 workers coming from Mexico averaged \$590 USD, excluding related charges for visa processing or travel to the United States. Such fees have likely significantly increased in the intervening twelve years. Workers frequently have to take out high-interest loans to cover the cost of their recruitment fees, thereby compounding debt that they already cannot afford.

Arriving in the United States indebted puts migrant workers at an enormous disadvantage, particularly when confronted with abuses in the workplace. Because many H-2 workers go into debt to make the trip to the United States, they cannot afford to return home without the income the job provides, even if they find themselves in an abusive situation. This, combined with the fact that H-2 workers' visas are tied to a specific employer — such that if they are fired or leave their jobs due to abusive working conditions they typically lose their authorization to remain in the United States — means that workers are effectively shackled to any terms of employment that their employers impose, even if those terms are vastly different than what was promised or what U.S. law allows.

² CDM, *Breaking the Shell: How Maryland's Migrant Crab Pickers Continue to be "Picked Apart"* (2020), <https://cdmigrante.org/wp-content/uploads/2020/09/Breaking-The-Shell.pdf>.

³ CDM, *Recruitment Revealed: Fundamental Flaws in the H-2 Temporary Worker Program and Recommendations for Change*, https://cdmigrante.org/wp-content/uploads/2018/02/Recruitment_Revealed.pdf.

Guestworkers in Maryland and Typical Abuses

Marylanders interact with internationally recruited workers every day. They harvest our food, pick crabmeat, clean our hotels, help bring our local fairs to life, and maintain beautiful lawns throughout the state. But all too often, guestworkers are subject to unseen abuses. Regardless of visa category or industry sector, guestworkers in Maryland suffer abuses such as economic coercion, fraud, discrimination, retaliation/blacklisting, and human trafficking.

- **Economic Coercion**: Workers in seasonal worker programs report being charged high fees and costs by recruiters. These debts and contract terms, like breach fees that are triggered if a worker wants to leave the job, coerce workers into staying on the job, regardless of the conditions. The result is debt bondage, servitude, or even human trafficking. In January 2024, a dozen migrant workers from Mexico each paid nearly \$200 for the so-called “visa fee,” a payment required every year to work under the H-2B program. One of them was new to the process, and her recruiter insisted on the payment without any guarantee that she would actually be able to work. This is a practice her coworkers have been subjected to for more than 20 years, highlighting a long-standing system in which vulnerable workers are expected to pay upfront for the opportunity to access temporary employment.
- **Fraud**: Workers in the H-2 program report that the terms of their employment and visa are misrepresented at the time of recruitment and upon arrival at the job. In some cases, a written contract is not provided in a language the worker understands or is not provided at all. For example, one crabworker with an H-2B visa in Maryland, found that her wages were much different than what the recruiter and their contract promised. She was promised \$7 per hour, but earned \$5 instead. Even though she has her paycheck stubs, she did not recognize the deductions from her check because they were in English.
- **Discrimination**: Employers and recruiters evade U.S. anti-discrimination law by recruiting overseas, where they overtly discriminate based on gender, age, race, or other factors. Women workers who can secure a job in the temporary visa programs typically find themselves in highly segregated workplaces where sexual harassment, pregnancy discrimination, and other abuses are commonplace—and barriers to justice are high.
H-2 recruiters in Mexico regularly post job ads seeking “men only,” in open violation of U.S. anti-discrimination law.⁴ As such, it is unsurprising that women make up only 3% of H-2A workers and 12% of H-2B workers.⁵ When able to access H-2

⁴ “Oportunidad de Trabajo H2A en los campos de EUA,”

<https://cdmigrante.org/wp-content/uploads/2024/07/unnamed.png>

⁵ These percentages were calculated from the data available in the Department of Homeland Security’s [Nonimmigrant Admissions by Selected Classes of Admission and Sex and Age: Fiscal Year 2021](#).

employment, women are primarily funneled into H-2B rather than H-2A work, which typically offers lower pay, inferior terms of employment, and less oversight.⁶ Unlike the H-2A program, the H-2B program does not provide workers with free housing or access to federally funded legal services.⁷ Unlike H-2A workers, H-2B workers have to pay for housing, meals, and sometimes their own transportation and equipment. Within the H-2B program, women are typically shut out of more lucrative sectors like landscaping and construction and tracked to lower-paid jobs like housekeeping or food processing.⁸ In Maryland, women crab pickers in the Eastern Shore are typically relegated to work as crab pickers, while male workers wash and clean the crabs and supervise women’s crab picking work.⁹ Women crab workers have repeatedly observed that this segregated dynamic results in wage disparities: men washing and cleaning earn more per hour and have access to more work hours than women crab pickers do. This means that women have to work harder and faster to make slightly more than the minimum wage.

- Retaliation and Blacklisting: A guestworker’s H-2 visa is tied to their employer, which gives the employer a lot of power over the worker. Workers who complain about abuses face the possibility of being fired and thereby losing their visas. They also risk being blacklisted by recruiters and employers who will not hire them back the following year. For example, a migrant guestworker in Maryland did not feel that she could speak with her employer about the housing conditions in her employer-provided housing. She lived in one room with seven other women. The conditions were very difficult and afforded no privacy. She and her housemates complained amongst themselves, but never to the boss. She was afraid to speak with her boss.
- Lack of Access to Health and Legal Services. Migrant and seasonal workers face significant barriers to accessing essential health and legal services, leaving them vulnerable to abuse, unsafe living conditions, and labor violations. Although workers have the right to receive visitors in their employer-provided housing¹⁰ including healthcare providers, community health workers, legal advocates, government officials, and clergy, employers often impose unjustified restrictions that block critical outreach. This legislation would affirm and protect workers’ right to access these trusted service

⁶ CDM, *Picked Apart*, *supra* note O (discussing labor conditions of H-2B crab pickers).

⁷ 45 C.F.R. § 1626 (restricting federally funded legal assistance only “to citizens of the United States and eligible aliens”).

⁸ The Biden-Harris White House H-2B Worker Protection Taskforce, *Strengthening Protections for H-2B Temporary Workers*, (2023), at 7-8,

<https://bidenwhitehouse.archives.gov/wp-content/uploads/2023/10/H-2B-Worker-Protection-Taskforce-Report.pdf>,

(“Women H-2 workers are also disproportionately concentrated in lower-paying industries, such as hospitality and domestic work, and in more poorly compensated jobs overall.”).

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¹⁰ See [Owners of Migrant Labor Camps May Not Prevent Access By Others To Migrants Residing In Camps](#), 67 Md. Op. Att’y Gen. 4, 1982 WL 187845 (July 19, 1982).

providers without retaliation or interference. Ensuring meaningful access to health care and legal support is not only a matter of basic dignity, but also a necessary step to safeguard public health, strengthen worker protections, and promote accountability in industries that rely on this workforce.

Importance to Maryland’s Economy

There is a pressing need for Maryland to step in and pass the Temporary Workers bill. Maryland legislation that addresses oversight areas and allows the Maryland Department of Labor to investigate and protect workers from poor working conditions.

Maryland’s businesses contracting with foreign labor contractors would benefit from the creation of a public registry. An online database would allow employers to determine which recruiters use acceptable recruitment practices. Guestworkers are more likely to accept jobs from these recruiters, knowing that they have been licensed by the state and cannot mischaracterize terms of employment. Maryland businesses would have some assurance that guestworkers would arrive as promised without having been misled by false claims of recruiters. The added legal safeguards would encourage workers to choose Maryland for employment. Further, these protections would lead to better worker retention from each season to the next because workers will know that they will be safe and treated fairly by Maryland businesses. Employers would spend less time and money training new workers.

Countless businesses, organizations, and human rights leaders have complained that the current recruitment system is rife with abuses due to the limited federal and state oversight. Maryland should step up not only because it is the moral thing to do, but because it helps Maryland’s economy in the long run. Businesses need internationally recruited workers to fill important roles. In fact, we recommend that the Committee amend HB 1543 to require all recruiters who recruit for employers who will place migrant workers in Maryland to register, regardless of where the recruiter and employer are based.

Over the past five years, there has been a significant jump in employers requesting workers through the H-2 programs, reflecting the state’s ongoing labor shortage. In 2025, 82 employers in Maryland applied for H-2B visas compared to 45 in 2018. For H-2A, 78 employers requested visas in 2025 versus 52 in 2019.¹¹

¹¹ USCIS . (n.d.). H-2A Employer Data Hub. Retrieved from U.S. Citizenship and Immigration Services : <https://www.uscis.gov/tools/reports-and-studies/h-2a-employer-data-hub>; USCIS. (n.d.). H-2B Employer Data Hub. Retrieved from U.S. Citizenship and Immigration Services : <https://www.uscis.gov/tools/reports-and-studies/h-2bemployer-data-hub>

Most foreign-born workers who spend at least 31 days in the U.S. during the last tax year must file federal, state, and local income taxes. The American Immigration Council estimates that in 2021, Maryland’s combined population of immigrants paid \$13.3 billion in federal, state, and local taxes and had a total spending power of \$33.1 billion.¹²

Without this legislation, fraud will continue to be committed every day, and workers will have little protection in recruitment. We urge the committee to issue a favorable report on HB1543.

Sincerely,

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¹² American Immigration Council. Immigrants in Maryland. AIC. <https://map.americanimmigrationcouncil.org/locations/maryland/#>