



REAL SOLUTIONS FOR NEW YORK CITY: ENGLISH CLASSES & LEGAL SERVICES FOR IMMIGRANTS

Protecting Services to Ensure Immigrant Justice and Opportunity

A Blueprint for Justice & Opportunity for Immigrant New Yorkers

New Yorkers of all backgrounds feel the pain of our economic downturn, which has affected every community in our state with economic uncertainty, unemployment, and cuts in critical services.

36 percent of New York City's population is foreign-born,ⁱ and approximately 1.7 million New York City residents are Limited English Proficient.ⁱⁱ A lack of proficiency in English remains one of the primary barriers to employment and economic mobility.

Immigrant workers have been hit hard by the recession, suffering significant job losses in the construction industry and allied trades as well as in the service sector. But creating new jobs is not enough. We must ensure that New Yorkers have the skills and education they need to *get* those jobs. The city can address the needs of immigrant communities by investing in adult English classes, job training, immigration legal services, and legal services to help immigrants protect themselves from employment-related abuse.

THE FACTS ABOUT IMMIGRANT SERVICES

- ✓ 36 percent of New York City's population is foreign-born.
- ✓ There are about 1.7 million New York City residents who do not yet speak English well or at all.
- ✓ NYC adults lacking English proficiency rose by 3 percent while ESOL enrollment dropped 6 percent (2005-2009), one of the most serious drops in ESOL capacity in the state.

English Language Classes and Workforce Development

Immigrants recognize that learning to speak English is the single most important thing they can do to succeed in America. As New York struggles to come out of the recession, government should do more to help the city's most disadvantaged workers gain the English language skills they need to advance up the economic ladder.

Many immigrants' desire to learn English is stifled by the lack of opportunities to do so. According to a recent report by the Center for an Urban Future, demand for English as a Second Language classes in New York is on the rise.ⁱⁱⁱ At the same time, state and city-funded classes are declining. Between 2005 and 2009, the population of LEP adults in New York City rose by 3%. Meanwhile, state-funded classes insufficient funding and long waiting lists for English classes prevent immigrants from learning the language and fully participating in our society.

As a vehicle for economic recovery, New York City needs to place greater emphasis on ESL and adult education. These programs require only modest government investment and produce tangible, immediate economic benefits, including a better-trained and more competitive workforce.

Immigration Legal Services

Immigrants are frequently the victims of scam artists and other self-styled "experts" who, in exchange for huge sums of money, promise work permits and green cards to anyone, regardless of the person's eligibility. Likewise, immigrants are victims of well-meaning but incompetent individuals or immigration service providers who provide ineffective assistance in completing or filing immigration applications. Too often, immigrants end up facing deportation as a result of these "services."

Immigrants in New York City desperately need affordable, competent, and trustworthy immigration legal services. Applicants for naturalization require legal assistance to complete the application and interview process. As application fees have skyrocketed, more applicants are seeking fee waivers, which require additional legal assistance to complete.

Immigrant Worker Legal Services

Immigrant workers continue to be vulnerable to exploitation, discrimination, and wage-and-hour violations in the workplace. Unscrupulous employers frequently violate overtime, minimum wage, workers' compensation, and anti-discrimination laws, knowing that immigrant workers are generally reluctant to seek justice out of fear of retaliation and deportation. Too many employers simply refuse to pay immigrants the minimum wage, and many fail to pay day laborers any wages for the work they've completed. Free and low-cost legal services help put an end to these abuses by enabling workers to file wage-and-hour complaints, report health and safety violations, and access workers' compensation benefits.

Detailed Recommendations:

- **Restore funding for the Immigrant Opportunities Initiative (IOI) to \$5 million in the FY 2013 budget.** These funds support English classes, immigration legal services, and immigrant worker legal services to help immigrants on the road to citizenship and better jobs. The FY2012 budget reduced IOI funding to \$4 million. We call on the City Council to restore funding for these critical programs to their FY2010 level of \$5 million. Funding for IOI was grossly inadequate to begin with; adding insult to injury, these services have been cut by more than 60 percent since FY 2008.
- **Restore \$5.2 million in Adult Literacy Services.** Last year, \$2.5 million in Adult Literacy services was cut from the Department of Youth and Community Development (DYCD), leaving only \$1 million in the FY2012 budget for community-based organizations that operate adult literacy programs. This funding should be restored to the FY2010 level of \$5.2 million.
- **Maintain \$1.5 million in City Council Adult Literacy Services Initiative.** This initiative supports basic literacy, ESOL and GED classes for adults seeking to improve their English skills, along with support services such as counseling and case management.
- **Strengthen Accountability and Transparency in IOI Selection Process.** There should be strengthened accountability and transparency about the selection process to ensure quality immigrant services that reach areas and populations reflecting the increasing demographic and geographic diversity of immigrants. IOI funding should be used to ensure access to legal and ESL services that enable immigrants throughout New York City to fully contribute to our city's economy.
- **Begin the process of institutionalizing the Immigrant Opportunities Initiative.** Over the long term, the continuity and success of quality English classes and legal services requires that IOI funding be institutionalized. We urge the NYC Council to work with us to develop a fair, transparent, and expedient process for allocating IOI funds to the highest need areas. We also urge the NYC Council to ensure that only agencies that are authorized to provide immigration legal services receive IOI funding. Immigration legal services includes advising people how to complete and file immigration forms as well as representing people before the immigration authorities. In order to be authorized to provide such services, the agency must be either (1) recognized by the Board of Immigration Appeals (BIA) and have an accredited representative providing the service or (2) providing services through or under the direct supervision of an immigration attorney. This requirement will help the City avoid supporting the unauthorized practice of law through funding immigration services by agencies that are not authorized to provide such services.

For more information on this issue, please contact **Jackie Vimo, Director of Advocacy:** (212) 627-2227x248 or jvimo@thenyic.org

ⁱ http://www.nyc.gov/html/dcp/html/census/pop_facts.shtml

ⁱⁱ <http://www.nyc.gov/html/imm/html/news/stats.shtml>

ⁱⁱⁱ http://www.nycfuture.org/images_pdfs/pdfs/BadEnglish.pdf

Source for English proficiency and ESOL capacity figures: http://www.nycfuture.org/images_pdfs/pdfs/BadEnglish.pdf