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Working in the U.S.: The Wilberforce Act

Are you planning to work or study in the U.S. soon? If so, we are confident that you will have a pleasant and rewarding stay! During your time in the U.S., we want you to be aware of your rights as a worker.

The William Wilberforce Trafficking Victims Protection Reauthorization Act, otherwise known as the Wilberforce Act, reaffirms and strengthens the U.S. government's commitment to fight human trafficking and labor abuses in all forms.

If you qualified for a nonimmigrant visa in any of these categories – J-1, H-2B, H-2A, H-1B, B-1 domestic employees, NATO-7, G-5 and A-3 – you should have received a pamphlet from us regarding your rights in these employment- and education-based categories. Even though you will be in the U.S. only temporarily, you still have many basic workplace rights and protections.

Most importantly, the Wilberforce Act ensures that you, as a visa holder, have the right to:

- Be treated and paid fairly;
- Not be held in a job against your will;
- Keep your passport and other identification documents in your possession;
- Report abuse without retaliation;
- Request help from unions, immigrants and labor rights groups and other groups; and
- Seek justice in U.S. courts.

The 2014 Trafficking in Persons (TIP) Report, released on June 20 by U.S. Secretary of State John Kerry, was a reminder that human trafficking and labor abuses occur in every country, and every country faces challenges trying to combat these injustices. The Wilberforce Act is one of many anti-trafficking efforts that the U.S. undertakes to identify and assist more victims, prosecute more suspected traffickers and prevent human trafficking from occurring in the first place.

What is human trafficking? It is a form of modern-day slavery where an employer or other individual, through physical or psychological abuse, causes an individual to feel that he or she is not free to leave the situation.

The Wilberforce Act addresses less extreme circumstances of victimization as well. For example, if you are paid less than the legal minimum wage, made to work unpaid overtime or spoken to inappropriately, you have protections under the Act as this treatment is in violation of U.S. workplace law.

If your rights or the rights of someone you know are being violated, seek help immediately. Contact the National Human Trafficking Resource Center at 1-888-373-7888 (open 24 hours a day). You can also contact the Trafficking in Persons and Worker Exploitation Task Force Complaint Line at 1-888-428-7581 (Monday-Friday, 9 a.m.-5 p.m. Eastern Time).

Enjoy these rights as well as your time working in the U.S.!

You can find more information about how to travel to the U.S. on our website, www.kingston.usembassy.gov. Keep on top of Embassy news on our Facebook page, <https://www.facebook.com/pages/US-Embassy-Jamaica> and by following USEmbassyJA on Twitter. We also answer general visa questions on our Facebook and Twitter pages.