



Legislation Text

File #: Res 1418-2020, **Version:** A

Res. No. 1418-A

Resolution calling on the United States Congress to pass, and the President to sign, legislation that would permit employment-based status holders to retain lawful status, after loss of employment, if such loss was related to the COVID-19 pandemic.

By Council Members Eugene, Kallos, Chin, Rosenthal, Ayala and Louis

Whereas, SARS-CoV-2 is the virus responsible for causing the new infectious disease known as COVID-19; and

Whereas, The first cases of humans infected with COVID-19 were identified in December 2019, by mid-February 2021, there were more than 112 million cases reported across the world and more than two million deaths linked to the disease; and

Whereas, In New York City, there were more than 700,000 confirmed cases of COVID-19 and more than 28,000 confirmed deaths from the disease by February 2021; and

Whereas, In order to help slow the spread of the virus, New York Governor Cuomo signed the New York State on PAUSE executive order that, amongst other things, closed all non-essential businesses effective March 22, 2020; and

Whereas, The Center for New York City Affairs assessed the devastating economic impact of the pandemic, finding that New York City lost 750,000 private sector and independent contractor jobs between February and December 2020, and as of January 2021, more than 1.3 million New Yorkers were receiving unemployment benefits; and

Whereas, Nationally, foreign-born individuals account for 17 percent of the national workforce, but a larger share (19 percent) of the coronavirus-response frontline occupations, or six million individuals across

essential industries such as: healthcare (17 percent foreign-born), essential retail and wholesale (18 percent foreign-born), manufacturing (26 percent foreign-born), agriculture, forestry, fishing and hunting (27 percent foreign-born), transportation (34 percent foreign-born), and scientific research and development (22 percent foreign-born); and

Whereas, Nationally, a disproportionate share of foreign-born individuals, one-in-five, are employed in industries facing major lay-offs as compared to 17 percent of their U.S.-born counterparts; and

Whereas, In New York, the foreign-born share of the health care workforce (37 percent) is twice the national average, with high rates of foreign-born registered nurses (29 percent), and the highest share of home health aides (75 percent); and

Whereas, Hardest-hit industries with over-representation of a foreign-born workforce includes accommodations and food services (22 percent foreign-born), personal Services and private households (30 percent foreign-born), and Building Services (38 percent foreign-born), among others; and

Whereas, Foreign-born workers have lower incomes and larger families, on average, than their U.S.-born counterparts working in the same industries, with half the rate of health insurance; and

Whereas, Foreign-born New Yorkers who have not become naturalized citizens have significantly lower median earnings, less than \$30,000, as compared to \$48,000 for U.S.-born New Yorkers; and

Whereas, Foreign-born individuals experienced greater increased in unemployment in the first months of the pandemic than U.S.-born workers, with Latinos experiencing the highest rates of unemployment; and

Whereas, In 2019, prior to the pandemic, the U.S. issued 8.7 million non-immigrant visas, which include employment-based visas; and

Whereas, Employment-based visas are issued under very specific criteria including listing the employer, and require recipient to re-apply should circumstances warrant any changes of employment; and

Whereas, Washington D.C.-based think tank, Niskanen Center, estimates that as many as 250,000 foreign-born workers on temporary visas seeking green cards could fall out of lawful status by June 2020; and

Whereas, With widespread layoffs and staff furloughs, hundreds of thousands of foreign-born individuals, formerly active members of the U.S. workforce, could find themselves losing lawful work authorization and resident status; and

Whereas, The former Trump Administration issued two different actions to limit access to employment-based visas during the pandemic, through Presidential Proclamations on April 22, 2020 and on June 22, 2020 and

Whereas, These actions have been met by harsh criticism from multiple sectors, including the technological industry, and have already led to the separation of families, including at least 1,000 Indian nonimmigrant work-related based visas; and

Whereas, New York City, once considered the epicenter of the global pandemic, has long championed the rights of its immigrant residents, currently more than 3 million strong; and

Whereas, The City's economic recovery will not be possible without full participation of all New Yorkers, and most especially its foreign-born workforce; and

Whereas, In order to maintain the strength of the City's foreign-born workforce, the federal government must create a solution to provide temporary work and residency authorization for foreign-born individuals who have been laid off or furloughed due to the COVID-19 pandemic; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass, and the President to sign, legislation that would permit employment-based status holders to retain lawful status, after loss of employment, if such loss was related to the COVID-19 pandemic.

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2/24/2021