

**ARRANGEMENT ESTABLISHING AN UNDERSTANDING  
BETWEEN  
THE U.S. DEPARTMENT OF LABOR'S  
WAGE AND HOUR DIVISION,  
LOS ANGELES DISTRICT OFFICE  
AND  
THE CONSULAR SECTION OF THE EMBASSY OF NICARAGUA  
IN LOS ANGELES, CA**

The U.S. Department of Labor's (DOL), Wage and Hour Division (WHD), Los Angeles District Office, and the Consular Section of the Embassy of Nicaragua in Los Angeles, CA hereinafter referred to collectively as "the Participants;"

Recognizing the joint commitment to compliance with, and awareness of, workplace laws and regulations applicable to all Nicaraguan nationals in the United States, acknowledged in the August 29<sup>th</sup>, 2011 Joint Declaration between the Department of Labor of the United States of America and the Ministry of Nicaragua.

Recognizing that the Joint Declaration provides for the establishment of cooperative relationships for purposes such as training and education, outreach and communication, and promoting a national dialogue on compliance with laws and regulations enforced by WHD;

Intend to form an Understanding to seek achievement of the following:

**Overall Objective**

The Participants intend to establish a collaborative relationship to provide Nicaraguan nationals in the following cities and counties in the state of California: Fresno, San Diego, Santa Barbara, San Luis Obispo, Palm Springs, Ventura, Bakersfield, San Fernando, Santa Ana, Orange, San Bernardino and Pomona, and in the states of Utah, Arizona, Nevada, Alaska, Hawaii, Oregon information, guidance, and access to education and training resources to help them exercise their workplace rights, particularly with regard to reducing violations of the minimum wage, overtime, recordkeeping, child labor, safe housing and transportation provisions of the laws and regulations administered and enforced by WHD, and to help them understand the rights of workers and the responsibilities of employers under the Fair Labor Standards Act and

the Migrant and Seasonal Agricultural Worker Protection Act, and the H-2A and H-2B programs under the Immigration and Nationality Act.

### **Training and Education**

The Participants intend to work together to seek achievement of the following training and education goals:

- Launch an educational program (hereinafter referred to as “the program”) aimed at making Nicaraguan nationals in the following cities and counties in the state of California: Fresno, San Diego, Santa Barbara, San Luis Obispo, Palm Springs, Ventura, Bakersfield, San Fernando, Santa Ana, Orange, San Bernardino and Pomona, and in the states of Utah, Arizona, Nevada, Alaska, Hawaii, Oregon aware of applicable workplace laws and regulations.
- Monitor, review, evaluate, and modify the program as needed, through the terms of the Arrangement, to ensure that the public is well aware of workplace rights and responsibilities.
- Provide for training by WHD on the application and enforcement of the statutes administered and enforced by WHD to the appropriate Consular staff.
- Establish a system for referring complaints to WHD.
- Develop additional appropriate educational materials as needed.
- Arrange for a WHD representative to attend and participate in appropriate forums held for Nicaraguan nationals and employers involving topics under the jurisdiction of WHD.

### **Outreach and Communication**

The Participants intend to work together to achieve the following outreach and communication goals:

- Conduct a minimum of two informational forums during the first year of the campaign, where public notice is to be provided, and at least one representative of each Participant attends each forum.
- Publicize this Arrangement and all relevant information regarding the program through local and international media.

- Provide educational materials to the Consular Section for distribution.
- Provide the Consular Section with a contact person to coordinate implementation of the Arrangement.
- Set up a system for consular contact with Nicaraguan nationals who have returned to Nicaragua and are owed back wages that WHD has collected from the responsible employers. WHD intends to facilitate this contact by providing the Nicaraguan Consular Section with the name, date of birth and any other relevant information concerning these workers. When contact is made, WHD intends to provide checks to the Nicaraguan Consular Section, made out to the workers, and the Nicaraguan Consular Section intends to arrange for the delivery of the checks to the workers.
- Disseminate compliance and educational materials to the Consular Section's constituency.
- Verify the dates of birth for minors born in Nicaragua and living in the following cities and counties in the state of California: Fresno, San Diego, Santa Barbara, San Luis Obispo, Palm Springs, Ventura, Bakersfield, San Fernando, Santa Ana, Orange, San Bernardino and Pomona, and in the states of Utah, Arizona, Nevada, Alaska, Hawaii, Oregon in order to affect any enforcement action related to the alleged child labor violations.

### **Promotion of a National Dialogue**

The Participants intend to work together to seek achievement of the following goals related to promoting a national dialogue on workers' proper wage compensation:

- Raise awareness of and demonstrate commitment to worker rights whenever leaders from the Participants address groups.
- Convene or participate in forums, round table discussions, or stakeholder meetings on issues affecting Nicaraguan nationals to help forge innovative solutions on issues concerning proper wage compensation, and other employment issues, and understanding of worker rights and responsibilities of employers.
- Share information on DOL laws and standards, including those related to worker rights and employer responsibilities.

An implementation team made up of representatives of each Participant intends to meet to develop a plan of action, mutually determine working procedures, and identify the roles and intended responsibilities of the Participants. In addition, the Participants intend to meet at least three times per year to track and share information on activities and results in achieving the goals of the Arrangement.

This Arrangement is intended to cease two (2) years from the date of signing. A Participant should endeavor to provide thirty (30) days advanced written notice of its intent to discontinue its participation in this Arrangement. This Arrangement may be modified in writing at any time by mutual consent of the Participants.

Signed at Los Angeles, CA in duplicate, this 24 day of July,  
2012, in the English and Spanish languages.

**FOR THE UNITED STATES  
DEPARTMENT OF LABOR'S WAGE  
AND HOUR DIVISION,  
SAN FRANCISCO REGIONAL OFFICE,  
in Los Angeles, CA**

**FOR THE CONSULATE OF THE  
NICARAGUAN EMBASSY in Los  
Angeles, CA**



**Ruben Rosalez  
Regional Administrator**



**Jose Alberto Acevedo Vogl  
Consul General of Nicaragua**