

LETTER OF ARRANGEMENT

BETWEEN

**THE WAGE AND HOUR DIVISION OF THE
UNITED STATES DEPARTMENT OF LABOR**

AND

**THE MINISTRY OF FOREIGN AFFAIRS AND HUMAN MOBILITY OF ECUADOR
CONCERNING WAGE AND HOUR LAWS AND REGULATIONS APPLICABLE TO
ECUADORIAN WORKERS IN THE UNITED STATES**

The Wage and Hour Division (WHD) of the United States Department of Labor and the Ministry of Foreign Affairs and Human Mobility of Ecuador, hereinafter “the Participants”,

CONSIDERING their desire to protect the well-being of Ecuadorian workers in the United States;

CONSIDERING their desire to establish programs of cooperation to educate and inform Ecuadorian workers and their employers in the United States as to wage and hour laws and regulations, including workplace rights and responsibilities and to provide them with information about WHD resources to strengthen implementation of the laws enforced by WHD;

CONSIDERING the importance of promoting a better understanding of wage and hour laws and regulations by Ecuadorian workers in the United States through outreach, education, training, and replication of best practices, and to help address wage and hour issues impacting Ecuadorian workers in the United States; and

CONSIDERING the intention of the Participants, through the Joint Declaration between the United States Department of Labor and the Ministry of Foreign Affairs and Human Mobility of Ecuador, signed at Washington, DC on August 26, 2016, to work together to inform Ecuadorian workers in the United States about their labor rights,

Intend to collaborate as follows:

SECTION 1

Objective

The objective of this Letter of Arrangement is to promote the understanding of wage and hour laws and regulations, including workplace rights and responsibilities of Ecuadorian workers in the United States through joint efforts between the Participants and with other relevant governmental agencies and private organizations in the United States, as appropriate and as mutually consented to by the Participants.

SECTION 2

Areas of Collaboration

In furtherance of this objective, the Participants intend to pursue the following initiatives concerning wage and hour laws and regulations, including workplace rights and responsibilities affecting Ecuadorian workers in the United States to the extent funds are available:

1. Joint development, translation, and dissemination of informational materials, utilizing print and electronic media, addressing wage and hour laws and regulations, including workplace rights and responsibilities affecting Ecuadorian workers in the United States.
2. Distribution and publicity by WHD and the Embassy of Ecuador and its consulates in the United States of Spanish language brochures (where applicable), pamphlets and other informational materials to Ecuadorian workers regarding applicable wage and hour laws and regulations, including workplace rights and responsibilities in the United States, both prior to and after their arrival in the United States.
3. Joint expansion of collaborative partnerships to other geographic areas in the United States, with each initiative tailored to the special characteristics of the target communities.

4. Development with the Embassy of Ecuador and its consulates in the United States of other appropriate models for collaboration for implementation in regions in the United States where there are Ecuadorian worker populations.
5. Outreach by the Embassy of Ecuador and its consulates in the United States to entities such as faith- and community-based organizations that routinely interact with Ecuadorian workers to:
 - a. facilitate meetings with Ecuadorian workers to provide information about wage and hour laws and regulations, including workplace rights and responsibilities in the United States and where to seek assistance; and
 - b. promote the distribution of materials providing information about wage and hour laws and regulations, including workplace rights and responsibilities in the United States and where to seek assistance.
6. Outreach by the Embassy of Ecuador and its consulates in the United States to Hispanic or Ecuadorian employers and Hispanic or Ecuadorian business associations in the United States to facilitate training by the WHD on applicable wage and hour laws.
7. Outreach by the Embassy of Ecuador and its consulates in the United States to Spanish-speaking national media outlets and local community media in the United States to facilitate public service programs to provide information about wage and hour laws and regulations, including workplace rights and responsibilities in the United States.
8. Assistance by the Embassy of Ecuador and its consulates in locating Ecuadorian workers following their return to Ecuador to:
 - a. provide information about an Ecuadorian worker's current address to facilitate the payment of back wages; and
 - b. provide information for developing an enforcement action against an employer in the United States of an Ecuadorian worker or workers.

SECTION 3

Process of Consultation

The Participants intend to collaborate through joint efforts at the national level between the WHD and the Embassy of Ecuador in Washington, D.C. and at the regional level between the WHD regional and area offices and the Ecuadorian consulates in the United States. The Participants intend to identify points of contact for formal communication at the national and regional levels that would be responsible for developing joint efforts within the areas of cooperation as may be decided. Representatives of the Participants intend to meet on a periodic basis to assure that these functions are carried out.

SECTION 4

Expenses and Costs

This Letter of Arrangement is not a legally binding document and does not give rise to rights or obligations under international law. This agreement does not itself obligate any funds. Each Participant intends to finance its own participation in any areas of cooperation undertaken pursuant to this Letter of Arrangement and subject to the availability of funds in each Participant's respective budget.

SECTION 5

Final Provisions

This Letter of Arrangement is not an international agreement and does not create any international legal rights or obligations. This Letter of Arrangement becomes operative on the date of signing and is intended to cease after a period of three years. This Letter of Arrangement may be modified by written consent of the Participants. This Letter of Arrangement may be continued by written consent of the Participants. Either Participant should endeavor to provide three months written notification of its intent to discontinue this Letter of Arrangement to the other Participant.

Signed at Washington, D.C., on AUG 26 2016 in English and Spanish.

**FOR THE WAGE AND HOUR DIVISION
OF THE UNITED STATES
DEPARTMENT OF LABOR:**

**FOR THE MINISTRY OF FOREIGN
AFFAIRS AND HUMAN MOBILITY OF
ECUADOR:**



**David Weil, PhD
Administrator**



**Francisco Borja Cevallos
Ambassador of Ecuador
to the United States**