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Nonprofit banned for two years in guest-worker probe

By Bob Fernandez Inquirer Staff Writer

Moving decisively, the U.S. State Department has banned a nonprofit group that supplied 400 foreign students as laborers to a Hershey Co. candy-packaging plant last year from participating in a popular cultural-exchange program for two years.

The California-based organization, CETUSA, brought the foreign students to the United States on J-1 visas. Once here, the students were to have practiced English and learned about America while also earning money in summer jobs.

The students, many from Ukraine and Turkey, protested in August on Chocolate Avenue in Hershey saying they were forced to work long hours for low pay in the Palmyra packaging plant, and had little time or funds to travel and interact with Americans.

The controversy - the latest in the lightly regulated J-1 program - prompted a State Department investigation into the conditions in Hershey. Meanwhile, Secretary of State Hillary Rodham Clinton backed a top-to-bottom review of the program.

"They are done as far as work travel is concerned," Rick Ruth, a top official in the State Department, said of CETUSA.

The specific J-1 component that the organization used to bring the students to the United States is called Summer Work Travel. It sponsored 5,000 to 6,000 students a year through that avenue.

CETUSA also participates in other J-1 exchange components - Secondary School Student, Trainee, and Intern. That involvement is under a separate review by the State Department.

In addition to banning CETUSA for two years, the State Department has capped participation in the J-1 Work Travel program to 109,000 foreign students in 2012, the same level as 2011. After about a decade of rapid growth, the program peaked in 2008 with 153,000 foreign student/workers, many of them working in resort areas such as Wildwood and Cape Cod.

The State Department is likely to announce new J-1 regulations in the next several months. One area ripe for new restrictions is the type of jobs foreign students can hold when entering the United States on a J-1 visa.

The State Department would like them in jobs in which they regularly meet Americans, not in hazardous or hard-labor occupations such as construction and roofing.

"The problem is larger than one recruiting agency," said Stephen Boykewich, spokesman for the National Guestworker Alliance, which helped organize the Hershey protest. "The Hershey case demonstrates that what was supposed to be a cultural exchange program has been transformed into America's largest and most poorly regulated guest-worker program."

He called the State Department's action against CETUSA a good first step.

CETUSA did not respond to phone calls to its California offices Thursday.

The Hershey Co. has said it was not to blame. The foreign students were supplied to the packaging plant by an outsourcing firm and were not directly employed by Hershey Co. Company officials said last year they would no longer use J-1 visa-holders in the packaging plant.

Foreign-student workers represent one of two labor issues with which the nation's largest chocolate company has had to contend.

A coalition of nonprofits calling itself Raise the Bar, Hershey has criticized the company for depending on child labor in West African cocoa fields.

Similarly, Jasper Perry-Anderson, 14, an eighth grader at Friends Select School in Philadelphia, has gathered more than 15,000 signatures on a Change.org online petition calling for compliance with labor standards. She expects to present the petition to Hershey officials on Valentine's Day, a big holiday for chocolate sales. She said Thursday she learned of the child-labor issue in reading a book on "responsible consumerism."

On Jan. 30, the Hershey Co. said it would invest \$10 million by 2017 "to reduce child labor and improve cocoa supply in West Africa."

The Hershey Co. is controlled by the charity that operates the Milton Hershey School, the world's largest free boarding school for impoverished children, which gives preference enrollment to Pennsylvania children.

The State Department's Ruth said that CETUSA had been informed of the government's findings but that the details were not public.

"In Palmyra, [the foreign students] had almost no interactions with Americans at all," Ruth said. "This is not a labor visa. This is a cultural-exchange visa."

The J-1 program is a means to reach out to educated younger people in other countries, Ruth said. When they come to the United States, "we want them to be safe and well," he said. "We do not look at Palmyra as a one-time fix."

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