

RIGHTS ON THE LINE

*Policy and Regulatory Gaps
Affecting Migrant Fishers
in Washington State Ports*



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Acknowledgments

The Harry Bridges Center for Labor Studies (Bridges Center) research team is proud to present “Rights on the Line: Policy and Regulatory Gaps Affecting Migrant Fishers in Washington State Ports.” This project examines the working experiences of migrant fishers who have docked or offloaded catch in Washington state ports. It is a mixed methods study that incorporates policy and regulatory data analysis with interview findings from fishers and a range of subject matter experts in commercial fishing, highly migratory species, human trafficking, regulatory environments, and more.¹

This project was possible due to many people and organizations. We extend our gratitude and solidarity to every fisher who trusted us with their experiences and educated us in their industry. Thank you to the community-based organizations (CBOs), fishers, and translators who participated in research planning, offered feedback, provided context, and contributed to language accessibility. Although many CBOs provided valuable support, we want to offer additional recognition to BAYAN Washington for their initial outreach to our center and their support of migrant fishers and this project. We also want to thank every subject matter expert who generously shared their experiences, perspectives, and work with us.

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Acronyms

CBOs - community-based organizations

ITF - International Transport Workers Federation

ILWU - International Longshore and Warehouse Union

PFMC - Pacific Fishery Management Council

NOAA - National Oceanic and Atmospheric Administration

PRA - Washington state Public Records Act, RCW 42.56

ILO - International Labor Organization

SMEs - subject matter experts

ESD - Washington Employment Security Department

CBPAR - community-based participatory action research

FOIA - Freedom of Information Act

FLSA - The Fair Labor Standards Act

ACS - American Community Survey

EEZ - Exclusive Economic Zone (United States)

IUU - Illegal, unreported, and unregulated fishing

RFMCs - regional fishery management councils

C188 - International Labor Organization Work in Fishing Convention, 2007 (No. 188)

IATTC - the Inter-American Tropical Tuna Commission

WCPFC - the Western and Central Pacific Fisheries Commission

CP - Continued Presence designation

CBP - Customs and Border Protection

HLA - Hawai'i Longline Association

L&I - Washington state Department of Labor and Industries

RFMOs - regional fishery management organizations

COFFEE - Cooperation on Fair, Free, Equitable Employment Project

NIOSH - National Institute for Occupational Safety and Health

Executive Summary

This report covers a range of topics related to the conditions and experiences of migrant fishers. We provide information on the trends in experiences of the twenty-nine migrant and U.S. citizen fishers we interviewed, interacted with, or surveyed. We also introduce historical and current labor relationships between the United States and our interviewed migrant fishers' home countries, applicable regulations and policies, and examples of approaches and limitations to combatting forced labor.

In this research project, we seek to better understand the experiences of migrant fishers who dock or unload catch at Washington state ports. We gathered information from fifteen migrant fishers, fourteen U.S. citizen fishers, and over thirty-five subject matter experts.

Our research process focused on these questions:

- What trends exist across migrant fishers' experiences and perspectives?
- Regarding protecting migrant workers in the commercial fishing industry from exploitation, what gaps, if any, currently exist in labor and human rights policy and regulation at local (state), national, and international levels?
- What role can corporate accountability play in preventing forced labor and wage theft from fishers in global supply chains?

Our research finds that gaps in policy language and regulatory practices allow for migrant fishers in the U.S. commercial fishing industry to remain largely invisible as they operate out of sight and out of mind. The Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987 allows for U.S. vessels fishing only highly migratory species to employ migrant fishers without a U.S. work visa.

In our research, we found that many subject matter experts across industries did not know that migrant fishers could work without a U.S. visa, thereby restricting them to their fishing vessels at U.S. ports. That finding raises the question, what can we do to address fishers' rights as workers and people when we know this exemption exists?

Key Findings

1. Exemptions in U.S. law, codified through the Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987, allow migrant fishers to work without work authorization or U.S. work visas and leave them vulnerable to forced labor and exploitation.
2. All migrant fishers who were interviewed experienced indicators of forced labor.
3. Complicated policy and regulatory frameworks that intersect with commercial fishing make it difficult to address violations of workers' rights, including alleged incidents of forced labor.
4. Migrant and U.S. citizen fishers reported difficult living and working conditions with many challenges to establishing safe workplaces.
5. Additional worker-centered research is needed to better understand and support the needs of Washington's commercial fishers and their industry.
6. Approaches to combat forced labor in the commercial fishing supply chain are varied and uneven and require centering the most impacted workers and communities.

Policy Recommendations

([full list in recommendations section](#))

1. Create a work visa for “non-immigrant crew members,” such as the D-3 option introduced in the Sustainable Fishing Workforce Protection Act (S.2071).
2. Increase federal support to prevent and track fishers’ workplace injuries.
3. Provide state funding to community-based organizations supporting migrant workers.
4. Prioritize worker-centered understanding of the needs of fishers, including small and independent vessel owners.
5. The Pacific Fishery Management Council (PFMC) should recommend binding minimum labor standards with clear enforcement and compliance metrics.
6. Organize labor trafficking and workers’ rights campaigns and worker centers at ports.

This project does not attempt to evaluate whether forced labor or human trafficking has occurred in Washington state ports. Migrant fishers, however, reported experiencing ten of the 11 indicators of forced labor, as described by the International Labor Organization (ILO), and U.S. citizen fishers reported eight of the 11, with the most severe examples provided by migrant fishers. The [“Approaches and Limitations in Combatting Forced Labor”](#) section of our report describes existing pathways for corporate and industry accountability and their limitations. Throughout this report, our findings demonstrate that more must be done to support equitable working and living conditions for migrant fishers.

Through our discussions with fishers and subject matter experts, we learned more than we can include in this report, and further research is needed. To better understand these issues, we recommend additional studies focusing on the needs of fishers and those supporting Washington’s commercial fishing industry. Although literature on the conditions of fishers globally has documented alleged trafficking and abuses, research on migrant fishers’ conditions in the United States, outside of Hawai’i, remains limited.³ There is a need for further research on the issues experienced uniquely by migrants working in commercial fishing in the United States.

Photo taken by researcher in Westport, September 2025. *No photos in this report are intended to represent specific vessels, owners, fishers, or others in the industry. Photos are included for context only, with identifiers removed where possible.*



Context

Commercial Fishing

In Washington state, the commercial fishing industry, its workforce participation, and its resulting fiscal impact are significant components of our maritime economy. In 2024, the Washington Employment Security Department (ESD) estimated a total of 1,140 first-line supervisors of farming, fishing, and hunting workers; for processing, the ESD reported 3,570 meat, poultry, and fish cutters and trimmers.⁴

In the state, 780 commercial fishing and seafood businesses generated \$3.8 billion in revenue in 2022.⁵ Commercial fishing is regulated by the Washington Department of Fish and Wildlife, but regulation for highly migratory species is held beyond the state level, with the exception of landing permits to remove fish from vessels.⁶ Many regulatory bodies and policies interact with Washington's commercial fishing industry by monitoring fishing practices, inspecting boats and catch, and enforcing trade and immigration policies.

North Pacific albacore tuna (albacore) is an especially significant fishery within Washington's commercial fishing industry. Between 2018 and 2025, 842 unique vessels received a permit (effective for two years)

from National Oceanic and Atmospheric Administration (NOAA) Fisheries to fish highly migratory species off of Washington waters and land catch at Washington ports, where the majority of highly migratory species landed is albacore tuna.⁷

In 2025, 128 vessels landed albacore tuna in Washington. The same year, 4,788 metric tons (approximately 10.6 million pounds) of albacore tuna landed in Washington ports, for a revenue of \$20.8 million. In comparison, California and Oregon landed 229.7 and 3,908.6 metric tons of albacore tuna each. In Washington, Westport is the main port where albacore is landed, accounting for 4,234 metric tons, or 84 percent, of the 2025 total.⁸ Subject matter experts in commercial fishing noted that albacore season participation fluctuates, with many fishers also fishing other species.⁹

Chart 1: Number of vessels landing albacore in WA¹⁰

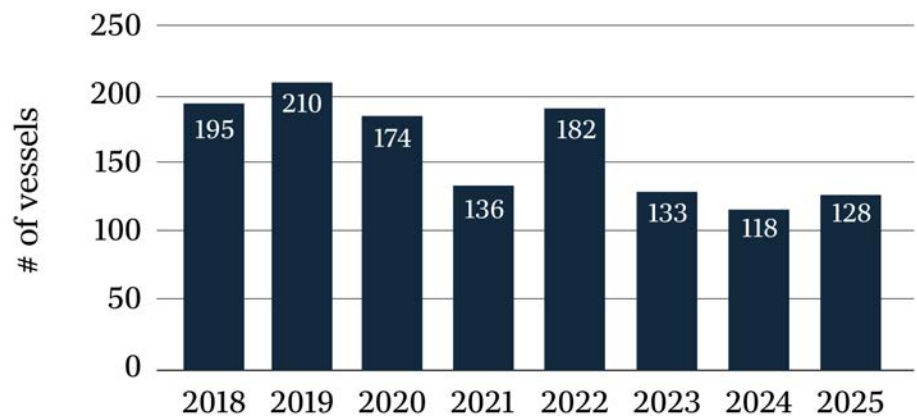
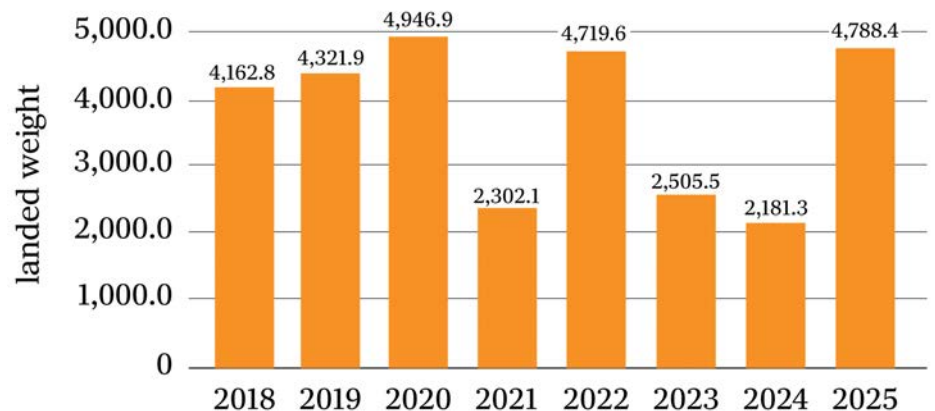


Chart 2: Albacore tuna landed in WA (metric tons)¹¹



Migrant Fishers

Due to an exemption in U.S. law codified in the Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987 (Anti-Reflagging Act), **U.S.-flagged vessels fishing exclusively for highly migratory species are not subject to the same citizenship requirements as other commercial fishing vessels.** Migrant fishers working on vessels pursuing only highly migratory species are not required to have U.S. work visas while working aboard U.S.-flagged vessels.¹² Highly migratory species are typically located below the continental shelf and travel great distances across international boundaries. Examples include tuna, mackerel, and some sharks.¹³ Because of this exemption, and our project's focus on migrant fishers, our research focuses on migrant fishers docking and offloading catch at Washington state ports on U.S.-flagged vessels pursuing highly migratory species, more specifically albacore tuna.

In December 2023, a group of migrant fishers who docked in Westport, Washington, alleged abandonment and other rights violations. Along with abandonment, members of the group reported accumulating debt from living expenses and vessel maintenance fees while their original contract provisions, including monthly wages and benefits to their Philippine social security and health fund, went unfulfilled. Multiple fishers remained in Washington to pursue legal action against their employer and their Philippine-based employment agency; others were repatriated to the Philippines.¹⁴

How could allegations of abandonment occur while workers are docked at a port? The exemption through the Anti-Reflagging Act means that migrant fishers on vessels fishing exclusively for highly migratory species, with their lack of immigration or working status, are not allowed to leave their vessels while at port. There are a few exceptions, including medical issues, which must be approved by U.S. Customs and Border Protection. Otherwise, migrant fishers risk fines and removal processes if they leave their vessel. Captains and vessel owners also risk fines.¹⁵ These conditions do not mean that all migrant fishers are experiencing abandonment, but they do increase migrant fishers' vulnerability to abandonment and other types of forced labor.

A globalized economy with competitive labor markets can create conditions conducive to labor trafficking, with workers from countries with limited career opportunities and resources being transported to international waters, often without detection.¹⁶



Photo taken by researcher in Westport, September 2025.

Internationally, labor trafficking remains a widely documented issue in commercial fishing, and conversation is ongoing about forced labor in U.S. jurisdictional waters. The seafood industry relies heavily on a large workforce of migrants from the Asia-Pacific, where the psychological and physical abuse of fishers has been documented.

Conditions of forced labor have also been identified within the migrant workforce of Hawai'i's longline fishing fleet.¹⁷ The federal government has conducted its own investigation, which maintained that *human trafficking* had never been identified on U.S. fishing vessels, while recognizing that many basic federal protections for workers do not extend to fishers.¹⁸

Both migrant and U.S. citizen fishers experience physically dangerous working conditions and are subject to a lack of relevant labor policy or enforcement. Some owners pursuing highly migratory species will actively seek migrant labor when they struggle to find citizens who are trained or are willing to withstand being away from land for months at a time.¹⁹ The socioeconomic conditions of migrants' home countries increase their willingness to accept risky employment without status.²⁰ Although these workers remain without status in the United States, they contribute to the success of Washington's fishing seasons and feed people around the world.

Methodology and Limitations

Methodology

We applied a community-based participatory action research (CBPAR) framework. This approach centers the most impacted group(s) by involving them throughout the research process and striving for actionable research findings.²¹

For this project, our CBPAR approach includes regularly connecting with fishers and community-based organizations supporting fishers to request feedback and to discuss ideas. Before our research drafting was complete, we reached out to migrant fishers, when possible, to discuss our findings.

We conducted interviews with migrant fishers, citizen fishers, and subject matter experts (SMEs). Interview and interaction processes varied. Interviews or site visits were conducted in-person, in interviewees' homes, on or next to vessels, at the University of Washington, and other public establishments.

Many SME interviews were conducted online via Zoom, and a few migrant fisher interviews were conducted through a video call. We received written and verbal consent for interviews. All interviews were semi-structured. Each fisher and SME that consented to an interview was offered a \$50 gift card. All fishers and SMEs were provided anonymity and informed of their ability to revoke consent at any time.

We interacted with a total of twenty-nine migrant and citizen fishers. Migrant and citizen fishers were identified and contacted through community connections, port visits, snowball sampling, the distribution of print and digital flyers, and a screening survey.²²

Interviews with migrant fishers included questions about employment background, wages, working and living conditions, and knowledge of workers' rights. In addition to the same questions, citizen fishers were asked about their knowledge of and experiences working with migrant fishers.²³ Translators supported most migrant fisher interviews and provided language and cultural support throughout our project.

We interviewed, spoke with, or were provided with information from over 35 SMEs. SMEs were contacted through existing relationships, emails, and phone calls. This group included people currently or formerly working at the Human Trafficking Legal Center, NOAA Fisheries, Washington state ports, the Pacific Fishery Management Council, the Coast Guard, the International Transport Workers' Federation, the Washington state Department of Fish and Wildlife, Washington state legislators, and Homeland Security Investigations. Information from SMEs provided additional context and filled policy, regulatory, and legal gaps in our research.

To better understand current policy and practices, we conducted an analysis of policy and regulatory agencies affecting migrant fishers across the fields of labor, immigration, fisheries, and human trafficking. Freedom of Information Act (FOIA) and Washington State Public Records Act (PRA) requests were used to access primary source documents.²⁴

Other publicly available data used to support research include the American Community Survey (ACS), which was used to identify the demographics and presence of non-citizen fishers in Washington and the United States. American Community Survey data was accessed through IPUMS USA and analyzed using R.²⁵ See endnotes for packages used in R.²⁶ We also used phone-based applications, including MarineTraffic.²⁷

Our research team included four people, with all team members developing frameworks and participating in data collection. Our research produced two separate studies. The undergraduate research assistant, lead researcher, and research director focused on writing this report. The graduate research assistant, who was simultaneously writing his thesis, supported this report's fisheries policy analysis.



Limitations

The timing of our study raised challenges. Migrant and citizen fisher interviews began in early June 2025, coinciding with the start of the U.S. West Coast albacore tuna fishing season. The overlap may have affected the number of fishers we were able to connect with between June and December 2025.²⁸

Additionally, changing U.S. federal policies and related concerns may have affected the number of fishers and SMEs willing to speak with us. Several migrant fishers declined interviews, and most interviewees expressed anonymity concerns. These concerns may have also impacted the information interviewees disclosed.

To better understand the scope and experiences of the migrant fisher workforce docking and offloading catch at Washington state ports, we spoke to fishers and SMEs and reviewed the American Community Survey (ACS) for national and Washington state workforce demographics.

However, due to seasonal workforce changes, ACS classification methods, and a lack of official state or federal data tracking the migrant fisher workforce on vessels pursuing highly migratory species, we cannot make verifiable claims regarding the entire migrant fisher workforce docking and offloading catch at Washington state ports.

Although our CBPAR approach allowed for feedback and support from fishers and their communities, our process had shortcomings. Our research would have benefitted from having fishers and researchers fluent in the interviewees' preferred languages support or lead interviews. Any future research concerning migrant fishers should incorporate the funding needed to compensate fishers and researchers with additional language abilities.

Photo taken by researcher in Westport, September 2025.

Fishing's Global Workforce with Historical Context

Migrant fishers fill a crucial need in the international fishing workforce when the industry confronts lower profit margins, greater environmental pressures, and higher numbers of aging workers. Many of the top fish-producing countries in the world, including China and Taiwan, rely on migrant labor.²⁹ With mounting pressure to cut labor costs as catch totals decline, fishers around the world are at increased risk of forced labor conditions.³⁰

Changing conditions for fishers are inseparable from changes in the habitats and distribution of fish populations. As stocks decline or migration patterns change, boats must stay at sea for longer or travel farther to find fish.³¹ Fishers pursuing highly migratory species often cross international boundaries to fill their holds. Crossing international boundaries has become increasingly common as ecological changes affect fish habitats and migration patterns.³² While fishers and their countries may experience differences based on national boundaries, fish do not. This section explores Washington state and United States fishing workforce demographics, as well as historical labor relationships between the United States and the Philippines and Fiji. These are the home countries of the migrant fishers we interviewed, met with, or surveyed. The supermajority (80 percent) of migrant fishers in this study are Filipinos, with Fijians representing the remaining 20 percent.

While fishers and their countries may experience differences based on national boundaries, fish do not.

Demographics of U.S. and Washington's Fishing Workforce

American Community Survey (ACS) data provides some information on fishers, but not the full picture. The ACS provides us with occupation, citizenship status, and birthplace of commercial fishers. We, however, cannot assess alone the demographics of those who work in the pursuit of highly migratory species, nor can we disaggregate those in commercial fishing alone.³³ Although the ACS has a process to capture all workers, regardless of documentation status, migrant fishers pursuing highly migratory species are an especially challenging group in that they are able to participate in commercial fishing without U.S. immigration status, work authorization, or a visa.³⁴

Table 1: Percentage of non-citizen fishers in the United States, 2020-2024³⁵

	2020	2021	2022	2023	2024
First-line supervisors of farming, fishing, and forestry workers	16%	20.3%	20.8%	25.9%	20%
Fishing and hunting workers	4.5%	3.8%	3.5%	5.3%	5.5%
Butchers and other meat, poultry, and fish processing workers	16.1%	19.1%	18.4%	18.3%	21.8%

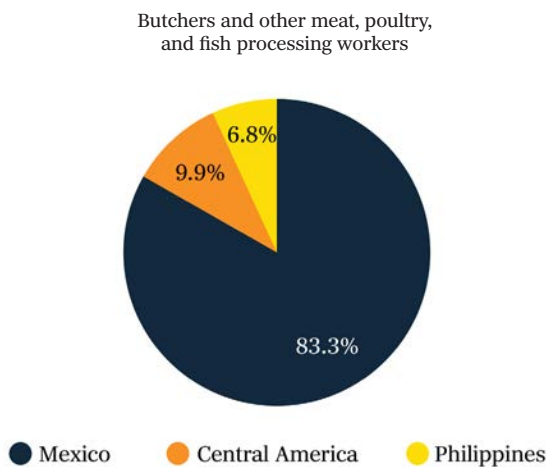
Across the United States, noncitizens make up a relatively low percentage of fishing and hunting workers, with processors and first-line supervisors reporting higher numbers. Similar to national trends, noncitizens in Washington make up a small percentage of fishing and hunting workers. More noncitizens in Washington are employed as first-line supervisors of farming, fishing, and forestry workers than across the United States. In Washington, the percentage of noncitizen fishers decreased dramatically from 2022 to 2023 - especially in fishing and hunting workers, where noncitizen workers fell from almost 10 percent to just below two percent. This decrease in migrant labor could be noted in the albacore landed these years. In 2022, 4,719.6 metric tons of albacore tuna landed in Washington, compared to the 2,505.5 metric tons in 2023.³⁶

Table 2: Percentage of non-citizen fishers in Washington, 2020-2024³⁷

	2020	2021	2022	2023	2024
First-line supervisors of farming, fishing, and forestry workers	35.2%	50.8%	46.2%	27.6%	35.6%
Fishing and hunting workers	1.2%	5.1%	9.7%	1.9%	8.6%
Butchers and other meat, poultry, and fish processing workers	17.8%	6.6%	26.9%	15.7%	16.7%

In Washington, most noncitizen workers in each fishing occupation are born in Mexico. In 2023, butchers and other meat, poultry, and fish processing workers had the most diversity compared to the other fishing occupations that year, with 83 percent of workers born in Mexico, 10 percent born in Central America, and 7 percent born in the Philippines. Among subject matter experts and fishers themselves, the most reported demographic of those they worked with were Filipino, Samoan, and Fijian.³⁸

Chart 3: Country of origins of selected workers, WA 2023³⁹



It is critical to understand the historical contexts behind the demographics reflected in this study, including the migrant fishers we interviewed. Both the Philippines and Fiji have endured a long history of colonialism that has influenced the processes of migration and labor. Today, the ongoing relations between the United States and these countries affect the ability of everyday people to survive in their homelands, thus forcing many to go abroad to the United States, where they are employed in low-wage, dangerous jobs and, such as for migrant fishers, without access to legal status.

U.S.-Philippine Relations and Migrant Labor

Labor recruitment from the Philippines cannot be understood outside of colonial contexts. In the throes of the Philippine Revolution against centuries of Spanish colonialism, the United States launched an attack on Manila to begin the Spanish-American War (1898). When Filipinos refused to surrender to U.S. colonial claims over the archipelago, the United States went to war again in 1899. Lasting officially until 1902 (and unofficially for much longer), the Philippine-American War devastated the Philippines, killing hundreds of thousands of Filipino civilians and resulting in U.S. colonial rule for the next half-century.⁴⁰

At the close of the war, with countless homes and livelihoods destroyed, increasing numbers of Filipinos felt compelled to look for work abroad. As early as 1906, recruiters from Hawai'i, another U.S. colony, traveled to the Philippines to recruit Filipinos to replace and undermine Japanese workers who were organizing against poor conditions and low pay on sugar plantations.⁴¹

The first waves of Filipino migrants were categorized legally as U.S. "nationals," a status that allowed them to travel across the United States without the rights of U.S. citizenship. The Great Depression drove down the demand for Filipino migrant workers and incited widespread violence against Filipino workers, whom white mobs accused of stealing jobs and white women. In response to racist fears of economic competition and anticolonial organizing, the U.S. Congress passed the Tydings-McDuffie Act (1934), turning Filipinos immediately into "aliens ineligible to citizenship" and promising the Philippines eventual national independence.⁴²

The shifting political status of Filipinos and the Philippines influenced Filipino struggles in the United States. As in Hawai'i, Filipino workers living and working up and down the Pacific Coast of North America organized a strong labor movement, especially behind the Filipino-led Cannery Workers' and Farm Laborers' Union.⁴³

Under mounting pressure for decolonization during and after World War II, the United States granted the Philippines national independence in 1946. But the legacies of colonialism survived. Through foreign aid and military agreements, the U.S. government allied with the Philippine government to repress the communist movement, including the Hukbalahap rebellion. And, under the guise of anticommunism during the Cold War, the U.S. government targeted Filipino labor activists like the renowned author Carlos Bulosan for deportation.⁴⁴

For generations, Filipino workers traveled to Alaska seasonally to work in salmon canneries. When Silme Domingo and Gene Viernes joined that seasonal labor migration in the 1970s, the progressive impetus behind the formation of the International Longshore and Warehouse Union (ILWU) Local 37 had given way to corrupt union officials who profited from



Cannery crew, Wards Cove Packaging Co., Ketchikan, Alaska, 1940 -

a system of racial segregation and labor exploitation in Alaska.

Domingo and Viernes organized the Alaska Cannery Workers Association to revitalize and reform the labor movement in the 1970s. Building on traditions of anticolonial resistance, they also mobilized against the dictatorship of Ferdinand Marcos in the Philippines, a regime supported and legitimized by the U.S. government. In 1981, Domingo and Viernes were gunned down in Seattle, murders that a grassroots movement would expose later as a plot orchestrated by the Marcos regime.⁴⁵

The assassination of Domingo and Viernes underscored the close ties that Marcos had cultivated with the U.S. government, including through mass labor migrations. Under his dictatorship in the 1970s and 1980s, the number of Filipinos working outside the Philippines increased dramatically.



- University of Washington Libraries, Special Collections

Marcos established the Labor Export Policy with Presidential Decree 442, creating government agencies to facilitate various aspects of exporting labor overseas to address the crisis of domestic unemployment. U.S. employers recruited and welcomed Filipino workers, made possible in part by reforms in U.S. immigration law in 1965 that overturned a century of racist restrictions overtly targeting Asians.⁴⁶

By the time Marcos was ousted in 1986, foreign remittances (\$861 million) constituted 2.5 percent of the Philippines Gross Domestic Product (GDP). The structure of mass labor export has remained a mainstay of Philippine government policy ever since. The Filipino population in the United States grew exponentially as a result, increasing by 82 percent between 1980 and 1990 and by 50 percent between 1990 and 2000. Totaling \$40.3 billion in 2024, remittances now make up 8.7 percent of the Philippines GDP.⁴⁷

Unequal relations between the United States and the Philippines continue to drive migrations across the Pacific, with the U.S. government largely dictating the terms of its economic and military ties with the Philippine government. Just last year in 2025, Philippine President Ferdinand “Bong Bong” Marcos Jr. agreed to increase U.S. imports in exchange for a mere 1 percent drop in the 20 percent tariffs imposed by the Trump administration. At the same meeting, Marcos refused to address Trump’s violent policies and rhetorics against immigration and immigrants.⁴⁸

As migrant workers confront a new wave of racial attacks, the past reminds us that Filipino migrant workers have played a key role in shaping U.S.-Philippine relations, including by engaging in struggles for more just working conditions.

Legacies of British Colonialism and Migrant Labor in Fiji

Formally ruled by the British for about a century (1874-1970), Fiji became integrated into the colonial world of sugar production, labor migration, and racial segregation in the closing decades of the nineteenth century. As part of a strategy of colonial rule, particularly in the context of mass Indigenous death caused by epidemic diseases, the British maintained much of the Indigenous social structure in Fiji to establish a political economy grounded in industrial agriculture. Within a short time span, Fiji became a sugar colony with three distinct social and political groups: Europeans financing export agriculture, Indigenous Fijians owning most of the land, and South Asian indentured workers recruited to work on sugar plantations.⁴⁹

Labor migrations and racial tensions defined both British colonial rule and post-independence Fiji. For decades, British officials attempted to collaborate with Indigenous Fijians in a race-based political system designed to marginalize Indo-Fijians. When those racial tensions intensified in the 1980s, increasing numbers of workers left Fiji for jobs in Canada, the United States, and elsewhere. Between 1987 and 2001, it is estimated that up to ten percent of Fiji's population left the country. Labor migration now flowed outward.⁵⁰

U.S. imperial ambitions in and across the Pacific produced military treaties and trade agreements that increasingly drew Fiji into the U.S. orbit of influence. In recent years, the U.S. military has identified Fiji as a strategic ally to counter China's growing power in the Pacific and to maintain open waterways. Particularly in moments of political volatility, the U.S. government has disbursed military and development aid to Fiji. The closer ties between the United States and Fiji have facilitated and expanded the movements of goods and peoples. Today, the United States represents the top market for exports from Fiji; it is also a primary destination for migrant workers from Fiji.⁵¹



In this undated photo, workers cut sugar cane by hand at the Ewa Plantation in Hawai'i. (Hawai'i State Archives via AP)



Fijian Coat of Arms



Photo taken by researcher in Ilwaco, September 2025.

Policy and Regulatory Landscape

In this section, we focus on the policies and regulatory bodies most closely tied to migrant fishers' working conditions and human rights while fishing on U.S.-flagged vessels and docking and offloading catch in Washington state ports. Many of the policies and their effects complicate workers' rights and enforcement practices and processes. What can workers do when policies are not recognized or enforced? That question is especially significant for migrant workers. The U.S. economy depends on the labor of migrants, even as many U.S. policies and approaches actively disparage migrant workers. Our examination of the relevant policies and practices in these four areas lead us to conclude that existing gaps and a lack of clarity in when, how, and who enforces workers' rights place migrant fishers in a series of vulnerable positions and unsafe working conditions.

This section is separated into four policy areas: commercial fishing and fisheries, forced labor and labor trafficking, immigration, work, and migrant fishers, and workers' rights and safety.

1. Commercial Fishing and Fisheries

The first policy area covers laws and government organizations regulating commercial fishing and fisheries. We will focus on: cabotage laws, specifically the Jones Act, 46 U.S.C. §8103, the Commercial Fishing Industry Vessel Anti-Reflagging Act (Anti-Reflagging Act), the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and the role of regional fishery management organizations.

Merchant Marine Act of 1920 (the Jones Act)

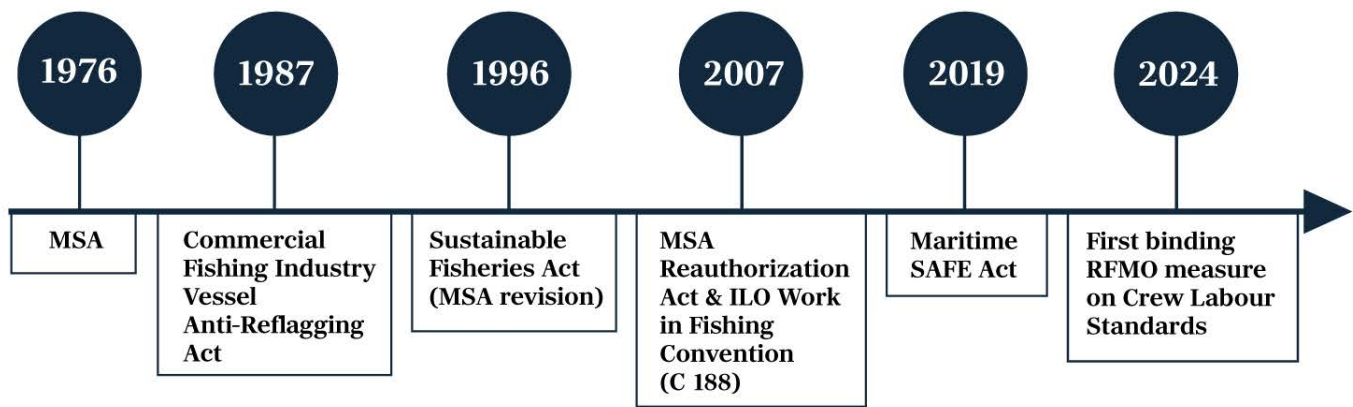
Cabotage laws, which restrict the transport of people and goods to U.S. vessels and crew, have been in place, in some form or another, since the very first U.S. Congress met in 1789. Subsequent laws mandated additional American labor and ownership requirements in domestic maritime transport.⁵² The Merchant Marine Act of 1920—generally referred to as the Jones Act, after U.S. Senator Wesley Jones of Washington, the bill’s sponsor—limits domestic transport of merchandise and passengers to U.S.-built and U.S.-owned vessels. The Jones Act, implemented immediately after World War I, was promoted as a means to increase the U.S. hold on maritime trade and to protect national security.

The Jones Act’s ongoing legacy is debated. It has provided union-represented jobs to many American workers, but it has also been difficult to enforce in a globalized economy with a global workforce. As organized labor and others push back against Jones Act waivers, it continues to be clear that goals tied to transporting more products faster and cheaper often do not align with living wages and worker protections.⁵³

The Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987

Citizenship requirements on fishing vessels are mandated by 46 U.S.C §8103 - citizenship or noncitizen nationality and Navy Reserve requirements – which requires that crew on U.S. fishing vessels must be U.S. citizens, and no more than 25 percent of the crew may be “an alien allowed to be employed under the Immigration and Nationality Act.” In other words, 75 percent of the crew on U.S. vessels must be U.S. citizens or a noncitizen authorized to work in the United States.

The Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987 amended the rule to make an exception for certain categories, including fishing vessels fishing exclusively for highly migratory species. The exception makes it possible for migrant fishers to work as crew on vessels pursuing only highly migratory species without any visa or work authorization from the United States. In Washington state, the exception allows for the presence of migrant fishers on U.S.-flagged vessels pursuing highly migratory species, most commonly albacore tuna.⁵⁴



Visual 1: Fifty years of the MSA: fisheries and labor

Magnuson-Stevens Fishery Conservation and Management Act (1976)

The Magnuson-Stevens Fishery Conservation and Management Act, also known as the Magnuson-Stevens Act, streamlined U.S. conservation and fishery management practices. Passed in 1976, the law extended U.S. jurisdiction, the Fisheries Conservation Zone, now known as the exclusive economic zone (EEZ), from twelve to 200 nautical miles. The change limited fishing by unregulated foreign fleets. The Magnuson-Stevens Act established a foundation of fishery oversight and drastically increased U.S. control over international fishing practices.

There have been two notable revisions to the Magnuson-Stevens Act: The Sustainable Fisheries Act of 1996 and the Magnuson-Stevens Reauthorization Act of 2007. The Sustainable Fisheries Act implemented requirements aimed at preventing overfishing and adding new national standards to address fishing vessel safety.

The 2007 Reauthorization Act also strengthened protections against overfishing by introducing annual catch limits and including an international framework to address illegal, unreported, and unregulated (IUU) fishing.⁵⁵

The Magnuson-Stevens Act implemented a framework aimed at addressing overfishing, limiting access for international fishing vessels, and streamlining fishery management. This framework, the resulting reauthorizations, and other U.S.-based policy interventions cast commercial fishing's labor and human rights abuses as an international problem.

The Magnuson-Stevens Act also created eight regional fishery management councils (RFMCs) to oversee fishery resources and practices. The Pacific Fishery Management Council (PFMC) covers Washington, Oregon, California, and Idaho, with 14 voting members including a representative from each state's management agency and an obligatory member from each state. In addition, the PFMC includes four at-large members, one tribal representative, and one National Marine Fisheries Service member. Labor standards are not part of the PFMC's day-to-day business.⁵⁶

The PFMC develops separate management plans for different fisheries, including one for highly migratory species. But managing these species poses many challenges. The PFMC's 2024 plan explains:

Highly migratory species are wide-ranging, likely to be fished by multi-national fleets beyond U.S. waters, have productivity potentials ranging from very low to very high, and can seldom be directly surveyed for abundance. Their management usually requires international cooperation, for which there must be active U.S. participation at international forums. The management should be precautionary and multidimensional in approach.⁵⁷



U.S. Senators Ted Stevens (R-AK) and Warren Magnuson (D-WA), 1973. Photo credit: Ted Stevens Foundation

Regional Fishery Management Organizations

Although the Magnuson-Stevens Act created RFMCs, an older and larger example, in terms of members and geographic reach, exists in regional fishery management organizations (RFMOs). These are treaty-based bodies intended to organize international collaboration to protect and preserve marine resources.

A NOAA report lists 18 RFMOs and discloses that the United States participates as a member or observer in several of them. There are five RFMOs concerning tuna, and the United States is a member of the two commissions most applicable to tuna fishing on the U.S. West Coast.⁵⁸

- *The Inter-American Tropical Tuna Commission (IATTC)*: The IATTC is responsible for the conservation of tuna and tuna-like species. This RFMO monitors populations and creates policies regarding the health of the species and has adopted non-binding measures related to crew labor standards.⁵⁹
- *The Western and Central Pacific Fisheries Commission (WCPFC)*: The WCPFC oversees conservation of highly migratory fish stocks in the western and central regions of the Pacific Ocean. The WCPFC passed a binding resolution (CMM 2024-04) on crew member treatment, which includes labor rights.⁶⁰ Although labor rights are recognized in WCPFC's standards, this binding resolution falls short of the ILO's C188 (see below) in terms of enforcement and specificity (e.g. hour requirements for breaks and time off).



Photo taken by researcher in Westport, December 2025.

Illegal, Unregulated, or Unreported (IUU) Fishing

Environmentally destructive fishing practices can coincide with exploitative labor practices that lead to migrant workers being forced to engage in illegal, unregulated, or unreported (IUU) fishing that places them at risk of criminalization.⁶¹ In the United States, several policy and regulatory approaches have been introduced to oppose IUU fishing and forced labor, which has been found to occur more regularly in IUU fishing.

These include the following:

- The passage of the Maritime SAFE Act (2019) required the creation of the U.S. Interagency Working Group on IUU Fishing, whose members include 21 government agencies. The Interagency Working Group lays out strategic planning to combat IUU fishing and forced labor.⁶²
- NOAA's Seafood Import Monitoring Program plays a role in preventing specifically suspected IUU fish and fish products from entering the U.S. market. This traceability program relies on the International Trade Data System, the federal system for reporting trade.⁶³
- The Trade Facilitation and Trade Enforcement Act (2015) gives U.S. Customs and Border Protection the authority to issue Withhold Release Orders to prevent goods made with forced labor from entering the U.S. market.⁶⁴

2. Forced Labor and Labor Trafficking

There are multi-level approaches—international, federal, and state—to stop forced labor and labor trafficking. In this subsection, we identify key approaches and discuss how the resulting bodies and policies interact. In particular, we discuss the International Labour Organization Forced Labour Convention (with a focus on the forced labor indicators), the Trafficking and Violence Protection Act, and Washington state interventions, including House Bill 1175.

International Labour Organization Forced Labor Indicators

The International Labour Organization (ILO) has developed a non-exhaustive list of forced labor indicators, most recently updated in 2025.⁶⁵ This tool, which consists of the 11 most frequent signs of forced labor, serves to identify when forced labor may be occurring. The list uses the ILO Forced Labour Convention (1930) definition of forced labor as its framework: “All work or service which is exacted from any person under the threat of a penalty and for which the person has not offered themselves voluntarily.”⁶⁶

Although the United States is not a signatory to the convention, many labor laws and approaches (including Customs and Border Protection interactions) rely on ILO’s forced labor indicators and other frameworks.⁶⁷ See [Fishers’ Experiences](#) for the full list of indicators, descriptions, and indicators that fishers’ experiences align with.

Trafficking and Violence Protection Act 2000

The Trafficking and Violence Protection Act (TVPA), as part of the Victims of Trafficking and Violence Prevention Act, established forced labor as a human trafficking crime. Forced labor is defined as:

whoever knowingly provides or obtains the labor or services of a person by any one of, or by any combination of, the following means -

1. *By means of force, threats of force, physical restraint to that person or another person;*
2. *By means of serious harm or threats of serious harm to that person or another person;*
3. *By means of the abuse or threatened abuse of law or legal process; or*
4. *By means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person would suffer serious harm or physical restraint.*⁶⁸

The law also put in place a three-pronged approach to trafficking: the prevention of such crimes, the protection of victims, and the prosecution of offenders.⁶⁹ The TVPA was reauthorized in 2003, 2017, 2018, and 2022 to strengthen prevention measures and survivor support services.

To qualify for protection under the act, persons must demonstrate that they likely performed labor “through the use of force, fraud, or coercion.”⁷⁰ The law also created T and U visas and the continued presence (CP) designation for non-citizens. The T and U visas allow recipients to remain in the United States for up to four years with select benefits while the CP designation has a cap of two years. The T visa is limited to victims of labor or sex trafficking; the U visa encompasses victims of domestic violence and other physical and sexual assaults.⁷¹

To qualify for either visa and the CP designation, recipients are required to participate in an ongoing investigation against perpetrators/traffickers and to meet other requirements. The T visa and CP are available only to victims of severe forms of labor or sex trafficking. Severe is defined in part as, “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”⁷²

The T visa may be particularly difficult to acquire. Noting the limited resources devoted to cases of labor trafficking, several subject matter experts reported that trafficking enforcement focuses on sex trafficking over labor trafficking.⁷³

In 2025, the number of T visa applications awarded each quarter was cut in half and the number of pending cases awaiting a decision nearly doubled.⁷⁴ The number of cases in limbo coupled with the challenge of finding lawyers or legal support with expertise in labor trafficking make the prospect of receiving a T visa a daunting task for most migrant workers.⁷⁵

Enforcing TVPA aboard fishing vessels is limited by jurisdictional gray areas, particularly with regard to labor standards. The U.S. Coast Guard, for example, has the exclusive authority to board and inspect ships at will, its officers are not trained to inspect for labor violations. In most cases, they limit checks to a quick assessment of whether fishers have a signed contract.⁷⁶

Washington State Interventions

In Washington state, House Bill 1175, sponsored by former Representative Velma Veloria, was passed in 2003. Classifying labor trafficking as a crime at the state level, the law made Washington the first state to criminalize human trafficking.⁷⁷

This legislation was in part a response to forced labor and violence associated with the “mail-order bride” industry and the recruitment of domestic workers.

For Washington, the following regional factors have been identified as allowing for potentially higher rates of human trafficking:

- “International border with Canada
- Abundance of ports
- Vast rural areas;
- Dependency on agricultural workers”⁷⁸

The state of Washington has historically been a leader in implementing anti-trafficking policies. State legislators have created various committees to prevent trafficking and to support survivors.

Represented by legislators, organizations serving trafficking victims, and a survivor of human trafficking, the Washington State Task Force Against the Trafficking of Persons identifies services for survivors, evaluates resources and anti-trafficking activities, and makes recommendations to support survivors.

The Washington Advisory Committee on Trafficking (WashAct) is a cross-agency collaboration that supports survivors in accessing resources and identifies gaps by sharing information and coordinating cases regarding trafficking.⁷⁹ In King County, the most populous in Washington, the King County Sheriff’s Office provides a U and T visa certification program through community education.⁸⁰

Resources also exist at the state level for survivors through community-based organizations (CBOs) and bodies like the Washington State Office of Crime Victims Advocacy (OCVA). Federal grants are funded through the Victims of Crime Act and distributed by OCVA and CBOs to train professionals and to compensate survivors.⁸¹ Recent cuts to federal funding for social services threaten to reduce or eliminate resources available to those experiencing forced labor and programs providing direct services to survivors.⁸²

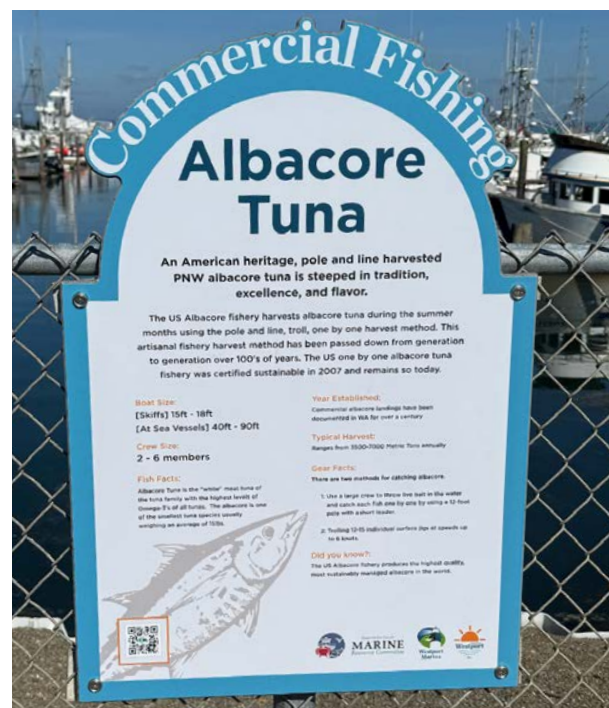


Photo taken by researcher in Westport, September 2025.

3. Immigration, Work, and Migrant Fishers

While the political environment of the United States in 2026 has become more hostile to migrant workers and immigrants, the economic reliance on their labor continues. Our discussion here will introduce the Immigration and Nationality Act of 1952 and the visa categorizations the law created related to maritime work and commercial fishing.

Immigration and Nationality Act (1952)

The Immigration and Nationality Act of 1952 (INA), otherwise known as the McCarran-Walter Act, concerned all aspects of immigration, encompassing determinations of nationality and citizenship, restrictions on visas, removals of foreign nationals, and employer requirements related to migrant workers' eligibility.⁸³

The INA also had specific language concerning fishers, including requirements to hold migrant crewmembers on vessels, unless immigration officers approved their leave.⁸⁴

Some migrant fishers and many migrant workers qualify for U.S. visas, as established in the INA. The Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987, however, encoded language into 46 U.S.C §8103 to allow migrants without U.S. visas or work permits to be hired to work on fishing vessels that are pursuing only highly migratory species.⁸⁵

For other migrant fishers or migrant workers in the maritime and fishing industries, two other visa types are available:

- 1. Crewmember D-3 or C-1/D Visa:** A crewmember D visa is for persons who work on cargo ships, vessels, or aircraft supporting foreign trade. The C-1/D visa is a combination visa that allows for the person requiring the D-3 visa to travel to the United States to join the vessel they will work on.⁸⁶ The crewmember visa is not accessible to fishers working on fishing vessels (see table 3).
- 2. H-2 B Visa:** The H-2 visa program was divided into the H-2A visa for agricultural workers and the H-2B visa for workers in non-agricultural positions. For eligibility, the Department of Labor must determine that there are not enough U.S. workers qualified and available to do the work and that the employment of foreign workers will not negatively affect U.S. workers' wages and conditions. There is a statutory cap of 66,000 workers annually, which is typically increased each year due to the high demand for labor.⁸⁷

Table 3: Options for workers in commercial fishing who do not qualify for the crewmember visa⁸⁸

You do not qualify for a crewmember visa if:	You may be able to apply for the following visa category:
Dry Dock: The primary services you will perform are dry dock repairs under warranty while the boat is docked at a U.S. port.	B-1
Fishing Vessel: You are a crewmember on a temporary basis on a fishing vessel that has a home port or operating base in the United States.	H-2
Coasting Officer: You are a replacement coasting officer employed when an officer of a foreign vessel is granted home leave, and the vessel does not remain in U.S. waters for more than 29 days.	B-1
Private Yacht: You are a crewmember on a private yacht sailing out of a foreign port which will be cruising in U.S. waters for more than 29 days.	B-1
Other Continental Shelf: You are a crewmember going to the Outer Continental Shelf.	B-1

Although workers in the fishing industry can access H-2B visas, they are usually not accessible for fishers pursuing highly migratory species.⁸⁹ H-2B visa holders can travel outside of the United States while working or for work purposes, but their work is intended to be located in the United States. Migrant fishers pursuing highly migratory species often work outside the U.S. exclusive economic zone (EEZ). Conversations and interviews with fishers and those connected to fishing suggest that vessel owners pursuing highly migratory species did not view the H-2B visa as applicable to their workforce, although some had heard of or even tried to support fishers in accessing others' visas, such as C-1/D.⁹⁰

The seafood industry relies heavily on temporary migrant labor. Fish roe processors, technicians, and supervisors of fish roe processing are exempt from the H-2B cap. In 2025, U.S. Senator Lisa Murkowski of Alaska proposed legislation that would exempt the seafood companies that employ migrant fish processors from the H-2B cap.⁹¹ Tracking H-2B applications indicates those harvesting shrimp, oysters, and other seafood in Gulf Coast states, such as Texas and Louisiana, make up a significant number of H-2B visa holders in fishing.⁹²

4. Workers' Rights and Safety

This last policy area will highlight the (lack of) labor standards and labor policies for migrant fishers working in the U.S. commercial fishing industry. In this section we discuss the ILO Work in Fishing Convention (Convention 188 [C188]), the Fair Labor Standards Act (FLSA), and NOAA Fisheries National Standard 10 – Safety of Life at Sea.

The ILO Work in Fishing Convention (C188)

The working and living conditions for commercial fishers are often dictated by weather and sea conditions and driven by the goal of filling the hold through strenuous and repetitive labor and handling dangerous work equipment. Injury, long hours, low wages, and physical and psychological abuse have been documented across the industry. Musculoskeletal conditions such as chronic back pain and carpal tunnel are common. Across the world, research has found that fishing deaths are underreported, with a recent study suggesting that more than 100,000 fishing-related deaths occur every year. Migrant fishers may be particularly vulnerable due to deceptive recruitment practices, barriers to accessing support, and a lack of awareness and education around labor rights.

C188, enacted by the International Labour Organization (ILO) in 2007, establishes global standards in the treatment and protection for all fishers. Noting the unique factors behind fishers' working conditions—such as the equipment and processes they use to catch and store fish and other species and the long periods out at sea, far from medical facilities—C188 attempts to ensure the protection of fishers where regulation gaps exist in the highly migratory and international industry.

The convention addresses a wide range of issues, including age requirements, access to health care and pre-work medical examinations, regular rest periods, accommodations and food, mandatory break periods, wage guarantees, crew lists and agreements, and, “social security protections under conditions no less favorable than those applicable to other workers.”⁹³



Photo taken by researcher at the Seattle Fishermen's Fall Festival, September 2025.

As of March 2026, 25 countries have ratified C188. The United States is not a signatory. If the United States signed and ratified C188, its articles would help support all fishers, regardless of citizenship status.

Especially helpful articles include mandating work agreements (contracts) and maintaining accurate and up-to-date crew lists, a critical requirement in supporting migrant fishers who could otherwise be unknown or unreported.

According to C188, rest breaks must be, “no less than ten hours in any 24-hour period; and 77 hours in any seven-day period.”⁹⁴ Other provisions especially relevant to migrant fishers include requiring vessel owners to support repatriation for fishers entering a foreign port (including cost) and providing standards for ethical recruitment practices, for both privately- and publicly-held businesses.

The Fair Labor Standards Act (1938)

The Fair Labor Standards Act (FLSA), passed in 1938, established minimum wage, overtime pay, and other labor standards for workers in the United States.⁹⁵ Any worker involved in fishing or processing fish or any form of sea life, however, is excluded from these standards, a major source of frustration for subject matter experts involved in forced labor and commercial fishing.⁹⁶ As a result of their exclusion, fishing and fish processing workers are not guaranteed minimum wage or overtime pay, leaving their pay and hours up to the discretion of their employers. The combination of U.S. refusal to ratify C188 and the exemption of fishers from the FLSA creates a huge gap in efforts to regulate labor standards and to enforce worker protections.

National Standard 10 – Safety of Life at Sea

As mandated by the Magnuson-Stevens Act, NOAA Fisheries develops and oversees National Standards, which regional fishery management councils are required to follow in their fishery management plans. Of the ten standards, “National Standard 10 – Safety of Life at Sea” lays out requirements for how fishery management plans must promote the safety of human life at sea.⁹⁷

The standard requires that fishery management plans address issues such as fishing vessel safety and balance the pressures of industry and regulation to reduce the risk to humans on the high seas. According to the Pacific Fishery Management Council’s Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species, National Standard 10 is deemed met and satisfied once the council has consulted with the National Fishery Marine Services, the U.S. Coast Guard, and the fishing industry on proposed management measures.⁹⁸

All work that requires considerable time at sea can be isolating, but isolation is exacerbated in commercial fishing. Commercial fishing vessel owners can often control which groups or organizations speak with fishers, making it difficult to provide support to fishers. Focusing mainly on the merchant fleet, the International Transport Workers’ Federation (ITF) collaborates with seafarers, unions, maritime authorities, and other organizations to provide support to workers at sea.

The ITF fisheries section now includes 91 unions representing 150,000 fishers and trained inspectors as part of the fisher support network. Representatives from the ITF and community-based organizations face more obstacles in accessing fishers than other workers in the maritime sector, where inspectors are guaranteed access under ITF agreements.⁹⁹ The lack of access to commercial fishers, in tandem with gaps in workers’ rights, further isolates fishers from accessing resources and support.

Fishers' Experiences

Our interviews, discussions, and surveys with migrant and U.S. citizen fishers focused on understanding fishers' experiences, their working conditions, and their understanding of workers' rights. Motivated by fishers' descriptions of their working conditions and our goal of assessing trends in the treatment of migrant fishers, we asked questions to understand which working conditions might constitute forced labor (per the ILO forced labor indicators), which are industry norms backed by policy, and which could represent both.

The research team interviewed, surveyed, or spoke with 29 fishers overall. Ten migrant fishers were interviewed, one responded to interview questions by email, one conversation happened at a port, and three provided survey responses for a total of fifteen migrant fishers. None of the migrant fishers we interviewed had a work visa; all were or had been pursuing highly migratory species.¹⁰⁰ We spoke with fourteen U.S. citizens explicitly about their experiences as fishers. Several subject matter experts we consulted have worked as fishers, which might have influenced their perspectives.¹⁰¹

Thirty-nine percent of the citizen fishers we spoke with have worked directly with migrant fishers, with 29 percent currently or recently working with migrant fishers. Most citizen fishers indicated that migrant fishers are not a significant part of the workforce for the North Pacific albacore tuna (albacore) fishery. Industry experts also reiterated the same point.¹⁰²

Several reported that migrant fishers are more common on bigger boats or with companies that own multiple boats or are "corporate."

Some of the vessel owners who had been in the industry for decades reported meeting fishers from Mexico and Central America, especially on vessels from southern California back in the 1970s through the 1990s.¹⁰³ All citizen fishers indicated that they believed migrant fishers were hired because of at least one (but usually all) of the following reasons: they are cheaper, they are better at the work of fishing, and they are more willing to do the work.

Our findings indicate that there are universal concerns all fishers share—such as isolated workplaces, safety risks, and long hours—but we observed some differences between migrant fishers and citizen fishers. Based on our interviews and interactions with migrant and citizen fishers, migrant fishers identified more obstacles to addressing work-related issues and reported working under more severe examples of the ILO forced labor indicators.

Migrant fishers reported experiencing conditions that aligned with ten of the 11 ILO indicators of forced labor. Citizen fishers reported experiences that align with eight. Although one citizen fisher reported wage inaccuracies, most migrant fishers reported experiencing confusing contracts, a lack of transparency in how they are paid, and allegations of wage theft. All fishers pursuing highly migratory species experienced at least some indicators of forced labor, but migrant fishers' lack of legal and working status leaves them more vulnerable to workplace violations, including forced labor.¹⁰⁴

ILO Indicators of Forced Labor

As discussed in the previous section, the ILO forced labor indicators serve as a tool to understand the complexity of forced labor versus labor exploitation. In our research, we compared the ILO's forced labor indicators with information provided by migrant and U.S. citizen fishers.

To be clear, we are not attempting to prove (or disprove) force, fraud, and coercion as outlined by the Trafficking Victims Protection Act. Similar to Customs and Border Protection and other federal labor and justice bodies, we are using the ILO's forced labor indicators to better understand how and if forced labor, whether intentional or not, may be occurring in the industry.¹⁰⁵

The work of fishing inescapably involves dealing with difficult conditions. Migrant fishers, however, endure additional difficulties as workers without U.S. immigration and work status. **Interviewed migrant fishers reported experiences that aligned with all forced labor indicators except for examples of *physical and sexual violence*.**

Citizen fishers reported experiences aligning with eight of the 11 indicators, with no citizen fisher reporting *abuse of vulnerability, physical and sexual violence, or debt bondage*. To the right is a table with each indicator, a brief description, and whether migrant or citizen fishers described experiences that aligned with the particular indicator.

Indicator	Indicator Description	Migrant fishers	Citizen fishers
1. Abuse of vulnerability	When employers or recruiters "take advantage of a worker's vulnerable position." examples of these include citizenship.	X	
2. Deception	Failure to deliver to a worker what was agreed upon verbally or in writing.	X	X
3. Restriction of movement	Restraining or restricting worker's ability to leave a workplace or work activity. Examples include curfews and leaving only with accompaniment.	X	X
4. Isolation	Mandated seclusion or restricting or limiting means of connection and contact.	X	X
5. Physical and sexual violence	Subjecting a worker to physical or sexual violence, which includes abduction.		
6. Intimidation and threats	Can include threats of violence or intimidation regarding immigration status, as well as threatening wage withholding or worse working conditions.	X	X
7. Retention of identity documents	When workers cannot freely access their identifying documents without prior approval. Especially common for migrant workers, this may result in workers not being able to leave a situation or request help from authorities.	X	X
8. Withholding of wages	Deliberate withholding of payments can restrict worker's ability to leave or change their employment.	X	X
9. Debt bondage	When a worker is coerced into working to repay a debt to a recruiter or employer, or the debt is manipulated ensuring it isn't repaid.	X	
10. Abusive working and living conditions	Degrading or hazardous working conditions. Can include a lack of appropriate protective gear, no running water, or limited or inadequate food.	X	X
11. Excessive overtime	Workers can face penalties for refusing overtime, may be on call constantly without rest or breaks.	X	X

Table 4: ILO Forced Labor Indicators and fishers' experiences¹⁰⁶

Demographics and Employment History

Out of the 15 migrant fishers we interacted with, 12 are from the Philippines and the other three are from Fiji. All migrant fishers worked in fishing albacore tuna on vessels docking and offloading catch in Washington ports. During the times they docked in Washington ports, they reported being aware of other migrant fishers from the Philippines, Fiji, and Samoa. Most migrant fishers were deckhands or fishers, with a few acting as unlicensed engineers for the vessels they worked on.

Migrant fishers had different levels of experience in working abroad in the commercial fishing industry—ranging from 1 to 29 years.¹⁰⁷ Seven fishers worked in the 2025 season, and all have fished at least one season since 2020. Many have experience working in other countries and in other states, most commonly Hawai'i.

Migrant fishers named two primary reasons for pursuing commercial fishing as their means of income: previous fishing experience and a lack of work at home. Fishers from both Fiji and the Philippines reported fishing experience in their home countries.

The fishers from Fiji expressed that exposure to fishing began at an early age because of living on an island and the presence of many U.S. fleets in Fiji. Many fishers from the Philippines reported that they pursued commercial fishing abroad because work in the Philippines was difficult to find, and supporting their families would be nearly impossible with the few job opportunities available to them domestically. They noted that their children and other family members relied on their maintaining work in commercial fishing and sending back remittances.

Citizen fishers' introduction to the industry, and their experiences within it varied. All 14 had direct experience currently or in the past as deckhands or fishers. Seventy-one percent (ten) were or had been vessel captains or owners. Fifty-seven percent (eight) reported being generational fishers or having grown up fishing. Thirteen of the 14 citizen fishers fish highly migratory species, with many currently or recently fishing other species, including Dungeness crab and salmon. Several of the fishers we interacted with worked alone on their vessels or hired a deckhand for support as needed.

Rights and Employment

Recognizing and enforcing workers' rights, such as minimum pay, breaks, or overtime in commercial fishing in the United States pose challenges because the industry is excluded from the Fair Labor Standards Act. Even with this exclusion, all fishers have the right to workplace rights including safety standards, an agreed upon payment process, and breaks. Based on our research, migrant fishers reported less initial awareness of their rights than citizen fishers. None of them reported receiving any formal education or information on their rights from their employer or recruiter.

Migrant fishers were aware of their right to get paid, and all reported receiving and signing contracts that specified their wages (see below for more on wages and pay). Some were able to find online information on their rights on their own. Others learned more about their rights from other fishers and friends.

Some felt emboldened to speak up about their wages, especially as part of a group, while others feared retaliation in the form of blacklisting, which could restrict their access to work in commercial fishing and eliminate their only means of income.

Citizen fishers, including current or former captains and vessel owners, reported significant variations in how vessels are operated. Several fishers reported challenging conditions with "old school" captains and owners. Several citizen fishers and subject matter experts reported that working conditions and treatment of fishers have become better for new fishers and deckhands, but they also noted the greying of the fleet (the aging of the current workforce and the lack of younger workers entering the industry).¹⁰⁸ Several citizen fishers reported that issues related to workers' rights were often treated as personal problems to work out with a vessel owner or captain.

Working and Living Conditions

Migrant and citizen fishers experience many similar working and living conditions. All fishers reported that the work of commercial fishing is physically taxing and that the hours are long. At the busiest times of the season, fishers reported working 16 to 18 hours per day with limited breaks, with hours reduced to 10 to 12 as the season progressed. Fishers reported that working conditions could be dangerous and that physical injuries were prevalent. Most reported sustaining injuries, including broken bones, infections, and cuts. Most witnessed fellow fishers suffering serious injuries. Fishers cited accepting unsafe or excessively difficult working conditions as “the life of a fisherman.”¹⁰⁹

Dangerous working conditions were a commonly cited work-related issue across our interviews with migrant fishers. These conditions included working through injuries, intense and prolonged physical labor, and even fatal accidents. Eleven migrant fishers referenced unsafe working conditions while working on vessels that access Washington ports, including injuries. Most endured injuries such as cuts, infections, muscular injuries, and extreme impacts of cold and wet conditions, such as fingernails falling off. Six migrant fishers reported working through injuries because of their inability to access medical care; some were able to leave their vessels to receive care.

For all fishers, medical care was often inaccessible because of the distance from shore, the cost of fuel, or the decision of vessel captains. Distance away from shore and the amount of time spent at sea before returning to port and unloading catch can vary based on how quickly a vessel’s fish hold can be filled.

Once fish are found, there is pressure to continue working as much as possible to fill up the hold. Many reported a persistent lack of sleep. For migrant fishers who worked on vessels under other countries’ flags, most reported that conditions tended to be better on U.S.-flagged vessels, where there was generally less physical abuse.

Lack of legal working status in the United States has a broad impact on migrant fishers. Many migrant fishers enter the United States through Canada or Mexico, receiving Canadian or Mexican transit visas before fishing in U.S. waters, an additional step to the already lengthy trips taken from their home countries.¹¹⁰ Migrant fishers also reported having to conduct transfers from boat to boat while at sea, sometimes under hazardous conditions that, in one incident, almost led to a fellow fisher drowning.

When docked at U.S. ports, migrant fishers were unable to step off their fishing vessels onto U.S. soil due to the lack of legal status and the threat of high fines and deportation. Exceptions to step on shore are possible through permission from Customs and Border Protection for medical reasons or repatriation.¹¹¹ Most migrant fishers reported that captains had control of their identity documents, including their passports and Seaman’s Books, during deployments at sea.¹¹²

Although many citizen fishers spoke of how hard and challenging the job is, all spoke of their continued interest in the work. Issues including isolation and time away from family were cited often, but most citizen fishers reported that they would not give up the work of fishing. They reported that they



Photo taken by researcher in Ilwaco, September 2025.

appreciated having extended time off between seasons, spending time out in the ocean, feeling a sense of camaraderie with other fishers, and meeting the demands of physical labor.

For most fishers, their only interaction with regulatory authorities while on U.S.-flagged vessels docked at Washington ports were from the U.S. Coast Guard for head counts or dockside checks, usually without boarding the boat. The Coast Guard is authorized to conduct enforcement boardings at sea, but these are often narrowly focused on immediate vessel safety concerns (life vests, safety rafts, knowledge of emergency procedures, etc.). Agents are not trained to identify indicators of forced labor.

Language barriers are common between fishers and enforcement agents and others who provide direct services. Subject matter experts on forced labor, inspection, and the commercial fishing industry noted the widespread lack of understanding and enforcement of labor regulations.¹¹³ Additionally, subject matter experts working with migrants identified a current, persistent climate of fear that dissuades victims from coming forward to report labor and other abuses.¹¹⁴

Wages and Pay

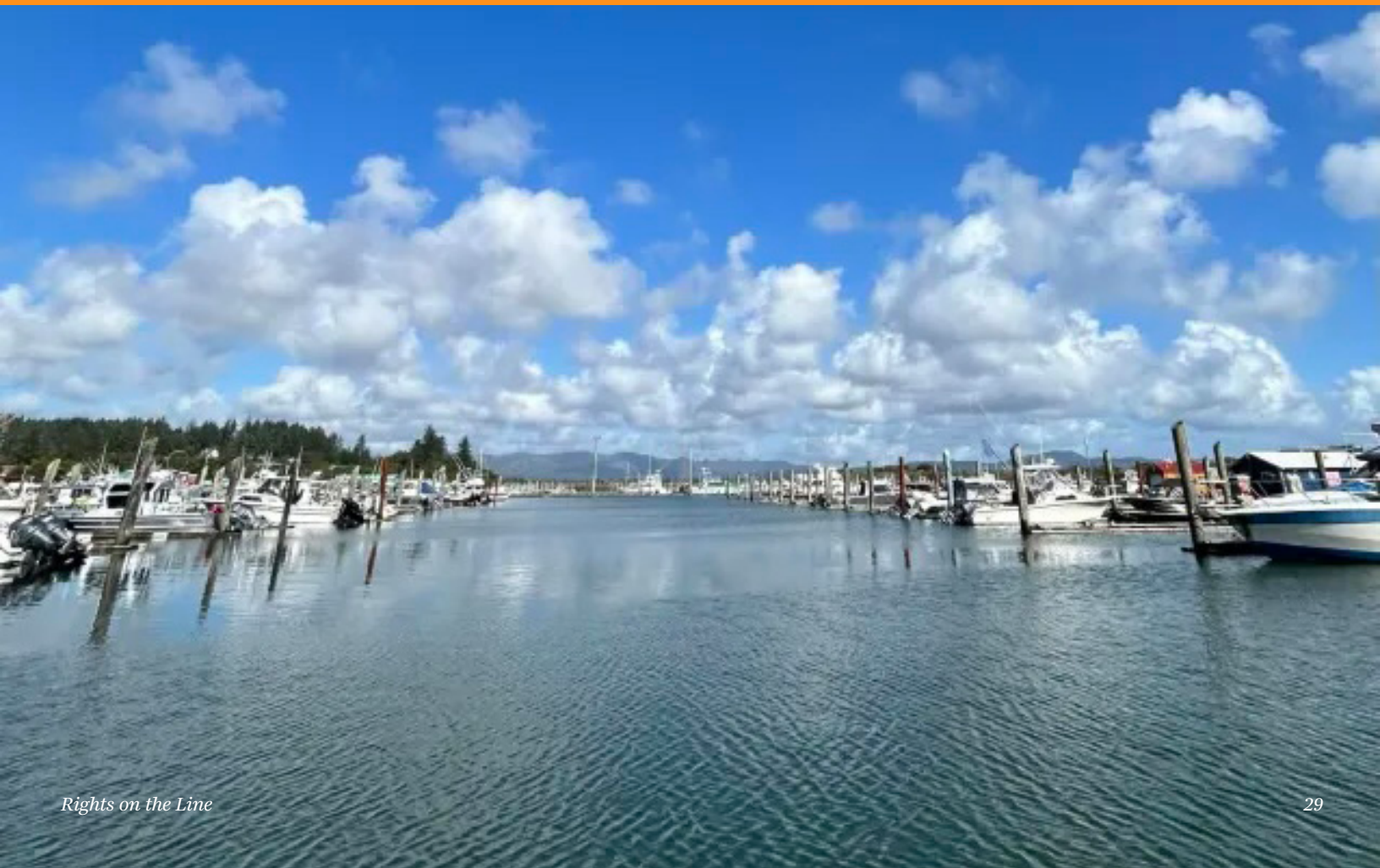
Issues with pay occurred with citizen and migrant fishers, but over 90 percent (10 out of 11) migrant fishers who were interviewed or responded to interview questions reported issues regarding compensation and withholdings.¹¹⁵ Wages earned by migrant fishers and methods of payment varied across interviews. Most reported being paid based on a percentage of the vessel's total catch, making their earnings dependent on what they catch. Payment percentages ranged from 2.75 to 4 percent and depended on the fisher's position on the fishing vessel. Migrant fishers reported earning less as deckhands and slightly more if they became unofficial engineers later in their careers.

Another common theme in pay issues for migrant fishers was related to their contracts. When we asked 11 migrant fishers questions about contracts and pay, nine (82 percent) shared concerns about contract violations in their payments and ten (over 90 percent) described a lack of transparency. Some fishers reported receiving lower percentages of pay than stipulated in their contract. Others were promised flat-rate payments, but were paid instead by the percentage of catch. Some contracts did not clearly outline wages or payment methods.

Migrant fishers also referenced unexpected costs and lack of leave pay. Many reported not receiving overtime. Many reported not being told about wage deductions for living expenses, but they would bear the costs for Wi-Fi, food, fuel, fishing tackle, and more through deductions from their wages. Some ended up in debt to their employer. Many alleged wage theft. Those who were employed through recruiters would get their wages disbursed to their families by the recruitment agency. Some suspected that their recruiters pocketed extra money, as the money received by their families was less than what they had earned.

Citizen fishers also reported issues with pay. One reported not receiving the appropriate amount of pay, and several described being charged or sharing costs that were not disclosed in advance. Since there is no set industry standard on how fishers get paid, in part due to their exclusion from the Fair Labor Standards Act, fishers, regardless of citizenship status, must rely on individual contracts and word of mouth.¹¹⁶

Photo taken by researcher in Ilwaco, September 2025.



Fishers' Recommendations

In all interviews, and most port interactions, we asked fishers what sort of changes they would like to see to improve their industry. Fishers offered a range of responses, partly based on their citizenship status. Almost all fishers regardless of citizenship believed that migrant fishers should not be treated differently from citizen fishers and that they should be allowed to travel and move freely.

Migrant fishers identified a strong need for improved education and protection of workers' rights, especially regarding pay and potential wage theft. Several spoke of the need for exploitative recruiting agencies to be held accountable for potential wage-related violations. Migrant fishers also called for greater transparency from both employers and agencies, including the documentation of expenses deducted from fishers' pay in a language that they can understand.

All migrant fishers, and most citizen fishers, said that migrant fishers not being able to leave a vessel and travel freely negatively affected the whole crew. Several captains and vessel owners discussed the need to make working with migrant fishers "more legal." They specifically believed that migrant fishers should be able to travel to the United States directly and to be trusted to travel to and from airports, with or without a visa. Several citizen fishers recommended explicitly that migrant fishers should have a clear pathway to obtaining visas and legal working status in the United States.¹¹⁷

Due to their different positions in the commercial fishing industry, citizen fishers reported more concerns around permits, regulations, and costs. A common concern they raised was the costs and accessibility of fishing permits, especially for salmon and crab. Two citizen fishers noted how difficult it is to access the industry as a young person and how smaller operations needed further financial and career support.

A fisher pointed to state-based programs as a potential model, such as those in Alaska that help fishers buy their own vessels.¹¹⁸ Several citizen fishers mentioned that they hoped tuna permits (highly migratory species permits) would remain financially accessible. One citizen fisher mentioned the need for more environmental education and, as appropriate, fines or punishments for environmental violations.

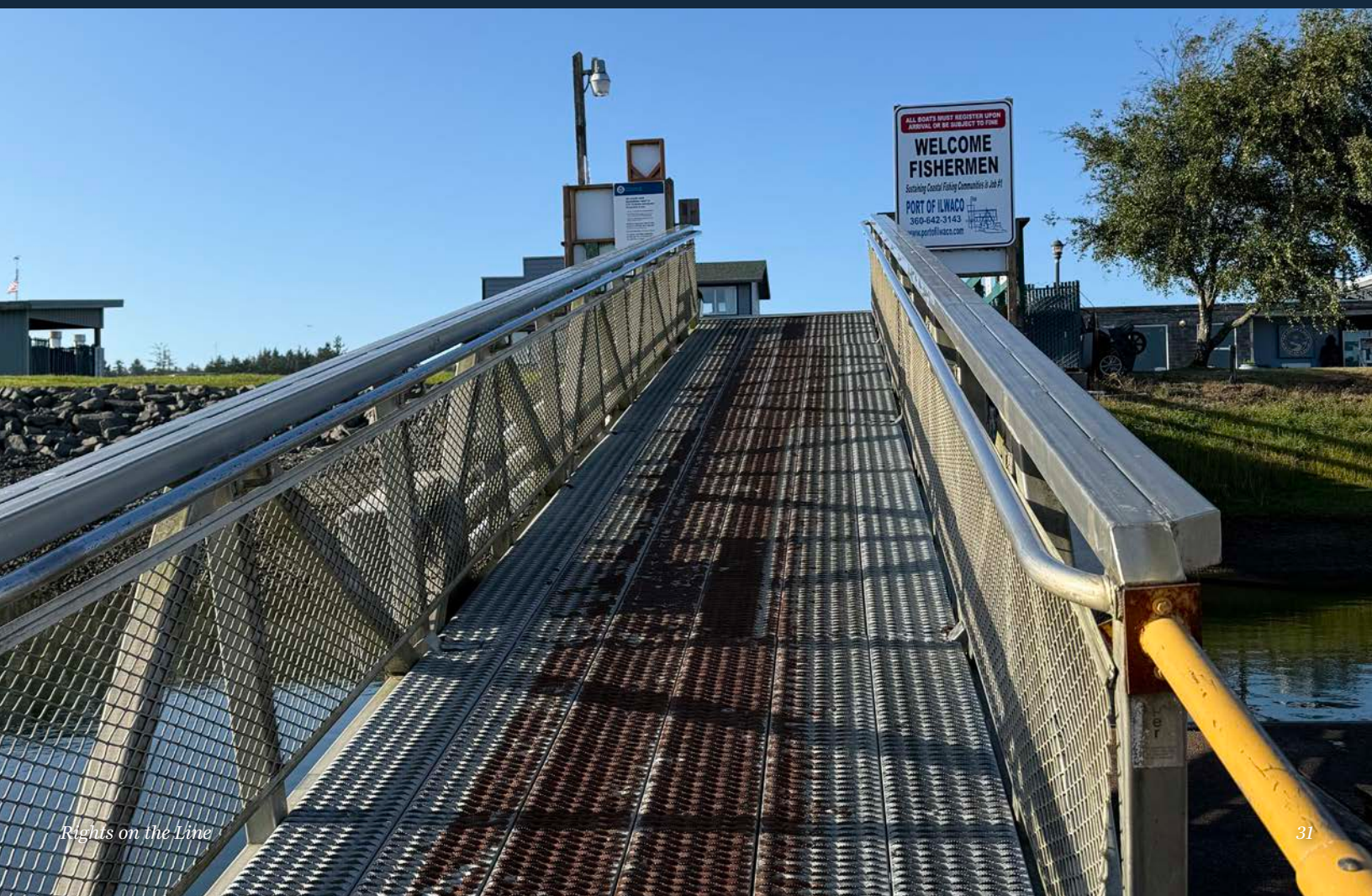
Migrant fishers repeatedly shared their hope that their treatment as a segregated workforce will end. Although migrant fishers shared many similar views and experiences as citizen fishers, they recognized that they faced additional burdens and barriers. They cannot leave a vessel while at a U.S. port; they confront issues with pay and sharing costs at a higher rate. And they know that reporting abuses and violations could lead to being blacklisted across the industry. Without prompting, many citizen fishers volunteered that they believed it unfair to pay or treat migrant fishers differently. One citizen fisher explained that paying migrant fishers less than citizen fishers for the same work hurts all workers in the industry.

Approaches and Limitations in Combatting Forced Labor

The [Policy and Regulatory Landscape](#) section above highlights the policies that seek to mitigate forced labor and the many gaps in policy and regulation that shape the discrepant experiences of migrant workers in the United States. In this section, we explore examples of efforts to address working conditions and to prevent forced labor in U.S. commercial fishing, within the complex legal framework structured especially by insufficient action at the federal level.

The U.S. government has at times recognized the need for further action against forced labor, such as through the creation of the U.S. Interagency Working Group on IUU Fishing and the funding of nonprofit initiatives to create tools to document, identify, and combat forced labor.¹¹⁹ But these federal efforts have been modest and limited. In that context, workers, consumers, and employers have taken on the brunt of the struggle to end forced labor by using various policies and resources at their disposal. Each approach alone is not enough. Further collaboration across state, federal, and international bodies is required to put an effective end to forced labor.

Photo taken by researcher in Ilwaco, September 2025.



Legal Accountability: Bumble Bee Foods

In March 2025, four migrant fishers from Indonesia sued Bumble Bee Foods, one of the biggest canned tuna brands in the United States, under the Trafficking Victims Protection Reauthorization Act (TVPRA). The fishers charged that they had experienced forced labor while fishing on Chinese-flagged vessels on distant waters that supplied tuna to Bumble Bee.¹²⁰ In November 2025, a U.S. federal judge ruled that the lawsuit could move forward after Bumble Bee filed motions to dismiss it.¹²¹

In their complaint, the fishers recounted experiencing the withholding of their wages, the restriction of movement, and the imposition of abusive working and living conditions, including medical neglect, inadequate food, and physical violence. The list of alleged abuses are all indicators of forced labor, as recognized by the International Labour Organization.¹²² Bumble Bee has won a partial victory in court recently. Against the fishers' demands, the court ruled that the company would not have to provide injunctive relief to the four fishers, or stop using employment agencies that require fees from fishers.

In addition, those agencies would not be required to provide remediation for unpaid wages, carry medical supplies, provide proper breaks, or carry free and accessible Wi-Fi on its vessels.¹²³

Although the March 2025 case is considered the first to use the TVPRA against the seafood industry, and one of the few TVPRA cases to make it this far, it is not the first time that evidence of forced labor has been recorded in Bumble Bee's supply chain. A case from September 2016, which involved the *Sea Queen II* vessel, applied the TVPRA to independent U.S. vessel owners. The case ended with a private settlement in January 2018.¹²⁴

Over the next two years, there were at least three Withhold Release Orders (WROs) issued by Customs and Border Protection (CBP) against tuna fishing vessels, two of which are known to supply to Bumble Bee through their links to FCF, a Taiwanese seafood trader and Bumble Bee's owner since March 2020. The first two WROs were issued in February 2019 and May 2020 and prevented imports from the vessels *Tunago No. 61* and *Yu Long No. 2* after indicators of forced labor were identified.¹²⁵ Neither WRO remains in effect.¹²⁶

In July 2020, CBP issued a WRO against the *Da Wang*, a tuna fishing vessel known to supply tuna to Bumble Bee, after four indicators of forced labor were identified.¹²⁷ In January 2022, CBP announced that evidence of all 11 forced labor indicators was found on the *Da Wang* and that the finding applied to the vessel's imports before and after the announcement.¹²⁸ Using Bumble Bee's online tracker, Greenpeace East Asia identified Bumble Bee canned tuna on U.S. shelves in late 2022 that was sourced from *Da Wang* in 2019.¹²⁹

As the U.S. government attempted to prevent tuna caught through forced labor from entering the U.S. market, Bumble Bee promoted its commitment to corporate social responsibility by making changes to its supply chain.

During the time CBP issued the above WROs, Bumble Bee announced new technology to allow consumers to track their tuna, shared plans to improve the sustainability of tuna fisheries, and claimed to abide by fair labor practices. Despite these attempts, Global Labor Justice International Labor Rights Forum sued Bumble Bee in March 2022 on behalf of consumers for false and deceptive marketing.¹³⁰ The case was settled in March 2023, but questions persist surrounding Bumble Bee's commitment to fair labor practices, given the record of labor violations and human trafficking on fishing vessels in its supply chain.

The measures taken above against Bumble Bee have the potential to protect fishers from forced labor, but more can be done. Corporate social responsibility, as in the case of Bumble Bee, needs to be more than a publicity front. The enforcement of WROs should adopt a preventative approach, rather than addressing forced labor after the fact. Finally, workers who have experienced forced labor cannot tackle corporate giants alone. They need the support of consumers, nonprofit organizations, and government bodies to enforce labor protections and to hold corporations accountable.



Employer Association Accountability: Hawai'i Longline Association

In 2016, the Associated Press (AP) released a report that highlighted the conditions of migrant fishers working in Hawai'i's fisheries. After interviewing more than 50 fishers in Hawai'i, AP uncovered unsafe living and working conditions, such as insufficient food, physical abuse, medical neglect, and, in some instances, human trafficking.¹³¹ Following the release of the AP report, the Hawai'i Longline Association conducted its own assessment of the crew's working conditions and insisted that there was no evidence to support the report's allegations.¹³²

The Hawai'i Longline Association (HLA) is a recognized body dedicated to advancing the interests of fishers and providing them with a voice in the matters of conservation and management of the fisheries in which they work.¹³³ Following the 2016 AP report, the HLA created an industry task force dedicated to internal reforms and improvements for fishers' working and living conditions. Dominated by business interests, however, the task force has no worker representation.¹³⁴

The HLA also developed a standard universal crew contract, a crew handbook, a mechanism for crew to file grievances, a crew grievance committee, and an employer code of conduct based on ILO and U.S. Department of Labor standards. The documents and handbooks are all distributed to vessel owners, making them aware of the standards that they must follow. All the measures are implemented via letters of assurance provided by vessel owners and captains.



The HLA started addressing forced labor accusations following the AP report, but most of the above measures are not enforceable, save for the crew contract that is required to sell fish at the Honolulu fish auction.¹³⁵ The rest are only standards that captains and vessel owners are expected to abide by. A 2019 research report from the Georgetown Law Human Rights Institute further examined the working conditions of migrant fishers in the Hawai'i fleet and raised concerns with the HLA's response, such as a lack of enforcement of their standards, boat owners working around the crew contract, and failure to address the root cause of the vulnerabilities of migrant fishers. The report recommends the HLA to monitor members' compliance with their established code of conduct more closely.¹³⁶

To a degree, the HLA's response to forced labor accusations can serve as a model for other employer or vessel associations. It, however, lacks enforceability and fishers' voices. In addition to adopting measures such as crew standards and employer codes of conduct, more must be done to incorporate the experiences and recommendations of migrant fishers themselves to identify and address the underlying causes of forced labor and human trafficking.¹³⁷

Conditions in Hawai'i

Change in the Hawaiian fleet continues as legal challenges persist. After years of lawsuits, a 2022 decision by the Hawai'i Supreme Court upheld the law that confines migrant fishers to the pier and never allows them to set foot on U.S. soil.¹³⁸ In 2021, however, new requirements came into effect requiring longline vessel owners to file detailed reports with information about every crew member, increasing transparency and the potential for more accountability.¹³⁹ Successes in the court of law can vary, but continuing to bring awareness to the issues that migrant fishers face can help bring about change by mounting legal and public pressure against policies that keep migrant fishers vulnerable.

Industry Accountability: Regional Fishery Management Organizations

In recent years, regional fishery management organizations (RFMOs) have started to implement resolutions for member countries to improve crew labor standards on fishing vessels. The RFMOs have the opportunity and responsibility to fill in existing gaps, in coordination with intergovernmental agencies at differing levels of jurisdiction, to advance crew labor standards across flag states, port states, states' exclusive economic zones (EEZs), and the high seas.¹⁴⁰

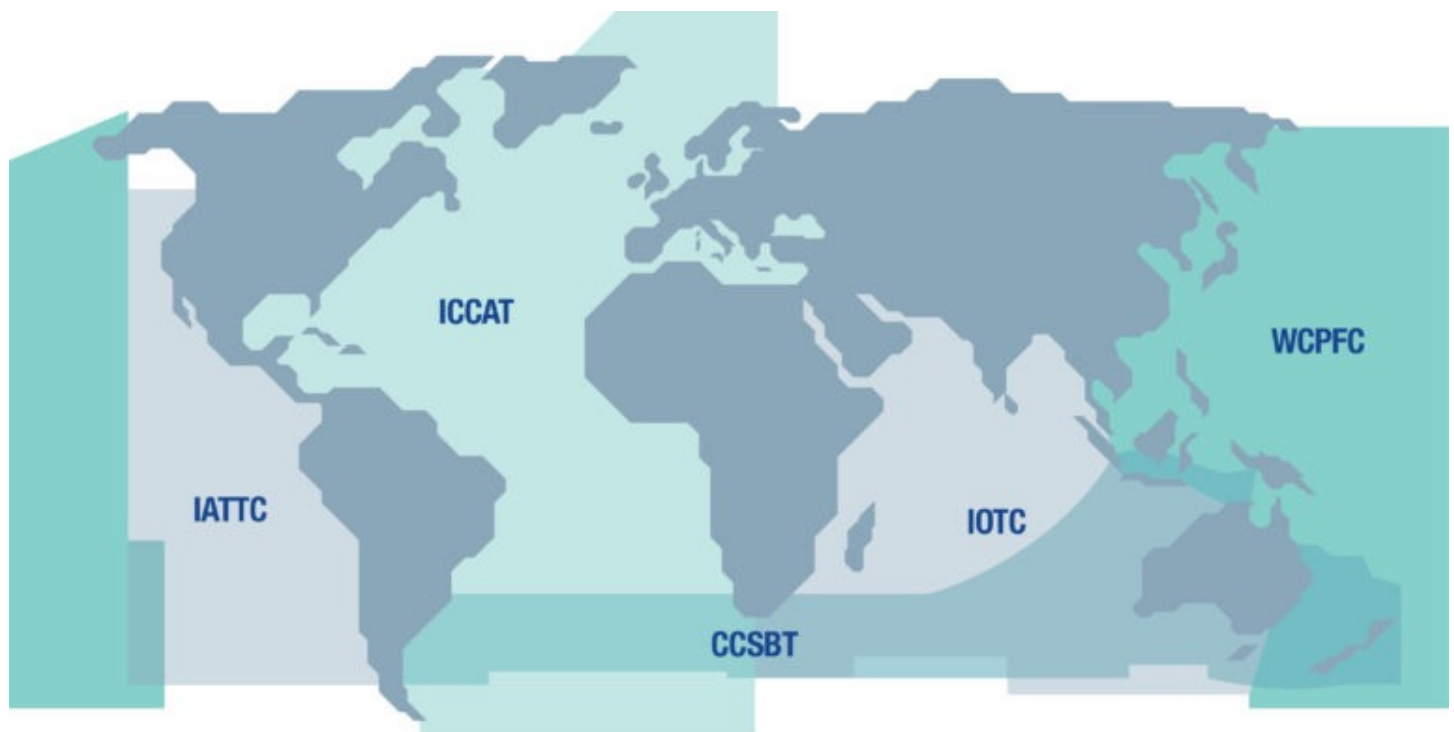
Currently, five of the 13 RFMOs have adopted non-binding measures for crew labor standards, including the International Commission for the Conservation of Atlantic Tunas, the Inter-American Tropical Tuna Commission, the Northwest Atlantic Fisheries Organization, the North Pacific Fisheries Commission, and the South Pacific Regional Fisheries Organization.

These non-binding measures encourage member states to implement crew labor standards aboard fishing vessels that include safe and healthy workplaces and fair and decent working conditions.¹⁴¹

These measures also encourage member states to recognize international measures addressing labor in commercial fishing and to prevent forced labor.

The Western and Central Pacific Fisheries Commission has adopted a *binding measure* for all its members, participating territories, and cooperating non-members. This measure, known as CMM 2024-04, is the first of its kind among RFMOs and their member states.¹⁴² It applies to vessels in three areas: vessels fishing exclusively on the high seas in the Convention Area, vessels fishing on the high seas and in coastal state EEZs, and vessels fishing in the EEZs of two or more coastal states.

The measure established minimum working conditions for these vessels, such as contracts written in a language the crew understands, wages paid in full and on time, the prioritization of health and safety, and the prohibition of forced labor. The implementation of CMM 2024-04 is expected to be complete and in force by 2028. The binding measure is a step in the right direction, but the enacted standards should ideally meet the minimum standards laid out in the ILO's C188.



Visual 1: The five tuna RFMOs¹⁴³

Consumer Accountability: Marine Stewardship Council Certification

The Marine Stewardship Council (MSC) is an international non-profit organization that provides sustainability certification for fisheries and their catch. The certification process follows a standard based on the United Nations Food and Agriculture Organization's code of conduct for responsible fisheries and developed by commercial fishing stakeholders from around the world.¹⁴⁴ To meet the MSC Fisheries Standard and the Chain of Custody (CoC) Standard, fisheries are assessed according to three principles: sustainable fish stocks, minimal environmental impacts, and effective fisheries management.¹⁴⁵

The MSC certification signals to consumers that fisheries have been independently verified to meet those principles or standards, thereby increasing customers' trust in and likelihood of buying from certified brands. **In addition, fisheries that seek to meet the Fisheries Standard and the CoC standard must now meet mandatory labor eligibility requirements.** To meet the labor requirements, MSC applicants and certificate holders cannot have been convicted of forced labor or child labor in the last two years, nor can applications include an entity that has been convicted of such violations in the last two years.¹⁴⁶

Although the MSC labor eligibility requirements raise awareness of the necessity of labor standards within global supply chains, some labor advocates have questioned whether the fisheries stating that they meet the Fisheries Standard actually meet the labor eligibility requirements. An April 2026 report released by the International Transport Workers' Federation also found that the MSC labor requirements lack transparency and consistency. The ITF report identified a total of 80 cases of labor abuses on vessels fishing for MSC-certified seafood, including ten cases of forced labor. The findings suggest that the MSC's use of forced labor convictions to determine eligibility may be ineffective.¹⁴⁷

The examples we have highlighted in this section demonstrate that existing approaches, though flawed and limited, have the potential to address and reduce instances of forced labor and human trafficking among migrant fishers and to make relief accessible in those instances. But because these policies and methods exist within a complicated legal framework, many remain hard to access and understand. Most of the approaches are not binding or enforceable, making transparency and accountability long-term aspirations rather than end results. There is an urgent need to create clear and accessible ways to hold employers and industries accountable when they enable or practice forced labor. Toward that end, everyone involved in related policy arenas—at the state, federal, and international levels—should adopt clear and respectful language to frame and understand the particular challenges and vulnerabilities that migrant workers experience.



Photo from the Marine Stewardship Council website.

Recommendations

Federal

Laying the groundwork for change at the federal level is urgent. **Our research highlights the need for reforms to the Fair Labor Standards Act (FLSA) and immigration statutes to fill in the legal gaps and exceptions that migrant fishers fall into.** To make recommendations grounded in workers' experiences, we need to consult more migrant workers across industries, and especially fishers and other workers in occupations not covered by the FLSA. Our federal recommendations would provide support to migrant and citizen fishers alike.

We therefore recommend that the U.S. federal government:

- **Adopt the ILO's Work in Fishing Convention 188 (C188).** Convention 188 addresses many of the gaps in existing policy regarding workers' rights and working conditions for fishers. It would support fishers of all nationalities, who may or may not have an employment contract.
- **Create work visas for migrant fishers pursuing highly migratory species.** A new visa option for non-immigrant crew members could be modeled after the D-3 option introduced by U.S. Senator Maisie Hirono (Hawai'i) in the 2017 Sustainable Fishing Workforce Protection Act (Bill S.2071).¹⁴⁸
- **Expand support to prevent and track workplace injuries.** Federal funding and other resources should target providing worker safety training to all fishers and vessel owners.
 - Increase NOAA Fisheries and National Institute for Occupation Safety and Health (NIOSH) funding focused on building and expanding partnerships with groups working directly with fishers and their communities. The funds could support public entities (e.g., Washington Sea Grant) and non-public community-based organizations.
 - Explore opportunities to further incentivize safety training for vessel owners and fishers.
 - Expand the current NIOSH tracking system, the Commercial Fishing Incident Database, to include demographics and non-fatal fisher injuries.

State

Our state-level recommendations build on current policies and approaches to try to center the needs of all fishers, including and especially migrant workers. We recommend that:

- **The Washington State Department of Labor and Industries (L&I) establish a workplace investigation unit focusing on forced labor.** L&I could partner with Washington state ports to inspect vessels and educate fishers, captains, and vessel owners. In addition, such a unit could respond to filed complaints and inquiries and offer proactive education in industries with a disproportionately high migrant workforce. Additional partnerships, such as with the Washington Attorney General's Office, and oversight through existing legislative committees to address and prevent forced labor could add additional state resources and capacity.
- **The Washington State Legislature provide funding to community-based organizations supporting migrant workers.** These organizations fill an important gap by providing cultural competency, language justice, and other support to migrant workers who may be facing exploitation, including forced labor. Through public grants or other means, the state government should recognize and support the essential public service that these organizations provide.

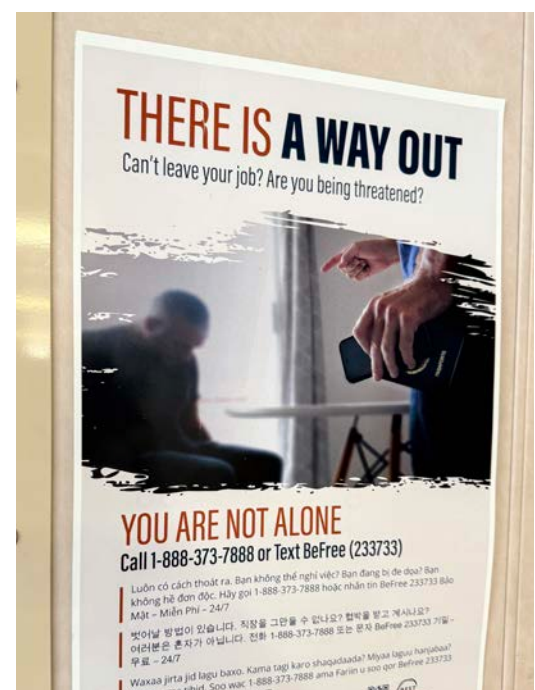


Photo taken by researcher at the Seattle-Tacoma International Airport (SEA).

State *(continued)*

- **The state government work with community-based organizations to gather selected information about the migrant fisher workforce.** Currently, there is an information gap regarding the migrant fisher workforce. Washington SB 5996, introduced in the 2023-2024 legislative session, provides a model for tracking wages and consulting with workers directly. Hawai'i Act 43 (H.B. No. 1016) contains language requiring Longline vessels to file a report with the Department of Land and Natural Resources that provides information on crew members.¹⁴⁹ At the same time, especially in today's political climate, migrant workers have many reasons to fear state surveillance. To address these concerns, fishers and organizations advocating for migrant workforces should inform the appropriate methods to gather information to better support migrant fishers.
- **All state agencies and officials prioritize the perspectives and experiences of workers to understand the needs of fishers, including small and independent vessel owners.**
 - *Support port infrastructure.* Fishers and subject matter experts acknowledged the need for port upgrades to better fit the needs of commercial fishers.
 - *Provide incentives for small operators in fishing to enter and remain in the industry.* Small independent vessel owners would benefit from access to grants and reduced-interest loans to purchase and repair vessels. Alaska's commercial fishing loan programs are a state-based example.¹⁵⁰

Other

- **The Pacific Fishery Management Council and other regional fishery management councils should recommend binding minimum labor standards.** The Western and Central Pacific Fisheries Commission's binding labor standards, which go into effect in 2028, have paved the way for other regional fishery management organizations and councils to recommend binding standards to support all fishers. These standards are important and should meet or exceed the standards outlined in the ILO's C188.
- **Ports should initiate labor trafficking and workers' rights campaigns and support worker centers.** Conversations with port officials demonstrated that many of the port's trafficking concerns address sex trafficking, with limited focus on labor trafficking. In addition, the individual ports' discrete jurisdictions may allow labor violations to be overlooked.¹⁵¹

Port officials should collaborate with worker-led organizations to create training related to the ILO's forced labor indicators with a section on general workers' rights. Ports – air and sea – should also post anti-trafficking and workers' rights signage in working areas and in multiple languages. Beyond port-led campaigns, workers' rights centers that are based in or near ports that all fishers can access could offer workers' rights education and support to fishers.

- **Employer associations should adopt standards and labor agreements with migrant fishers.** The American Albacore Fishing Association (AAFA) and other employer or vessel owner associations should follow the lead of the Hawai'i Longline Association to develop a standard universal crew contract, a crew handbook, a crew grievance committee, and an employer code of conduct. But all such efforts should include migrant fishers' participation. To ensure ongoing engagement and enforcement, fishers and their employers should ideally negotiate a collective bargaining agreement. A labor union within the International Transport Workers' Federation (ITF) would allow for ITF-trained fishery inspectors to support workers and their industry.

Conclusion

As a research team at a labor center, we pose research questions that revolve around power. Anyone paying a worker holds a great deal of power over them. Workers, however, have the power to control their labor output. In labor research, complicated realities exist. Workers may benefit from and choose to further engage in labor that is unsafe, inequitable, and unjust. Options to access other work may be limited or unavailable, and bills need to be paid. In working to understand power dynamics in labor relationships, examining **who benefits the most from current conditions** can provide a useful framework. It is often not individuals who benefit the most, but a system or systems, including industries, economies, and the global market.

Current gaps in policy, as well as policy acting as it was intended to, only leave migrant fishers with hope. Hope that they will be able to return home if an emergency happens. Hope that their contracts will be upheld. Hope that the season goes well and they are not stuck in a vessel in a port for weeks or months at a time. But hopes are not guarantees. These hopes, in truth, should be guaranteed workers' rights and basic human rights. They should be acknowledged and protected for all workers. We believe change for migrant fishers is possible, but we caution against policy solutions that do not center workers and their communities. No workers should be afraid of being arrested, detained, deported, or otherwise punished due to exploitative conditions in their workplaces.



Photo taken by researcher.

As researchers, we are leaving this project with unanswered questions. One thing we are clear on is that while migrant fishers' experiences vary, their lack of status leaves them vulnerable to inequitable and unjust working conditions.

Fishers shaped this research. We are grateful to those who provide us with food from the land and from the sea. Further research focusing on the working conditions and experiences of Washington's fishing workforce and their communities is needed. We hope fishing communities flourish and grow. We are also committed to a future where migrant fishers' freedom of movement and workers' rights education and recourse are guaranteed. We believe flourishing fishing communities and a flourishing workforce are not mutually exclusive but are dependent upon each other.

Notes

¹ In this report we intentionally use the gender-neutral term fisher instead of the commonly used fisherman/men.

² Staff and contacts from the ITF did not participate in research study planning.

³ “Hawaiian seafood caught by foreign crews confined on boats.” *The Associated Press*. September 8, 2016, <https://www.ap.org/news-highlights/uncategorized/2016/hawaiian-seafood-caught-by-foreign-crews-confined-on-boats/>; Georgetown Law Human Rights Institute, “The Price of Paradise: Vulnerabilities to Forced Labor in the Hawaiian Longline Fishing Industry,” April 2019, <https://www.law.georgetown.edu/human-rights-institute/wp-content/uploads/sites/7/2019/05/Georgetown-THE-PRICE-OF-PARADISE-5-4-19-WEB-2.pdf>.

⁴ In 2023 and 2022, the Washington Employment Security Department reported 1,450 and 1,522 first-line supervisors of farming, fishing, and hunting respectively. For processing, the department reported 4,040 meat, poultry, and fish cutters and trimmers in 2023 and 3,818 in 2022, <https://esd.wa.gov/jobs-and-training/labor-market-information/employment-and-wages/occupational-employment-and-wage-statistics-oevs>.

⁵ McKinley Research Group, for the Washington Maritime Federation, “Economic Impacts of Washington’s Maritime Industry, 2022,” October 2023, https://www.washingtonmaritimecareers.org/s/wa_maritime_impacts_2022_report.pdf.

⁶ Information supplied by subject matter expert (SME) number 30; hereafter cited as SME 30. References to material from other SMEs, migrant fishers (MFish #), and citizen fishers (CF #) are styled similarly.

⁷ Pacific Fishery Management Council, “Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species,” 2024, <https://www.pcouncil.org/documents/2023/04/fishery-management-plan-for-west-coast-fisheries-for-highly-migratory-species-through-amendment-8.pdf>; Pacific Highly Migratory Species Permits effective 010118–07312025, National Marine Fisheries Service, retrieved via Freedom of Information Act.

⁸ HMS001– HMS Species Report: Commercial Landed Catch: Metric-Tons (mt), Revenue, and Price-per-pound (Price/lbs), Pacific Fisheries Information Network, <https://reports.psmfc.org/pacfin/f?p=501:601:10488394348140:INITIAL>; HMS003– HMS Port Report: Commercial Albacore Landings by Port for All Gear Types and All Areas: Metric-Tons (mt), Revenue (\$), and Price-per-pound (\$/lbs), Pacific Fisheries Information Network, <https://reports.psmfc.org/pacfin/f?p=501:603:7453826261954:INITIAL>, accessed July 29, 2026.

⁹ SME 19, 12, 34, CF 3, 6, 7, 13.

¹⁰ HMS001– HMS Species Report: Commercial Landed Catch: Metric-Tons (mt), Revenue, and Price-per-pound (Price/lbs), Pacific Fisheries Information Network, <https://reports.psmfc.org/pacfin/f?p=501:601:10488394348140:INITIAL>, accessed July 29, 2026.

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¹¹ HMS001– HMS Species Report: Commercial Landed Catch: Metric-Tons (mt), Revenue, and Price-per-pound (Price/lbs), Pacific Fisheries Information Network, <https://reports.psmfc.org/pacfin/f?p=501:601:10488394348140:INITIAL>.

¹² Commercial Fishing Industry Vessel Anti-Reflagging Act of 1987, 101 Stat. 1778 (46 U.S.C. 8103 (b)(2)(B)).

¹³ “What are pelagic fish?” June 16, 2024, National Ocean Service, <https://oceanservice.noaa.gov/facts/pelagic.html>; “Highly migratory species,” n.d., NOAA Fisheries, <https://www.fisheries.noaa.gov/highly-migratory-species>.

¹⁴ Alexa Strabuk, “Six ‘abandoned’ Filipino migrant fishermen fight wage theft and labor trafficking, garner community support,” *International Examiner*, April 4, 2024, <https://iexaminer.org/six-abandoned-filipino-migrant-fishermen-fight-wage-theft-and-labor-trafficking-garner-community-support/>; Lizz Giordano, “Filipino fisherman left in WA marina allege abandonment, lost pay,” *Cascade PBS*, March 27, 2024, <https://www.cascadepbs.org/investigations/2024/03/filipino-fishermen-left-wa-marina-allege-abandonment-lost-pay>.

¹⁵ SME 1.

¹⁶ Joan P. Mileski, Cassia Bomer Galvao, Zaida Denise Forester, “Human trafficking in the commercial fishing industry: A multiple case study,” *Marine Policy* 116 (2020).

¹⁷ Task Force on Human Trafficking in Fishing in International Waters, “Report to Congress,” 2021, <https://www.justice.gov/crt/page/file/1360366/dl?inline>, accessed on Dec. 19, 2024; Ruth Bowen, “Final Performance Evaluation: Safeguarding and Addressing Fishers Exploitation at Sea (SAFE Seas),” U.S. Department of Labor, Bureau of International Labor Affairs, Office of Child Labor, Forced Labor, and Human Trafficking (2020); Georgetown Law Human Rights Institute, “The Price of Paradise.”

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¹⁹ SME 13, CF 5, 12, 14.

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⁹⁹ SME 1, 4, 5, 6.

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¹⁰² SME 17.

¹⁰³ SME 34.

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¹⁰⁸ SME 14, 33.

¹⁰⁹ MFish 5; similar instances of normalizing and accepting dangerous working conditions were also described by SME 1.

¹¹⁰ SME 1, 13, 18, 20.

¹¹¹ SME 1.

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¹¹³ SME 16; SME 3, 7, 20.

¹¹⁴ SME 2, 11, 20.

¹¹⁵ Interviews specifically asked about wages and pay, and other interactions (port visits and surveys) did not always get into the level of detail.

¹¹⁶ For more information on the FLSA, see the Policy and Regulatory Landscape section of this report. Word of mouth related to the informal networking about different vessel owners/captains.

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