My name is Lupita. I have been in the United States for about eight years. I live very simply here. We were very poor in Mexico; I could not pay all of the bills. I earn money by cleaning houses so I can send my children in Mexico as much money as possible, about $200-400 per month.

My dreams are dreams for my children. I believe they are prospering because they are studying. My oldest one is studying radiology. My middle ones, computers. My youngest is studying tourism.

The owner of the cleaning company once told us, “You guys are undocumented! You come here to clean the s#i%&!'”

Yes, I am undocumented, but that didn’t give her the right to steal our wages.

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We worked four to a team, cleaning houses; 7 houses a day, 45 minutes each, from Pearland all the way to Highway 6. They didn't care if there was traffic or not—we had to be at the next house at a certain time. We weren't always there at the time they wanted.

We had to clean seven houses a day, and we got paid no dollars a day, no matter how long it took. Sometimes we worked 12 or 14 hours a day. And let's say we did a house today and a homeowner complained about something, we would have to go back and clean it again tomorrow, plus the other seven houses.

But the neighborhood isn't even on the map yet!

It comes to $3.33 per hour. What can she do that?

The owner used to clean houses, before. Many of the domestic workers were afraid, because she always said that her mom was a police officer.

The Owner told me that they had cameras in one of the houses, and they had proof that I had stolen a computer chip.

Hey, we are being taken advantage of, because one of us is getting paid more than the others.

She would ask us all to meet and tell us what a bad job we had been doing.

She would deduct the cost of broken items in the house, even when the customer asked her not to.

You have to work harder! And if you don't like this job, or you don't want this job, the door is open, and you can leave, because many people want this job.

You have stirred up a bee hive. Now all of the other ladies are upset with me. You made all of this trouble.

We also found illegal deductions to our pay. There's a deduction for $25.00 for van rides to the houses. Can she do that?

One time, a worker did number two in the bathroom and forgot to flush. The owner was furious.

Hey, we are being taken advantage of, because one of us is getting paid more than the others.

Then we found out about the Houston Faith and Justice Worker Center through a friend of Zenaida's.

They cancelled the contract because you didn't supervise the cleaners properly! I'm taking $500.00 out of your paycheck.

All of these things the owner did upset us, but it was only after she accused me of stealing that we decided to fight back.

It all started when I found out that the owner was paying more to another worker.

We always told you about things like this, but you never listened to us. You never listened to our problems.

Why don't you come over to my apartment and look through my stuff. See if you can find the chip in my apartment?

She came and searched my apartment thoroughly. Of course she didn't find anything because I didn't steal anything. I earn my money!

One time, a worker did number two in the bathroom and forgot to flush. The owner was furious.

Then show me the video, so I can see myself stealing the chip.

Why don't you come over to my apartment and look through my stuff. See if you can find the chip in my apartment?

No, we cannot show you that.

We always told you about things like this, but you never listened to us. You never listened to our problems.

Then we found out about the Houston Faith and Justice Worker Center through a friend of Zenaida's.

You know what, your boss can't do that, and you don't have to be silent—you have to go to this place, the worker center. They can help you fight for your rights!
So, I called all of the maids together. Some of them were afraid. We are all meeting at the Worker Center.

Better watch out, she'll call Immigration! We started going to other meetings at the Worker Center, where we would learn about our rights and talk to other workers.

We met three or four times with our attorney over the next three years. Some workers got letters from our attorney that they would need to sign and bring back.

If you count driving time, all of us together put in about 200 hours over three years, working on this case.

It was a very long fight—about three years—but we were able to get something, thanks to the Lord. I got about $3,700, half of what she owed me.

It's not about just that—it's about justice, because we taught our employer that even though we don't have legal status, we do have rights.

We wrote and hand-delivered a letter to all of our clients explaining how our wages were stolen.

Two more houses and I can go home.

If I count driving time, a bird in the hand than a thousand out there flying. And she's going to be thinking about me every month when she pays us!

But it's not about just that—it's about justice, because we taught our employer that even though we don't have legal status, we do have rights.

In 2009, a nationally recognized team of academics released a study, "Broken Laws, Unprotected Workers," of 4,387 low-wage workers, interviewed in America's three largest cities in thirteen languages. They found that 43.6% of workers had experienced wage theft in the year before.

What is Wage Theft?

In 2009, a nationally recognized team of academics released a study, "Broken Laws, Unprotected Workers," of 4,387 low-wage workers, interviewed in America's three largest cities in thirteen languages. They found that 43.6% of workers had experienced wage theft in the year before.

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>43.6%</td>
<td>Unpaid wages</td>
</tr>
<tr>
<td>27.8%</td>
<td>Worked off-the-clock without pay</td>
</tr>
<tr>
<td>24.6%</td>
<td>Paid late</td>
</tr>
<tr>
<td>5.6%</td>
<td>Not paid at all</td>
</tr>
</tbody>
</table>

The average worker lost $51 per week, out of $339 in earnings. This translates into $2,634 annually, 15% of their true annual earnings of $17,616. If that worker was to work a 40 hour work week, the first 6.67 hours would be unpaid.

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours Worked</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>MONDAY</td>
<td>8</td>
<td>Paid</td>
</tr>
<tr>
<td>TUESDAY</td>
<td>8</td>
<td>6.67 hours unpaid</td>
</tr>
<tr>
<td>WEDNESDAY</td>
<td>8</td>
<td>Paid</td>
</tr>
<tr>
<td>THURSDAY</td>
<td>8</td>
<td>6.67 hours unpaid</td>
</tr>
<tr>
<td>FRIDAY</td>
<td>8</td>
<td>Paid</td>
</tr>
</tbody>
</table>
Waiting tables is hard work, for some, like Jeremy, it’s a way to pay the rent as they pursue another dream.

According to the “Broken Laws, Unprotected Workers” study, 59% were not paid for overtime hours, 13% were not paid the minimum wage, and, like Jeremy, 19% had tips stolen by management.

Restaurant workers like Jeremy are at the center of the wage theft epidemic.

Paying tips by credit card makes it easier for management to steal them. This is what happened at Ruggles, a popular restaurant in Houston, where 90% of customers pay that way.

On a Saturday night in December of 2011, Jeremy and four other waiters staged a walkout, joined by a surprise ally.

The walkout drew local media attention, but no justice, so the waiters filed a case with the Texas Workforce Commission.

Their case is still pending. The owner admitted owing the workers more than $34,000 but also sued them for libel. The restaurant closed a few months later.

Workers fighting their own cases of wage theft with the Faith and Justice Center Worker Center came out to support the waiters.

But tip-stealing isn’t the only kind of wage theft happening in restaurants. Sebastian is a Mayan dishwasher from Guatemala who was working ten to twelve hours a day for very little pay.

So far, only Sebastian and Manuel have joined the case. The others are frightened or have drifted away. Will they get what is their due?

The worker center has regular “Know Your Rights” meetings to hear worker’s cases and sometimes can refer appropriate cases to a lawyer who can help.

The walkout drew local media attention, but no justice, so the waiters filed a case with the Texas Workforce Commission.

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So far, only Sebastian and Manuel have joined the case. The others are frightened or have drifted away. Will they get what is their due?

Turn the page to see their chances.

Yes, I think we may be able to recover some of your wages. But you need to get other workers to join your case—otherwise they will say you are just a difficult person they fired.

You think we’ll get the money we are owed?

Time will tell.
NOTE FROM MANUFACTURER: Welcome to the Houston Edition of Path to Justice: The Wage Theft Game. If you live in any other locality, you will need to purchase a different edition of this game, because wage theft laws vary from state to state and city to city.

GAME RULES.
To play: Each player's wage theft case has been taken by an attorney working with the Faith and Justice Worker's Center. Role a die at the beginning of each turn and advance the required number of spaces. Follow the instructions at each space where you land. When you reach the “Justice” space (exact count not required), role the die once more to determine the amount of your settlement/award. Good luck!

You convince 5 co-workers to join your case. Roll again.

Landlord evicts you for not paying rent. Go back 3 spaces.

Texas Workforce Commission issues a Wage Determination Order in your favor. Move ahead 2 spaces.

Employer does not respond to attorney's letter. Lose a turn.

Local news channel covers your story. Move ahead 2 spaces.

Too much time elapsed before you filed a complaint. Lose all chance of recovering any wages. GAME OVER.

Roll die to determine settlement or award:
(percentage of what is owed)
1: 0%
2: 25%
3-5: 50%
6: 100%

Path to Justice: The Wage Theft Game

You signed a form waiving all rights to sue employer. Go back 4 spaces.

You convinced 5 co-workers to join your case. Roll again.

Texas Workforce Commission issues a Wage Determination Order in your favor. Move ahead 2 spaces.

Employer does not respond to attorney’s letter. Lose a turn.

Local news channel covers your story. Move ahead 2 spaces.

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Roll die to determine settlement or award:
(percentage of what is owed)
1: 0%
2: 25%
3-5: 50%
6: 100%

The Worker Center helps you file a Small Claims lawsuit against your employer. Move ahead 2 spaces.

You signed a form waiving all rights to sue employer. Go back 4 spaces.

Wage and Hour Division receives complaint. Move ahead one space but lose two turns due to staff case overload.

Employer offers you 1/3 of owed wages. Lose a turn considering offer.

Can't pay tuition bill. Go back four spaces.

Worker Center calls employer. Move ahead 3 spaces.

Half of the workers in your lawsuit return to their native country and cannot be located. Go back 3 spaces.

Your Rights

Roll die to determine settlement or award:
(percentage of what is owed)
1: 0%
2: 25%
3-5: 50%
6: 100%

Employer retaliates. Roll the die to find out how.

Landlord evicts you for not paying rent. Go back 3 spaces.

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Construction workers—black, white, and Latino—are frequent victims of wage theft. Construction work in cities like Houston used to be done by unionized workers paid a living wage. Today there are fewer unionized workers, and many construction companies outsource to smaller subcontractors. Many violate minimum wage and overtime laws, and some don’t pay workers at all!

The most vulnerable workers are day laborers. According to the 2006 National Day Labor Study, nearly half of all day laborers have been victims of wage theft. Abuse of day laborers is nothing new. The earliest laws we know condemned wage theft. You shall not withhold overnight the wages of your day laborer.

Under pressure to cut costs, some subcontractors practice wage theft as well as skimp on safety. According to some studies, about one in four misclassify employees as contractors or pay workers off the books.

The practice of hiring layers of subcontractors serves to insulate large corporations from legal responsibility. They still haven’t paid us—it’s been three weeks! What did they tell you?

In addition to the wage theft, the workers had to supply their own safety equipment and work in conditions that violated work safety laws.

The workers’ checks were often less than promised and didn’t include overtime. Ultimately at least ten workers were owed around $2000 each.

The most vulnerable workers are day laborers. According to the 2006 National Day Labor Study, nearly half of all day laborers have been victims of wage theft. Abuse of day laborers is nothing new. The earliest laws we know condemned wage theft. You shall not withhold overnight the wages of your day laborer.

Abuse of day laborers is nothing new. The earliest laws we know condemned wage theft. You shall not withhold overnight the wages of your day laborer.

Undocumented workers pursuing justice face hurdles like lack of transportation and other resources. Walmart may not have a legal responsibility for the subcontractor’s wage theft, but they do have a moral responsibility to see that the people who build their stores get paid. Let’s make sure they don’t forget that responsibility!

After demonstrations by workers caught the attention of local media, the subcontractor offered a settlement of half the wages owed. I’m taking it! I need the money now! Not me! I’ll fight them in court through the worker center! I want all they owe me!

Just as the workers filed their lawsuit, they received terrible news. The subcontractor filed for bankruptcy. Soon the company will no longer exist, and it’s not likely you will ever see these wages. So we might get nothing?! What about Walmart?!

Walmart may not have a legal responsibility for the subcontractor’s wage theft, but they do have a moral responsibility to see that the people who build their stores get paid. Let’s make sure they don’t forget that responsibility!
WHO ARE THE VICTIMS OF WAGE THEFT?

Among Urban, Low-wage Workers:

- 32.8% of Latinos
- 19.1% of Blacks
- 15.1% of Asians,
- 7.8% of Whites

The occupations most likely to have experienced wage theft:

- Apparel and textile
- Retail salespersons and tellers
- Dry cleaning
- Beauty
- General repair workers
- Domestic workers and housekeepers
- Building maintenance workers
- Waiters and waitresses
- Bartenders
- Cafeteria workers
- Farm workers
- Meat processing

Undocumented immigrants experience wage theft more often than documented immigrants and citizens, but these groups also have their wages stolen at inexcusably high levels.

<table>
<thead>
<tr>
<th>Type of Violation</th>
<th>Undocumented Immigrants</th>
<th>Documented Immigrants</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Wage</td>
<td>37.1%</td>
<td>21.3</td>
<td>15.6</td>
</tr>
<tr>
<td>Overtime</td>
<td>84.9%</td>
<td>67.2</td>
<td>68.2</td>
</tr>
<tr>
<td>“Off the Clock”</td>
<td>76.3%</td>
<td>68.9</td>
<td>67.0</td>
</tr>
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</table>

WAGE THEFT IS A CRIME THAT CHALLENGES ITS VICTIMS' FAITH IN THE FAIRNESS OF OUR ECONOMY AND THE LEGAL SYSTEM.

TOO OFTEN, HARDWORKING CAREGIVERS FIND THEMSELVES VICTIMS OF WAGE THEFT. THEY PUT IN LONG HOURS TAKING CARE OF THE DEVELOPMENTALLY DISABLED, THE ELDERLY, AND OTHER VULNERABLE PEOPLE.

BY STANDING UP TO WAGE THEFT, WE CAN HELP THOSE WHO HELP THE MOST VULNERABLE IN OUR COMMUNITIES.

HAVE FAITH!

Kathy was a nursing student who worked for Aldine Community Care Center, a Christian facility for developmentally disabled adults. The facility is owned and operated by Reverend Jesse Dunn and his wife.

Kathy loved her job but after only a month of work, she noticed a problem.

It's been a week since I was supposed to get my check—what is going on?

Welllll, we just have a little bit of a problem, but just have faith.

One month later... well, faith is not going to pay my bills! And you know you don't have a problem with me coming into work. I go in early and I always stay late. You know, I never missed a day.

Just have faith. Reverend Dunn will take care of you.
Instead, I went to the Texas Workforce Commission. They had a file on Dunn! He would open businesses under different names, and not pay people, then close the business, then open it under another name.

Some employers are just unaware of the law, and they move quickly to fix a case of wage theft. This man is different. He's playing a cat-and-mouse game.

A lady I worked with at the Workforce Commission told me about Laura and the Worker Center. Now that you've filed with the Texas Workforce Commission we'll keep the pressure on Rev. Dunn, so he knows a lot of us are helping you... and we're not going away.

Some employers are just unaware of the law, and they move quickly to fix a case of wage theft. This man is different. He's playing a cat-and-mouse game.

Now that you've filed with the Texas Workforce Commission we'll keep the pressure on Rev. Dunn, so he knows a lot of us are helping you... and we're not going away.

Will that be enough?

We'll see. The most important thing is that you are standing up to demand respect for your work and inspiring other workers to do the same.

Unfortunately we had to continue showing our capacity to mobilize folks, as he would try to ignore us or delay payments and make false promises when we would come by with new cases of workers that had approached us.

So the Workforce Commission started contacting them by letter. In the meantime, Faith and Justice was doing more than the commission!

As with other cases, Faith and Justice staff and workers had to make many calls...

Rev. Dunn, are you aware that this is illegal?

This has all been a misunderstanding, Kathy will get paid everything that is due to her.

But advocacy groups like iwj can only do so much and never enough to recover all the owed wages for Kathy and the other workers.

And several protests to finally recover all the owed wages for Kathy and the other workers.

That is why people concerned with justice everywhere need to follow the lead of workers to organize and fight for effective and enforced wage theft laws.

I'm going back to school now to get a Bachelor's Degree in Nursing. I can do that because where I work now, they pay you.

As with other cases, Faith and Justice staff and workers had to make many calls...

Rev. Dunn, are you aware that this is illegal?

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HOW WE CAN STOP WAGE THEFT!
TOGETHER, WE CAN STOP WAGE THEFT! CONSIDER HOW TO GET INVOLVED.....

LEARN

www.iwj.org/issues/wage-theft

Wage Theft in America: Why Millions of Americans Aren't Getting Paid and What We Can Do About It by Kim Bobo (New Press, 2011)

“Broken Laws, Unprotected Workers” report at: www.unprotectedworkers.org/

www.canmybossdothat.com (National)
www.downwithwagetheft.org (Houston Area)


“Home Economics” http://www.domesticworkers.org/homeeconomics/

JOIN

In Houston:
Faith and Justice Worker Center
www.houstonworkers.org
713-862-8222

National: Workers Centers and other Interfaith Worker Justice Affiliates:
www.iwj.org/network

REPORT THEFT

in Houston:
713-862-8222

anywhere else:
U.S. Dept. of Labor
www.wagehour.dol.gov
1-866-487-9243

MORE WAYS TO...
TAKE ACTION

www.iwj.org/issues/wage-theft

www.iwj.org/resources/prayer-litany-wage-theft

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