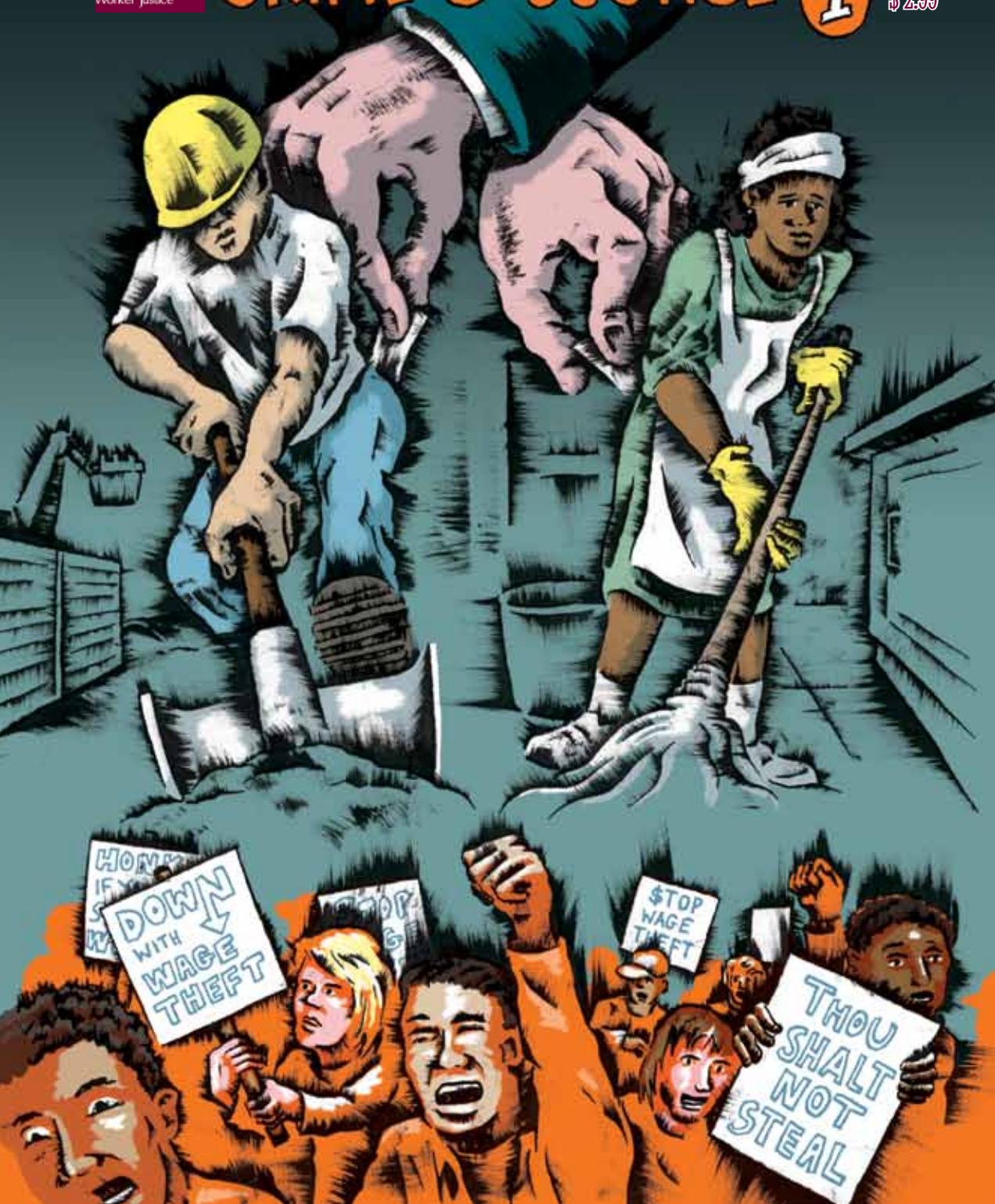


WAGE THEFT

Worker Justice

CRIME & JUSTICE 1

\$2.99





Wage Theft Comics #1

Interfaith Worker Justice

www.iwj.org

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Writer: Jeffry Odell Korgen is the author of *The True Cost of Low Prices: The Violence of Globalization*, Second Edition (Orbis, 2013), *Solidarity Will Transform the World: Stories of Hope from Catholic Relief Services* (Orbis, 2007), and *My Lord and My God: Engaging Catholics in Social Ministry* (Paulist, 2007). He is a former Board member of Interfaith Worker Justice and staffed the Roundtable Association of Diocesan Social Action Directors at the National Pastoral Life Center from 1998-2008. Since 2008, he has served the Roman Catholic Diocese of Metuchen, NJ as Executive Director of the Department of Diocesan Planning and Communications. Email: jkorgen@gmail.com.

Artist/Writer: Kevin C. Pyle is the author and illustrator of the docucomics *Prison Town: Paying the Price* (Real Cost of Prisons Project, 2005), *Lab U.S.A.: illuminated documents* (Autonomedia, 2001), and the forthcoming *Bad For You* (Holt, 2013). He is also the author/illustrator of the graphic novels *Take What You Can Carry* (Holt, 2012), *Katman* (Holt, 2009) and *Blindspot* (Holt, 2007).

His work can be viewed at Kevincpyle.com.

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"CAN MY BOSS DO THAT?"





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 40 DOLLARS A DAY, NO MATTER HOW LONG IT TOOK. SOMETIMES WE WORKED 12 OR 14 HOURS A DAY.



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.

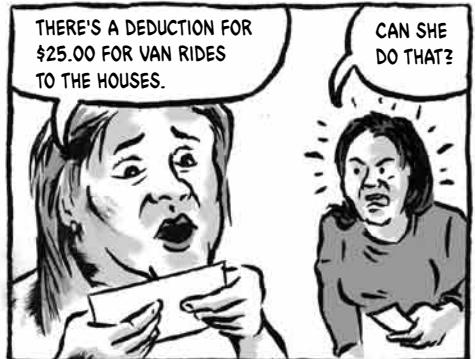


SHE WOULD ASK US ALL TO MEET AND TELL US WHAT A BAD JOB WE HAD BEEN DOING.

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.



WE ALSO FOUND ILLEGAL DEDUCTIONS TO OUR PAY.



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.

ONE TIME, A WORKER DID NUMBER TWO IN THE BATHROOM AND FORGOT TO FLUSH. THE OWNER WAS FURIOUS.



IT ALL STARTED WHEN I FOUND OUT THAT THE OWNER WAS PAYING MORE TO ANOTHER WORKER.



SHE CAME AND SEARCHED MY APARTMENT THOROUGHLY. BUT OF COURSE SHE DIDN'T FIND ANYTHING BECAUSE I DIDN'T STEAL ANYTHING. I EARN MY MONEY!



THEN WE FOUND OUT ABOUT THE HOUSTON FAITH AND JUSTICE WORKER CENTER THROUGH A FRIEND OF ZENAIDA'S.



SO, I CALLED ALL OF THE MAIDS TOGETHER. SOME OF THEM WERE AFRAID.

THE PEOPLE AT THE FAITH AND JUSTICE WORKER CENTER HELPED US ORGANIZE AND PREPARE OUR CASE.



WE STARTED GOING TO OTHER MEETINGS AT THE WORKER CENTER, WHERE WE WOULD LEARN ABOUT OUR RIGHTS AND TALK TO OTHER WORKERS.

KNOW YOUR RIGHTS

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.

WE WROTE AND HAND-DELIVERED A LETTER TO ALL OF OUR CLIENTS EXPLAINING HOW OUR WAGES WERE STOLEN.

IF YOU COUNT DRIVING TIME, ALL OF US TOGETHER PUT IN ABOUT 200 HOURS, OVER THREE YEARS, WORKING ON THIS CASE.

TWO MORE HOUSES AND I CAN GO HOME.

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.

SHE'S MADE A SETTLEMENT OFFER. YOU'D PROBABLY MAKE MORE IF WE WENT IN FRONT OF A JUDGE, BUT THERE'D BE MORE COSTS. YOU'D HAVE TO MISS WORK FOR A WEEK OR MORE FOR COURT.

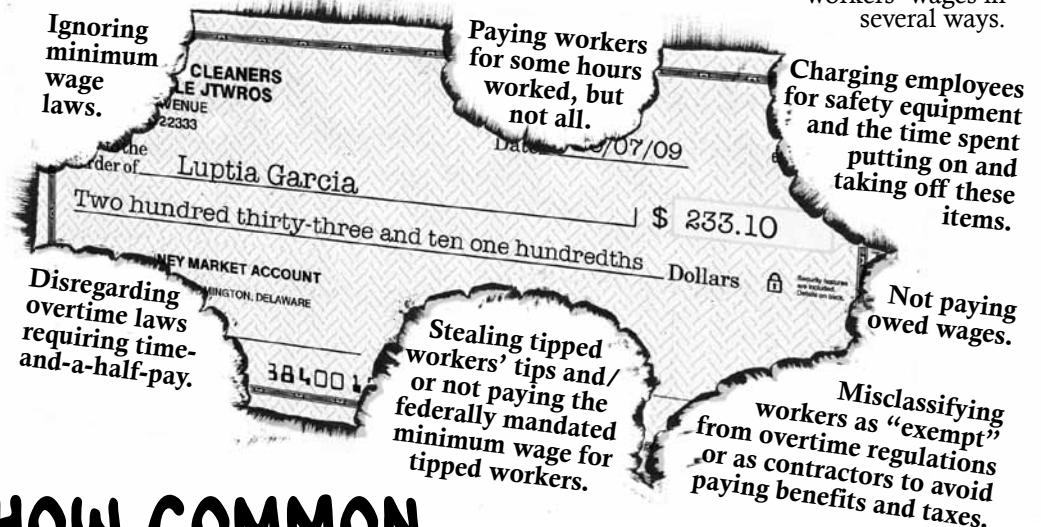
IT IS BETTER TO HAVE A BIRD IN THE HAND THAN A THOUSAND OUT THERE FLYING. AND SHE'S GOING TO BE THINKING ABOUT ME EVERY MONTH WHEN SHE PAYS US!



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.

WHAT IS WAGE THEFT?

Lupita's story is not unique. Employers take a bite out of workers' wages in several ways.



HOW COMMON 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.

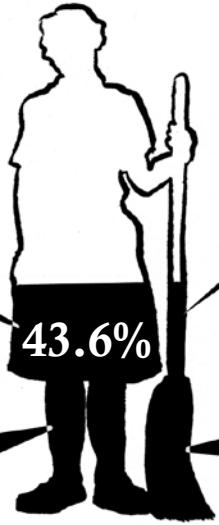
16.6 %
Were paid less than owed



24.6 %
Were paid late.



43.6 %



27.8 %
Worked off-the-clock without pay.

5.6 %
Were not paid at all.

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.

MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY



WAITING TABLES IS HARD WORK. FOR SOME, LIKE JEREMY, IT'S A WAY TO PAY THE RENT AS THEY PURSUE ANOTHER DREAM.



RESTAURANT WORKERS LIKE JEREMY ARE AT THE CENTER OF THE WAGE THEFT EPIDEMIC.

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.

HUH?! IT'S A PERSONAL CHECK. THERE'S NOTHING HERE ABOUT TAXES. AND...

WHAT HAPPENED TO MY TIPS?

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.

AFTER THEIR REQUESTS FOR FULL PAYMENT OF WAGES AND TIPS WENT UNHEeded BY THE OWNER FOR MONTHS, THE WAITERS DECIDED THEY'D HAD ENOUGH.



ON A SATURDAY NIGHT IN DECEMBER OF 2011, JEREMY AND FOUR OTHER WAITERS STAGED A WALKOUT, JOINED BY A SURPRISE ALLY.

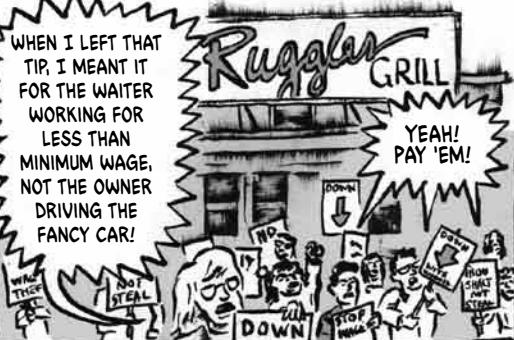
THE WALKOUT DREW LOCAL MEDIA ATTENTION, BUT NO JUSTICE, SO THE WAITERS FILED A CASE WITH THE TEXAS WORKFORCE COMMISSION.

SORRY FOLKS,
WE'RE DONE WORKING FOR FREE.

I DON'T CARE IF
I AM PART OF THE
MANAGEMENT.
YOU GUYS SHOULD
GET PAID.

WORKERS FIGHTING THEIR OWN CASES OF WAGE THEFT WITH THE FAITH AND JUSTICE CENTER WORKER CENTER CAME OUT TO SUPPORT THE WAITERS.

WHEN I LEFT THAT TIP, I MEANT IT FOR THE WAITER WORKING FOR LESS THAN MINIMUM WAGE, NOT THE OWNER DRIVING THE FANCY CAR!



JEREMY IS STILL IN SCHOOL, WAITING TABLES ELSEWHERE.

THEIR CASE IS STILL PENDING. THE OWNER ADMITTED OWING THE WORKERS MORE THAN \$14,000 BUT ALSO SUED THEM FOR LIBEL. THE RESTAURANT CLOSED A FEW MONTHS LATER.



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.



SHE ADVISED THAT THEY QUIT THEIR JOB IMMEDIATELY AND TALK TO THE PEOPLE AT THE WORKER CENTER.



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.



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.

YOU THINK WE'LL GET THE MONEY WE ARE OWED?

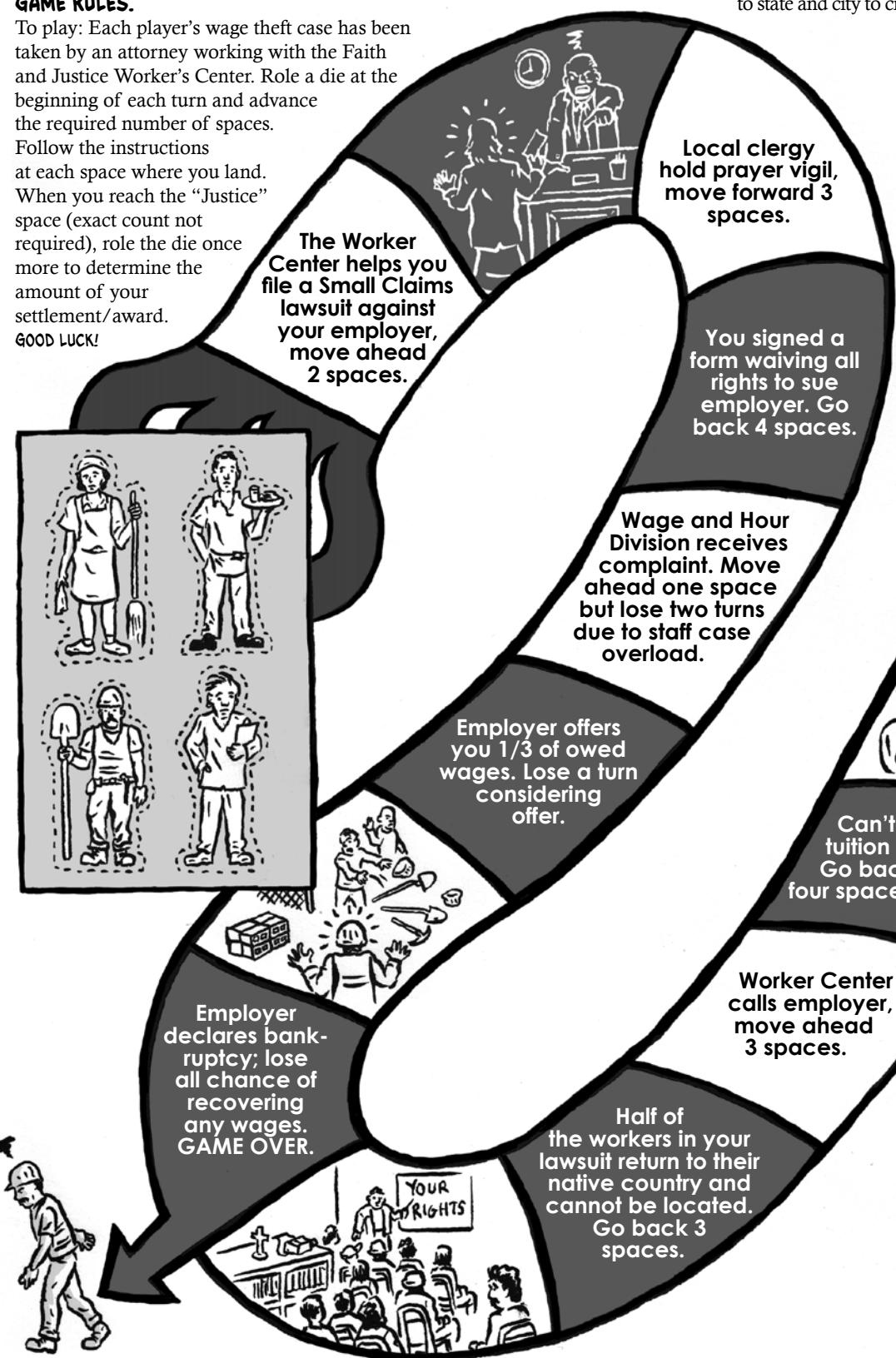
TIME WILL TELL.

PATH TO JUSTICE: THE WAGE THEFT GAME

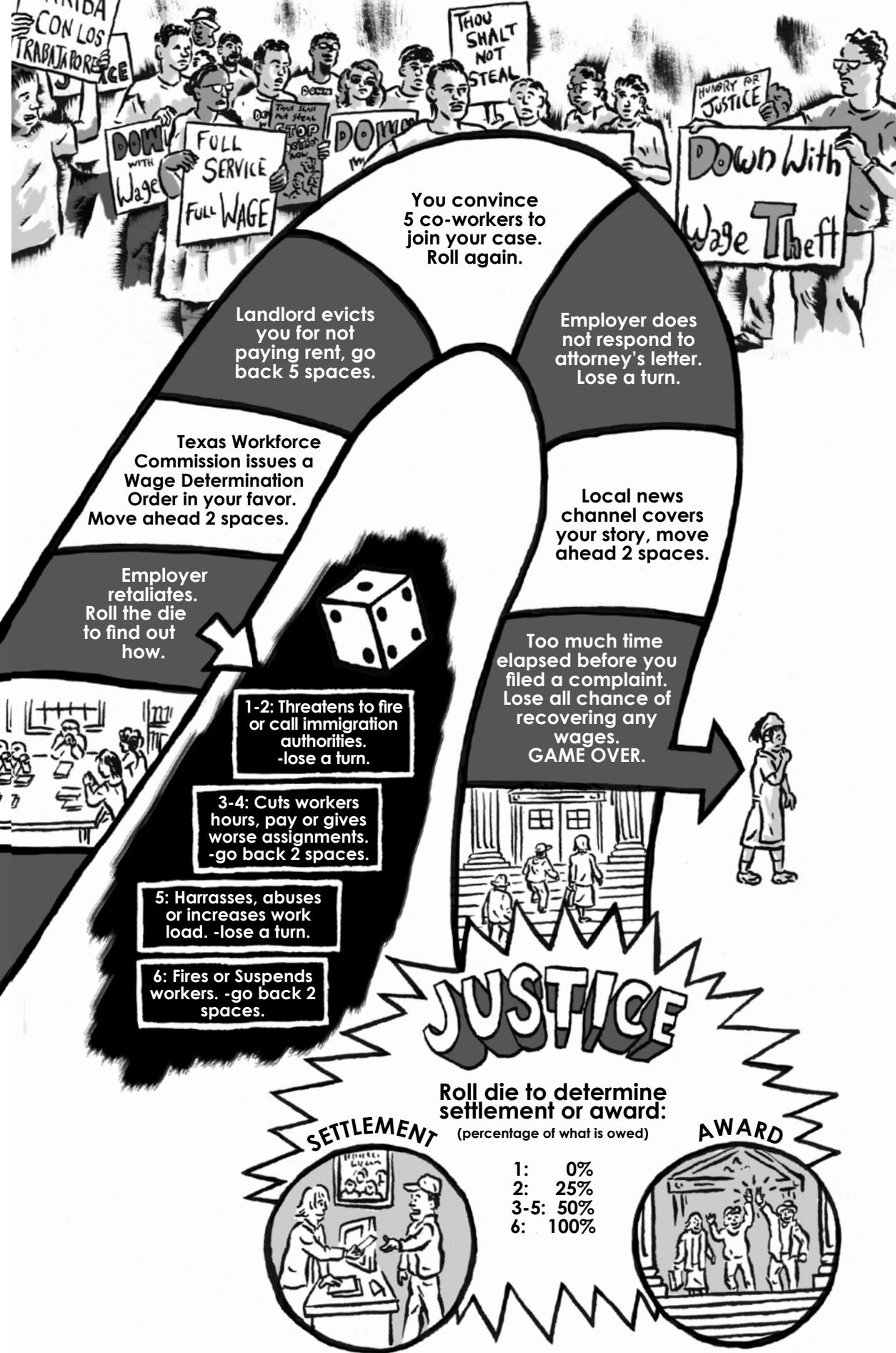
GAME RULES.

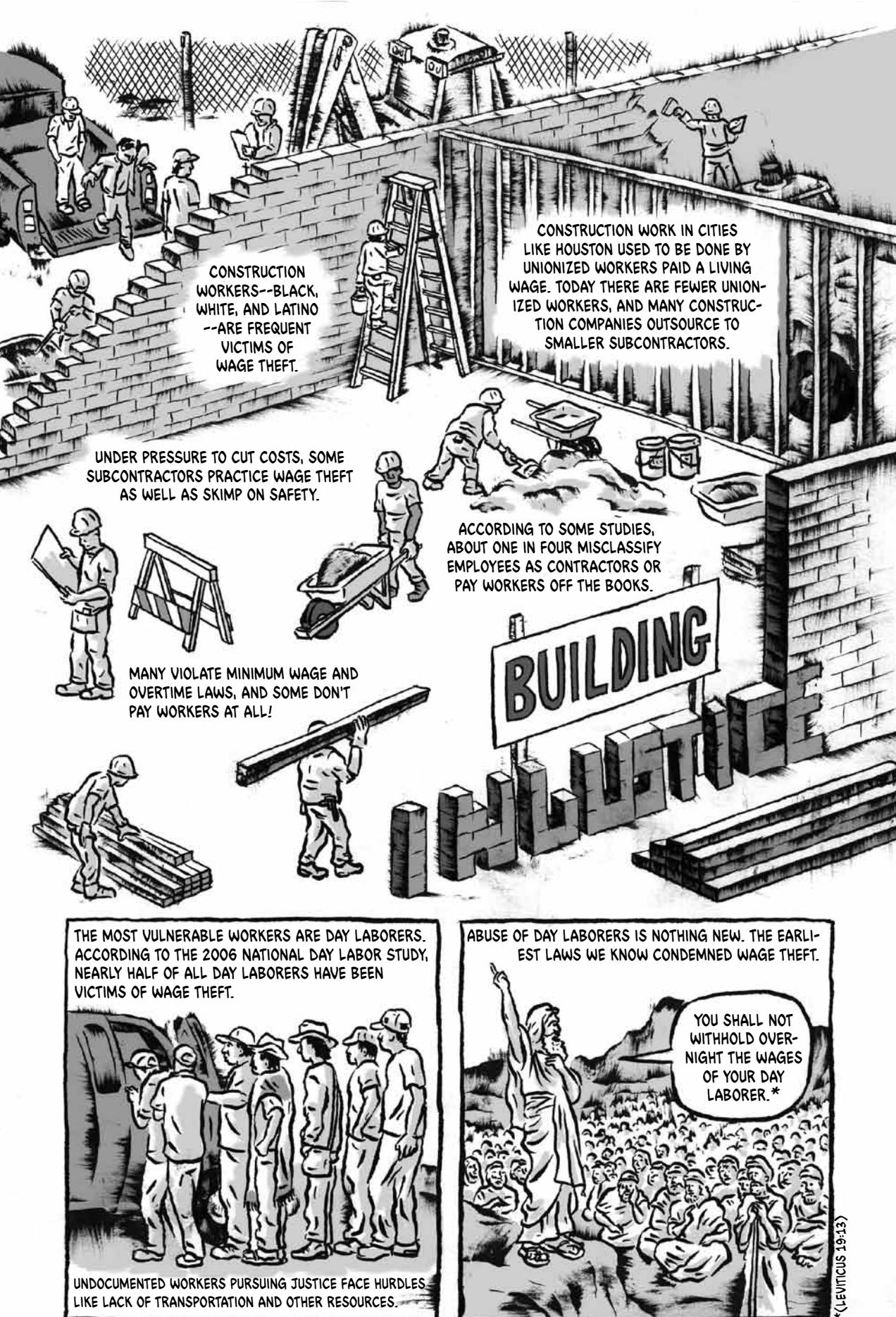
To play: Each player's wage theft case has been taken by an attorney working with the Faith and Justice Worker's Center. Role a die at the beginning of each turn and advance the required number of spaces.

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!

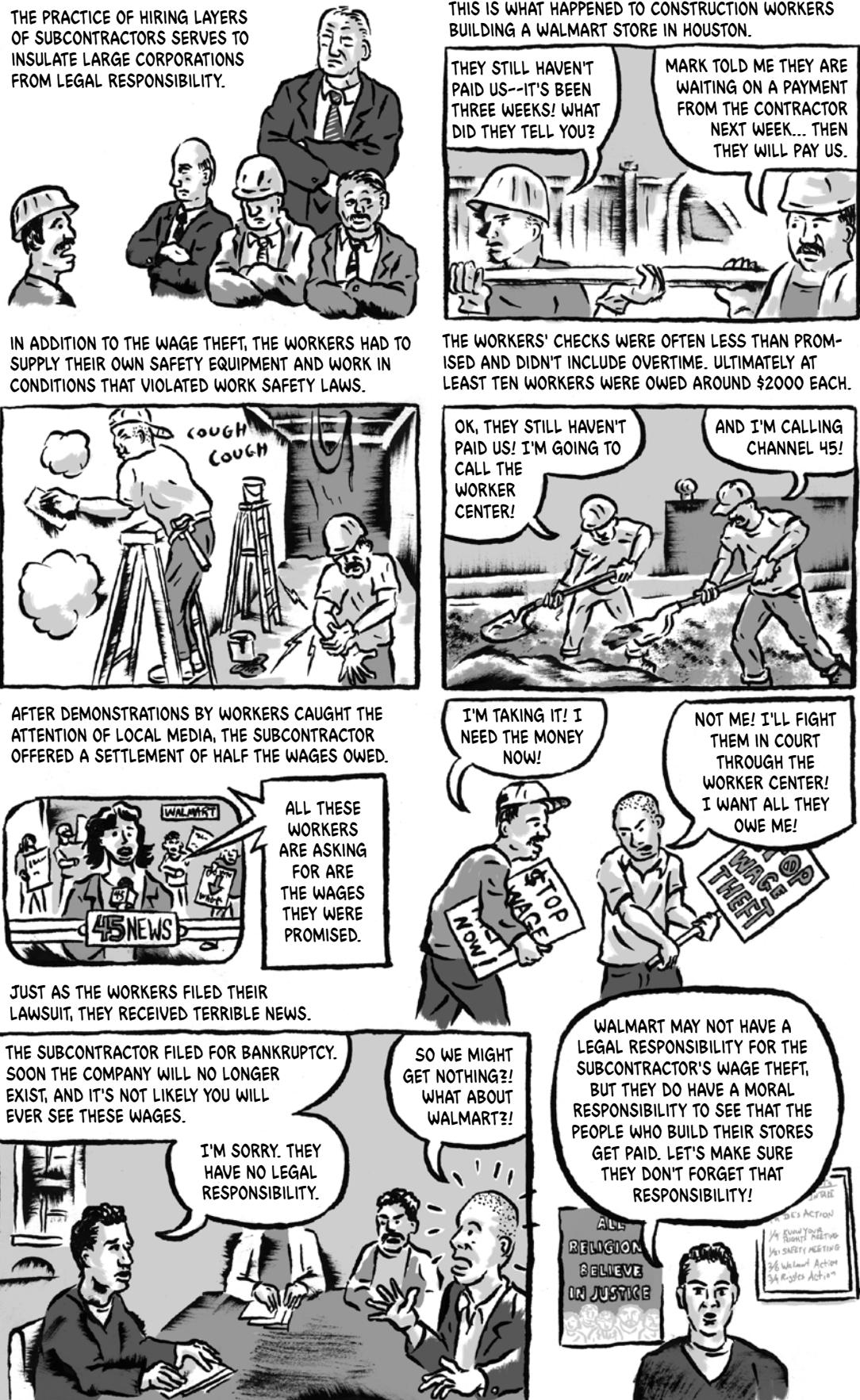


NOTE FROM MANUFACTURER: Welcome to the Houston Edition of *Path to Justice: The Wage Theft Game*. If you live in any other locality, you will need to purchase a different edition of this game, because wage theft laws vary from state to state and city to city.





THE PRACTICE OF HIRING LAYERS OF SUBCONTRACTORS SERVES TO INSULATE LARGE CORPORATIONS FROM LEGAL RESPONSIBILITY.



WHO ARE THE VICTIMS OF WAGE THEFT?

Among Urban, Low-wage Workers:



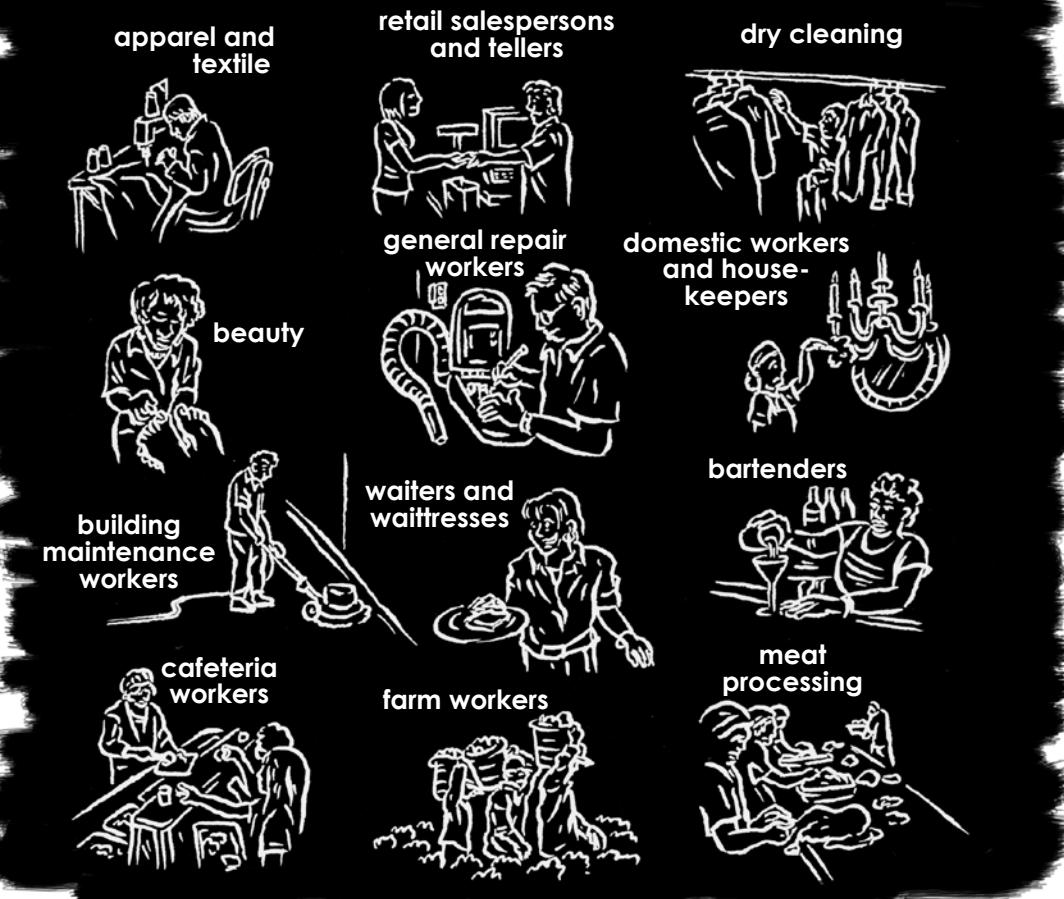
32.8% of Latinos

19.1% of Blacks

15.1% of Asians,

7.8% of Whites

The occupations most likely to have experienced wage theft:



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

Type of Violation	Undocumented Immigrants	Documented Immigrants	Citizens
Minimum Wage.....	37.1%	21.3	15.6
Overtime.....	84.9%	67.2	68.2
"Off the Clock".....	76.3%	68.9	67.0

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.



HEALTH CARE WORKERS ARE INCREASINGLY VULNERABLE TO WAGE THEFT. A 2004 DEPARTMENT OF LABOR STUDY FOUND THAT 55% OF NURSING HOMES WERE VIOLATING WAGE AND HOUR LAWS.

(BOBO, P. 9)

ONE MONTH LATER...

SO I FINALLY GOT LAST MONTH'S CHECK--BUT WHAT ABOUT THIS MONTH? SCHOOL IS STARTING AND MY TUITION IS DUE. I NEED TO GET PAID!

WELLLLL, WE JUST HAVE A LITTLE BIT OF A PROBLEM, BUT JUST HAVE FAITH.



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.



BUT KATHY DECIDED TO TAKE ANOTHER PATH:

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.

"... BE CAREFUL HOW WE PRESENT OURSELVES BECAUSE WE NEVER KNOW WHO IS EXAMINING THE EVIDENCE."

A LADY I WORKED WITH AT THE WORKFORCE COMMISSION TOLD ME ABOUT LAURA AND THE WORKER CENTER.

YOU ARE THE FOURTH EMPLOYEE FROM ALDINE TO REPORT A PROBLEM GETTING PAID.*

EVENTUALLY FIVE, PLUS TWO WHO WORKED AT DUNN'S CHURCH.

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.

IT IS IMPORTANT THAT WORKERS STAND UP FOR THEMSELVES BECAUSE SO FEW STATES HAVE LAWS AIMED AT WAGE THEFT. THIS LEAVES THE JOB OF ENFORCEMENT UP TO THE FEDERAL GOVERNMENT.

BUT THE U.S. DEPARTMENT OF LABOR HAS TEN TIMES FEWER INVESTIGATORS THAN SEVENTY YEARS AGO, WHEN MINIMUM WAGE LAWS WERE FIRST ENACTED.



SO UNTIL STRONGER LAWS ARE PASSED, GROUPS LIKE THE FAITH AND JUSTICE WORKER CENTER AND THE COLLECTIVE ACTIONS OF WORKERS ARE THE MOST EFFECTIVE TOOLS FOR JUSTICE.



SO THE WORKFORCE COMMISSION STARTED CONTACTING THEM BY LETTER. IN THE MEANTIME, FAITH AND JUSTICE WAS DOING MORE THAN THE COMMISSION!

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.

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 WAGES STOLEN WITH EVERY PAYDAY THAT PASSES.



MANY VISITS... HE'S NOT HERE! YOU'RE WASTING YOUR TIME! THAT'S HIS NEW TRUCK OUTSIDE!



NEED HELP?
WANT TO HELP?
TURN THE PAGE
TO FIND
ORGANIZATIONS
FIGHTING
WAGE THEFT.

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)

"Building Injustice" [http://www.buildtexas.org/
Building%20_Austn_Report.pdf](http://www.buildtexas.org/Building%20_Austn_Report.pdf)

"On the Corner" [http://www.sscnet.ucla.edu/issr/csup/
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"Home Economics" [http://www.domestic
workers.org/homeeconomics/](http://www.domesticworkers.org/homeeconomics/)

PRAY

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MORE WAYS TO...
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