

Wage theft: It's a bigger problem than you might think!

Most of us might think that wage theft is an isolated occurrence affecting some low-wage workers on the fringe of society.

But according to Kim Bobo, a well respected author and community organizer, it is a problem of epidemic proportions affecting millions of workers in all kinds of occupations.

What's more important, there's a lot that we can do about it.

Bobo, founder and executive director of the Chicago-based Interfaith Worker Justice, has published a new book, *Wage Theft in America: Why millions of working Americans are not getting paid and what we can do about it* (2009 New Press).

She recently brought her message to Albany to help the New York State Labor Religion Coalition begin its annual 40-Hour FAST for Social Justice.

Between public events and media interviews, she presented a program at CSEA Headquarters that was also seen via video conference at the union's Long Island, Buffalo and Capital Region offices.

"Employers steal wages in a variety of ways," Bobo writes in her book. "Although some employers may be confused about the law and their legal responsibilities to their workers, most of them know

exactly what they are doing or should know what they are doing."

Need for stronger penalties

Bobo provides detailed examples in her book of these illegal practices and more. She points out that they persist in large part because of the lack of coordination between the multiple federal and state agencies responsible for enforcement.

She also notes the resources devoted to enforcement and the often meaningless penalties to violators are woefully inadequate.

For example, in most states if you steal almost anything other than wages valued at more than \$1,000, it's considered a felony and you will likely do jail time. But the evidence shows that except for willful repeat offenders, the worst that is likely to happen to an employer stealing wages from employees is that he or she will be required to pay what they owe them — and often employers make agreements to pay them less than is owed.

Bobo gives high marks to the New York State Department of Labor under the leadership of Commissioner Patricia Smith for ongoing efforts to focus attention on this problem and crack down on offenders across the state.



From left, New York Labor-Religion Coalition Director Brian O'Shaughnessy, CSEA Executive Vice President Mary Sullivan, Albany Catholic Diocese Bishop Howard Hubbard, author Kim Bobo, and NYSUT President Dick Iannuzzi attend a ceremony opening the 40-Hour FAST for Social Justice. This year's FAST focused attention on wage theft. Hubbard and Iannuzzi co-chair the Labor-Religion Coalition.

What we can do

Much of what can be done concentrates on focusing attention and public priority on worker fairness, ending confusing and conflicting jurisdictions, strengthening penalties for violators and better coordinating enforcement.

Bobo presents her arguments about wage theft in both a moral and practical context: It is in society's interest to have laws that

are fair and fairly enforced. All of us have a stake in a just workplace and allowing unscrupulous employers to persist is not only wrong but also puts ethical employers at a competitive disadvantage.

Some common ways employers steal from employees

- Paying less than the minimum wage.
- Not paying workers for all the hours they work.
- Giving workers checks that bounce.
- Not paying required overtime and/or misclassifying workers as ineligible for overtime.
- Paying by the day or by the job (often to avoid paying required payroll taxes too).
- Making workers pay for their "right" to do a job and/or charging them for "expenses."
- Not paying the prevailing wage as required by law.

Union safeguard

According to author Kim Bobo, unions are the best and most effective vehicle for stopping wage theft for the following reasons:

- Train workers about their rights in the workplace.
- Have professional staff and attorneys available to answer questions and file actions.
- Provide workers a structure for expressing concerns.
- Protect workers who complain.
- Provide a counterbalance to management's control in the workplace.
- Maintain relationships with community allies.

Unfortunately, most American workers do not have a union to represent them in their workplace.

Interfaith Worker Justice

(IWJ) is a network of people of faith that calls upon our religious values in order to educate, organize, and mobilize the religious community in the United States on issues and campaigns that will improve wages, benefits, and conditions for workers, and give voice to workers, especially workers in low-wage jobs. The New York Labor-Religion Coalition is part of the network.

Learn more at:
www.iwj.org