

Tougher wage-theft law offers hope for poor workers

Being stiffed is a common gripe

By Harvey Rice | August 31, 2011 | Updated: August 31, 2011 10:00pm

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Photo By Brett Coomer/Houston Chronicle

Thomas Cameron was recruited by a cleaning company at the Salvation Army shelter where he lives. He says he was only partially paid. His employer says she wasn't paid on time, so her workers' pay has been delayed.

GALVESTON - **Thomas Cameron** hopes a toughened Texas anti-wage-theft law that takes effect on Thursday will help him recover the money he says a Galveston cleaning company owes him.

The amended law ends a loophole that allowed some employers to pay only a portion of wages they owed, one of several forms of wage theft that officials say is rampant in the Houston area.

Cameron was among more than 20 homeless people who received no wages on payday two weeks ago after being recruited at the Galveston **Salvation Army** shelter to clean vacation rentals.

The company finally handed out paychecks Saturday, but Cameron said he received about half of the \$140 he was owed.

"This makes no sense to have to wait seven days for a paycheck and then wait some more," Cameron said.

He and others sought advice from Joe Compian, a counselor at Gulf Coast Interfaith.

"Who is going to believe someone who is poor, unemployed, living in a shelter, doesn't talk very well in

most instances, has a limited education and sometimes even a criminal record?" Compian asked. "(Employers) are banking on the fact that these homeless individuals don't have the knowledge or the desire to follow through and collect their money."

The problem of the homeless, day laborers and penniless job-seekers being refused paychecks affects all races and ethnicities in the Houston region, said **Hamilton Gramajo**, organizer for the **Houston Interfaith Justice Center**.

"They cheat on workers every day," Gramajo said.

The center received more than 200 wage-theft complaints over the last six weeks from the Houston region, Gramajo said. Over the last five years, the center helped workers reclaim about \$560,000 in unpaid wages, he said - a little more than 18 cents on the dollar.

Sam Dunning, a member of Houston Mayor **Annis Parker**'s immigration and refugee affairs committee, said the problem is so pervasive that the committee is discussing the need for an anti-wage-theft ordinance. Houston labor attorney **Melissa Moore** said few employers have been prosecuted under state law.

Intention not enough

The problem came to the attention of state Rep. **Eddie Rodriguez**, D-Austin, when two workers walked into his office and complained about not being paid.

"They couldn't afford to pay rent," Rodriguez recalled. He helped the workers get paid but discovered that the law allowed employers to dodge prosecution.

"Sometimes employers would pay half and wouldn't pay the rest," but the partial payment convinced courts that the employer intended to pay, Rodriguez said.

Rodriguez proposed the amendment that became law today, making the requirement for full payment more explicit.

Cameron, 39, who arrived in Galveston with his wife and four children in June, said he and other homeless people were recruited to work for West End Coastal Cleaning. Owner Lila **Kay Jones** said she started the company in May to obtain a contract to clean vacation rentals at the Pointe West resort.

Cameron and at least 20 other homeless workers said they received no paycheck on the Aug. 20 payday.

Jones acknowledged that she failed to pay workers but said it was because Pointe West had failed to pay her on time. She characterized the employees as ungrateful for her attempts at helping them and said she would no longer seek employees at the Salvation Army.

The employees were paid a week later, but Cameron said he was paid only half the money he is owed and that at least five other workers also were underpaid.

Cash flow, lack of data

As of last week, Jones said, she still had not paid wages to some employees who worked for her during the first six weeks she was in business because Pointe West took so long to pay her. She had so many obligations by the time the check arrived that she couldn't pay all the wages, Jones said.

She also acknowledged that several employees recruited at the Salvation Army were never given employment forms and that she did not know the complete names of several workers.

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