

Metro

Laborers complain of unscrupulous employers

Undocumented aliens say they work hours for nothing

By Jesus Mena and Anita Snow
The Register

ORANGE — Vidal Reyes, 18, left his home in southern Mexico late this past year hoping to find unlimited employment opportunities in the United States.

Instead, Reyes said he found unscrupulous employers who have treated him as little more than an indentured servant.

Reyes is one of scores of undocumented workers from Mexico and Central America who gather daily near Chapman Avenue and Hewes Street in the city's El Modena section vying for unskilled laborer jobs.

His stories of long hours of back-breaking work for little or no pay are not unique.

The Orange County Human Relations Commission has launched a campaign to prevent such abuses. But so far, commission staff members have only been able to get employers to pay five work-

ers a total of about \$400 in back wages.

"It's been like pulling teeth," commission staff member Robert Nava said. "The employers are hard to get a hold of because many work out of their trucks and don't have an established business location. When we do contact them, some of the employers tell us they'll pay the workers but then they don't follow through."

For about six weeks, Nava has spent mornings with workers at the Chapman and Hewes area, telling them about their rights and asking them about working conditions.

"We've come across 20 cases of men who were hired but never paid for their work," Nava said. "And it's only the tip of the iceberg."

Reyes' case is typical, he said.

Reyes came to the United States in November from a village in Veracruz, where the timber that once supported his clan had been exhausted. He said most villagers are unemployed and malnutrition is common.

Anaheim contractor Luis Gomez hired him to work as a plumber's assis-



Jim Mendenhall/The Register

Robert Nava of the Human Relations Commission tells workers about their rights.

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WORKERS: Some are unpaid

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tant on restaurants being built in Orange and Newport Beach, he said. Gomez also allowed him to live in a tool shed behind his home for three months, said Reyes, who lives with a cousin in Santa Ana.

"He told me I would get paid \$30 a day, every two weeks," Reyes said. "But when payday came, he said he could not pay me right away because there were some problems. He gave me \$30 so I could eat and said I would get paid in two weeks."

Reyes said Gomez postponed his pay two weeks later and again two weeks after that. He said he received only \$30 a week for almost three months before he quit. Since then, Reyes said his efforts to collect back pay have failed.

Gomez verified Reyes' story, but said he also was victimized. He said his partner in the projects, Bill Toshiff of Omni West Construction Co. in Santa Ana, failed to pay him his share of the profits because of financial problems.

Toshiff said he did not hire Reyes and was not directly responsible for paying his wages. He said he lost money on the two projects and could not pay Reyes.

"If somewhere down the line I could cut loose some money, I would give him some," Toshiff said. "He was a good, hard-working kid. But he was employed by Gomez, not by me."

If Toshiff and Gomez continue to refuse to pay Reyes' back wages, Nava said he will report them to the California Labor Commissioner and file a complaint in small-claims court.

Nava said he also may take similar action against Chris Glauh of South Coast Land Crafters of Orange County, whom four men said he owes them about \$150 in back wages. Glauh could not be reached for comment.

"I called him on Sept. 7 and he told me he would bring their checks by the following Tuesday, but the guy never showed up," Nava said. "I have left several messages with his answering service but he has never called me back."

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Robert Nava, of the county Human Relations Commission

A few employers, however, have been cooperative, Nava said.

"From the work we've done so far, it seems like 20 percent of the workers who hang out there have worked for some employer who has refused to pay them," Nava said. "Most of them are hired for a day or two and are told they will be paid at the end of the week. Some of the employers never return. Others pay them with bad checks."

Nava said the undocumented laborers also talk of employers refusing lunch breaks and reprimanding workers for asking for time to get a drink of water. Most of the workers, because of their illegal status, said they are scared to appeal to state authorities.

Ed Voveris, California deputy labor commissioner, said his office would defend the workers' rights — regardless of their legal status — and would cooperate with Nava and his associates.

Meanwhile, Nava said he and commission staff members would visit other such laborer gathering sites in Garden Grove, Santa Ana and Placentia to inform workers of their rights and investigate allegations of labor violations.

He is preparing a leaflet to inform employers of their responsibilities and make it clear that work sites are being monitored for labor violations.

"I know there is no way we can eliminate the problem," Nava said. "But hopefully we can reduce it. After all, these are hard-working, honest men who are contributing to our local economy."