

## 'Now I Know How to Defend Myself'

### With Your Help, House Cleaners Blow the Whistle on Injuries and Intimidation

People who get seriously hurt while working low-paying jobs rarely report their injuries. Those who do are often threatened, fired, and denied medical care. Because of you, Erica Chaves' story has a different ending.

In November 2015, Erica was working for an East Boston house cleaning company when she injured her knee. She sought treatment and following her doctor's instructions, asked the company's owners to complete a form to help her get workers' compensation. They fired her instead.

Through a friend, Erica connected with the Massachusetts Coalition for Occupational Safety & Health (MassCOSH) Immigrant Worker Center, which turned to Justice at Work for legal support. Thanks to you, we were able to refer Erica to a workers' compensation attorney and help her file a retaliation claim with the Occupational Safety & Health Administration (OSHA).

Erica eventually received knee surgery, and workers' compensation benefits while she recovered. But that wasn't the end of the case. When two of her coworkers, Leticia and Dinora, stepped forward to support her, a manager with the company showed up at their homes. He demanded they erase work-related text messages from their phones, took their uniforms, and fired them. After previously experiencing verbal abuse and disregard for their safety at the company, Leticia and Dinora had had enough. They began working with MassCOSH, retained Justice at Work, and filed retaliation claims with OSHA.



With your support, Erica and her co-workers won an innovative OSHA settlement that will help other house cleaners stay safe on the job.

Your support for Erica, Leticia, and Dinora helped them through the OSHA process. They won a settlement that recognized the emotional distress they suffered and included the company agreeing to host MassCOSH for health and safety training twice a year for the next five years. Now they are committed to educating other workers to stand up to abuses. Erica says, "I learned what my rights were from this. Now I know how to defend myself, so employers don't mistreat me or discriminate against me." Thank you!

## You are Stopping Wage Theft!

### Head Cook at Dorchester Restaurant Wins Full Back Wages

Ian King was proud of his work as a head cook at a Dorchester restaurant, which would often feature him and his cooking on their Facebook page. Then the restaurants' owners started to go weeks without paying him.

Ian, who was born in Barbados, eventually learned about a free monthly wage theft clinic organized by the Attorney General's Office. (You help Justice at Work staff the clinic. Thank you!)

By the time Ian came to the clinic, he was owed thousands in regular pay and overtime. Your support allowed him to retain Justice at Work and bring his case to small claims court.

The restaurant owners argued their business was closed much of the time Ian claimed to have worked without pay. But with Ian's careful notes and the restaurant's own Facebook posts, Justice at Work was able to show the restaurant was, indeed, open. Thanks to you, Ian settled the case for more than he was owed and has been paid in full.

*"I have more confidence in the workplace now. I know that I can stand up for myself and make sure I am paid for the hard work I do."  
—Ian King, Restaurant Worker*

### Your Support Launches Wage Theft Workshop Series

Last week, you launched a six-part summer workshop series for organizers on using the law and worker-led organizing committees to fight wage theft.

Organizers will engage in a continuous role play about fighting wage theft in the residential construction industry, where subcontracting and misclassification are

prevalent. Weekly topics include maximizing legal partnerships, researching wage theft targets, protecting workers who take direct action from retaliation, and more.

Thank you for making this first-ever workshop series possible!

## Construction Workers Demand Owed Wages, Stand Up To Defamation Suit

### You Are Protecting Workers' Rights to Protest

In 2015, with the help of their local worker center, three construction workers went to their employer and demanded tens of thousands of dollars in unpaid wages. The company refused to pay — then sued the workers for defamation.

During their time with the company, the workers had been misclassified as independent contractors, illegally forced to pay for work materials, and denied their rightful pay. Accompanied by the worker center, they stood together and took direct public action to demand justice, delivering a demand letter the company.

Eventually, with your support, the workers also filed misclassification and contract claims. The company retaliated with a defamation lawsuit several months later, interfering with the workers' labor and civil rights in hopes of intimidating them into dropping the charges.

Justice at Work's staff attorneys prepared a special motion to dismiss the claims of defamation based on their intention to chill legitimate protest speech. You helped us prepare a strong message: attacking workers who are engaging in public protest and calling out their employers for wage theft is unacceptable.

We brought these arguments to mediation. Ultimately, the workers were able to settle the case. Thank you for helping people stand up to retaliation and exercise their rights.

*"The misclassification of construction workers is a never-ending problem. We hope these workers' actions encourage others in similar circumstances to hold perpetrators accountable, even in the face of retaliation."*

—Worker Center Organizer

## Congratulations to the 2018 Solidarity Award Winners!

Thank you for supporting Margarita Fuentes Herrera, Paula De Leon Carrillo, Mirna Pacaja, and Nicole Decter as they fight for justice, dignity, and respect for all workers.





Legal Support for Workplace Justice

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## Stand With Workers

Make a gift at [www.jatwork.org/donate](http://www.jatwork.org/donate) or by sending a check.

Double your impact now! The Lenny Zakim Fund will match up to \$10,000 in new or increased giving between now and December 15, 2018.

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