



# WORKER JUSTICE NOW

The Newsletter of the Cincinnati Interfaith Workers Center (CIWC)

August/September 2015

## ‘Just Pay Cincy’ Campaign Report

Have you heard about the CIWC’s **JUST PAY—CINCY** campaign to fight wage theft? For years, the CIWC played defense, fighting wage theft for workers—union, non-union, immigrant, native-born, public sector, private sector, retail, service, industrial, construction, and everyone in between. But having grown tired of just playing defense we have started playing offense. The campaign demands that local policy makers use all available powers to go after employers that have the gall to steal wages and stand behind the workers with the courage to come forward. By joining this campaign, you can help the Worker Center fight to protect workers across the region. Here is an overview of our first year:

**May 1<sup>st</sup> 2014 (Mayday 2014):** We announced our plan to work toward a wage theft ordinance in Cincinnati to the hundreds gathered at City Hall in celebration of International Workers Day.

**June 2014:** Members and allies worked with our legal team to develop wage theft prevention plan, which would provide the policy framework for a wage theft ordinance.

**August 2014:** We trained members and allies to canvass and petition for wage theft reforms. Members are trained on the CIWC wage theft prevention plan and go out in  
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## Policy Reform Comes to the City of Cincinnati Police Department: Pro-Immigrant Policy Changes are Announced



For the past few years, the Cincinnati Interfaith Workers Center (CIWC), along with other religious, worker, and community organizations, has actively participated in negotiations with local authorities so that the immigrant co- *Continued on page 3*

# Worker Justice

## Hey Drinkery, Tips Only = Wage Theft

Over-the-Rhine—Local restaurant and bar workers Tyler Scull-McWilliams and Jen Mendoza worked for the Drinkery, also known as Jack Pots, from 2012-2013. The complaint, filed by attorney Marc Mezibov (513-621-8800) alleges that the workers were forced to earn their pay through tips. Jen Mendoza was paid no hourly wage and Tyler Scull-McWilliams was paid only \$100.00 on some weeks; other weeks he received no wage, despite the fact that Tyler worked in excess of 40 hours a week. Both workers are owed minimum wages. Employees working for tips must still be paid a minimum wage; employers must pay at least the tipped minimum wage. In Ohio the current tipped minimum wage is (\$4.05). If an employer does not pay the tipped minimum wage, or fails to follow the tipped minimum wage regulations, then the employees are owed the full minimum wage. For more information, see: <http://www.dol.gov/whd/regs/compliance/whdfs15.htm>. In Ohio, after the Minimum Wage Constitutional Amendment, employers who refuse to pay minimum wages face a stiff penalty: three times the original wage due.

## Frat House Wage Theft Recovery

Clifton—The Ohio Theta House received a 12-year tax abatement for their eco-friendly redevelopment project (Ordinance No. 0142-2014). But when it came time to pay the workers, the sub-contractors for the job, Euro Designs and 84 Lumber, became a lot less green. Thankfully, the workers found the CIWC. A lien was filed (Hamilton Co. Recorder, Vol. 12775, p. 01547) and the unpaid wages were collected for many of the workers. When the lien was filed the framing contractor panicked; they called the CIWC furiously seeking resolution. In response, the CIWC called for a negotiation. The workers gathered in McDonalds to meet with the sub-contractor, the framing contractor and the labor broker who stiffed them to resolve the case. Joining in at the McDonalds was a prayer team made up of religious leaders and labor leaders, who gathered to pray at a nearby table in the McDonalds. Meanwhile, CIWC Board Member Mother Paul Jackson led a prayer on Facebook. “Please take a moment this mid-day to pray for 6 compañeros, immigrant workers who are negotiating at the McDonalds on Mitchell Ave at I-75 for over \$13,000 in stolen wages. When they presented their cause, they were threatened about their immigration status.” Dozens joined online to say “amen” and show their support for the workers.

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teams to raise awareness and gain support.

**September 2014:** CIWC organizes low-wage workers and immigrants to join the Mayor's Immigrant Friendly Task force to advocate for worker justice.



**October - November 2014:** Staff and members host a series of educational events discussing the issue of wage theft. Staff and members continue education and develop new relationships, including a presentation at

the local union of public transit workers (ATU).

**January 2015:** The AFL-CIO Central Labor Council adopts a resolution supporting the campaign and the Building Trades Council becomes a formal endorser. Collectively these organizations represent nearly 40,000 local employees.

**February 2015:** We launched our History of Wage Theft series of articles in Streetvibes. The story of wage theft in Cincinnati is told in a series of articles detailing major wage recoveries of the CIWC like the Davis Bacon case at Laurel Homes in the West End against DAG Construction and its fly-by-night sub-contractors.

**March 2015:** Worker members visit City Hall to introduce the wage theft prevention plan and ordinance to council members. Vice Mayor David Mann announces his support for the ordinance.

**April 2015:** The initial campaign goal of 3,000 petition signatures is met. 45 endorsements from businesses, faith and labor groups are received. Mayor's Immigrant Friendly Task Force and its committee chairs select “Wage Enforcement” as a priority issue in initial draft recommendations. **(Final recommendations are still pending, so please call the Mayor's office at 513-352-3250 to demand that the “Wage Enforcement” recommendation is not dropped from the report!)**

**May 2015:** On International Workers Day Just Pay Cincy rallies in Washington Park and leads a march of hundreds through OTR and wage theft locations like the Senate and the Drinkery. On May 16, Just Pay — Cincy rallies outside a publicly subsidized development project in Northside where an employer with multiple confirmed wage theft violations was hired to perform work. Back at City Hall, May 1, 2015 is declared Cincinnati Interfaith Workers Day in the City of Cincinnati.

**June 2015:** Just Pay — Cincy's legal team begins exchanging wage theft ordinance drafts with city council leaders and allies. Launch of community-based wage theft research program with Applied Information Resources.

**August 2015:** Just Pay — Cincy is invited to meet with Mayor John Cranley to discuss a wage theft debarment policy for city contractors, a policy that is a key component of the CIWC's wage theft prevention plan.

# Immigrant Justice

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Community will no longer be the target for criminals, police abuse, and racial profiling. During one of these meetings, towards the end of last year, there were various conversations with Police Chief Jeffrey Blackwell and some of his staff. They were told of the worries of the immigrant community, such as without committing a crime they were detained by the police—and on several occasions were taken to the detention center, even though they had presented state identification issued by their home country.

As a result of these conversations, and after waiting for a few months, the Cincinnati Police Department (CPD) on March 19, 2015, implemented the following regulations in its Procedure Manual:

**Consular identification cards, issued by a country's respective consulate, are recognized and accepted by the CPD for identification purposes.**

The change also emphasizes that:

**Officers who make a physical arrest of an undocumented foreign national do not need to contact ICE. Status verification and notifications are handled by the Hamilton County Justice Center when appropriate.**

Finally, and importantly, it states:

**The Department will assist immigrant crime victims with U-Visa Certification applications if they cooperate during an official police investigation and subsequent prosecution for qualifying criminal offenses.**



## Unjust Detention? Action for Member Brings Relief and Progress

Jose's family called the workers center to report that our member was locked up by Cincinnati Police & Hamilton Co. Sheriff for a traffic offense. The CIWC responded by trying to post bail; when our bail request was rejected we were told he was being held for ICE, despite the fact that his case had concluded and his fine had been paid. The next day the CIWC gathered the community inside the justice center to call for Jose's release. The CIWC community was joined by the AFL-CIO, UFCW, the Catholic archdiocese of Southwest Ohio, the member's pastor Nelson Escobar, UC Law student, and Jose's family. Pastor Escobar led a prayer in the hallway outside the Sheriff's office, but to no avail. The Sheriff's delegate informed us that Jose would be taken to Blue Ash. Quickly, the CIWC and the member's family began making signs to take ICE, like "We Love You Jose." Jose was released without bond by ICE that same day. Prayers were answered indeed.

Additionally, the community that gathered inside the Justice Center and rallied for Jose outside the Sheriff's office door took advantage of the opportunity to call for the Sheriff to renew his negotiations with the community over the County's detainment process for immigrants, which had stalled. The Sheriff's office agreed and scheduled a meeting right there on the spot. Later, at the negotiating table many breakthroughs were made because of what was learned through CIWC member Jose's ordeal. Please contact the CIWC for more information about these policy changes and learn how you can get involved. (The CIWC would like to thank American Jewish Committee and its Immigration Chair Kurt Grossman for serving as the community liaison during these negotiations.)



PLACE  
STAMP  
HERE

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Their prayer can be read below.

The case is still pending with the Department of Labor or several other workers who were unable to file a line on time. This story was covered in detail by City Beat in the article "Stealing Time," published on July 15, 2015 and available at: [http://citybeat.com/cincinnati/article-33191-stealing\\_time.html](http://citybeat.com/cincinnati/article-33191-stealing_time.html)

## A (Facebook) Prayer for Wage Justice

Mother Paula, Church of Our Saviour / La Iglesia de Nuestro Salvador

Please take a moment this mid-day to pray for 6 compañeros, immigrant workers who are negotiating at the McDonalds on Mitchell Ave at I-75 for over \$13,000 in stolen wages. When they presented their cause, they were threatened about their immigration status. Holy One, source of life, hope, justice, and truth: You have placed among all peoples and within all our hearts the knowledge of what is right and good. We know the standard of justice and we share this as the currency of our common humanity. We are here today on behalf of our brother and sister workers for whom justice has been denied. Truth has been rejected. Good has been negated. Their humanity has been dismissed by others who were blinded in the pursuit of profit. We are here to ask that they receive back what was stolen from them. We ask that they be vindicated in their presentation of the truth. We ask that those who threaten them cease their evil denial and turn to what is good. We ask for strength not to be silent and not to give up until justice is done. We ask for vision to see the countless people who are standing with us and praying for us, including the many who cannot be physically present today. Change the hearts of those who do wrong. Encourage us to stay together in the cause of right. Thank you for this moment of truth, and for the celebration that we will enjoy when our hopes are ultimately fulfilled. Amen.

## News & Announcements

**We've Moved!** After several great years on Vine Street, the CIWC moved back to Over-the-Rhine's Peaslee Neighborhood Center, located at 215 East 14<sup>th</sup> Street, Cincinnati, Ohio 45202.

**Neighborhood Meetings in Norwood, Price Hill & Forest Park.** CIWC has renewed its Norwood neighborhood meetings; they were initially lead by CIWC leaders Amadeus Gavarrete, and Karalyn Larkin. CIWC will begin holding monthly neighborhood meetings in Forest Park and Price Hill in the late summer or fall. Please call to get involved or find out how to support a Neighborhood Meeting.

**Thank You Francisco!** Please join us in thanking Francisco Castillo, one of the most devoted board members the CIWC ever had, who stepped down after as a CIWC board member. You will be missed.

**Check It Out:** CIWC Board Member Mike Brown, journalist Jim DeBrosse, and devoted CIWC volunteer Paul Breidenbach launch an amazing new website *Cincinnatians for the American Dream*; it chronicles many cases and issues addressed by the CIWC. Check it out at: <https://c4ad.wordpress.com/>.

**CIWC New Member Orientation Packets are available** These packets detail the CIWC's history, as well as provide an overview of member benefits, responsibilities, and opportunities. Become a member today.

**CIWC Worker Justice Committee meets every Tuesday at 5:00pm.** Show up at this meeting to get involved. For a complete schedule of upcoming events and regular, please go to: [www.cworkers.org/calendar](http://www.cworkers.org/calendar)

### Contribute

To provide financial support to the CIWC, a 501(c)(3) organization, send a donation to the address below.

## Contact Us

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Visit us on the web at [www.cworkers.org](http://www.cworkers.org), or find us on Facebook and Twitter!