



**CALIFORNIA**  
**STRATEGIC ENFORCEMENT**  
PARTNERSHIP



A Public Agency-Community Partnership

The California Strategic Enforcement Partnership aims to significantly reduce wage theft in six low-wage industries and win back wages for workers, engage a groundswell of workers to exercise their rights under the law, and strengthen public-community partnerships at the local and state level.



# CALIFORNIA STRATEGIC ENFORCEMENT PARTNERSHIP

A Public Agency-Community Partnership

The California Strategic Enforcement Partnership (“partnership”) was formed in late 2016 by the California Labor Commissioner’s Office to bolster anti-wage theft enforcement efforts in California and create a culture of labor law compliance by partnering with worker organizations.

## THE PARTNERSHIP’S GOALS ARE TO:

- Collect unpaid wages and improve the use of agency and legal tools to collect wages
- Develop industry-specific enforcement strategies
- Identify high impact cases that influence industry practices and support law-abiding employers through effective enforcement
- Build a sustainable strategic enforcement system in California
- Increase worker engagement in advocating for better working conditions



The partnership is a collaboration between the Labor Commissioner’s Office, the National Employment Law Project, and 14 workers’ rights and legal advocacy organizations (referred to as “the cohort”). The partnership focuses on six low-wage, high-violation industries, and works with organizations based in the San Francisco Bay Area, Southern California, and Central Coast and Central Valley:



Agriculture



Carwash



Construction



Janitorial



Residential home care



Restaurant

# ENSURING ECONOMIC GAINS FOR ALL CALIFORNIANS

**California’s economy is strong, and yet, income inequality is growing. Low-wage workers– about one-fourth of the state’s workers– experience wage theft at staggering levels.**

Wage theft happens when employers pay workers for fewer hours than they actually worked, pay less than the minimum wage, or do not pay workers for overtime or mandated meal and rest breaks. Workers face stolen wages when they are forced to clock out early and continue working. The U.S. Department of Labor estimated in 2014 that there were 372,000 violations per week of the California minimum wage law, and that over 1 in 10 workers in California is paid less than the minimum wage.<sup>1</sup> A 2010 UCLA Labor Center study of Los Angeles County found that “front line workers in low-wage industries

lose more than \$26.2 million per week as a result of employment and labor law violations.”<sup>2</sup>

When workers complain about wage theft, unscrupulous employers retaliate by cutting hours, threatening to fire workers, calling immigration officials, and pursuing other intimidation based on immigration status. In the 2010 UCLA study, nearly half (47.7%) of respondents in Los Angeles County who had made complaints or attempted to organize with their coworkers reported retaliation from their employer or supervisor as a result.



## LABOR COMMISSIONER’S OFFICE TAKES LEADERSHIP ON STRATEGIC ENFORCEMENT

**California Labor Commissioner Julie Su (right), and her staff are national leaders in strategic labor law enforcement, targeting enforcement efforts at high-violation industries resulting in millions of dollars in unpaid wages and penalties. Their efforts put earned wages back in workers’ pockets, contribute penalties and fees into the state’s General Fund, and level the playing field for law-abiding employers.**



In FY 2015-2016, BOFE

conducted:

 **2,424**  
inspections,

and assessed over

 **\$81 million**  
in wages and penalties.<sup>3</sup>

## WORKSITE-WIDE INVESTIGATIONS

The mission of the California Labor Commissioner's Office is to ensure a just day's pay in every workplace in the State and to promote economic justice through robust enforcement of labor laws. By combating wage theft, protecting workers from retaliation, and educating the public, the office puts earned wages into workers' pockets and help level the playing field for law-abiding employers.

The Bureau of Field Enforcement (BOFE) investigates reports of widespread labor law violations by interviewing workers, inspecting workplaces, issuing citations for violations, and collecting unpaid wages for distribution to workers.<sup>4</sup> The Labor Commissioner's Office prioritizes BOFE strategic enforcement cases and utilizes its Retaliation Complaints Investigation Unit, Judgment Enforcement Unit, and Legal Unit to bolster case strategy and outcomes.



### COMMUNITY PARTNERS: CORE TO WORKERS' RIGHTS ENFORCEMENT

Community-based worker organizations are crucial to addressing wage theft, particularly among vulnerable low-wage workers.

Especially given many workers' fear of retaliation if they speak up about wage theft, they may be reluctant to come forward to pursue a case without the support and partnership of a worker center.

Worker centers, non-governmental organizations, and legal advocacy groups have the language and cultural competency, as well as deep knowledge of industry practices and community context, to intensively engage and support workers throughout every step of the investigation process and beyond.

### WORKER ORGANIZATIONS ENGAGE WITH WORKERS IN MULTIPLE WAYS, INCLUDING:

- Outreach and Education about workers' rights under the law
- Intake, Assessment, and Case Referral with workers when violations have occurred, to relevant agencies
- Legal Services to understand the consequences of pursuing certain claims
- Leadership Development and Training for workers to build their skills and train other workers on how to identify and document wage theft
- Workplace and Community Campaigns to support workers as they risk facing employer retaliation and intimidation for filing wage theft complaints.
- Changing Industry Practices and engaging responsible employers to level the playing field.

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Since 2017, National Employment Law Project (NELP) has supported the 14 worker and legal organizations in the cohort across the six targeted industries. The partnership has identified, pursued, and are nearing resolution on over 30 cases involving hundreds of workers, and millions of dollars in stolen wages. The partnership continues to support workers and community organizations, and influence businesses to change industry practices on wage theft.



## HOW WE WORK

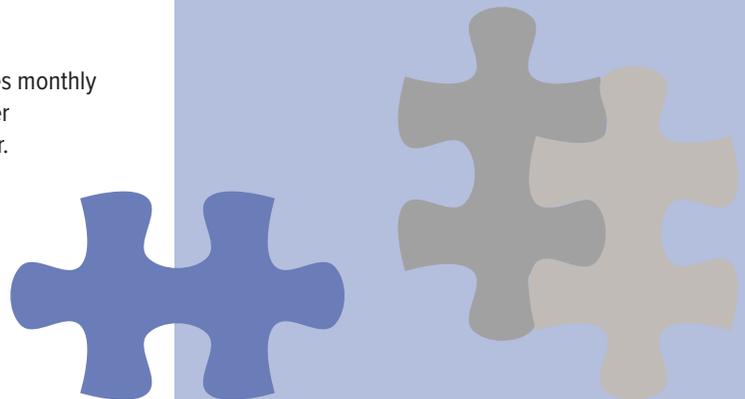
### THE CALIFORNIA STRATEGIC ENFORCEMENT PARTNERSHIP'S WORK CONSISTS OF THREE MAIN AREAS:

- **Industry Strategy Teams:**  
The Labor Commissioner's Office and worker organizations meet regularly in industry-based strategy teams to gain a better understanding of industry structure and dynamics, share knowledge about identifying and addressing wage theft in their industries, and discuss emerging cases and complaints from workers. Strategy Teams have incorporated joint training sessions on the laws that affect the industry, and provide the opportunity to build collaboration that is crucial for the progression of wage theft cases.
- **Annual Convenings:**  
Once a year, investigators, auditors, attorneys, and staff meet with NELP and the 14 worker organization cohort for panels, workshops, trainings, and industry-based break-out sessions. These convenings help build skills and relationships among the partnership-- key to advancing wage theft cases in the six targeted industries.
- **Worker Cohort Exchanges and Trainings:** NELP facilitates monthly phone or video conference meetings among the 14 worker organizations, and two to three in-person meetings a year. Cohort groups exchange best practices, share strategies and cross-train on labor law enforcement tools.

### PUBLIC AGENCY + COMMUNITY = EFFECTIVE STRATEGIC ENFORCEMENT

Rutgers University professor and practitioner Janice Fine describes the model as "Government + Civil Society = Improved Enforcement."<sup>5</sup>

Fine's studies show that this model increases labor law compliance by leveraging 1) government's regulatory power, with 2) the workers' firsthand experiences of wage violations and worksites, and 3) worker organization's targeted outreach, trust, strong roots in racial and ethnic communities, and knowledge of the culture and community to support workers who may face huge risks for coming forward to file complaints.



THE ORGANIZATIONS IN THIS 3-YEAR PARTNERSHIP COHORT ARE:

- NATIONAL EMPLOYMENT LAW PROJECT • ASIAN AMERICANS ADVANCING JUSTICE: ASIAN LAW CAUCUS
  - ASIAN AMERICANS ADVANCING JUSTICE, LOS ANGELES • BET TZEDEK LEGAL SERVICES
  - CARPENTERS/CONTRACTORS COOPERATION COMMITTEE • CHINESE PROGRESSIVE ASSOCIATION
    - CLEAN CARWASH WORKER CAMPAIGN • CALIFORNIA RURAL LEGAL ASSISTANCE
    - GARMENT WORKER CENTER • KOREATOWN IMMIGRANT WORKERS ALLIANCE
  - MIXTECO INDIGENA COMMUNITY ORGANIZING PROJECT • MAINTENANCE COOPERATION TRUST FUND
    - PILIPINO WORKERS CENTER • RESTAURANT OPPORTUNITIES CENTER, LOS ANGELES
    - YOUNG WORKERS UNITED



Together, the California Strategic Enforcement Partnership aims to significantly reduce wage theft in these six low-wage industries, ensure minimum wages for workers, engage a groundswell of workers to exercise their rights under the law, and strengthen public-community partnerships at the local and state level.

For more information, contact the organizations above or Jennifer Lin, California Economic Justice Campaign Manager, National Employment Law Project, [jlin@nelp.org](mailto:jlin@nelp.org). This project is funded by the James Irvine Foundation.



## ENDNOTES:

- 1 <https://www.dol.gov/asp/evaluation/completed-studies/WageViolationsReportDecember2014.pdf>
- 2 <http://ccacla-laborcenter.electriceighbors.net/wp-content/uploads/downloads/2014/04/LAwagetheft.pdf>
- 3 [https://www.dir.ca.gov/dlse/BOFE\\_LegReport2016.pdf](https://www.dir.ca.gov/dlse/BOFE_LegReport2016.pdf)
- 4 For an additional description of the Bureau of Field Enforcement and the Wage Claim Adjudication units of the Labor Commissioner's Office, See Appendix A, "Wage Enforcement in California." *Enforcing City Minimum Wage Laws in California: Best Practices and City-State Partnerships*. UCLA Center for Labor Research and Education and UC Berkeley Center for Labor Research and Education. October 2015.
- 5 [http://theliftfund.org/wp-content/uploads/2015/09/LIFTRReportCoproductioOct\\_ExecSumm-rf\\_4.pdf](http://theliftfund.org/wp-content/uploads/2015/09/LIFTRReportCoproductioOct_ExecSumm-rf_4.pdf)



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