



MALDEF

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MALDEF JOINS LAWSUIT TO RECOVER WAGES FOR EMPLOYEES WHO WERE FORCED TO WORK “OFF THE CLOCK” WITHOUT PAY

Claim for Unpaid Wages Could Affect Over a Thousand Workers Throughout California

LOS ANGELES, CA—In keeping with its mission to protect the rights of Latinos, the Mexican American Legal Defense and Educational Fund (MALDEF) announced today that it is joining a class action brought by over a thousand Latino construction workers who install gutters, fireplaces, insulation and other construction products at numerous locations throughout California. The case, Gutierrez et al. v. Schmid Insulation Contractors, Inc., et al., was filed in the California Superior Court for the County of Los Angeles.

“We were expected to arrive early and load Masco’s trucks at the company yards. We weren’t paid for that or for all of our time traveling to the job sites and setting up the equipment for work,” said lead plaintiff Arturo Navarrete. “We also didn’t get paid for all of our time traveling back to Masco’s yard and doing the unloading work. We just want to be paid for all the hours spent working for Masco,” he added.

“Masco and its local construction companies, such as Schmid Insulation and Paragon Schmid, often didn’t even pay workers fully for their time on the job site and, instead, required workers to change their time cards, making what they called ‘negative bonus’ deductions from their paychecks. A national company like Masco shouldn’t be able get away with this,” said Joel R. Villaseñor, attorney with the law firm Sullivan Taketa LLP.

“California law protects the basic right of *all* employees, including Latino workers, to an honest wage for an honest day’s work,” said Annabelle Gonzalves, MALDEF’s Los Angeles Regional Counsel. “By asserting their legal rights to fair treatment, these workers are making the statement that they will no longer tolerate the blatant exploitation of their labor. MALDEF is proud to stand with these courageous workers.” MALDEF has set up a toll-free number, (888) 546-7439, for potential class members to call if they have questions about the lawsuit.

The lawsuit seeks to recover millions of dollars in wages owed to over a thousand workers, going back to 2002 under California wage and hour laws. The defendant is Schmid Insulation Contractors, Inc., the California operating unit of one of the nation’s largest residential insulation, gutter, and fireplace installation companies, Masco Contractor Services. Plaintiffs intend to file an Amended Complaint naming a number of other affiliates of the nationwide Masco Corporation of Taylor, Michigan, that are engaged in the construction business in California.

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According to Bill Lann Lee of Lewis, Feinberg, Lee, Renaker & Jackson, P.C., “The significance of this case is that Latino workers have stood up to vindicate their right to be paid fairly for their work. Latino workers have filed very few wage and hour cases despite the fact that they are such a large proportion of California’s workforce. This case is long overdue.” Mr. Lee was formerly the nation’s chief civil rights prosecutor as Assistant Attorney General for Civil Rights in the United States Department of Justice.

Founded in 1968, MALDEF, the nation’s leading Latino legal organization, promotes and protects the rights of Latinos through litigation, advocacy, community education and outreach, leadership development, and higher education scholarships. For more information on MALDEF, please visit: www.maldef.org

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