

09-2642

MOTION

OCT 27 2009

There are laws that provide for the timely payment of wages to workers, including minimum wage and overtime pay. However low-wage workers in Los Angeles and other cities in the United States are not being paid their rightfully owed wages and fall victim to wage theft. According to a study by the University of California, Los Angeles (UCLA), 26% of low-wage workers are not paid minimum wage and 76% are not paid the legal overtime rate.

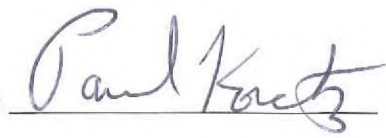
This same study also found that of those who worked off-the-clock, 70% received no pay for the work they completed and 12% of workers who received tips had some stolen by their employer. Furthermore, many low-wage workers do not receive compensation when they are injured on the job. Of those who had been injured on a job, only 8% filed workers compensation, while 33% paid their bills out of pocket.

Wage theft still occurs in our society for several reasons, including use of scare tactics by employers and lack of reporting and tracking. The UCLA study found that of workers that have complained about wage or tried to form a union, 43% had some form of illegal retaliation by their employer including suspension or firing, threatening to call immigration authorities, or threatening to cut workers' hours or pay. Additionally 57% of low wage workers do not receive mandatory pay documents which are used to ensure that pay is legal and accurate, which makes the tracking of wage theft difficult.

Wage theft threatens the health and welfare of workers, their family, and society. It is therefore necessary and reasonable for the City of Los Angeles to safeguard workers who are hired or who perform work in the city from wage theft.

I THEREFORE MOVE that the City Council request the City Attorney's Office, with the assistance of the Los Angeles Police Department, and in collaboration with the UCLA Downtown Labor Center and the National Day Laborer Organizing Network, to draft a Wage Theft Ordinance to criminalize the practice of wage theft in the City of Los Angeles and increase tracking and enforcement of wage theft, and to present that ordinance in 90 days to the Jobs and Business Development Committee.

PRESENTED BY: 
RICHARD ALARCON
Councilmember, 7th District

SECONDED BY: 

ORIGINAL

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