

N E W S R E L E A S E

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Labor Commissioner Awards \$138,386 to Caretaker Who Worked Round-the-Clock for Less Than Minimum Wage

San Francisco—California Labor Commissioner Julie A. Su awarded \$138,386 in back pay to a caregiver who worked 16-hour days in San Francisco for less than minimum wage, usually without a day off. The amount includes minimum wage and severance pay violations, liquidated damages and waiting time penalties.

Francisca Vasquez, a Salvadoran war refugee, was hired in 1992 by siblings Magdalena Lindvall and Reynaldo Peña Jr. to work as a companion for their elderly parents for \$400 a month. Eventually Vasquez became a housekeeper and then round-the-clock caregiver to their mother for \$500 a month. Upon the mother's death, Vasquez was discharged.

"Workers are not always aware of their rights," said Christine Baker, Director of the Department of Industrial Relations (DIR). "California labor law protects domestic workers as well as others who work in industries susceptible to wage theft." The Labor Commissioner's Office, also known as the Division of Labor Standards Enforcement (DLSE), is a division within DIR.

Because Vasquez filed her claim two years into the three year statute of limitation for minimum wage claims, she could only collect wages on the last year she worked.

"This was an egregious case of worker abuse, where someone providing care was treated with an utter lack of care for her rights and for her humanity," said Labor Commissioner Julie A. Su. "I am pleased that through the Berman wage claim process, my office was able to help her get some of the hard earned wages she deserved. This is a sign that when workers come forward to file wage claims, they can win some measure of justice."

The Labor Commissioner awarded her \$50,008 for wages, \$48,209 in liquidated damages, \$35,707 in interest, and \$4,464 in penalties.

Vasquez was assisted in the wage claim process by the community organization Mujeres Unidas y Activas and the Legal Aid Society—Employment Law Center.

The Labor Commissioner's Office inspects workplaces for wage and hour violations, adjudicates wage claims, enforces prevailing wage rates and apprenticeship standards in public works projects, investigates retaliation and whistleblower complaints, issues licenses and registrations for businesses, and educates the public on labor laws. Updated information on [California labor laws](#) is available online.

The [Wage Theft is a Crime](#) public awareness campaign, launched last year by DIR and its Labor Commissioner's Office, has helped inform workers of their rights. The campaign includes multilingual print and outdoor advertising as well as radio commercials on ethnic stations in English, Spanish, Chinese, Vietnamese, Hmong and Tagalog.

Employees with work-related questions or complaints may call the toll-free California Workers' Information Line at (866) 924-9757 for recorded information in Spanish and English on a variety of work-related topics.

Members of the press may contact Erika Monterroza at (510) 286-1164 or Peter Melton at (510) 286-7046 for more information.

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The [California Department of Industrial Relations](#), established in 1927, protects and improves the health, safety, and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws. DIR is housed within the [Labor & Workforce Development Agency](#). Non-media inquiries can contact DIR's Communications Call Center at 1-844-LABOR-DIR (1-844-522-6734) for help in locating the appropriate [division or program](#) in our department.