



N E W S R E L E A S E

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Labor Commissioner Cites San Jose Residential Care Company \$443,460 for Shorting 22 Workers on Minimum Wage, Overtime

San Jose—California Labor Commissioner Julie A. Su has cited the operator of five adult care facilities in San Jose for multiple wage theft violations totaling \$443,460. TJ Homes Corporation was ordered to pay \$369,110 to 22 caregivers following an investigation that revealed the workers did not receive minimum wage or overtime as required by law.

“These caregivers, who were cheated of their wages by their employer, will now be paid their lost wages,” said Labor Commissioner Julie A. Su. “TJ Homes Corporation also will pay liquidated damages and civil penalties for shortchanging their workers on minimum wage and overtime, making it clear that violating wage and hour laws is much more expensive than paying employees what they are owed.”

The Labor Commissioner’s Office opened its investigation after receiving a complaint last April. A review of TJ Homes’ records found that:

- Workers were not paid overtime, despite working up to 12 hours a day.
- Workers were required to cover night shifts at no pay.
- Workers were paid less than San Jose’s minimum wage of \$10.30 per hour.
- Workers’ pay stubs were missing vital information such as hourly rate of pay, total regular hours worked and number of overtime hours worked.
- Workers who quit or were fired did not receive their final pay as required.

TJ Homes Corporation must pay the workers \$192,050 in lost wages, \$150,200 for liquidated damages, and \$26,855 in interest and waiting time penalties. In addition, \$74,355 in civil penalties is owed for failing to provide the workers itemized wage statements with their paychecks as well as minimum wage and overtime violations. The civil penalties collected will be transferred to the State’s General Fund as required by law.

The company owns and operates Evergreen Guest Home #1 on Haga Drive, Evergreen Guest Home #2 and #4 on McLaughlin Avenue, Evergreen Guest Home #3 on Bendmill Way and Lindstrom Arf on Lindstrom Court.

When workers are paid less than minimum wage they are entitled to liquidated damages which equal the amount of underpaid wages plus interest. Waiting time penalties are imposed when the employer fails to provide workers their final paycheck after separation. This penalty is calculated by taking the employee's daily rate of pay and multiplying it by the number of days the employee was not paid, up to a maximum of 30 days.

The [Wage Theft is a Crime](#) public awareness campaign, launched in 2014 by the Department of Industrial Relations (DIR) and its Labor Commissioner's Office, has helped inform workers of their rights and employers of their responsibilities. The campaign includes multilingual print and outdoor advertising as well as radio commercials in Spanish, Chinese, Vietnamese, Hmong and Tagalog.

DIR 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's Division of Labor Standards Enforcement (DLSE), also known as the [Labor Commissioner's Office](#), enforces prevailing wage rates and apprenticeship standards in public works projects, inspects workplaces for wage and hour violations, adjudicates wage claims, investigates retaliation complaints, issues licenses and registrations for businesses and educates the public on labor laws.

Employees with work-related questions or complaints may contact DIR's Call Center in English or Spanish at 844-LABOR-DIR (844-522-6734). The California Workers' Information line at 866-924-9757 provides recorded information in English and Spanish on a variety of work-related topics.

Members of the press may contact Paola Laverde or Peter Melton at (510) 286-1161, and are encouraged to [subscribe to get email alerts](#) on DIR's press releases or other departmental updates.

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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](#). For general inquiries, contact DIR's Communications Call Center at 844-LABOR-DIR (844-522-6734) for help in locating the appropriate [division or program](#) in our department.