

N E W S R E L E A S E

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Labor Commissioner Orders San Francisco Shuttle Company to Pay Six Drivers \$212,407 for Wage Theft

San Francisco—California Labor Commissioner Julie Su cited a San Francisco-based airport van shuttle company \$220,457 for multiple wage theft violations. American Airporter Shuttle, Inc., and its owner-operator Phillip Achilles, illegally misclassified their drivers as independent contractors.

American Airporter must pay the six drivers \$212,407 for minimum wages, overtime and meal period premiums, plus \$8,050 in civil penalties to the state. American Airporter Shuttle Inc. operates a van shuttle service to San Francisco International Airport

“In misclassifying its workers as independent contractors, American Airporter Shuttle, Inc. gained an unfair competitive advantage by passing its expenses on to its workers,” said Labor Commissioner Julie A. Su. “The need for wage theft prevention is underscored by this company’s wrongful practices of paying sub-minimum wages and denying workers their on-the-job rights.”

The Labor Commissioner’s Office launched the investigation after receiving complaints from Asian Law Caucus, a legal and civil rights organization serving low-income Asian Pacific Americans.

Investigators learned that the drivers, who worked from 60 to 100 hours each week with no off-duty meal periods or overtime, were required to pay the costs of operating their vans, licensing and airport transportation fees. The workers had been required to sign independent contractor agreements in a language they did not understand. Their work shifts, passenger lists and actions were under strict control and surveillance by the owner-operator and dispatchers. American Airporter failed to provide the drivers itemized wage statements showing wages earned, hours worked, and other information required by law.

The company and Achilles must pay the workers \$92,458.52 in lost wages, \$91,926.58 for overtime wages, and \$28,022.13 for meal periods. In addition, \$8,050 in civil penalties is owed for failing to provide the workers itemized wage statements as well as minimum wage, meal periods and overtime violations. The civil penalties collected will be transferred to the State’s General Fund as required by law.

Worker misclassification results in an estimated loss of \$7 billion each year in payroll tax revenue to the State. Employees misclassified as independent contractors are frequently underpaid and do not enjoy the on-the-job benefits and protections that are available to most workers.

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 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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