

N E W S R E L E A S E

News Release No.: 2016-96

Date: October 10, 2016

San Diego Residential Care Company Violated Overtime, Minimum Wage Laws; 15 Caregivers to Receive Over \$1.1 Million in Back Wages, Damages

Employer: Gerald Como, doing business as Family Residential Care LLC and Del Cerro Assisted Living

Sites: 6233 Wenrich Drive, Del Cerro, California
1308 Hacienda Drive, El Cajon, California
1308 Hacienda Drive, El Cajon, California
6150 Bob Street, La Mesa, California
5615 Ashland Street, Del Cerro, California

Investigation findings: The California Labor Commissioner's Office launched its investigation in July 2015 after receiving an anonymous tip. Investigators found the residential care business in violation of minimum wage, overtime and recordkeeping provisions of the California Labor Code. The employer paid the 15 caregivers less than \$4 an hour for 24-hour shifts five days a week. The workers, most of them women who recently emigrated from the Philippines, were obliged to sleep in the rooms with their patients and pay their employer \$180 each week for food and lodging.

Resolution: The employer must pay the 15 workers \$331,843 in lost minimum wages, \$386,602 in overtime wages and \$393,158 in liquidated damages. When workers are paid less than minimum wage they are entitled to liquidated damages, which equal the amount of underpaid wages plus interest. The caregivers' back wages owed range from \$4,326 to \$45,401 depending on the amount of time worked.

Quote: "Caregivers who serve our elderly and disabled perform some of the most important and valuable work in our state and often work long hours to do so," said Labor Commissioner Julie A. Su. "Paying them for all of the hours they work is not only the fair thing to do, it is required by law."

Information: The Department of Industrial Relations' Division of Labor Standards Enforcement, also known as the [Labor Commissioner's Office](#), inspects workplaces for wage and hour violations, adjudicates wage claims, investigates retaliation complaints,

issues licenses and registrations for businesses, enforces prevailing wage rates and apprenticeship standards in public works projects, and educates the public on labor laws. Its [Wage Theft is a Crime](#) multilingual public awareness campaign was launched in 2014 to help inform workers of their rights and employers of their responsibilities.

Press Contact: 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.