

N E W S R E L E A S E

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Labor Commissioner Cites Alameda Restaurant \$481,813 for Wage Theft Violations

Alameda—California Labor Commissioner Julie A. Su issued citations totaling \$481,813 to the owners of Toomie’s Thai Cuisine restaurant in Alameda. The citations consisted of civil penalties and wages owed to 13 employees for violation of minimum wage, overtime and rest period laws.

The Labor Commissioner’s joint inspection with the Employment Development Department (EDD) was based on complaints filed in August. The investigation revealed that the cooks, dishwashers, kitchen helpers and servers employed by Toomie’s Thai Cuisine routinely worked at least 10.5 hours each day, up to seven days a week. Workers were not paid the State-mandated minimum wage for hours worked or the one-and-a-half regular rate of pay for overtime hours. Rather, the owners paid in cash: \$45 per day for servers and between \$75 and \$120 for kitchen staff.

The pay rate was further inadequate because it did not reflect the “split-shift” premium, as is required when employees work two or more shifts in a workday with an unpaid break of more than an hour. Workers were not allowed to leave the premises before 2:30 each afternoon when business was closed to the public, and then reported back at 4:30 p.m. for several more hours of work. The investigation also revealed that employers had not kept time records prior to September 1, 2013 or provided staff with itemized wage statements.

“The Labor Commissioner is charged with ensuring that employees are paid for all wages they are owed,” affirmed Christine Baker, Director of the Department of Industrial Relations. The Labor Commissioner’s Office, also known as the Division of Labor Standards Enforcement (DLSE), is a division within DIR.

“Our goal is to ensure a just day’s pay for a hard day’s work in every workplace in California,” said Labor Commissioner Julie A. Su. “We want to create a culture of compliance where employers profit by playing by the rules and employers who have concluded that it is cheaper to break the law, that the chances of getting caught are

slim, and the costs even if you do get caught are minimal know that those days are over.”

Toomie’s owners, Norong and Kaoduan Udomrak, are individually and jointly responsible for \$108,200 in civil penalties as well as \$373,613 owed to their workers in unpaid minimum wages, overtime pay, rest period and split shift premiums.

A report released in May 2013 titled "[State of the Division of Labor Standards Enforcement](#)" calculates that the Labor Commissioner assessed 462% more in unpaid minimum wages in 2012 as compared to 2010, the year before Governor Brown came into office. The Division assessed 642% more overtime wages in 2012 than in 2010. These figures demonstrate the Labor Commissioner's commitment to cracking down on wage theft.

The Labor Commissioner's office, also known as the Division of Labor Standards Enforcement, adjudicates wage claims, investigates discrimination and public works complaints and enforces state labor law. Additional information on labor laws and work-related topics are available on our [website](#) as well as on [Facebook](#) and [Twitter](#).

Employees with work-related questions or complaints may call the California Workers' Information Hotline at (866) 924-9757 for recorded information on a variety of work related topics.

For media inquiries contact Erika Monterroza at (510) 286-1164 or Peter Melton at (510) 286-7046.

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