

N E W S R E L E A S E

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Labor Commissioner Reaches Settlement to Secure \$190,000 in Back Pay for Rosemead Restaurant Workers

Los Angeles—California Labor Commissioner Julie A. Su reached a \$190,000 settlement on behalf of three workers who were victims of wage theft while employed at a Rosemead restaurant, Nem Nuong Ninh Hoa. The settlement comes after the owners faced a lawsuit for fraudulently transferring the restaurant’s ownership to avoid paying the workers their back pay.

The case began after one of the workers filed a wage claim in May 2012. That September, siblings Mai Ngoc Lam, Thanh Di Lam and Ivey H. Lam began to transfer the restaurant’s ownership amongst themselves in an effort to escape liability for the wage theft.

“This settlement shows that employers who cheat can run but can’t hide,” said Labor Commissioner Julie Su. “Corporate shell games like these are common responses to wage judgments, deprive workers of wages they rightly deserve, and we will take every measure to stop them.”

The three employees, who worked as kitchen staff, regularly worked 12-hour shifts, six days per week with no overtime, meal periods, or rest breaks. They were paid \$875 to \$900 twice per month, with no pay stubs detailing their hours or lawful deductions. Each of the workers filed wage claims in May 2012 and January 2013, and won judgments in September 2013 ordering the owners to pay wages owed as well as liquidated damages and penalties.

The Labor Commissioner’s Office teamed up with the Wage Justice Center to file a lawsuit in Los Angeles Superior Court in June 2015 against the three owners and their corporations to enforce payment of the August 2013 orders. The Wage Justice Center is a non-profit legal services organization that specializes in unraveling corporate schemes by employers, and holding them accountable for wage theft.

As a result of the lawsuit settlement reached, the owners this month delivered a cashier’s check for \$150,000 to the Labor Commissioner’s Office to pay the three workers’ back wages. The other \$40,000 owed will be paid in six installments beginning August 1.

The sibling employers transferred the ownership and changed the name of the restaurant successively from Nem Nuong Ninh Hoa Restaurant, Inc., to Nem Ba Ty Ninh Hoa Inc. in September 2012, to Summer Rolls, Inc. in January 2014. During this period, the restaurant continued to operate at the same location at 9016 Mission Drive in Rosemead. The Wage Justice Center's investigation also concluded that all three corporations served the same cuisine, using the same equipment and substantially the same kitchen staff.

"With the Wage Justice Center, my office has brought a number of similar cases in recent years, demonstrating how partnerships between government and community organizations can make a real difference in stopping wage theft and providing results for California workers," said Su.

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](#), 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.

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 or Paola Laverde 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.