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N E W S R E L E A S E

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Local Restaurant Owner Violates Worker's Rights and Charged with Fraud; Owes Over One Million Dollars in Unpaid Wages

Oakland--Alameda County District Attorney Nancy E. O'Malley and Labor Commissioner Julie A. Su announced that the Alameda County District Attorney has charged Ji Li Zheng, the owner of the Century Buffet in Oakland's Fruitvale District, with 16 felony and misdemeanor counts alleging payroll tax fraud, workers' compensation fraud, failure to pay the State-mandated minimum wage and overtime premium, and dissuading a witness.

On June 20, 2013, Inspectors with the Alameda County District Attorney's Office, along with representatives of the Labor Commissioner's office, also known as the Department of Industrial Relations' Division of Labor Standards Enforcement (DLSE), executed a search warrant on Century Buffet. The investigation revealed that Zheng falsified the restaurant's paperwork, including its audits, log sheets, time sheets and payroll journals. The defendant reported that six to 12 employees worked at the restaurant, with total wages reported between \$25,000 to \$45,000 per quarter. In fact, there were 60 employees working at the buffet from 2010 until the investigation began.

The Labor Commissioner is charged with enforcing state labor laws and has been aggressively combatting underground economy abuses by targeting wage theft. As part of this effort, the Labor Commissioner contacted the Alameda County D.A. about problems at Century Buffet. During the course of the investigation, Alameda County D.A. Inspectors and Deputy Labor Commissioners interviewed 19 victims in Spanish and Mandarin. The victims revealed that they worked 12 to 13 hour shifts six days a week without rest or meal breaks. Most employees stated they received monthly cash payments directly from defendant Zheng. Some stated that their only wages came from customer tips or they were never paid at all.

The employees claimed Zheng misled them to believe the Investigators were Immigration Officers. The owner advised his employees not to talk to anyone about how much they worked, how much they were paid, and to flee immediately.

An audit by DLSE revealed the total unpaid minimum wage to all employees totaled more than \$520,000 and the total unpaid overtime was more than \$550,000 for that same time period, in addition to over \$191,000 as premium pay for no meal and rest periods provided.

“Ji Li Zheng’s treatment of the workers at his restaurant was unconscionable,” states D.A. O’Malley. “My office is a leader in the state in the area of worker protection. In this case and in all matters in which employers abuse the legal rights of their employees, I will remain vigilant in ensuring that the victims are made whole and that justice is served.”

“This case sends a clear message that wage theft is a crime and it will be prosecuted as such in the State of California,” stated State Labor Commissioner Julie A. Su. “This case should serve as a deterrent to employers who think they can get away with denying workers a just day’s pay for a hard day’s work and then falsify payroll records and threaten employees to hide the crime. It should also reassure those who are playing by the rules that we are doing everything in our power to level the playing field. I appreciate District Attorney O’Malley and the partnership between our offices to combat the underground economy.”

The defendant is expected to be arraigned at 2:00 p.m. on Thursday, November 21, 2013 in Department 502 at the Hayward Hall of Justice in Hayward, CA. [Attached](#) to this press release is a copy of the criminal complaint and the probable cause declaration.

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