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## QUEENS CARWASHERS SUE OWNER FOR SOME \$400,000 IN WAGE THEFT

*Workers claim wage and hour violations involving failing to pay minimum wage and overtime*

**NEW YORK (July 30, 2015)** – Nine workers at a busy Queens car wash have filed suit against the car wash and the owner for wage and hour violations totaling about \$400,000 in unpaid wages.

The suit, filed in federal court in Brooklyn against A.J.A. Car Wash Inc., Merrick Magic Enterprises Inc., and owner Jasbir Obhan, said the workers, who have worked there up to 24 years, are still paid below the minimum wage – as little as \$6 and \$7 an hour - and don't receive overtime pay even though they work 60 to 70 hours a week or more.

The suit says the car wash improperly doled out tips, failed to provide records, such as pay stubs, and did not pay workers any wages when the workers reported to their jobs but were sent home due to inclement weather.

"This is validation of the need for carwash workers to organize," **said Stuart Appelbaum, president of the Retail, Wholesale and Department Store Union (RWDSU)**

Lawyers for the workers, from Make the Road New York and labor law firm Cohen, Weiss and Simon LLP, said Obhan was named in the suit because he "maintained operational control" over the workers and "had the power to stop" the illegal pay practices. The suit says that until early this year, the workers received a payroll stub that low-balled their hours and wages. Now, they no longer get pay stubs but are paid by check and cash.

"Wage theft continues at epidemic proportions in the car wash industry in New York City," said **MRNY attorney Elizabeth Joynes**. "We want to ensure that the most vulnerable workers – including low-wage car wash workers who work long shifts day in and day out through the coldest days of winter and hottest days of summer -- understand their rights, and continue to come forward to hold their employers accountable for stealing their hard-earned wages."

Worker **Miguel Yax**, 34, of Queens, has worked at A.J.A. Car Wash for more than 15 years and is still earning below the minimum wage. "Throughout the time I have worked there, there have been very difficult times because I have a 7-year-old son and family to support with such low

wages living in such an expensive city, **Yax said.** “I generally worked six days a week for over 70 hours a week but the boss doesn’t pay us any overtime. I hope that my coworkers and I are able to get all of the wages our boss stole from us.”

Worker **Andres Pu**, 52, has worked at A.J.A. for more than 10 years “and I still make less than the minimum wage and don’t get overtime. I have three kids and I feel very tired because I work so much in order to survive. I have lived in Queens for more than 10 years and it’s hard for me to pay rent and support my family with such illegally low wages. I am hopeful that we will reach a fair solution.”

The WASH New York car wash campaign – a collaboration of New York Communities for Change, Make the Road New York (MRNY) and supported by the RWDSU -- was launched more than three years ago. Since then, nine shops have voted to join the RWDSU and have signed contracts.

Last month, the City Council passed – and Mayor Bill de Blasio signed into law – the Car Wash Accountability Act, which requires car washes to be licensed and post surety bonds, and which contains worker protections. The law take is to take effect at the end of the year.

“This lawsuit shows the unscrupulous labor practices by some carwash owners in the city. Stealing wages has no place in New York City and we will continue to ensure these practices do not go unnoticed,” **said Jonathan Westin, executive director of New York Communities for Change.**