

## Queens car wash workers clean up with \$130G settlement against pay-shorting boss

BY GINGER ADAMS OTIS

NEW YORK DAILY NEWS Friday, June 24, 2016, 12:33 PM



Underpaid workers at A.J.A. Car Wash in Queens have settled a suit against owner Jasbir Obhan to the tune of \$130,000. (GOOGLE)

Car wash workers in Queens who sued their employer for withholding overtime earnings and paying them less than minimum wage have won a \$130,000 settlement, the Daily News has learned.

The settlement will put roughly \$85,000 into the pockets of the nine workers, court documents show.

"My coworkers and I are so happy that we won a settlement in our case," said Andres Pu, 52.

"The owner never paid us overtime or minimum wage," said Pu, one of the six named plaintiffs represented by lawyers from Make the Road By Walking.

Pu said he had worked at A.J.A. Car Wash for more than 10 years — but like the rest of the plaintiffs never earned above \$6 or \$7 an hour.

The state's minimum wage is \$9 an hour.

They also racked up to 60 to 70 hours a week but weren't paid overtime — and they claimed the company, doing business as Magic Wash and Lube, falsified their paystubs.

The settlement with A.J.A. Car Wash, parent company Merrick Magic Enterprises Inc and owner Jasbir Obhan doesn't admit any liability on the part of the employer.

But it stipulates that the men should be reimbursed with a specific payment plan the employer must follow — or risk having to cough up an additional \$130,000, court papers show.

"Too many car wash workers continue to suffer from exploitation and wage theft," said Stuart Appelbaum, president of the Retail, Wholesale and Department Store Union.

"This settlement is an important victory for workers. But it also highlights the desperate need for industry oversight and implementation of the Car Wash Accountability Act," he said.

The Car Wash Accountability Act — meant to protect workers from wage theft and other violations — was signed into law by Mayor de Blasio in 2015.

But it's been tied up in court ever since. Car wash owners sued the city to halt it, alleging it gives preferential treatment to unions at their expense.

The A.J.A. settlement was reached Thursday — just two days after 18 immigrant "carwasheros" in New York and New Jersey received \$91,000 each as part of a federal court agreement in a different wage dispute lawsuit.

That settlement was the biggest per-worker recovery in the car wash industry, lawyers said Tuesday at a press conference announcing the final payouts.

The agreement awarded the last part of a \$1.65 million settlement to 18 workers who were earning less than \$20,000 a year at four car washes owned by J.V. Car Wash Ltd., Reuters reported.

