

CLASP

Policy solutions that work for low-income people



RUTGERS
School of Management and Labor Relations

Center for Innovation in Worker Organization

Labor Standards Enforcement Webinar: Working with Community Partners on Legal Clinics

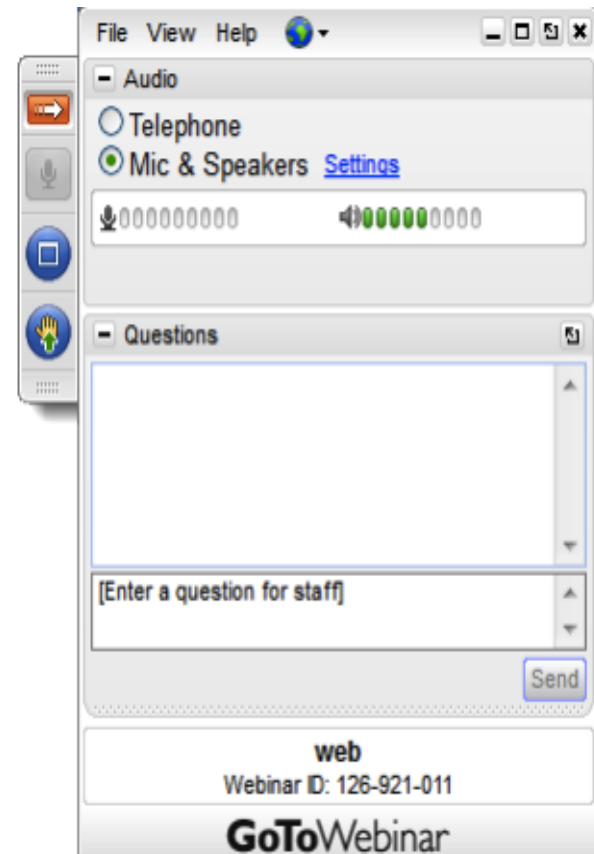
4/4/2019

Ask Us Questions!



Please submit your questions using the GoToWebinar 'Chat' feature.

Please specify who you would like to address your question.



Participants in Today's Webinar

Government Agencies

- Wyoming Dept of Workforce Services
- Massachusetts AG's Office
- California DLSE
- Nevada Office of the Labor Commissioner
- Washington Dept of Labor & Industries
- Washington Office of the AG
- Oregon Bureau of Labor & Industries
- Michigan Wage and Hour Division
- Seattle OLS
- City of San Diego
- City of Minneapolis
- New York City DCA
- City of Los Angeles
- San Francisco OLSE

Advocacy Groups, Funders, Research Orgs

- Southern Maine Workers' Center
- Towards Justice
- CVLAS
- Frederick Workers Rights Clinic
- Kalmanovitz Initiative
- Worksafe
- NM Caregivers Coalition
- Legal Action of Wisconsin
- Workers Defense Project
- Montana Legal Services Association
- NILC
- The Legal Aid Society of Cleveland
- Oregon Law Center
- Univ. of Arkansas School of Law
- Community Justice Project
- Legal Assistance Foundation of Chicago
- Justice at Work
- Legal Services NYC
- Legal Aid Justice Center
- El Centro de la Raza
- Washington Hospitality Association
- Working WA
- Mass Budget and Policy Center
- Fair Work Center
- MHLAC
- NELP
- Chinese Progressive Association
- A Better Balance
- Rutgers University

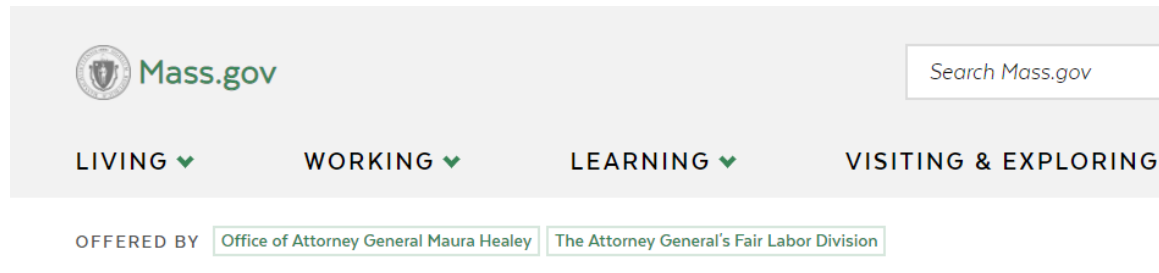
Presenters

- ***Kate Watkins***, Assistant Attorney General, Massachusetts Attorney General's Office Fair Labor Division
- ***Pablo Carrasco***, Staff Attorney, Metrowest Legal Services; and
- ***Katie Jo Keppinger***, Enforcement Manager, City of Seattle, Office of Labor Standards
- ***Elizabeth Ford***, Legal Director, Fair Work Center; Distinguished Practitioner in Residence, Seattle University School of Law

Moderators

- ***Tanya Goldman***, Senior Policy Analyst, CLASP
- ***Jenn Round***, Consultant, CIWO

MA Wage Theft Legal Clinic



Mass.gov

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OFFERED BY [Office of Attorney General Maura Healey](#) [The Attorney General's Fair Labor Division](#)

Free wage theft legal clinic

Meet with lawyers and other advocates to learn about your rights, draft a demand letter, or prepare a small claims court complaint.

Wage theft is the denial of wages or benefits that are owed to a worker. The [Massachusetts Attorney General's Office](#) works with community partners to host a monthly wage theft clinic. The goal of the clinic is to help workers get the wages and benefits they earned.

If you are owed wages by your employer, you can come to the clinic to speak with a private lawyer for free. You can discuss your case and may get help writing a letter, filing a complaint in court, or taking some other action.

Metrowest Legal Services



40
years of
IMPACT

Mario had been working for a construction company doing demolition at a school. He worked for two weeks but was not paid a dime.

MetroWest Legal Services
mw.legal.org



His boss (the “patrón”) would send Mario to fake addresses to pick up his check and when Mario arrived he would find nothing but empty lots. On one occasion the patrón told Mario to give him his personal address so that he could send him a check. Instead of sending a check, the patrón used this information to threaten Mario, stating that he knew where Mario lived and that he better give up asking for his pay, or else.

Mario had lost all hope until he went to the Free Wage Theft Legal Clinic held by the Massachusetts Attorney General’s Office. At the legal clinic, Mario learned about the new Worker’s Rights/Wage and Hour Project at MetroWest Legal Services. Project attorney Pablo Carrasco negotiated with the patrón and was able to recover all the pay that was owed to Mario. He intends on starting a life in Massachusetts with his wife and is grateful to Attorney Carrasco for constantly reminding him that justice always finds a way.

Working with Community Partners and Legal Clinics

Seattle Office of Labor Standards and the Fair Work Center Legal Clinic

April 4, 2019

Office of Labor Standards



City of Seattle

Roadmap

- Seattle's Office Of Labor Standards Enforcement Structure.
- OLS Outreach and Education Fund.
- What Do We Mean By "Legal Clinic"?
- Three Arguments For Incorporating Community-based Legal Services Into Outreach Funding.
- OLS Enforcement Partnership With The Fair Work Center Legal Clinic.
- Hopes And Dreams For The Future.



OLS Enforcement Structure

Seattle's Labor Standards

1. **Paid Sick and Safe Time**
2. **Fair Chance Employment**
3. **Minimum Wage**
4. **Wage Theft**
5. **Secure Scheduling**
6. **Hotel Employees Health and Safety Initiative***
7. **Domestic Workers**
8. **Commuter Benefits**

OLS Enforcement Priorities

- Serve low-wage Seattle workers who –
 - Earn \leq 350% of Federal Poverty Guidelines for 2019.
 - Lost at least one week's wages because of labor standards violations.
 - Work in high-violation industries.
 - Face multiple barriers to access labor standards protections.
 - Experience severe labor standards violations.
 - Would most benefit from OLS investigative power.
- Maximize workers reached with company-wide, strategic enforcement.
- Cause positive ripple effects in industries, sectors, worker populations.
- Involve community partners.
- Align with national strategic enforcement efforts.



Enforcement Team



Currently, the OLS Enforcement Team includes nine investigators, one paralegal, one data specialist, one enforcement strategist, and one enforcement manager. We expect to hire two additional investigators in 2019.

- Intake –
 - Weekly rotation shared by investigators.
- Investigations –
 - Assigned from waitlist based on capacity, enforcement priorities, urgency, community partner support, potential ripple effect.
- Communications –
 - Starting in 2018, OLS began publicizing wins for workers and naming employers, number of affected employees, types of violations, and financial remedies.

Strategic Enforcement

- Increase labor standards compliance within low-complaint, high violation industries, sectors, geographic areas, and communities
 - Through collaborative partnerships with –
 - OLS outreach, policy, and communication teams
 - Community organizations
 - Other City of Seattle departments
 - Other agencies, institutions, and jurisdictions
 - And through creative use of –
 - Social media
 - Press releases
 - To create positive ripple effects for workers



Community Outreach and Education Fund

- Funding to 7 organizations and community partnerships that
 - - Conduct door-to-door outreach.
 - Host community-based education events.
 - Train workers and other community organizations about Seattle’s labor standards.
 - Provide labor rights intake, counseling, complaint resolution, and referral for workers experiencing labor standards violations.
- Each partner emphasizes reaching out to low-wage working communities who disproportionately experience workplace violations.



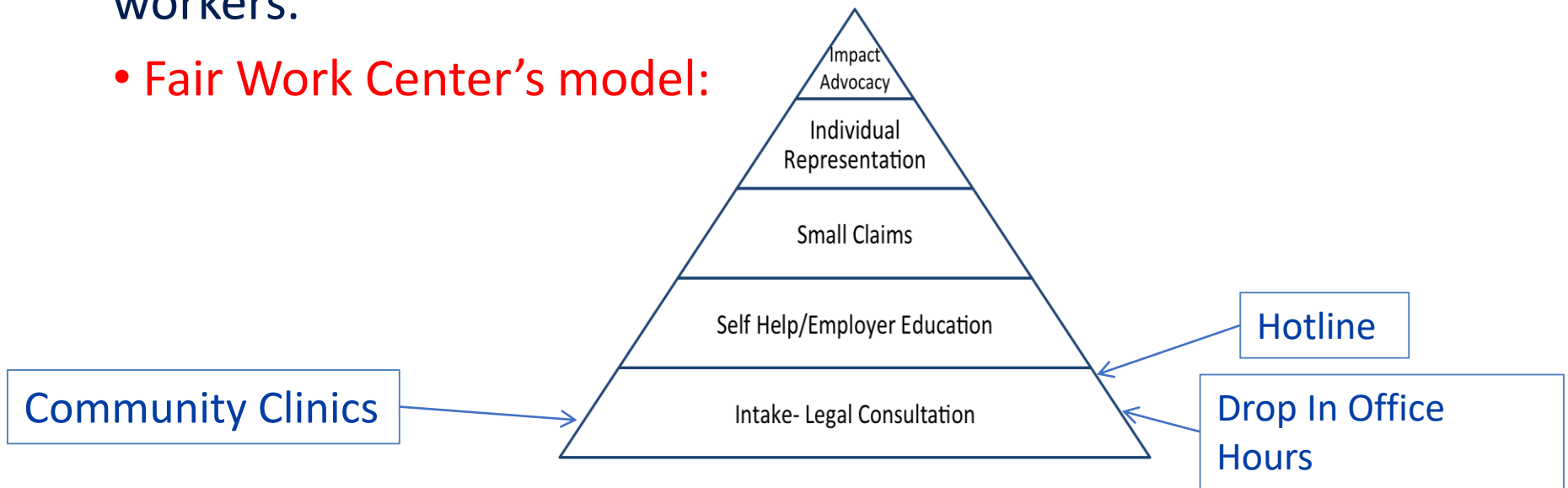
COEF Partners	Communities of Focus
Chinese Information Service Center	Asian and Pacific Islanders, Chinese, and other Asian workers
El Centro de la Raza	Latino workers
Eritrean Association in Great Seattle	East African workers
Millionair Club	Formerly incarcerated and temporary workers
West African Community Council	West African workers
Latino Community Collaborative Casa Latina (lead), Entre Hermanos, South Park Information Resource Center, Washington Wage Claim Project	Latino, LGBTQ, women, low-wage workers
Fair Work Collaborative Fair Work Center (lead), 21 Progress, Al Noor Islamic Community Center, API Chaya, Bayan PNW, Got Green, Latino Community Fund, LGBTQ Allyship, Partner in Employment, Restaurant Opportunities Center of Seattle, Somali Community Services	Low-wage workers, young workers of color, East African, South Asian, Asian and Pacific Islander, African American, Filipino, Latino, LGBTQ, immigrants and refugees, survivors of violence, and restaurant workers



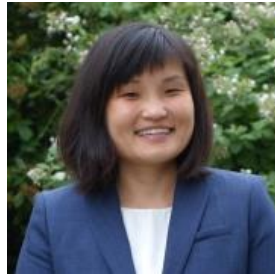
What Do We Mean When We Say “Clinic”?

Law office that provides free legal services to low wage workers.

- Fair Work Center’s model:

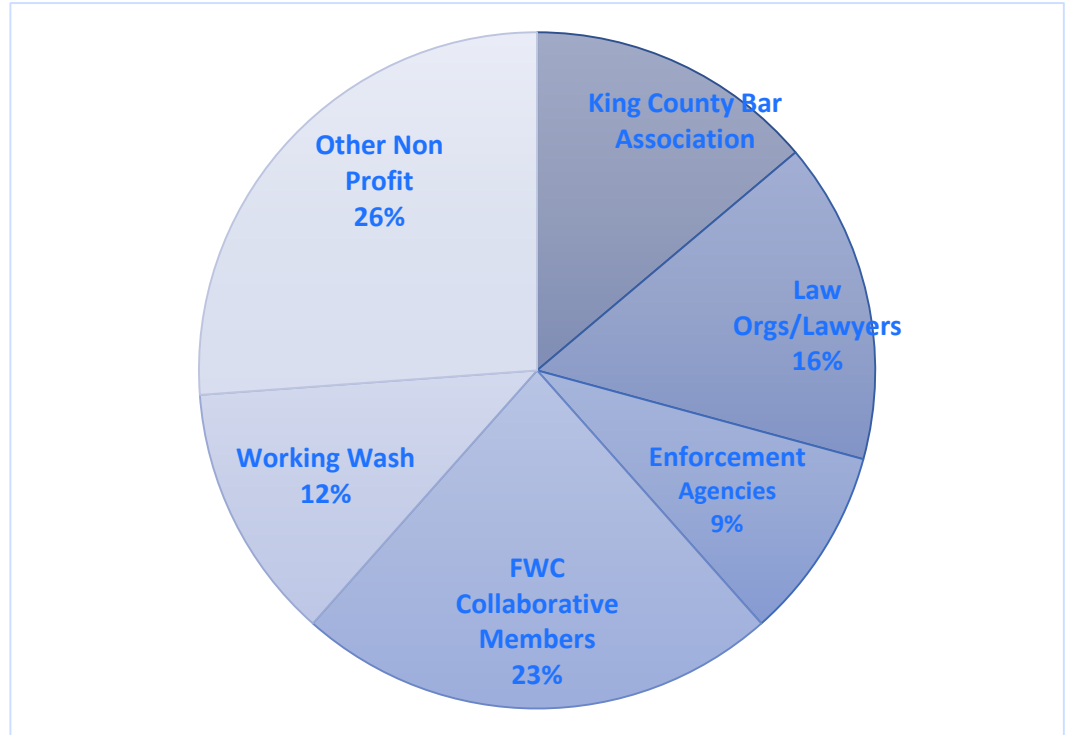


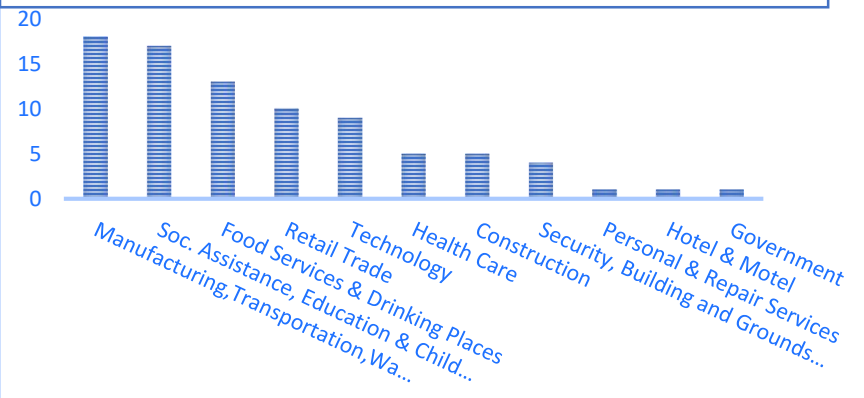
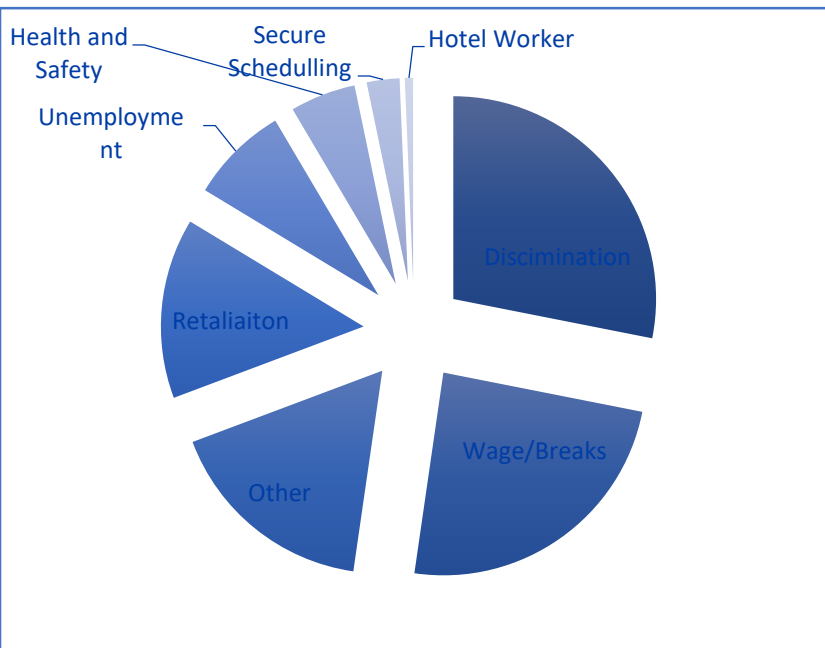
Who Is the FWC Clinic?



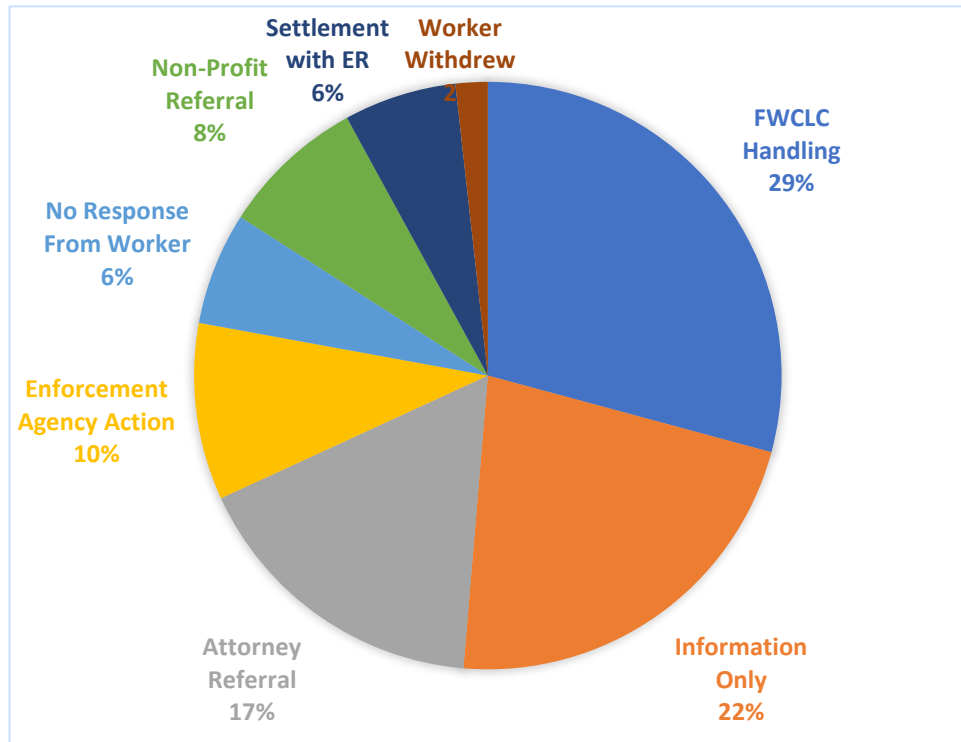
Where Do Our Cases Come From?

- King County Bar Association (KCBA)
- Working Washington (WW)
- 211
- Department of Labor and Industries (L&I)
- Teller and Associates
- IAM, District 751
- Washington Employment Lawyers Association
- HKM Law
- Refugee Women's Alliance (REWA)
- Restaurant Opportunities Center (ROC)
- 21 Progress
- Banyan PNW
- Eastside Legal Assistance Program (ELAP)
- El Centro de la Raza
- Evergreen Treatment Services (REACH Program)
- International Community Health Services (ICHS)
- King County Public Health (KCPH)
- Legal Action Center Catholic Community Services
- Maleng Regional Justice Center
- Neighborcare Health
- Seattle Central Community College
- Seattle University School of Law
- Somali Community Services
- University of Washington
- Washington Immigrant Solidarity Network (WAISN)





2018: \$1,000,000 +



Three Arguments for Including Legal Services in Community Outreach Funding



MOST PREVALENT PROBLEMS PEOPLE EXPERIENCE		
Source: WSU-SESRC		
1	43.4%	Health Care
2	37.6%	Consumer, Financial Services, Credit
3	33.6%	Employment
4	33.3%	Municipal Services/Utilities
5	29.6%	Access to Government Assistance

PROBLEMS PEOPLE MOST OFTEN SEEK LEGAL HELP		
Source: WSU-SESRC		
1	28%	Housing
2	22%	Family & Domestic Problems



OLS & FWCLC Enforcement Partnership – Origin Story

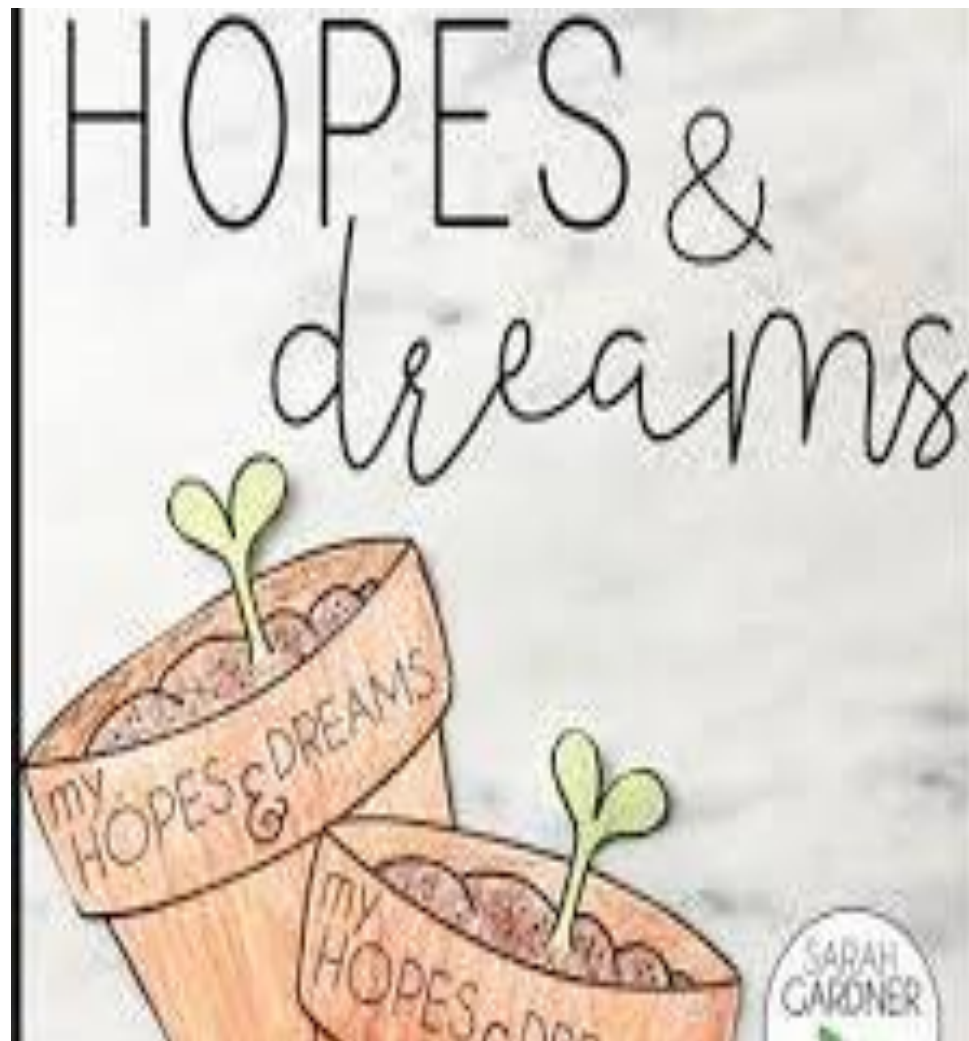


How Our Partnership Works

- Monthly Check In
- Information sharing
- Communications Partnership When We Can
- Waitlist Referral
- Small Claims Option
- Coordinating on Cases (Musashi e.g.)
- Mutual Support and Encouragement...

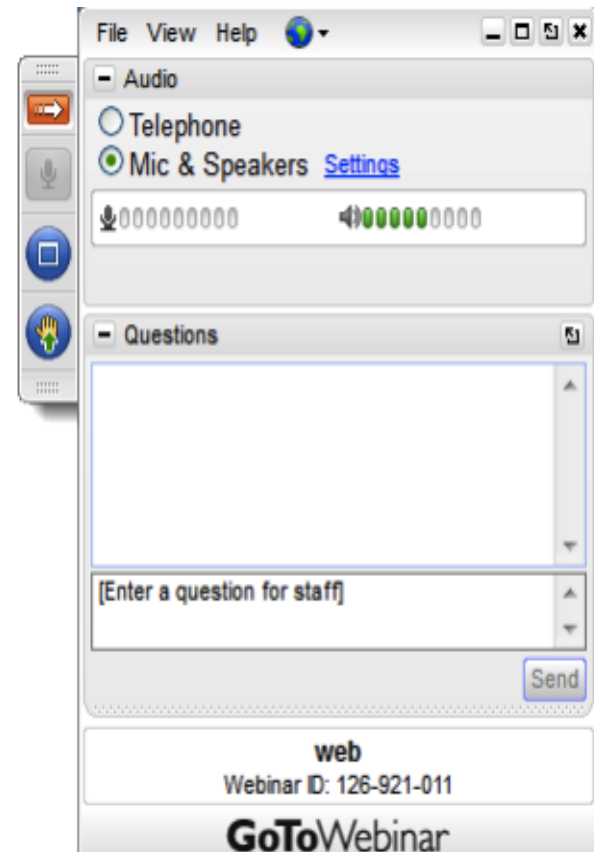


- Strategic Enforcement Partnership
- Industry Coordination
- Settlement Conferences
- Move the model to other regions of the state



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Please suggest ideas for future webinars! If you have additional questions about today's presentation, please email:

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