

THE TEXAS TRIBUNE

Texas Cities Step Up Prosecutions of Wage Theft

by Haleigh Svoboda | 5 hours ago

KEYWORDS: [Eddie Rodriguez](#)



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photo by: Wenjing Zhang

Co-director of the Metropolitan Organization Kevin Collins standing in Immaculate Conception Church where he serves as a priest.

HOUSTON — For two years, Diego Gala, a Mexican immigrant in the country illegally, worked five days a week cleaning a private school for less than minimum wage. His employer refused to pay him overtime even when he was forced to work on the weekends. Gala did not speak up, fearing deportation if he reported his boss.

“I couldn’t say nothing because I did not have papers,” Gala said. “So he was like, ‘If you say something, you can just get deported. I can call immigration on you, or you can get fired.’”

Gala, who was brought to the United States as a small child, grew up not knowing his immigration status until it came time for him to find a job. Workers’ rights advocates say that is not unusual; wage theft is a major problem in

Texas, particularly among undocumented workers who do not push for their rightful earnings for fear of drawing the attention of immigration officials.

During the 2011 legislative session, Texas lawmakers passed [Senate Bill 1024](#), which closed a loophole allowing employers to escape prosecution if they had paid employees only a portion of the wages owed. But now that the law is in effect, organizations and lawmakers in at least three Texas cities — Austin, El Paso and Houston — are facing a new challenge: how to ensure that the prosecution of wage theft is a priority.

In Austin, the [Workers Defense Project](#), a workplace justice group, is collaborating with state Rep. Eddie Rodriguez, D-Austin, who sponsored the bill in the House, to set up a meeting to talk with Austin’s police chief and the district and county attorneys about making wage theft an enforcement priority. The author of the bill, state Sen. José Rodríguez, D-El Paso, set up a task force in his home city to work on implementing the measure. And in Houston, [the Metropolitan Organization](#), an interfaith social justice nonprofit, plans on meeting with local authorities and elected officials to ensure that the bill is enforced.

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The challenge, particularly in urban centers, supporters say, is that district attorneys and police departments may feel they have far more pressing matters to deal with, from homicides to violent crimes.

And law enforcement officials will face a lingering problem: that underpaid workers — many of them immigrants — will not feel brave enough to pursue charges. In construction jobs, an estimated one in five workers experiences wage theft, according to a legislative analysis of the Senate bill. Half of day laborers are

believed to have suffered wage theft.

For the Metropolitan Organization, the wage theft bill is not just about employees' rights — it is a way to implement immigration reform in the current political climate.

The Rev. Kevin Collins, the organization's co-chairman, says that while illegal immigrants are less likely to report having their wages stolen than United States citizens are, they will still benefit from the reform.

“It will start to change the culture,” Collins said of employers. “They’ll start to say, ‘I can’t get away with this like I thought I could.’”

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