



Sharon Tso
Chief Legislative Analyst
Room 255 – City Hall
200 N. Spring Street
Los Angeles, CA 90012

Via email: sharon.tso@lacity.org

Re: Council File No. 23-0932

Dear Chief Legislative Analyst Tso:

The Los Angeles Worker Center Network is dedicated to improving the working conditions of workers in key low-wage industries in Los Angeles. In Los Angeles, over 80% of low-wage workers experience wage theft, which includes not receiving overtime pay and working through meal and rest breaks. When Councilmembers Soto-Martinez and McOsker introduced Council File No. 23-0932 on September 1, 2023, we were encouraged to see action taken to better protect low-wage workers. Your office was directed to report back on, among other things, increasing the Office of Wage Standards' (OWS) authority and capability to enforce overtime, meal breaks, rest breaks, late pay, and tips. Allowing workers to file claims for all violations, in addition to those for minimum wage, would ensure that the most vulnerable workers in Los Angeles have access to justice.

Low-wage workers are more likely to suffer from numerous wage violations, in addition to minimum wage violations, often due to their immigration status, lack of education, and financial vulnerability. OWS has the authority and capability to enforce all claims under the California Labor Code, as stated in Labor Code section 1205, subdivision (b). A clarification of OWS' authority would make OWS an ideal venue for low-wage workers – no longer forcing them to choose between filing with OWS and forgoing claims other than minimum wage or filing with the Division of Labor Standards Enforcement and waiting up to four years for a decision.

Yet we also know that low-wage workers are more likely than their higher earner counterparts to receive judgements or positive findings but never collect on their claims. Corporations and limited liability companies that are part of the underground economy are often difficult to collect from. Therefore, we ask the Chief Legislative Analyst to recognize the need for individual liability, as allowed in Labor Code section 558.1. Employers or other persons acting on behalf of an employer, who violate the minimum wage provisions must be held liable to prevent businesses from shutting down and averting liability. For that reason, we respectfully ask that you address the need for OWS to find individuals liable to ensure justice for workers.

We thank you for your time and commitment to report back to the Council on OWS' authority and capability to assist workers and look forward to reading your report.

Sincerely,

A handwritten signature in black ink, appearing to read "AGudino", written over a light blue horizontal line.

Armando Gudino
Executive Director
Los Angeles Worker Center Network

CC: Deputy Legislative Analyst Henry Flatt - henry.flatt@lacity.org
Los Angeles Worker Center Network – Member Organizations
Los Angeles City Council District 13 – Councilmember Hugo Soto-Martínez
Los Angeles City Council District 15 – Councilmember Tim McOsker