

February 2, 2010

MISSION

OneAmerica advances the fundamental principles of democracy and justice at the local, state and national levels by building power within immigrant communities in collaboration with key allies.

**Testimony on Behalf of OneAmerica in Support of HB3145
House Committee on Commerce and Labor**

Distinguished Members of the Committee on Commerce and Labor,

On behalf of OneAmerica and its members, we submit the following testimony in support of HB 3145, *Improving Administration of Wage Complaints*. A member-based organization and the largest immigrant rights organization in the state, OneAmerica's mission is to advance the fundamental principles of democracy and justice through building power in immigrant communities, in collaboration with key allies. Over the past few years, the organization has registered more than 23,000 voters with whom we maintain frequent communication on issues of importance to the immigrant community and its wellbeing.

OneAmerica supports the goals of the proposed legislation for several reasons. Immigrant workers are often the target of unscrupulous employers because of their high level of vulnerability as workers. Whether due to their lack of familiarity with labor laws in the U.S., limited English speaking skills or a number of other issues, immigrants are often victims of unpaid wages. Furthermore, many immigrants lack the resources—both financial and otherwise—to access the necessary legal services to follow up on wage theft cases.

Unfortunately, the current process for recovering unpaid wages does not properly detour the few employers who routinely violate wage payment laws, since current law does not provide L&I with the necessary authority to collect unpaid wages when claims are filed or to appropriately penalize routine offenders who abuse loopholes in the system.

HB 3145 would significantly improve current law by providing solutions to the aforementioned problems. The bill that has been proposed would change the statute of limitations on grievances to allow for a fair decision when complaints are filed. Currently, if the three-year statute of limitations expires while a grievance is in the process of being investigated, workers lose their rights to the unpaid wages.

The current system also lacks the authority to penalize the worst offenders and creates an environment rife with moral hazard, where businesses have little incentive to play by the rules. During a time when all businesses are struggling to make a profit and stay afloat, we cannot afford to let businesses that consistently violate basic practices go unpunished.

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In response, HB 3145 would double penalties on willful violators of wage payment laws from \$500 to \$1,000 and make the law tougher on repeat offenders by creating a system of mandatory penalties. Currently, employers who pay back unpaid wages within 10 days of a citation have their penalty waived, regardless of how many times they have violated the law.

The issue of wage theft is of great importance to the immigrant community of Washington State and the legislation before the committee today would go a long way toward ensuring that all workers are paid for a hard day's work. For this reason, we urge the committee to look favorably upon HB 3145. Thank you for your consideration.

Respectfully submitted,

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