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BREAKING: Canoga Park homecare agency first domino to fall: caregivers win landmark settlement for wage-theft and wrongful employment practices in private homecare industry.

(Los Angeles, CA) On Tuesday October 2nd, members and allies of the Pilipino Worker Center and the California Domestic Workers Coalition joined with the Los Angeles City Attorney Mike Feuer to announce the landmark settlement against Canoga Park-based homecare providers Emelyn Entino Nishi, Joe Derick Regoyal, and their companies Health Alliance Nurses Corp. and Hand Homecare Provider, Inc., which were mandated to correct illegal employment practices, including committing wage theft from more than 200 private in-home caregivers in the area.

The case involving violations to minimum wage, unpaid overtime, retaliation as well as illegal misrepresentation as a referral agency, resulted in a settlement that not only required the company to pay out over \$250,000 in restitution of wages and \$100,000 in penalties to the state, but also ordered a number of business injunctions to correct the company's illicit behavior, which would then be monitored over a 7-year period.

"Stealing wages from hard-working men and women is reprehensible," said Feuer. "No worker should be forced into poverty because an employer denies them their basic rights to a minimum wage and overtime. This settlement sends a strong message to employers across our city that wage theft is being taken seriously, and the City Attorney's Office will fight to ensure all workers are paid what the law demands."

While the case marks a crack-down by the City Attorney's office against wage-theft and exploitation in the largely unregulated private homecare industry, it further illustrates the

intensified organizing efforts of caregivers, who together with the support of the Pilipino Worker Center (PWC) in LA, seek to ensure that all domestic workers are receiving the rights and compensation that they are owed and that all homecare agencies are compliant with labor laws.

In December 2015, workers with PWC publicly launched a campaign against Entino Nishi and her agencies for their violations. For nearly three years, caregivers organized to obtain justice for those who were directly exploited, while at the same time demanding a change to the homecare industry at large.

Josephine Bicular, one of the caregivers who joined the campaign, was paid as low as \$4.50 per hour by Health Alliance Nurses Corp. She worked 24-hour shifts with the agency and was forced to falsify her timesheets so that she could not qualify for overtime.

“They were robbing us of our hard earned wages,” Bicular explains. “This is a victory not only for me and my family, but for all caregivers. It sends a message that we should not stay silent out of fear. We must educate ourselves and ask questions. And when we stand up for our rights, we win!”

The full list of injunctions seek to correct some of the industry-wide patterns that emerged in the case. Entino Nishi and her companies are no longer allowed to hire 24 hour caregivers and instead must establish rotating shifts, a model that has become best practice for labor standards in the industry.

Perhaps most significantly, Entino Nishi and the defendants were ordered to correctly classify themselves as a homecare agency that employs workers, rather than simply as a referral agency. This injunction effectively combats a widespread illegal practice in the private homecare industry where companies deny responsibility as the employer, misclassifying workers as independent contractors and placing employer responsibilities on the agency’s senior clients and their families, often without their knowing. The correct classification not only protects workers from wage theft and overtime violations; it further restores the caregivers’ rights to workers compensation, a benefit that is particularly important in the private homecare industry given the physical demands of in-home patient and senior care.

“The settlement against Entino Nishi is an important victory following the passage of the Domestic Worker Bill of Rights (SB 1015 Leyva) in 2016, which made overtime protections permanent for this historically excluded workforce,” states Kimberly Alvarenga, Director of the California Domestic Workers Coalition (CDWC). “It sends a clear message that domestic workers are standing up against wage theft and exploitation and are taking action to make the rights that they’ve won in the Capitol become a reality in their everyday lives.”

Both the City Attorney’s office and the Pilipino Workers Center are encouraging anyone who has been a victim of wage theft to reach out to protect their rights to the City Attorney's Office by e-mail at mike.n.feuer@lacity.org or by phone at 213-978-1868 and to Pilipino Workers Center. If you are a domestic worker, call PWC’s hotline at 1 (213) 250-4353.

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The Pilipino Workers Center (PWC) is a non-profit organization and worker center located in Historic Filipinotown, Los Angeles, that works to address the immediate needs of Filipino workers and their families and build their leadership to take collective action on issues that most impact them. The Pilipino Workers Center is a leader in the California Domestic Workers Coalition. For more information about the Pilipino Worker Center please visit: www.pwcsc.org.

The CDWC is a statewide coalition consisting of organizations working to advance the dignity and respect for domestic workers and their families. The organizations that are a part of our steering committee include: ALMAS of the Graton Day Labor Center, Coalition for Humane Immigrant Rights of Los Angeles, Filipino Advocates for Justice, Hand in Hand: The Domestic Employers Network, Instituto de Educacion Popular del Sur California (IDEPSCA), Mujeres Unidas y Activas, Pilipino Workers Center, and The Women's Collective of Dolores Street Community Services. For more information about the Coalition please visit: www.cadomesticworkers.org