



New York City Comptroller
Scott M. Stringer

NEWS

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ONLY IN NEW YORK CITY: A TAXI RIDE LEADS TO THE RECOVERY OF \$200,000 IN UNPAID PREVAILING WAGES FOR FOUR IMMIGRANT WORKERS

Comptroller Stringer enforces prevailing wage law, ensures that individuals cheated out of lost wages are paid for the work they did

“This is an unforgettable story about working people getting the money they’ve earned—and hailing the right taxi in New York City,” Stringer says

(NEW YORK, NY) – New York City Comptroller Scott M. Stringer announced today that his office had paid close to \$200,000 in unclaimed prevailing wages to four workers who were cheated out of their hard-earned money for work done on a City-funded construction project nearly 10 years ago. The happy ending was the result of a fateful meeting this past March when one of the workers who received his lost wages was a passenger in a taxi driven by a former co-worker who had received a prevailing wage settlement from the Comptroller’s Office in 2012. The driver persuaded his passenger to come forward and claim his wages and in turn, that worker brought with him three other former co-workers who have now received their rightfully-earned wages.

“This is why I come to work every day — to ensure that every New Yorker gets a fair chance to make it here,” Comptroller Stringer said. “Four men are finally getting their chance at a better life, with money they worked hard for years ago. Our message to unscrupulous contractors is clear: if you employ workers on a city project, you’ve got to pay them prevailing wage and not a penny less. Our office will continue to crack down on employers that cheat the system, and rip off some of the most vulnerable workers in this City.”

The Comptroller’s Office sets and enforces prevailing wage and benefit rates on New York City public works projects and attempts to find workers who are owed wages from these settlements and judgments. Prevailing wage laws require employers to pay workers the wage and benefit rate set annually by the New York City Comptroller

when those employees work on City public works projects — such as renovating public schools — or under building service contracts with City agencies, including security guard and custodial work. When companies do not pay, the Comptroller enforces the law to ensure workers receive what they are owed.

This story began in 2002, when the City’s Housing Preservation and Development Department hired construction managers to restore derelict properties in northern Manhattan. The sites had been seized by the City from delinquent landlords in tax foreclosure proceedings for the benefit of the tenants. Mascon Restoration was a subcontractor that hired employees for demolition, carpentry and iron work. But in 2006 the company drew the attention of a task force composed of investigators from the City Comptroller’s Office and the NY State Department of Labor, who asked if workers were being paid prevailing wages and benefits.

According to employees on the work sites, Mascon’s owner told them to avoid speaking with members of the task force because the labor investigators were federal immigration agents. Workers were also told that if they held onto pamphlets informing them of their rights, they would be immediately fired. Most of the workers did not want to file complaints, but the investigators were able to speak with and take pictures of some individuals at the site.

In 2007, the Comptroller’s Office Bureau of Labor Law (BLL) commenced an investigation against Mascon, charging that it employed off-the-books “ghost” workers on the HPD projects, underpaid them and filed false payroll records. In 2012, the Comptroller’s Office reached a \$1.2 million settlement including wage violations with Mascon and other construction managers. Mascon also pled guilty to Offering a False Instrument of Filing in the First Degree, a class E felony and was debarred from doing business with the City or State for five years.

In the wake of the settlement, several “ghost workers” who worked on the site but were not on formal records, including Camara Mody, came forward to file claims. In 2012, Mr. Mody received a \$43,000 settlement – which he used to help pay for a taxi. In total, nine workers claimed settlements, but no new workers came forward after March 2014.

However, in March of this year, a chance coincidence occurred when Jose Luis Lopez Oliva was hailing a taxi in northern Manhattan. He was picked up by none other than Mr. Mody, his former co-worker. The cabbie instantly recognized that Oliva had worked with him on the Mascon site years before and offered to drive him to the Comptroller’s Office right away to see if he was owed money for the work they had done together. Instead, Oliva came to the Municipal Building days later and filed a claim for lost wages.

That same day, Comptroller's Office BLL Director of Investigations Frank Gonzalez was given Oliva's complaint and immediately traveled to the Manhattan address listed by Oliva. He spoke to Oliva's mother at the door who reached her son on the phone. Some 45 minutes later, Gonzalez met Oliva on the street and asked if he remembered their meeting years ago. When Gonzalez showed Oliva a picture of Oliva's old photo ID from the 2006 investigation, it was the final bit of evidence that Oliva needed to be sure that this was not a hoax. In the coming weeks, Oliva helped three other former co-workers, Martin Dionisio, Elio Barrios and Reynaldo Castillo, bring claims. All four received checks worth nearly \$50,000 this week.

“This is one prevailing wage case I'll never forget – and neither will the families of the workers who are finally getting the money they earned,” Stringer said. “Getting a cab at rush hour often feels like winning the lottery, but in this story, four hard working New Yorkers actually *did* collect a jackpot that was theirs all along. And it happened because of a cab ride. I want to assure all New Yorkers that my office is doing everything in its power to spread the word about prevailing wages. There is more than \$300,000 still uncollected by employees from this one case—and we're mounting a vigorous campaign to persuade others to come forward. We won't rest until we get every payment—from this case and hundreds of others—into the hands of the New Yorkers who worked hard to earn them,” Stringer said.

Since taking office, Comptroller Stringer has made it [a priority to recoup these funds](#) on behalf of workers. Since 2014, the office has assessed more than \$17.8 million in prevailing wage violations and paid over \$7.8 million to workers who were cheated out of their wages. In August 2015, Comptroller Stringer [held a press conference](#) to publicize that his office held more than \$3.7 million in unclaimed prevailing wage settlements; 84 individuals have come forward to claim nearly \$600,000 dollars in lost wages.

To read more about prevailing wage and how to find out if you are owed unclaimed wages, please click [here](#).

To read about this story in the *New York Times*, click [here](#).