



**WORKERS DEMAND NYS DEPARTMENT OF LABOR ENFORCE THE LABOR LAW**  
Claims must be processed promptly and thoroughly to enforce workers' rights.

For Immediate Release

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NEW YORK -- The National Center for Law and Economic Justice (NCLEJ) demanded today that the New York State Department of Labor address its egregious backlog of open cases. Thousands of workers are awaiting decisions on wage complaints filed against employers who failed to pay the minimum wage or overtime.

“The DOL is failing to protect New York’s most vulnerable workers from wage theft. Domestic workers, day laborers, unpaid interns, and restaurant workers need the DOL to enforce our labor law,” said JoAnn Lum, Executive Director of the National Mobilization Against Sweatshops (NMASS).

Employers steal over one billion dollars in hard-earned wages from New York workers in low wage industries every year. The DOL is the primary forum for workers with limited resources and without access to legal counsel to seek redress for wage theft. The DOL is failing to fulfill its mandate. Thousands of worker complaints remain unresolved for a year or more.

The DOL also fails to adequately notify workers about the status of their case and any resolution. The DOL rarely communicates with workers who have filed complaints, unless it is to state that the worker’s case will be closed within a short timeframe if the worker does not produce specific evidence. Since May 2013, the DOL is limiting its investigation period to three years rather than the six years allowed by law. This change further limits workers’ ability to recover stolen wages.

“The DOL is not putting the worker at the center of their obligations. Workers are left in the dark about what is happening with their case, or else essentially required to conduct the investigation themselves,” said Leah Lotto, Dodyk Fellow at NCLEJ.

The Office of the State Comptroller audited the Department of Labor’s wage theft investigations and found that as of August 26, 2013, the DOL had 17,191 open cases, an increase of about 150% from the 7,000 cases on hand at the start of 2008. That caseload consists of about 9,331 active investigations and more than 7,860 cases pending payment. Of these, 12,938, or 75% were at least one year old from the initial claim date.

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