

Madigan lawsuit alleges immigrant worker abuse by employment agencies and chinese buffet restaurants

November 16 2015 2:50 PM



CHICAGO— Attorney General Lisa Madigan announced a lawsuit against three underground employment agencies and two suburban Chinese buffet-style restaurants alleging numerous federal and state civil rights violations, as well as wage violations, in their treatment of immigrant Latino workers. Madigan's lawsuit alleges the employment agencies target Latino workers and act as central suppliers for Chinese buffet-style restaurants that seek to profit from illegal and exploitative wages and abysmal working conditions. The lawsuit alleges the restaurants consistently underpay these workers, discriminate against them based on their race and national origin, and house them in substandard conditions. "My office fights to protect Illinois workers and their most basic rights," said Madigan. "The employment agencies and restaurants in this lawsuit are exploiting workers through discrimination and inhumane conditions, violating both their civil rights and the state's wage laws. Their conduct will not be tolerated in this state." The lawsuit was filed in federal court against three unlicensed employment agencies based in Chicago's Chinatown neighborhood and their owners: Xing Ying, 2228 S. Archer Ave.; Jiao's Employment Agency, 2276 S. Blue Island Ave.; and Chinatown Agencia de Empleo, 211 W. Alexander St. Also named in the lawsuit as defendants are two restaurants that worked with the employment agencies to hire Latino workers: Hibachi Sushi Buffet, 3035 S. Cicero Ave., Cicero, and Hibachi Grill Buffet, 101 Busse Rd., Elk Grove Village. Madigan alleges these employment agencies and their restaurant clients collectively set the wage rate as low as \$3.50 an hour for each Latino worker referred, far below Illinois's minimum wage of \$8.25 an hour. For every referral of a worker, the agencies charge commissions and fees of \$120 to \$220, along with fees for lodging and transportation, which the restaurants then typically deducted from a worker's paycheck, which workers often wait months for, and then remitted to the agencies. The restaurants exclusively assigned Latino workers "back of the house" job duties, including washing dishes, cleaning the kitchen floor, cutting and preparing vegetables and meats, and maintaining the buffet. Workers interviewed by Madigan's office describe long workdays, poor wages, high-pressure work environments, crowded and substandard housing conditions, verbal abuse, discrimination and threats of violence. Employees typically work 12 to 14 hours per day, six days a week, with no official meal breaks. Workers are often housed by the restaurant owners in overcrowded, squalid conditions. In one instance, the lawsuit alleges the Hibachi Grill Buffet crowded as many as 15 employees into a three-bedroom apartment with only one bathroom and no furniture aside from soiled mattresses the workers found from a nearby dumpster. Madigan's complaint also alleges the three unlicensed employment agencies unlawfully market their ability to provide Latino workers in newspaper advertisements that make explicit references to workers' race and national origin. For example, one agency advertised it could supply "a large number of Mexican workers," and another claimed to be "the base camp for Mexican workers." The lawsuit is the result of Madigan's ongoing investigation into wage

violations and discriminatory practices against immigrant workers employed at Chinese buffet-style restaurants in Illinois. It alleges violations of the U.S. Civil Rights Act, Illinois Human Rights Act and the state's minimum wage law. A copy of the complaint is attached. Madigan urges any current and former workers of a Chinese buffet-style restaurant in Illinois to immediately contact her office to report wage abuse or discrimination in the workplace. Workers should contact Madigan's Civil Rights Bureau at 1 (877) 581-3692. The lawsuit is being handled by Assistant Attorneys General Cara Hendrickson, Karyn Bass Ehler, Jane Flanagan, Manuela Hernandez and Christopher Kim. The lawsuit is a joint effort between Madigan's Civil Rights Bureau and her newly formed Workplace Rights Bureau. Madigan's Civil Rights Bureau is committed to the strong and vigorous enforcement of civil rights laws and to protecting the civil rights of all Illinois residents. The mission of the Workplace Rights Bureau is to protect and advance the employment rights of Illinois residents, particularly low and moderate-income and immigrant residents.