

# The Time Has Come : Maria Garcia



**Maria Garcia** first visited to the Instituto Laboral de la Raza on the advice of her sister, who had been a client of the organization. Maria had been working at a jewelry-assembling company for six years. Like her sister, she came to claim unpaid wages.

Like many women who worked for the company, Maria took her work home. Unbelievably, the most intricate jewelry was assigned as homework. The employer, knowing that these articles took the longest to complete, paid for the hard work in piece rate. Workers were paid only \$0.75 - \$4 for each earring, bracelet, or brooch. The amount of time put into each article meant the workers were paid at a rate substantially lower than minimum wage.

"I would work eight-hour shifts and then take a box of jewelry parts to assemble at home," recalls Maria. "I'd stay up until midnight, 2 a.m., sometimes all night long, to finish everything by the morning. At the start of the workday, we had to turn in the finished product to be shipped away and sold."

At the workplace, conditions were grueling. "The manager was never satisfied," says Maria. "It was always 'Work faster! Work harder!' There was a lot of pressure." Maria and the other workers often asked to take breaks from the exhausting work, yet their requests were denied. Assembling jewelry also took a toll on Maria's eyes and hands. "The doctor told me it strains the eyes to concentrate on small details for such long periods of time," Maria says. "I don't see as well as I used to. And I still have pain in the joints of my fingers."

One day, the company's owner came to the workplace and instructed Maria to work on assembling brooches, which required shaping metal wire into little wheels. After a while, the pain in Maria's hands became unbearable and she dropped one of the pieces. The owner took notice and asked Maria what happened. When she explained about the pain in her hands, the owner asked if it had ever happened before. A few days later, Maria was terminated.

Instituto filed a wage claim with the San Francisco Labor Commissioner on Maria's behalf. When the initial judgment came out in favor of the employer, Instituto decided to appeal the decision. Eventually, Maria received a settlement from the employer in the amount of several thousands dollars. "I feel very grateful to the Instituto," she says. "They helped me a lot."



Maria was the fifth worker from this particular company to seek Instituto's assistance for unpaid wages and other unfair labor practices. Most of these cases were prepared by Legal Aid Doug Haake. Doug recognized that the unfair labor practices applied to the entire

workplace. On the recommendation of the Instituto, these cases were referred to a neighborhood law firm, which ultimately led to a class action lawsuit of over a hundred of Maria's coworkers. The law suit was recently settled, benefitting all of the workers, and insuring that these unfair labor practices will no longer be applied at this worksite.