

Warehouse workers sue for unpaid wages at Port of L.A.



The sprawling Port of Los Angeles is seen from a commercial jetliner. A group of warehouse workers at the port is suing a major distribution company for back pay. (Mark Boster / Los Angeles Times)

By **CHRIS KIRKHAM**

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A group of warehouse workers at the Port of Los Angeles has filed suit against a major distribution company, claiming that they have been underpaid and subjected to harsh working conditions.

The workers are seeking a class-action suit against California Cartage Co. and several staffing agencies, alleging that more than 500 workers are owed millions of dollars in unpaid wages and overtime dating back to at least 1999.

The complaint, filed Wednesday night in Los Angeles County Superior Court, alleges that California Cartage is required to pay higher than the state minimum wage because it is leasing land from the city of Los Angeles. The city requires contractors and lessees to pay what is known as a "living wage" of at least \$11.03 an hour, or \$12.28 an hour if the company doesn't pay for

medical benefits.

A lawyer for California Cartage did not respond to a call seeking comment.

The lawsuit contends that California Cartage and its staffing agencies paid only the state minimum wage of \$9 an hour, and often failed to pay required overtime when workers were kept after hours. The goal was to reduce labor costs in an effort to "unlawfully maximize their profits," according to the complaint.

Workers in the California Cartage warehouses unload containers of goods for retailers such as Lowe's, Amazon and Sears, according to the suit. The goods -- including clothes, televisions, refrigerators and furniture -- are then put on trucks to be distributed throughout the country.

Many of the workers are immigrants who don't speak English and have little formal education.

Juan Rivera, a plaintiff in the suit, said in an interview that workers are constantly pushed to meet unrealistic quotas.

"They'll say, 'If you don't work hard enough, there's more people like you who can do this job,'" Rivera said through a translator.

He has worked for nearly five years at the warehouse for two staffing agencies, but doesn't believe that he will ever be hired as a full-time employee at California Cartage. "They don't want the responsibility over the workers," he said.

The suit alleges that the warehouse workers were required to report to the job site every day, but often were sent home without pay if there wasn't enough work -- a violation of state law, according to the suit. Managers also altered the payroll records to shave hours off at the beginning and end of workers' shifts.

Although about 80% of the workers are employed by temporary staffing agencies contracted by California Cartage, the suit argues that the company is liable because it exerts the influence over work assignments.

"This is all about low-wage workers living on the margins and being exploited by one of the biggest, wealthiest companies at the Port of Los Angeles," said Julie Gutman Dickinson, an attorney who is representing the workers.

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