CSWA NEWS: *The Voice of Chinese American Workers*

Winter 1992 | Chinese Staff and Workers Association | Vol.3, Issue 1

Shinwa workers fight against racism

For the better part of 1991, the Chinese Staff and Workers Association (CSWA) has helped workers at Shinwa Restaurant fight for fair treatment and oppose management's racially divisive tactics. We have created a campaign that challenges racism in American society and within the Asian-American community.

Last winter, Brittany Choi and Jimmy Chow told CSWA that waiters and busboys at Shinwa, owned by a Japanese company and located in Olympic Towers across the street from St. Patrick's Cathedral, were having from 17%–45% of their tips taken away by management. This is illegal under New York State law.

Overwhelmingly, the "front of the house" (waiters and busboys) signed certification cards for the 318 Restaurant Workers Union. CSWA informed the NY State Labor Dept. that Shinwa was stealing the waiters' tips.

Shinwa management adamantly opposed the union's demand for recognition. The Labor Dept. did little to get workers their tips. CSWA helped establish a support committee, drawing on a network of activists. (Individual members came from such organizations as the Lower East Side Catholic Area Conference, Harlem Fightback, Asian American Union for Political Action, Center for Immigrants Rights, Organization of Asian Women, and the Committee Against Anti-Asian Violence.) After trying, without success, to meet with Shinwa management, the committee brought additional pressure.

In July over 200 people demonstrated outside Shinwa and sat in at the restaurant. Since then there have been ongoing demonstrations at the restaurant and at the Japanese consulate.

The union's support is increasing. What started with Asian-American waiters, now includes Latino busboys and kitchen help.

As the workers' unity grew, Shinwa stepped up its intimidation campaign.

Outside Shinwa, demonstrators call for fair treatment, an end to racist practices

Fernando Navas and Rolando Castillo were assaulted by other employees. A Japanese waiter was fired and several others were harassed into quitting. Francisco Casarruibas was warned by management not to speak to Jimmy Chow. When Francisco ignored this threat, he was fired on September 14.

Francisco has been picketing Shinwa every day. He says: "I know they fired me because I support the union. I have to be here fighting to get my job back."

At Shinwa jobs are clearly divided along racial lines. Waiters and chefs are Asian, busboys and kitchen help are Latino, bartenders are white. Shinwa has never employed African-Americans.

Racially divided, workers have found it difficult to unite. No Japanese restaurant is represented by a union. Most Japanese restaurants require their employees to give up their tips. If the Shinwa workers succeed, thousands of restaurant workers will realize that their bosses can be forced to respect the law.

When a worker is physically assaulted, it is clear that violence has occurred; it's easy to understand racism when a white cop beats up an Asian American. It's harder to understand economic violence. When workers are divided along racial lines, as they are at Shinwa, they have to work longer hours, at lower pay, in an atmosphere that encourages racism and denies them self-respect — that's economic violence. These workers experience it every day.

It is vital that other people, particularly in the Asian and Latino communities, realize that the struggle of the Shinwa workers is their struggle. Racism in the work place pervades our whole society. A campaign such as this which unites workers across racial lines can have a broad impact.

Miguel Maldonado, the organizer for the union, said: "We call upon individuals and community groups to join us in fighting bosses who steal tips and pay low wages, bosses who discriminate against Asians and Latinos, bosses who refuse to hire African-American workers."

There is a picket line at Shinwa Restaurant Monday through Friday from noon to 3 PM. Please join it as often as you can.

Fighting to be paid:

Campaign against non-payment of wages launched

Getting paid for one's work is so basic a right that the mounting number of reported cases of non-payment of wages among garment, restaurant, construction, and domestic workers in New York has taken aback even some labor activists. The cases of N.Y. City employers withholding wages from their workers that were investigated in 1989 and that warranted action by the State Department of Labor involved 2,342 workers and 1,713 establishments. This is just the tip of the iceberg. As working conditions deteriorate, more and more workers, regardless of their immigration status, are reporting these violations of state labor law.

Garment workers are also pushing for greater accountability on the part of both garment shop owners and manufacturers. Most of the employers who don't pay their workers do so because they can get away with it. If fines are imposed at all on such scofflaws, they are negligible. At the same time, manufacturers make huge profits on the backs of low-paid garment workers.

In response to this proponderance of withheld-wage cases and the general deterioration of working conditions, a group of people involved in labor, immigrant rights, church work and other areas have joined with workers in launching the Campaign Against Non-Payment of Wages. Participants are educating and organizing workers, advocating legislative reform, and initiating public debate on issues related to withheld wages.

Street theater: Members of CSWA Women's Committee put spotlight on bosses who don't pay workers

The Campaign is working to realize the following demands:

- Wai Chang Fashions and other employers guilty of withholding wages must immediately pay all wages owed to their workers.
- In the garment industry, retailers, manufacturers and jobbers should be held responsible if their subcontractors withhold wages. Their assets should be frozen and used to compensate workers.
- Withholding workers' wages should be made a felony. Guilty employers should serve extended prison terms or pay heavy fines.
- The State Department of Labor, the State Attorney General's Office, and other government agencies should vigorously enforce all existing laws governing labor violations and help develop new laws that place greater responsibility on those who violate labor law.
- Measures to prevent the retaliation of employers against employees who protest violations of labor laws must be strengthened, and the penalties for retaliation stiffened.

The Campaign is mobilizing community groups to address the issue of withheld wages, working with elected officials to revise existing legislation and draft new bills, and documenting and publicizing cases of withheld wages. In association with the Caribbean Action Lobby, the Campaign held a forum on November 16 at the Caribbean Action Lobby in Brooklyn.

In Chinatown, the Campaign, in conjunction with CSWA, held a community discussion on this topic on November 24. The forum was preceded by several days of tabling on the streets of Chinatown, during which members and volunteers of the CSWA handed out literature about the non-payment of wages, provoked discussion with passersby by performing a skit about withheld wages, and encouraged Chinatown residents to sign a petition calling for Governor Mario Cuomo and the State Legislature to enact tougher laws governing non-payment of wages.

Wai Chang workers

The 44 garment workers of Wai Chang Fashions, Inc., of Brooklyn, are a powerful example of workers standing up for their right to be paid. Last January the workers — mainly Malaysian, Chinese and Latina immigrant women who speak little English — complained to the NY State Dept. of Labor that the Sunset Park factory where they worked owed them over $80,000 in unpaid wages. Four months later, the factory heads, Wai Chee Tong and Stanley Chang, were charged with 41 criminal misdemeanor counts for failing to pay wages and keep accurate payroll records.

CSWA activities

Women's workshops

Members of CSWA Women's Committee are participating in a series of workshops designed to encourage Chinese immigrant women workers to examine their individual, domestic and work situations in a new light, and to develop organizing and leadership skills.

Workshop topics:

Nov. 17: *Women's role in traditional and modern society*
Dec. 8: *The challenges of women's roles*
Dec. 15: *Woman's place in the family*
Jan. 5: *Balancing responsibilities to one's family and to one's self.*
Jan. 19: *What is "community?"*
Feb. 16: *How can women get involved in their community?*
March 1: *Planning a program for International Women's Day*
March 8: *International Women's Day program*

Women's seminars

The community is invited to the following seminars, organized by the CSWA Women's Committee:
Jan. 26: *Work-related health problems*
Feb. 23: *Socio-economic situation of immigrant workers in New York, part 1*
March 29: *Socio-economic situation of immigrant workers in New York, part 2*
April 26: *Are garment factory jobs the only option for new immigrant women?*
May 31: *Child care*
June 28: *Child labor*

For more information about the workshops and seminars, call Rhoda Wong or JoAnn Lum at (212) 619-7979.

English classes

A new 15-week semester of classes began on December 8, 1991. Held Sunday mornings from 10:30 a.m. to 12:30 p.m. at St. James Church, 37 St. James Place, the three levels of classes are tailored for Chinese immigrant workers and conducted by volunteer teachers. Childcare is available. Call JoAnn Lum (212) 619-7979 for more information.

We thank last semester's English teachers for their enthusiasm and dedication: James Baird, Frances Chan, Alice Chen, Peter Cheng, John Cheong, Linda Cimmino, Shao Chee Sim, Wai Man So, Tulip Yang, Karen Yao, Sandy Yee. We also thank co-sponsor St. James Church for its support.

Construction workers' English classes

Classes in trade vocabularly for Chinese construction workers are held Sundays. Call Peter Lin, (212) 473–4936, for more information.

Labor rights clinic

Wednesday and Friday, 2 to 5 p.m.

Issues: unfair firing, nonpayment of wages, workplace discrimination, substandard wages and conditions, wage- and hour-law violations, unemployment, workers compensation.

Immigrant rights clinic

Wednesdays, 3-7 p.m.

Issues: naturalization and adjustment of status, legalization, relative petitions, work authorization, public benefits.

Movies

Films on labor issues will be shown at CSWA once a month.
Dec. 22: "Modern Times"
Jan. 12: "Salt of the Earth"

Chinatown Labor Fair

On September 8, 1991, CSWA co-sponsored, with six other community organizations, the 8th Annual Chinatown Labor Fair. More than 3,000 people browsed among the 30 tables set up to publicize the services of community organizations and government agencies working in the areas of labor, civil rights, immigrant rights and social services. The crowd heard speeches from workers of Shinwa restaurant, Wai Chang garment factory and the *Daily News*, from community organizers and activists such as Mini Liu and Elaine Chan, and from elected officials such as Manhattan Borough President, Ruth Messinger; Representative Bill Green; City Councilmember Miriam Friedlander and Assemblymember Jerry Nadler. They were also treated to a lion dance, a kung fu demonstration, Chinese folk singing and a children's drawing contest.

Workers center opens in Loisaida

The Lower East Side Workers Center has opened at 191 East 3rd Street in Loisaida. This new project is being developed — with support from the CSWA, Harlem Fightback, the Lower East Side Catholic Area Conference, the Committee Against Anti-Asian Violence and other community-based groups — to help local residents fight against racial violence and for jobs in the construction, garment and other industries.

Drawing on the experience of groups that organize for jobs on the grass-roots level, the Center's goal is to bring together Latinos, African-Americans, Asians and other people of color in the common struggle for economic justice. As government continues to cut spending for social services, and many of the established unions stand idle in the face of a high unemployment, a new model for community-based labor organizing is desperately needed.

The Workers Center will initially focus on the construction industry, organizing around three objectives: to confront racism in the industry and in the unions, to challenge City-funded job programs and policies, and to demand fair access for workers of color to the numerous jobs in publicly funded construction projects, especially in the Lower East Side.

For more information on articles in this issue of *CSWA News*, call (212) 619–7979

Chinese construction workers demand jobs

By Peter Lin

The Chinese Construction Workers Association (CCWA) was established a year ago. Members of the CPC Independent Construction Workers Union, battling for safe working conditions and federal prevailing wages, realized that they were also taking part in a larger war. They saw they would have to create an organization that would help them fight for jobs in an industry that has a history of excluding workers of color.

CCWA members are demanding jobs for Chinese workers in construction projects in the city — particularly in Chinatown. Strategies vary, ranging from sit-down discussions with government officials and developers, to visits to construction sites to interrupt work until the contractor agrees to give Chinese workers jobs.

CCWA members are also pushing for Chinese workers to be admitted into construction unions. Without union membership, construction workers are paid only $5–$10 an hour, with no benefits or job security; union workers make $20–$30 per hour with full benefits.

CCWA has already won victories. When CCWA discovered that only Chinese union members who met certain requirements — including a high school diploma and proficiency in English — could work on a federally funded project in Chinatown, they met with the Mayor's office. They said that these requirements would exclude most recent Chinese immigrants. CCWA stressed that this project could be both an opportunity for Chinese workers to enter mainstream American jobs and a chance for them to enter construction unions.

Workers take over construction site in Chinatown

In the face of this pressure from the workers, city officials dropped the job requirements and promised jobs to more Chinese workers.

As Kam Chan, CCWA president, put it, "We were able to confront city officials and the contractor through CCWA, and we were successful. Individually, we wouldn't have even gotten in the door."

This past August, after two months of fruitless negotiations with the contractor, 30 members of CCWA and Harlem Fightback (another labor group) stopped work at the Bank of East Asia construction site in Chinatown. Workers took control of the freight elevator and the crane; others went inside the building and passed out leaflets. Still others carried large posters which informed passersby of the reasons for the work stoppage.

Within a week, a half dozen jobs were given to CCWA members. CCWA secretary, Man Kem Poon, was elated and proud. He said, "I felt CCWA showed strength and commitment by our successful action."

CCWA workers recognize the importance of organizing alongside other workers of color. Only together will workers have the power to fight racism and to achieve job equity in the construction industry.

For further information call Peter Lin at (212) 473-3136.

English classes begin

A new semester of ESL classes began on December 8. Held Sunday mornings from 10:30 a.m. to 12:30 p.m. at St. James Church, 37 St. James Place, in Chinatown, Chinese immigrants are offered classes tailored to their needs. Levels range from the Very Beginning, in which students start from the basics with the alphabet, to the Advanced, which emphasizes conversational skills and reading.

The goal is to equip students with the basic vocabulary necessary to daily life. Role-playing is often used to prepare students for real-life situations in locations such as in the workplace, the doctor's office, the grocery store, and the post office.

Each semester lasts for 15 weeks. Classes are taught by volunteer teachers who generously donate their time and energies to helping the Chinese community. There are three semesters of ESL classes each year. Child care for parents enrolled in ESL classes is available during class hours.

Anyone interested in teaching classes should contact JoAnn Lum at (212) 619 7979. Prior teaching experience is preferred.

Taking matters into their own hands

Judy's Place workers win back their pay

For a year, beginning in 1989, the garment workers of Judy's Place Fashion in Chinatown were either not paid at all or paid only in part. When the Internal Revenue Service found the owners guilty of tax law violations, the owners shut the factory down. The workers repeatedly contacted their representative at the International Ladies' Garment Workers' Union (ILGWU) about the back wages owed them — amounts ranging from $500 to $4,500 each — but he said that he could do nothing since the factory had closed.

When the Judy's Place workers read in the press that the State Attorney General's Office had charged the owners of Wai Chang Fashions with 41 criminal misdemeanor counts in a similar case, they took heart. They contacted CSWA. We helped them to file charges with the NY State Dept. of Labor and to urge the manager of ILGWU Local 23–25 to reactivate their case. The agency and the union slowly began investigating, going no further when they could not find the owner.

The workers realized that they had to take things into their own hands. With support from CSWA, they planned their own strategy. They tailed the owner from his home to the garment factory he was managing in Queens and confronted him. The owner fled. The workers then quickly called a press conference to publicize their case and to urge immediate action by the ILGWU and the Department of Labor.

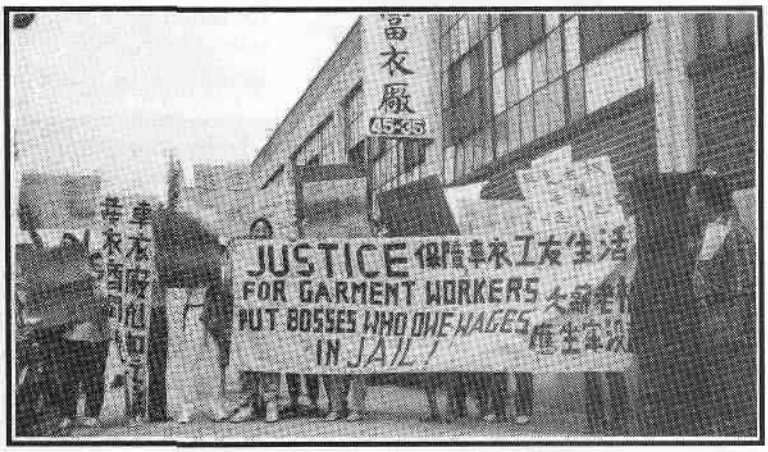
While the union and the government agency renewed their efforts in the case, the workers continued telling their story to other workers and to the Chinatown community. They spoke in September at the Chinatown Labor Fair co-sponsored by CSWA, where the workers exhorted the public to sign letters to the State Commissioner of Labor asking for legislative changes.

Their efforts paid off. On September 13, the factory owner, Jimmy Tse, agreed to pay them $9,500. In October, he paid the remaining $10,000 owed.

In their five months of struggle, the 10 workers, eight of whom were women, learned a great deal about organizing. "We were afraid of losing our present jobs," explains one worker Luk Chung-yin, "since we had to take days off to go to talk with the union and the Department of Labor, or to look for the owner. We gave up time with our families to attend meetings. My husband once asked me not to commit too much time. But I knew that I was not only fighting for the money, but also for our dignity. No one will help you if you don't stand up for yourself."

The workers also found that though they numbered only 10 out of the more than 50 Judy's Place workers affected by withheld wages, their cohesion and commitment to the cause made them powerful. As Luk stresses, "In unity, there is strength. We hope that all workers who are facing labor-law violations will band together to fight. We will support them."

Workers track down their missing boss at Queens garment factory



organize to track down owners

Tong and Chang subsequently disappeared. Warrants for their arrest were issued October 7. After weeks of working with the State Attorney General's office to track down the factory owners, the workers found Chang on Dec. 12. After his arrest, Chang was held on $80,000 bail. A second judge, saying that Chang was only charged with a misdemeanor, reduced his bail to $1,000. Chang made bail and is back on the street.

Tong and Chang's case will be heard in Brooklyn Criminal Court. If found guilty, Tong and Chang could face up to a year in jail and fines of up to $10,000 on each of the 40 wage claims, and up to three months and $500 on the record-keeping charge.

The Wai Chang workers are participating in the prosecution of their former employers, as well as in the larger campaign to fight the non-payment of wages. They have been reporting and recording sightings of Tong and Chang to the police. They have been tabling in Chinatown with CSWA, speaking at last September's Chinatown Labor Fair, making a presentation at a CSWA community discussion in November, and comparing notes with other garment workers who have fought for back wages.

Editorial

The country's recession has seriously affected the working conditions of Chinese-American workers. These workers, like others of immigrant and low-income communities, have borne the brunt of the city's depressed economy, steady job loss, escalating racial violence, stagnant real estate market, debilitating budget crunch, Wall Street retrenchments and manufacturing-base erosion.

In Chinatown, the confluence of these forces has wrought havoc on the economic lives of its workers and residents. To an unprecendented degree, jobs for Chinese Americans are scarce, wages are low, work hours are long, and — with increasing frequency — workers are not getting paid. When job openings are announced at a construction site, hundreds of applicants show up within a few hours. Wages in the restaurant and garment industries have experienced a 20–30% drop in the last year. A few years ago, garment workers would commonly work about 8–9 hours a day. To make up for low wages, they now often work 12–14 hours.

Obviously, these conditions call for bold actions. This past year, workers have been challenging unfair labor practices with notable assertiveness and perseverance. Even undocumented immigrants have been coming forward to protest labor-law violations and to organize unions. This willingness to fight for their rights points up how intolerable working conditions are and how aware of workplace rights Chinese American and other workers have become.

Join our petition drive to send Cuomo this message: we want strong laws to stop the nonpayment of wages! Our goal is 10,000 signatures; already, hundreds have signed. Call (212) 619-7979.

To respond to the growing injustices that Chinese-American and other workers are experiencing and to their readiness to demand decent working conditions and job opportunities, CSWA has initiated educational and organizing efforts that are quite diverse, including: a campaign against the non-payment of wages — spearheaded by the CSWA Women's Project — in a variety of industries including the garment, restaurant, construction and domestic work trades; an organizing struggle for Asian and Latino restaurant workers who face the unfair and racist employment policies of a Japanese corporation; a project aimed at getting good jobs in the construction industry for Chinese American workers; a workers center that aims to bring together Latino, African American, Asian, and other low-income people of the Lower East Side to work for better jobs and housing; a suit against a huge social service agency which won a victory before the National Labor Relations Board for the right of immigrant and other low-income workers to organize for real training programs and fair wages and working conditions; and another suit against a social service agency which won the right for senior workers in federal work programs to organize for better working conditions.

We believe our efforts this past year have strengthened our ability to organize, educate and train. By bringing workers together — of diverse trades, unionized and non-unionized, men and women — to work on issues that they share in the workplace and in the community, we will be in a better position to achieve our goals of economic justice and social change.

I want to support your work to secure fair working conditions and empowerment of workers in the Chinese community. Enclosed is my tax deductible donation. (Please make checks payable to the Chinese Staff and Workers Association and mail to: CSWA, 15 Catherine St. 2/R, New York, NY 10038.)

☐ $10 ☐ $20 ☐ $50 ☐ Other

Name_____ Phone_____

Address _____

City _____ State _____ Zip _____

☐ Send more information about your activities.

BOYCOTT CPC

The Chinese American Planning Council (CPC) will be holding its annual fund-raising dinners on February 4 and 11 at the Silver Palace. At $75 a plate, few ordinary citizens of Chinatown will attend. Instead, members of several of Chinatown's independent unions will be outside picketing.

We ask everyone to boycott the CPC dinners. CPC is in serious violation of U.S. labor law (see stories p. 8). Money raised at these dinners is used to prevent workers from exercising their collective bargaining rights.

Chinatown workers endorse Kathryn Freed

The election of Kathryn Freed to the City Council to represent District 1 is a victory for the workers and residents of Chinatown. Chinese American workers overwhelmingly backed Freed over her opponents, who included Chinese American candidates Margaret Chin and Fred Teng, providing critical support that led to Freed's victory. They supported Freed because her record and priorities demonstrated a greater responsiveness to the needs of the low-income immigrants of Chinatown than that shown by Chin and Teng. As a housing lawyer, for example, Freed advocated for tenants rights. As a Council candidate, she vowed to improve the workplace, housing and living conditions of working-class people in lower Manhattan.

Specifically, workers supported Freed's commitment to fight for: more jobs, especially in the garment, printing and food-processing industries; preserving the manufacturing industry in lower Manhattan through re-zoning; blocking the efforts of huge commercial and residential developers to squeeze out small businesses and low-income residents; construction jobs for community residents on publicly funded projects; job-training programs that abide by labor laws and lead to jobs with decent pay for women and people of color; and low-income housing as a mandatory part of any new housing development.

In supporting Freed, Chinese-American workers chose working class over ethnic politics. They did not support Chin and Teng because their records reveal an alliance only with those involved in big business and large real-estate development.

"At the same time, their positions regarding workers were very clear," says CSWA member Jimmy Ong. He points out that Teng was president of the Chinatown Planning Council when it fired immigrant construction workers who were organizing to improve their exploitative working conditions, and that Chin, while president of Asian Americans For Equality, sided with garment factory owners when thousands of garment workers were struggling to secure a fair contract.

With Freed's election, workers must intensify their organizing efforts to improve working and housing conditions, and call on the newly formed — and newly accountable — City Council to work with them in these struggles.

Jobless get a break

The long-term unemployed finally got a break from George Bush and the Democrats in Congress. Those whose benefits ran out on or after March 3, 1991, are eligible for an additional 13 weeks of unemployment compensation. Also, those whose benefits did not run out but whose benefit year ended on or after March 3, 1991, and who could not file a new claim are eligible for an additional 13 weeks of benefits.

(People collecting unemployment normally have one year in which to collect benefits — their benefit year. If you cannot look for work because you are attending school, are sick, or have part-time employment, you cannot collect benefits during this period. Thus, the benefit year can end without a person having exhausted his benefits.)

The first week of extended benefits was for the week ending November 24, 1991. You or anyone you know who is eligible for unemployment benefits under this program should take advantage of this opportunity.

CSWA notes

The Chinese Staff & Workers Association (CSWA) is a non-profit organization dedicated to enabling workers to advance their rights in the workplace and community.

Our programs are made possible by membership dues, individual contributions, grants from foundations, and by the commitment and countless hours of work generously donated by members and friends of the CSWA. We welcome new staff members, Rhoda Wong and JoAnn Lum, and part-time organizers, Peter Lin and Miguel Maldonado.

To our friends and supporters, we are grateful for your ongoing assistance. Let's forge ahead, working together in 1992 for a more socially and economically just New York.

Executive Director: Wing Lam
Program Director: JoAnn Lum
Education Director: Jackson Chin
Women's Program: Rhoda Wong
Organizers: Peter Lin, Miguel Maldonado

CSWA

Workers win big at NLRB, Labor Dept.

CPC has a $3 million problem!

On Sept. 30, 1991, James F. Morton, a National Labor Relations Board (NLRB) Administrative Law Judge ruled that the Chinese American Planning Council (CPC), violated the National Labor Relations Act by discharging 30 workers because they tried to organize a union.

These workers, employed in the Intercity Remodeling and Apartment Repair (IRAR) program, were doing "gut" rehabilitation work on apartments owned by New York City. The "theory" of the program was to provide immigrants with training in the construction field and renovate housing for homeless families. The "practice" was, not to train immigrants, but to use them in construction work at wages between $4.00–$8.00 an hour when they should have been paid the "prevailing wage" of at least $18.00 an hour.

CPC refused to recognize the union the workers organized with the aid of CSWA, fired all 30 workers on December 30, 1988, and then temporarily closed the program. When the program reopened in May 1989, CPC refused to rehire any of the workers who had supported the union. The NLRB Judge found that the CPC violated federal law by firing the workers and ordered CPC to pay the wages they lost, an amount estimated to be in excess of $1 million.

In the same program, the U.S. Labor Dept. issued a finding that the CPC should have paid the over 200 participants in the program the "prevailing wage." The Labor Dept. ordered CPC to hand over a check for $2,005,791.16. To enforce their claim, workers filed a lawsuit against both the CPC and the City of New York. (The city funded the program and ignored repeated protests about working conditions.) Workers will continue to apply pressure by picketing CPC events.

These decisions affect hundreds of workers who do construction work for such agencies as Vera Institute, Wildcat Services and the Doe Fund Inc., under identical conditions to those in the CPC program.

Union fights for older workers

Older Chinese workers took on three powerful organizations — the Chinese American Planning Council CPC, the National Council of Senior Citizens and the U.S. Labor Department — and won a clear victory.

On July 26, 1991, an Administrative Law Judge in a National Labor Relations Board hearing, ruled that Senior Aides employed by the CPC were eligible to join the Hong Ning Workers Union. These workers are participants in the Senior Citizen Community Service Employment Program, funded by the U.S. Dept. of Labor through the National Organization of Senior Citizens, an organization closely linked to the AFL-CIO. As far as is known, this is the first time Senior Aides have asserted their collective bargaining rights.

The decision has far-reaching consequences. Nationwide, over 64,000 Senior Aides are employed in minimum wage jobs in the program.

The decision immediately affects Senior Aides employed as kitchen workers at the Phoenix Food Catering Service and building maintenance personnel at the Hong Ning senior housing complex. Approximately 140 Senior Aides work for CPC in all of its programs.

The Hong Ning Workers Union is made up of Chinese and Puerto Rican workers who are seeking their first contract. Recently, the union learned that CPC is violating U.S. Dept. of Labor regulations requiring that these elderly workers be paid prevailing wages for their work. Federal regulations require that Senior Aides earn no less than the "prevailing rate of pay for persons employed in similar public occupations by the project sponsor." Irv Miljoner, a Labor Dept. official, confirmed this. He told the *Daily News* that the CPC had underpaid its Senior Aides.

Shao Piao Chen, who has a boiler maintenance license and has worked for CPC as a handyman/porter for two years, told the *Daily News*, "Compared to the other workers who work in the same unit, my wages are only one-third of theirs. I make only $4.50 per hour. CPC ordered me to agree to be transferred to another job. They said it would be a training position in phone reception. If I don't agree I will be terminated."

Subsequently, CPC reduced Chen's daily hours from seven to three. The NLRB decision and the Labor Dept. ruling will help the union fight his case.

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