

Testimony: VT Dept of Labor - Commerce Merger

Heather Pipino, Vermont Workers' Rights Hotline, January 31, 2017

For the past 20 years, the Vermont Workers' Center has operated a Workers' Rights Hotline, fielding calls from people experiencing problems at work. We receive between 300-500 calls a year with little-to-no advertising and outreach — in other words a call or two a day from people who have been treated unjustly at work. Many of these callers only reach us after they've tried to contact various state agencies who are undoubtedly under-resourced to handle all the calls.

We help people navigate the systems set up to enforce workers' rights, stop wage theft by winning back wages owed, or secure and advance maternity leave policies through collective action. Most of the time, we tell people they're probably up a certain kind of creek that is too impolite to say in legislative testimony.

Most people want to believe they have more rights at work than they actually do. Most people want to believe that the agencies set up to help them can do so. While many hard-won laws exist to protect people, it's unclear how readily and expediently they are enforced.

A report from the VT Department of Labor indicates that in 2015, the Wage and Hour Division handled 220 wage claims and issued collection orders totalling \$162k, of which roughly 50%, \$80k, had been paid. That's an improvement from 2014, where \$411k was disputed and only 25% was recovered. These are earned paychecks that are owed to people across the state, many who are scraping to get by. When people aren't paid what they're owed, whether it's \$100 or \$1,000, it makes it harder to pay rent, pay student loans, buy groceries and medication. The ripple effect of wage theft is systemic.

Curious about the results of the wage and hour calls the VT Workers' Rights Hotline has received in the past couple of years (2015-2016), Hotline volunteers called people back to find out the status of their unpaid wage claims. A quarter of the people returned our call and each of them either gave up or thought their case was still pending at the VT-DOL.

The major complaint we received is about the time it takes to resolve issues and enforce rights. People call and don't hear back, they fill out a form but don't know what is supposed to happen next, or think they have a pending case but haven't heard about it in months. We advise people to take collective action instead, but that's a scary and daunting task for many at-will workers. A fair number of Hotline calls are from people who have been blacklisted or are being bullied at work for standing up by themselves.

Fundamentally, the Department of Labor's purpose is to enforce workers rights, make sure people are treated fairly, and institute any laws and regulations gained through legislative means — like the recently won right to paid sick leave or child labor laws established nearly 100 years ago. Merging the DOL with Agency of Commerce will only make people lose more faith in the institutions established to protect them. Maybe that's the purpose. And honestly, I'm torn about what to advise you all in this sudden and seemingly pressing situation. Democracy can be achieved at the ballot box, through legislative means, or on the ground in workplaces across the state. Whatever you decide, hopefully people will opt for the later.