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## ATTORNEY GENERAL MADIGAN SHUTS DOWN EMPLOYMENT AGENCY CHARGED WITH ABUSE OF IMMIGRANT WORKERS

**Chicago** — Attorney General Lisa Madigan today announced she has reached a consent decree that will shut down Xing Ying, an employment agency based in Chicago's Chinatown neighborhood, charged with numerous federal and state civil rights violations arising from its treatment of immigrant Latino workers.

The consent decree stems from Madigan's November 2015 lawsuit against three underground employment agencies that acted as central suppliers of workers for Chinese buffet-style restaurants across Illinois. Two suburban restaurants were also named in the lawsuit. Madigan's lawsuit alleged that the agencies unlawfully targeted vulnerable Latino workers and referred them to restaurant jobs where they were consistently underpaid, discriminated against based on their race and national origin, and housed in abysmal conditions.

"This action will put an end to the Xing Ying employment agency's horrific and illegal employment practices," Madigan said. "The agency subjected workers to discrimination and inhumane conditions, violating workers' civil rights and enabling its restaurant clients to pay workers substandard wages. Xing Ying will be shut down."

Madigan's complaint also alleged the employment agencies unlawfully marketed their ability to provide Latino workers in newspaper advertisements that made 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 court ruled earlier this year that these advertisements violated federal law, which prohibits any employment advertising that seeks or refers employees' to work on the basis of their race or national origin.

In addition to today's consent decree, Madigan's office reached consent decrees with the two Chinese buffet-style restaurants that involved payment of back wages and penalties as well as ongoing monitoring of the restaurants' business practices by the state. Some impacted restaurant workers received over \$12,000 in back wages as a result of the consent decrees. The two other employment agencies named in the suit previously settled with Madigan's office.

Madigan's 2015 lawsuit alleged a variety of abuses against immigrant workers. For example, it stated that the 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 charged 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 food.

Workers interviewed by Madigan's office described long workdays, poor wages, high-pressure work environments, crowded and substandard housing conditions, verbal abuse, discrimination and threats of violence. Employees typically worked 12 to 14 hours per day, six days a week, with no official meal breaks, and with no overtime pay. Workers were often housed by the restaurant owners in overcrowded, squalid conditions. In one instance, the lawsuit alleged the Hibachi Grill Buffet in Elk Grove Village, Ill. 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 in a nearby dumpster.

The lawsuit and consent decree was handled by Workplace Rights Bureau Chief Jane Flanagan, Civil Rights Bureau Chief Karyn Bass Ehler and Assistant Attorneys General Cynthia Flores, Christopher Kim and Christopher Wells.

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