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News

Wage theft in construction industry highlighted in Sen. Eric Lesser livestream

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Lunchtime With Lesser

Senator Eric P. Lesser hosts a weekly Lunchtime Livestream series. The guest for March 12 was Noel Xavier, Business Representative & Organizer for the North Atlantic States Regional Council of Carpenters.

By [Elizabeth Román | eroman@repub.com](mailto:eroman@repub.com)

LONGMEADOW — Many laborers working for subcontractors in the construction industry face unsafe working conditions, forced overtime with no extra pay or even pay that withheld altogether.

During his weekly “Lunchtime Livestream” series Friday, Sen. Eric P. Lesser, D-Longmeadow, spoke with Noel Xavier, business representative and organizer for the North Atlantic States Regional Council of Carpenters, about everything from wage theft and tax fraud to labor issues within the construction industry.

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Xavier said these issues are not occurring on small home or business additions, but on multimillion-dollar construction sites.

“The projects that I go out to every day and talk to these workers that are being exploited under this new model are happening on multi-unit residential properties. These are multimillion-dollar projects anywhere from a 30-unit building to a 300 multi-unit residential contract,” he said. “You don’t see many legitimate contractors being able to compete in a lot of the segments of this market unless you are cheating.”

He said the new model involves larger companies bidding on a job, then hiring subcontractors who have a few employees on site. They also hire labor brokers who hire day laborers, often undocumented workers, and pay them in cash only.

“The wages that these workers are making are definitely substandard. There are lower wages, there’s no health insurance, there’s no pension,” Xavier said.

“Unfortunately, we’re fighting wages that my colleagues say 20 years ago they were fighting. The only thing that changes in the model is that the workers end up working more hours.”

These workers do not get health insurance or overtime pay and often work in unsafe environments, an issue that became more prominent since the coronavirus pandemic began, he said.

“We’re always out there on non-union job sites, trying to inform workers of the rights that they do have,” Xavier said. “(During the pandemic) we shifted to an informational campaign, so we started going out to all these different jobs and talking to workers, letting them know that these are the guidelines, these are the safety procedures that should be in place.”

Lesser said it’s important to bring this issue to light.

“(Some do not have) the ability to seek traditional outlets in government to get help,” he said. “(This is a) workforce that may not speak English, that often has an undocumented status and doesn’t necessarily have the support networks locally that other workers might have. That is a very important element of this, just how vulnerable some of these workers are.”

Xavier said there is a population of employees “working in the shadows.”

“They feel that they don’t have somewhere to turn if something happens. There are organizations out here willing to help undocumented workers and that’s one of the things we try to inform and educate the workers about, that they do have some options for help,” he said.

Xavier said many undocumented workers feel they have no rights.

“When they are a victims of wage theft, they take it on the chin and think this is just part of the life of being an immigrant in this country. They think, ‘I will just lose a week of pay or I didn’t get paid, so I just won’t work for that guy again,’ but they will work for someone else who in the future will end up cheating them as well,” he said.

Xavier, who speaks English, Spanish and Portuguese, spoke directly to viewers in Spanish, assuring them that regardless of their immigration status they have rights.

“If you have been a victim of wage theft, please reach out. Wage theft is a big problem in the construction industry, but there are resources to help you and the agencies that help you recover these funds are not interested in your immigration status,” he said in Spanish. “They just want every worker to receive the money they are owed.”

The conversation can be viewed on Lesser’s social media platforms, including [@Ericclessner](https://twitter.com/Ericclessner) on Twitter and at facebook.com/EricLesserMA.

To file a complaint with the state attorney general, visit mass.gov/orgs/the-attorney-generals-fair-labor-division or the U.S. Department of Labor at dol.gov. Workers can receive multilingual help from Justice at Work at jatwork.org.

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