

(Immigration fraud) has very severe and permanent consequences for families who have lived here many years, and for kids who were born and raised here, and know no other home. It's very sad.

DORI ROSE INDA, ATTORNEY

La Esperanza employees may be eligible for suit award

## Law center seeks market workers

By CLAUDIA MELÉNDEZ SALINAS  
Herald Salinas Bureau

The Watsonville Law Center is looking for former workers at La Esperanza supermarkets who may be entitled to receive a slice of the \$610,000 settlement awarded in a class-action lawsuit.

On behalf of Guillermo Melendez, a butcher's assistant, and Jose Contreras Moreno, a stocker, the center filed a lawsuit in 2006 against the small supermarket chain for violations to the state labor code, which included failure to pay overtime and give the workers breaks.

The suit claimed the chain, which has four stores in Salinas and one in Soledad, paid its employees a fixed salary regardless of the hours each person worked, thus avoiding

overtime pay.

La Esperanza disputed the allegations, according to Dori Rose Inda, an attorney with the law center.

Owners claimed they did nothing wrong, but they cooperated with the case and encouraged mediation. The case was settled in Santa Cruz Superior Court before the trial was set to start.

Judge Robert B. Atack approved a preliminary settlement in May, and before the final approval is granted, the law center has to contact as many of the plaintiffs as possible, Rose Inda said.

Two-thirds of the money — \$396,000 — will be divided among former workers according to a formula that considers weekly salaries

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## Lawsuit

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and months worked between Jan. 9, 2002, and March 15, 2007. How much each person will get will be calculated after the entire pool of plaintiffs responds, Rose Inda said. Melendez is getting \$14,000 and Contreras \$10,000.

There are more than 500 low-wage employees — mostly janitors, cashiers, stockers and baggers — who belong to the class, Inda said.

"It's a good settlement for

the workers," Inda said. "There's an interest the workers have in the stores to continue to do business so that they can employ workers, and there's an interest in them being paid for wages they were not paid for overtime. That's a balance that has to happen."

Former workers of La Esperanza markets should call the Watsonville Law Center at 722-2845 for information.

*Claudia Meléndez Salinas can be reached at 753-6755 or cmelendez@montereyherald.com.*

# Immigration fraud hits home front

Area Latinos getting fleeced by 'notarios'

By JEANENE HARLICK  
SENTINEL STAFF WRITER

SANTA CRUZ — Immigration fraud does more than empty pocketbooks. It can tear families apart.

This fraud has existed for decades. Those in this country illegally are easy targets. The victims often don't know U.S. laws and, because of their status, do not report when they have been swindled. But immigration officials say there has been an upsurge — locally and nationally — in the recent tightening of immigration laws and resulting panic among Latino aliens.

In the worst cases, it destroys an immigrant's chance of ever becoming a legal resident or citizen of the United States, and can wipe out a family's life savings.

"At least hundreds have been hurt (on the Central Coast)," said Dori Rose Inda, an attorney with the nonprofit Watsonville Law Center. "It has very severe and permanent consequences for families who have lived here many years, and for kids who were born and raised here, and know no other home."

It's very sad."

The perpetrators are so-called "immigration consultants" who act like lawyers but aren't. Using rotary public, tax and even travel agencies as fronts, these consultants charge high fees for promises they rarely deliver on. Offering themselves as guides to the Immigration and Naturalization Service's labyrinthine application process, the consultants — out of a combination of both greed and incompetence, crime fighters say — sign people up for residency programs they don't qualify for, alerting immigration authorities to an alien's illegal status in the process.

"It's becoming a major concern in the community," said Jorge Sifuentes, immigration program director for Catholic Charities in Watsonville.

It's also big business. The problem has become so severe in Santa Cruz and Monterey counties that Congressman Sam Farr, D-Carmel, recently created a task force to combat it. Joining organizations such as Cali-

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Tuesday, June 26, 2007 SANTA CRUZ SENTINEL A-5

# La Esperanza market may settle lawsuit for unpaid overtime

By DANIEL LOPEZ  
SENTINEL STAFF WRITER

Hundreds of workers in a supermarket chain could soon get compensated for overtime they worked without extra pay.

A tentative agreement has been reached in a class action lawsuit that accused La Esperanza Mercado Carniceria of failing to pay employees for overtime.

If the settlement is finalized this summer as expected, market owners Javier and Emilia Vazquez

would pay \$610,000. It would go to former and current employees of the markets and cover the cost of their legal fees.

As many as 563 workers in the chain, which has stores in Watsonville, Santa Cruz, Salinas, San Jose and Soledad, may be eligible, said Dori Rose Inda, director of the Watsonville Law Center.

"La Esperanza has finally stepped up to the plate and is now making a serious effort to compensate workers for all the wages-and-hour violations that occurred while they were employed at the markets," she said in a written statement.

A call to the San Francisco office of the Vasquez's attorney, Patricia Murphy, was not returned.

But Rose Inda said the couple would not admit to any wrongdoing as part of the settlement.

The lawsuit against the owners of La Esperanza was filed last year by the law center and San Francisco attorney Mark Talamantes on behalf of two Watsonville residents.

Jose Contreras Moreno and Guillermo Melendez worked as butchers, stockers, and janitors at the store on Main Street. Both men claimed they worked 10-hour days, six days a week, but

never received overtime pay. Moreno was employed there from June 2003 to August 2004 and Melendez from May 2000 to October 2003.

Rose Inda said as part of the settlement La Esperanza also will agree to comply with a permanent court injunction that holds the markets and its owners accountable if they violate the laws that protect workers in California.

"You do have to comply with the law and when you are not complying with the law you're making an unjust profit on the backs of your employees," said Rose Inda.

The workers of La Esperanza eli-

gible to take part in the settlement were employed with the market from Jan. 9, 2002, to March 27 of this year, according to Rose Inda.

All parties are expected to

return to court on August 23 when the settlement could be finalized. Notice is being sent to workers who have the right to contest the settlement.

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