

# The Virgin Islands Consortium

## U.S. Department Of Labor Recovers Wages For 13 Hurricane Recovery Employees Stranded Without Pay In U.S. Virgin Islands

Business / **Published On July 11, 2018 10:03 PM /**

Staff **July 11, 2018**



Following an investigation by the U.S. Department of Labor's Wage and Hour Division (WHD), Alabama-based construction contractor KW Construction Work Inc. has paid \$14,857 to 13 Texas-based employees stranded in the U.S. Virgin Islands without pay or transportation after performing hurricane recovery work, the U.S. D.O.L. announced Wednesday. The Corpus Christi office of the department's Occupational Safety and Health Administration (OSHA) learned of the situation and alerted WHD, the release said.

WHD's Caribbean District Office investigated and identified several violations of the Fair Labor Standards Act (FLSA). Investigators found KW Construction failed to pay employees the minimum wage when they paid them a flat fee of \$167 to \$200 per week regardless of the number of hours they worked, and failed to pay them overtime when they worked more than 40 hours per week. The company also misclassified the employees as independent contractors and failed to keep records of how many hours they worked.

According to the release, WHD secured a back wage compliance agreement and payment from the company within 24 hours. The employer also arranged for employees' transportation, allowing them to return to Texas within a few days.

"The U.S. Department of Labor works to ensure that employees receive the wages they have legally earned for all the hours they have worked and that employers can compete on a level playing field," said Wage and Hour Regional Administrator Mark Watson, Jr. in Philadelphia, Pennsylvania.

"The department encourages employers to use the tools and resources the Wage and Hour Division provides, and to contact us with any questions they may have to avoid violations and operate in compliance with the law," said Wage and Hour Division Caribbean District Director José Vazquez.

Employees and employers who would like compliance information, who wish to meet with a Wage and Hour representative, have questions or concerns, or wish to file a complaint, should contact WHD's Caribbean District Office at 787-775-1947 or 1-866-4-USWAGE, or by email. All contacts are confidential.

For more information about the FLSA and other laws enforced by the Wage and Hour Division, contact the Division's toll-free helpline at 866-4US-WAGE (487-9243). Information is also available at [www.dol.gov/whd](http://www.dol.gov/whd) including a search tool to use if you think you may be owed back wages collected by WHD.