

Jul 15, 2022 resnobee.com

Immigrant detainees at two Central Valley immigration detention centers sue over wages

The Mesa Verde detention center in Bakersfield. Immigrants detained at two Central Valley immigration detention facilities are suing the centers' operator - the GEO Group - over their \$1-per-day wages and retaliation. Nine detainees are named in the federal lawsuit and are suing on behalf of others who find themselves in a similar situation at Mesa Verde ICE Processing Center in Bakersfield and the Golden State Annex ICE Processing Center in McFarland. The suit was filed on Wednesday. The lawsuit says four of the class action members, and others detained, recently began "work stoppages to protest the conditions in which they are detained." As a result, the lawsuit says, they were disciplined and placed in solitary confinement. "On information and belief, the charges and discipline are retaliatory in nature, designed to force workers to continue to work for GEO at subminimum wages or for no pay at all," the lawsuit reads. The immigrant detainees say they were just trying to send a message. Get unlimited digital access Subscribe now for just \$2 for 2 months. CLAIM OFFER "When we launched this labor strike at Mesa Verde 77 days ago and at Golden State Annex 37 days ago, our demands were clear: to cease the exploitation of our labor by paying workers according to (California) minimum wage of \$15 per hour..." the detainees said in a Thursday news release. A GEO Group spokesperson told The Bee in a statement that the allegations in the lawsuit are "similar to those brought in previous cases involving the federal government's Voluntary Work Program." The GEO Group, the spokesperson said, is required to implement and administer the program on behalf of U.S. Immigration and Customs Enforcement. It is also required that detainees "are to maintain their personal living areas in a clean and sanitary condition." "The allegations in the lawsuit are completely without merit and will be vigorously defended by GEO in Court," the spokesperson said. Today's top headlines Sign up for the Afternoon Update and get the day's biggest stories in your inbox. SIGN UP This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply. The lawsuit says the detained immigrants who participate in the work program at the facilities qualify as GEO employees under state law. The detainees make \$1 for their 8-hour scheduled work shifts per day. While in the program, detainees can perform various work duties, such as scrubbing bathrooms, showers, sinks, and toilets; taking out the trash; painting dormitories; and assisting individuals with disabilities, among other tasks, according to the lawsuit. According to the lawsuit, class action members are entitled to recover unpaid minimum wages and other monetary damages. The GEO Group, the lawsuit claims, has significantly increased its profit by paying detainees \$1 in wages, when it otherwise would have to pay the minimum wage if the company hired more outside staff. "GEO was unjustly enriched at the expense of and detriment to Plaintiffs," the lawsuit reads. Detainees say they are humans and have rights. "We are inspired in our fight by detained workers in Washington State, who sued GEO and won \$17 million on back pay, and detained workers in Adelanto and Aurora, who are fighting for recognition of their rights as workers," the detainees said in the release. "We too are here to say that enough is enough." Detainees say other violations have led to the spread of COVID-19, and 11 other detainees recently tested positive. Hundreds of detainees at Mesa Verde went on a hunger strike over COVID-19 concerns in April 2020. They said officials were not taking proper measures to prevent or lower the risk of infection. CALIFORNIA AG REPORT ON FACILITIES' PANDEMIC RESPONSE The California Attorney General's Office on Thursday released a report on immigration detention facilities in the state. The report focuses on the pandemic response at seven facilities during the second half of 2021. The report found the number of detainees significantly decreased, but the average length of stay increased. Mesa Verde has a maximum capacity of 400, and on Nov. 16, 2021, it was housing 45 detainees. The Golden State Annex has a maximum capacity of 700, and on Dec. 15, 2021, it was housing 141 detainees, the report found. According to the report, the vaccination rates among detainees and staff varied widely. At Mesa Verde, the report found, 96% of detainees were vaccinated (not including boosters) and at the Golden State Annex, 75% of detainees were vaccinated. Seventy-six percent of staff at Mesa Verde were vaccinated, the report found, while the Golden State Annex reported 90% of its staff were vaccinated. A medical chart review by DOJ staff at Mesa Verde found one patient had tested positive for COVID-19 following a rapid test, and had not been moved to an isolation room until a lab test came back positive. "This means that for at least two days, the detainee was positive for COVID-19, but residing with other detainees, potentially transmitting the illness," the report reads.

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