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### **GEO Group can't shake claims over \$1-a-day detainee pay**

(Reuters) - A Washington federal judge has refused to toss out a class action lawsuit accusing GEO Group Inc of unlawfully paying hundreds of immigrant detainees \$1 per day to clean, prepare food and maintain the facility where they are housed. U.S. District Judge Robert Bryan on Monday rejected claims by GEO Group's lawyers at Ill Branches Law that a U.S. appeals court's recent dismissal of a similar lawsuit against private prison operator CoreCivic Inc required that GEO Group be granted judgment as a matter of law. Bryan said the March ruling by the Virginia-based 4th U.S. Circuit Court of Appeals was not binding on him because the court does not cover the state of Washington. The CoreCivic ruling also involved the application of the federal Fair Labor Standards Act, while the case against GEO Group was brought under Washington's wage-and-hour laws, the judge said. The 4th Circuit in its ruling said the federal minimum wage was designed to ensure that workers can maintain a minimal standard of living, but detainees have their basic needs provided for them and do not participate in the free labor market. Bryan declared a mistrial in the case in June after a jury deadlocked during three days of deliberations. GEO in moving for a mistrial said the nine-person jury had been unable to come to a unanimous verdict on the company's claim that it was entitled to governmental immunity because it operated a detention center in Tacoma under a government contract. Florida-based GEO did not respond to a request for comment. Nor did the plaintiffs' lawyers at Schroeter Goldmark & Bender. GEO Group has owned and operated the 1,575-bed facility in Tacoma, which holds immigrants awaiting court hearings or deportation, since 2005. In the 2017 lawsuit, the plaintiffs said the company paid them \$1 per day to participate in a voluntary work program. Detainees cleaned the facility, did laundry, washed dishes and staffed a barber shop and library. Regulations adopted by U.S. Immigration and Customs Enforcement in 2011 require private detention center operators to pay detainees at least \$1 per day for their labor. But the plaintiffs claimed GEO was using them as cheap labor instead of hiring workers to do the jobs. The plaintiffs said they were GEO's employees under Washington law and were entitled to earn the minimum wage of \$11 per hour. The attorney general of Washington in 2017 filed a separate lawsuit in the same court against GEO, also claiming it is required to pay detainees the state minimum wage of \$11 per hour. Washington's minimum wage law does not apply to state jails, but the attorney general claims in the lawsuit that GEO is not exempt because it is a private company holding people on civil, not criminal, charges. The case is *Nwauzor v. GEO Group Inc*, U.S. District Court for the Western District of Washington, No. 3:17-cv-05769. For the plaintiffs: Jamal Whitehead of Schroeter Goldmark & Bender. For GEO Group: Joan Mell of Ill Branches Law