

Unlicensed contractor charged in labor exploitation case

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San Francisco District Attorney Kamala Harris charged an unlicensed San Francisco construction contractor on Thursday with four felony counts of grand theft for allegedly cheating temporary workers out of their wages.

Abdelmohssen "Mike" Abozaid allegedly stole the labor of four men he hired temporarily to renovate homes and restaurants between Jan. 2005 and April 2006 by failing to pay the workers amounts ranging from \$445 to \$3,535, according to Harris.

Abozaid, who faces a maximum sentence of four years in prison, declined to comment on the charges, referring calls to his lawyer. Attorney Clifford Gould, who represented Abozaid at a hearing Thursday morning, said in an e-mail to The Chronicle that he and his client agree that all workers who are owed money should be paid.

But he questioned whether Abozaid should be prosecuted.

"Mr. Abozaid is a 'little guy,' not one of the huge agribusiness and other corporations in this country who are abusing workers," Gould wrote.

This is the first such case Harris has brought, but she and other legal experts say exploitation of casual workers is common. Harris encouraged workers to report workplace abuses, saying her office is not concerned with their immigration status. Many day laborers are illegal immigrants.

"The law applies equally to all," she said at a news conference where she was flanked by immigrant workers and immigrant rights attorneys. "If any one of us is a victim of crime, let's be clear, the person who commits the crime will be punished, regardless of the status of the victim."

Knowingly employing an undocumented immigrant is a crime under federal law, and "unlawful presence" in the United States is a civil violation of immigration law.

In one case, Abozaid allegedly had laborers work 14-hour days to renovate a restaurant in Santa Clara and paid them only a portion of their wages, with no overtime pay and no breaks for meals, according to court documents.

A 2006 study by UCLA's Center for the Study of Urban Poverty found that almost half of all day laborers suffered at least one instance of wage theft in the two months prior to being surveyed. Anamaria Loya, director of La Raza Centro Legal, said the criminal charges were especially welcome at a time when raids by federal Immigration and Customs Enforcement agents in the Bay Area and across the country have left illegal immigrants fearful of law enforcement.

"Even in a climate with so many raids taking place, you have a right to be paid for your labor," said Loya. "In this city the district attorney is prioritizing it."

Abozaid's arraignment was put over to March 26.

Harris said her investigation is continuing and encouraged anyone with information about workplace abuses or Abozaid to call her office at (415) 551-9558.

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