

March 18, 2014

The Honorable Harry Reid  
United States Senate  
S-221 Capitol Building  
Washington, D.C. 20510

Dear Senator Reid:

We, the undersigned, are civil and women's rights and labor and employment advocates. We write to urge you to send the nomination of Professor David Weil to the full Senate for a vote. His confirmation as the Wage & Hour Administrator at the Department of Labor is of utmost importance to the workers, law-abiding employers, and federal and state coffers suffering from wage theft on a daily basis. This long-vacant and critical post at the DOL cannot continue to remain empty.

David Weil is the right person for the job. He is an expert in labor market policy and industrial and labor relations policy. Dr. Weil has written expansively on and advised the Wage and Hour Division as well as other government agencies, both domestic and foreign, on best practices for robust and fair wage and hour enforcement models. A management school professor at Boston University, he has also co-directed the Transparency Policy Project at Harvard University's John F. Kennedy School of Government. Professor Weil would bring this broad knowledge to the Division charged with enforcing our nation's fair pay laws.

Wage theft is becoming a defining trend of the 21st century labor market. It takes many forms for workers, including being paid less than the minimum wage or other agreed-upon wage, working "off-the-clock" without pay, getting less than time-and-a-half for overtime hours, having tips stolen, being misclassified as an "independent contractor" instead of an employee and underpaid, having illegal deductions taken out of paychecks, or simply not being paid at all.

A growing body of research – national studies, industry and regionally-specific studies, and government reports – documents a broad and worsening wage theft crisis in the United States. These studies show that wage theft takes place in industries that span the economy, including retail, agricultural, restaurant and grocery stores; caregiver industries such as home health care and domestic work; blue collar industries such as manufacturing, construction and wholesalers; building services such as janitorial and security and personal services such as dry cleaning and laundry, car washes, and beauty and nail salons.<sup>1</sup>

The consequences of wage theft are severe – for workers, for local economies and law-abiding businesses, and for taxpayers. Workers suffer when they don't get paid. Workers in low-wage industries in the three cities of New York, Chicago and Los Angeles lose over \$56 million per week in unpaid wages. That means bills go unpaid, housing is unstable, and families have less food on their tables. Local

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<sup>1</sup> <http://www.nelp.org/page/-/Justice/2012/WinningWageJusticeSummaryofResearchonWageTheft.pdf?nocdn=1>.

economies also suffer when wage theft becomes a way of doing business. Well-meaning businesses often can't compete with wage cheats that shave their operating costs by breaking the law. And the less money wage earners bring home, the less they have to spend at local businesses, dealing a further blow to local economies. And employers that cheat workers also rob state, local and federal budgets of payroll taxes and contributions to the unemployment and workers compensation systems, hampering our nation's economic recovery.

Given these trends and their devastating impact, it is clear that USDOL's Wage and Hour Division needs to be able to function at its maximum capacity. While the present and former Acting Administrators have performed their duties admirably, there is no substitute for a fully confirmed Administrator. We urge you to schedule his full Senate vote at the earliest possible time and we thank you for your attention to this important matter.

Sincerely,

9to 5

Advocates for Basic Legal Equality

AFL-CIO

Alliance for Justice

American Federation of State, County and Municipal Employees (AFSCME)

American Federation of Teachers

Americans for Democratic Action

Brazos Interfaith Immigration Network

Center for Effective Government

Center for Law and Social Policy (CLASP)

Center for Popular Democracy

Chicago Jobs Council

Cincinnati Interfaith Workers Center (CIWC)

Coalition of Labor Union Women

Coalition on Human Needs

Community Action Partnership

Demos

Economic Policy Institute

The Employment Justice Center

Equal Justice Center

Equal Justice Society

Every Child Matters Education Fund

Family Values @ Work

Farmworker Justice

Friends of Farmworkers

Greater Boston Legal Services  
IBEW Local #725  
Indiana Institute for Working Families  
Interfaith Worker Justice  
International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)  
Jobs With Justice  
Labor and Employment Committee of the National Lawyers Guild-New York City Chapter  
League of United Latin American Citizens  
Legal Aid Society – Employment Law Center  
The Legal Aid Society  
Legal Momentum  
Make the Road NY  
Maurice & Jane Sugar Law Center for Economic & Social Justice  
Metropolitan Washington Employment Lawyers Association  
Metrowest Worker Center - Casa  
National Consumers League  
National Council of La Raza (NCLR)  
National Day Laborer Organizing Network  
National Employment Law Project  
National Employment Lawyers Association (NELA)  
New Orleans Workers' Center for Racial Justice  
Partnership for Working Families  
Progressive States Network  
Public Justice Center  
Restaurant Opportunities Centers United  
Service Employees International Union  
Towards Justice of Colorado  
Unitarian Universalist Service Committee  
Urban Justice Center  
USAction  
Wider Opportunities for Women  
Women Employed  
Worker Justice Center of New York