



## Commissioner Brad Avakian

Bureau of Labor and Industries

### Press Release

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### **Evidence of Discrimination Found in Avakian Complaint Investigation**

*Civil Rights Division finds substantial evidence of violations by Typhoon against Thai workers*

**PORTLAND** – The Civil Rights Division of the Oregon Bureau of Labor and Industries (BOLI) has concluded its investigation into alleged civil rights violations by Typhoon!, Inc., and found substantial evidence that the restaurant chain engaged in unlawful discrimination against its Thai employees based on their national origin. Pursuing a complaint filed by State Labor Commissioner Brad Avakian [last fall](#), investigators found evidence that Typhoon used its leverage over workers recruited from Thailand to impose lower pay, longer hours, unfavorable contract terms, and hostile working conditions that were not faced by non-Thai employees.

“Typhoon could have chosen to follow the law and provide equal pay for equal work,” Avakian said. “Instead, the company trapped Thai workers into employment they were afraid to leave and turned that fear into a business advantage.”

Investigators found multiple witnesses – including employees hired by Typhoon from both the United States and Thailand – who described the company subjecting Thai workers to different treatment in the workplace. Unlike their American counterparts, Thai workers were:

- Intimidated into signing employment agreements that required thousands of dollars be paid to Typhoon within one day if the employee was terminated and attempted to strip employees of the right to seek legal redress in a court of law or administrative agency.
- Relocated between restaurants in different cities with minimal or no notice and not provided housing as their visa agreements required: as of November 2010, a total of 18 Thai workers resided in two apartments and one single family residence.
- Pressured to work extra hours without compensation, often working between shifts or carving vegetables at home after their shifts had ended.

Investigation of payroll records showed that among both salaried cooks and cooks paid hourly wages, Thai citizens working at Typhoon under E-2 visas were paid less than U.S. citizen cooks.

With the Civil Rights Division’s finding of substantial evidence, the case will advance to BOLI’s Hearings Unit for issuance of formal charges for discrimination in compensation, terms of employment and conditions of employment.

At the same time, BOLI’s Wage and Hour Division is investigating two claims for unpaid overtime wages filed by former Typhoon employees.

For more information about BOLI, visit <http://www.oregon.gov/BOLI>.

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*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*