



## Commissioner Brad Avakian

Bureau of Labor and Industries

### Press Release

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### **BOLI Investigation Leads to Formal Charges against Typhoon!**

*Bureau of Labor and Industries seeks at least \$250,000 per aggrieved employee*

**PORTLAND** – The Oregon Bureau of Labor and Industries (BOLI) has issued formal charges of civil rights violations against Typhoon!, Inc., and will seek at least a quarter-million dollars on behalf of each Thai employee subjected to unlawful employment practices by the restaurant chain. Oregon’s Civil Rights Division [announced in May](#) that investigators found substantial evidence that Typhoon used its leverage over workers recruited from Thailand to impose lower pay, longer hours and unfavorable contract terms that were not faced by non-Thai employees.

“Equal pay for equal work is a fundamental right in our workplaces,” said State Labor Commissioner Brad Avakian, who [initiated the investigation](#) of Typhoon’s practices. “The evidence shows that Typhoon paid one class of workers less than another because of their national origin. BOLI will always take action to stop that kind of injustice.”

Several Thai workers contacted Avakian in 2010. They had left their homes and families in Thailand based on Typhoon’s promises of a good job and fair wages. Instead they found themselves trapped in unreasonable contracts, receiving lower wages and working longer hours than their American counterparts who enjoyed better working conditions. Hearing their personal stories, Avakian invoked the Labor Commissioner’s statutory authority to file a commissioner’s complaint. A commissioner’s complaint functions like any civil rights complaint filed with BOLI, but offers greater protection against retaliation because individual workers need not file in their own name.

BOLI’s charges seek non-economic damages of at least \$250,000 for each E-2 visa employee discriminated against by Typhoon based on national origin. In addition, BOLI has identified at least 11 Thai workers, employed under the E-2 visa program, who were unlawfully paid less than U.S. citizens for work as cooks in Typhoon’s Beaverton, SW Broadway, NW Everett and Gresham locations. The charges seek wages to compensate those workers and any others similarly situated and also seek an order bringing their pay in line with their non-Thai co-workers.

The Typhoon case will be prosecuted before BOLI’s Hearings Unit, with an administrative law hearing scheduled for May 15, 2012. Any final order in the case will be issued by BOLI Deputy Commissioner Doug McKean.

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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.*