

**EDUCATION & LABOR COMMITTEE**  
Congressman George Miller, Chairman

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Wednesday, March 25, 2009  
Press Office, 202-226-0853

***GAO's Undercover Investigation:  
Wage Theft of America's Vulnerable Workers***

**TRANSCRIPT: GAO Undercover Investigation Clips**

**Clip 1:** *Fictitious complainant has reported that he is not being paid minimum wage.*

WHD: "Ok, well you will have to pay him at least the minimum wage for all the hours that he worked."

Fictitious Employer: "Well, you know, like I said, all of our contracts have dried up, we really don't have anything coming in, so..."

WHD: "Ok, so you're not in a position where you can pay him?"

Fictitious Employer: "No."

WHD: "Ok, well then I will let him know that he has his private right to action to pursue the funds."

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**Clip 2:** *Fictitious complainant calls back to ask if WHD can provide any further assistance*

WHD: "Once the employer tells me that they're not going to pay and they can't, my ability to, you know, force payment has ended."

Fictitious Employee: "So you really have no power to do any...all you did was just call her and ask her to pay me...I mean, she's just..."

WHD: "Mhmm. And, well, the thing is that...I explained the law to her, she knows that she needs to pay you. It's just that she's saying she doesn't have the money to. I can't wring blood from a stone. I'm bound by the laws I'm able to enforce, the money the Congress gives us and all of that lovely stuff. If you are having a problem with what our office is capable of achieving, based on the laws that were written, then you need to write your Congressman. OK, do you know who your congressmen are? I mean, we can use all the help we can get."

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**Clip 3:** *WHD discourages complaints*

WHD: “You’re sure you don’t want to just have a nice conversation with him [employer] yourself.”

Fictitious Employee: “No, no I don’t want to because he gets very loud and angry.”

WHD: “OK, well here’s another avenue that you can pursue. OK, do you have another job lined up?”

Fictitious Employee: “No.”

WHD: “OK, you might want to do that before you file a complaint with us, because I can’t guarantee that he’s not going to fire you.”

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**Clip 4:** *Investigator Lies to Fictitious Complainant*

WHD: “Yeah, they have to have a certain ADV [gross revenue] now for us to have enterprise coverage and we don’t have it.”

Fictitious Employee: “What’s that mean? I don’t understand.”

WHD: “What the gross sales is for that year.”

Fictitious Employee: “How do you get that?”

WHD: “We report off of the IRS database.”

Fictitious Employee: “Oh. So you check with IRS and IRS says that he reports less than that?”

WHD: “Yeah...”

*GAO’s fictitious business has never file taxes and is not listed in the IRS database.*

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**Clip 5:** *WHD’s Complainant Intake Process is Time-Consuming*

WHD: “...we have a backlog right now of like 8 months, 8-10 months.”

Fictitious Employee: “OK.”

WHD: “We’re not even going to be starting an investigation until 8-10 months.”

*A delay of 8-10 months could prevent the employee from collecting some or all of the back wages due to him.*

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**Clip 6:** *GAO Leaves Anonymous Child Labor Complaint*

WHD Voicemail: “Please leave a message and the officer of the day will return your call as soon as possible.”

GAO Caller: “I’ve seen, um, a place, uh, I think it’s called CP&D Meat Packaging or something like that in Modesto, California. Uh, I’ve seen kids working there, I believe they’re under age. They seem to be working all day, probably during school. They’re working on some heavy type of equipment like, I guess you call them circular saws and the machine that makes hamburger meat.”

*WHD never investigated and has no record of the complaint in their database.*