

# Workers hail 'partial justice' with settlement

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By KAREN LEE ZINER

BOSTON — Hundreds of former workers at a New Bedford company that was raided by immigration agents last year will share \$613,000 in unpaid wages and overtime pay through a settlement agreement announced yesterday. Lawyers for the workers called it “partial justice.”

The agreement applies to 764 former employees of Michael Bianco Inc., many of whom were detained and deported after the controversial raid, and others who worked at the company before and after the raid. Workers alleged that Bianco president Francesco Insolita maintained a sham company — Front Line Defense — to avoid paying overtime and skirt other wage-and-hour laws.

The company, Insolita and Suzanne Thompson (his wife, who is listed as president of Front Line Defense), have agreed to pay a total of \$850,000, lawyers said at a news conference. Money will be allocated to several New Bedford immigrant advocacy groups; attorneys and other legal services organizations will receive partial fees and costs.

Each of the six named plaintiffs will receive an additional \$2,000 for “their courage in coming forward.”

Two weeks ago, Insolita pleaded guilty to a felony charge of harboring and concealing illegal aliens for private financial gain. He faces up to 18 months in federal prison.

“While we are very pleased with this settlement, we are certainly aware that for many whose lives were torn apart by the raid, this is only partial justice,” said Audrey R. Richardson, lead attorney for Greater Boston Legal Services, one of the organizations that brought the suit. She said exploitative conditions at Bianco created “a climate of fear,” and underscore a need for federal immigration reform.

The settlement applies to documented and undocumented workers. “It is crystal-clear,” said Richardson, that federal wage-and-hour laws cover all workers, “regardless of immigration status.” She said lawyers are in touch with many of the deportees, and are working to find other former employees here and abroad who are entitled to restitution.

Greater Boston Legal Services, South Coast Legal Services and lawyer Philip Gordon of the Gordon Law Group filed suit in May 2007, two months after federal agents arrested 361 Bianco workers on immigration charges. The workers were stitching gear for U.S. troops in Iraq and Afghanistan, to fulfill the company’s \$230 million in military contracts.

Immigrant advocacy groups and public officials decried the raid, saying it separated families and left children without proper care.

Through interviews after the raid, “we soon learned that many in the factory were working morning and evening shifts, well over 40 hours a week,” said Richardson. “We alleged the company systematically and intentionally violated wage-hour laws by creating a sham second corporation — Front Line Defense,” to avoid paying time and a half for more than 40 hours’ work.

Workers said they received two checks; one from the Bianco company for full-time work on the day shift, and the second from Front Line Defense, for evening-shift hours.

Richardson said the company also punished workers for supposed infractions.

Former Bianco worker Elsy Hernandez said, “I used to work 14 hours a day, six days a week. And what was happening was we were never receiving a check for the overtime in our second shift.” Bianco and Front Line Defense “were at the same location — the same address,” she said, and workers often performed the same work at their same station. She added, “I am very, very happy we have recouped what belonged to us. We thought it was over, and [the money] was lost. And we thank God.”

Richardson said payments will range from \$20 to \$8,000, “based on how much each individual worked.” Those who worked double shifts over a longer period will receive more; those who did not work double shifts “will receive much smaller payments.”

Greater Boston Legal Services said former Michael Bianco and Front Line Defense employees can call the agency at 617-603-1744 or toll-free at 866-778-0939 for more information or to claim payment.

Michael Bianco Inc. has since been renamed Honors USA Inc.,

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