

News Release

U.S. DEPARTMENT OF LABOR INVESTIGATION RESULTS IN \$158,139 IN BACK WAGES AND DAMAGES FOR 50 EMPLOYEES ON MASSACHUSETTS CONSTRUCTION PROJECT

BOSTON, MA – After an investigation by the U.S. Department of Labor's Wage and Hour Division (WHD), the U.S. District Court for the District of Massachusetts has ordered P & B Partitions Inc. and its owner Ronald H. Biglin Jr. to pay \$158,139 in back wages and liquidated damages to 50 employees, to resolve willful violations of the Fair Labor Standards Act (FLSA). The company – based in West Berlin, New Jersey – was also assessed \$33,880 in civil money penalties.

The employer worked on the City Square apartment construction project in Worcester, Massachusetts, between August 2016 and April 2018. WHD investigators found that the employer paid employees - including laborers, dry wall hangers, carpenters, and a lull operator - straight time in cash when they worked overtime hours. In addition, the employer failed to maintain records of the cash payments, failed to track accurately employees' work hours, and falsified payroll records.

"Employers are responsible for paying their employees all the wages they have legally earned," said Wage and Hour Division District Director Carlos Matos, in Boston. "The U.S. Department of Labor is committed to protecting the American workforce, and will continue to provide education and tools to employers to help them understand their responsibilities and how to comply with the law."

"The U.S. Department of Labor will take appropriate steps to enforce the law to ensure that contractors pay their employees correctly and don't break the law to gain an unfair advantage over law-abiding competitors," said Regional Solicitor of Labor Maia Fisher, in Boston.

Read the complaint and the consent judgment and order.

Employers who discover overtime or minimum wage violations may self-report and resolve those violations without litigation through the PAID program. For more information about the FLSA and other laws enforced by the Wage and Hour Division, contact its toll-free helpline at 866-4US-WAGE (487-9243). Information is also available at <https://www.dol.gov/whd> including a search tool to use if you think you may be owed back wages collected by the Division.

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Acosta v. P & B Partitions Inc. and Ronald H. Biglin, Jr.

Civil Action Number: 1:18-cv-12398.

Agency Office of the Solicitor Wage and Hour Division

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