

## Crime That Pays

A Review of Kim Bobo's *Wage Theft in America: Why Millions of Working Americans Are Not Getting Paid—And What We Can Do About It*  
(The New Press, 2009)

Crime does not pay—that is the message of law-and-order rhetoric, criminal justice policy, government legislation. The over two million now locked up in federal, state or county facilities are the concrete consequence of such messages, justified by the claim that incarceration of those who violate the law is done to protect honest, hard-working people. Questionable assumptions, dubious ethics lie behind practices that have led so many to be deemed “worthy” of being put behind lock-and-key despite the enormous social and human costs.

Questionable and hypocritical, for a certain class of people finds that crime does pay, quite profitably. A class of people who live in circumstances far removed from those who are the ordinary targets of law enforcement, people whose crimes are built into the course of everyday business in a manner so ordinary as to be all but invisible to most observers—and so acceptable that penalties are rare, incarceration even rarer. Most striking about this form of “acceptable” crime is that its victims are exclusively those hard working people our laws are supposedly designed to protect.

Kim Bobo in her *Wage Theft in America* unveils this invisibility providing extensive documentation of the practices by which

billions of dollars in wages are being illegally stolen from millions of workers each and every year. The employers range from small neighborhood businesses to some of the nation's largest employers – Walmart, Tyson, McDonald's, Target, Pulte Homes, federal, state and local governments and many more. Wage theft occurs when workers are not paid all their wages, workers are denied overtime when they should be paid it, or workers aren't paid at all for work they've performed. Wage theft is when an employer violates the law and deprives a worker of legally mandated wages.

Changes in the economy, the growth of contingent employment at the expense of steady full-time jobs mean that some of these practices affect better-paid white-collar workers; nonetheless, overwhelmingly most work in industries that are ill-paid to begin with: construction, garment, nursing homes, farm work, poultry, restaurants, day labor. Thus it is the most vulnerable—immigrants, poorer black and white workers—who can least afford the loss of what they are rightly owed, who are most victimized, Those in poverty are further impoverished so that those in luxury can further accumulate wealth.

A problem of this magnitude doesn't just happen, it results from a culture of corporate impunity, aided and abetted by government action (and inaction enforcing current laws) that was also responsible for laying the groundwork of the 2008 financial collapse. As Bobo notes, business practices of expansion at all costs, focus on short-term profits over long-term profitability, and cutting labor costs through understaffing created the framework in which extreme – illegal – exploitation became legitimated as a competitive necessity. Wealth illegally grabbed by the rich from the poor represents a triumph of

greed, a sign of our society's spiritual crisis; as is society's racism and sexism manifested by most of the victimized being women, Latinos, East Asians, African Americans.

Bobo, founder and executive director of Interfaith Worker Justice, calls greed, sexism, racism, sins; each chapter of *Wage Theft in America* begins with quotes from Christian, Jewish, Islamic sources upholding the value of justice, while an appendix includes various church statements on behalf of workers rights. At the same time, she notes that in Christian congregations (and in Jewish and Islamic faith groups too) there is often a great disparity between the wealth of church members and the need of so many outside, a disparity that can lead to many drifting away from prophetic messages condemning injustice by taking comfort in personal prosperity as a sign of God's blessing. Addressing this, Bobo writes,

Wage theft is not just about a few folks having a hard time making ends meet. It is the intentional stealing of people's livelihoods by unethical employers in order to enrich themselves. Wage theft requires justice, not just charity. It demands a structural look at how the economy operates and the kind of incentives and disincentives playing out in the economic arena. Wage theft forces the religious community to take a position on the side of justice, the side of the prophetic tradition, even if it might be political and controversial. Consequently, stopping wage theft is good for our faith. Wage theft makes us uncomfortable. It requires us to take a position.

Taking a position translates into *Wage Theft in America's* greatest strength; it serves not only as an indictment of what is, it serves equally as a guide to action for change. Bobo outlines how confusing laws, conflicting lines of authority, and government officials' unwillingness to use the authority they have – exemplified by the Bush Administration's Department of Labor – creates the space in which wage theft takes place and closes the space where justice can be demanded (failures that contrast with the power used in the so-called war on drugs, in the enforcement of laws against so-called illegal immigrants). She then demonstrates in an informative chapter on Frances Perkins, Secretary of Labor from 1933-1945, how government power can be used in a proactive manner to uphold labor rights and standards. Following that is a discussion of concrete organizational and policy changes the Department of Labor could make today in order to again use its authority on behalf of working people.

Government alone will never bring change, that requires people acting together on their own behalf. Therefore the book describes the critical role unions can play in preventing the types of abuse, the illegal exploitation, documented. Unions, however, have been weakened due to decades of attacks – including through other forms of winked-at employer lawbreaking – which has left the most marginalized workers particularly exposed. So Bobo also highlights the community- and immigrant-based Worker Centers which have become key vehicles through which low-wage workers defend their rights. Interfaith Worker Justice is an important supporter of these Centers; appendices include a listing of them as well as legal clinics, labor unions, and other resources for victims of wage theft. Finally, specific suggestions are given of various ways any reader can join this battle against injustice, along with a “congregational study guide” (easily adaptable by any neighborhood group, religious or secular) as a means of most effectively using *Wage Theft in America*.

As Bobo concludes:

The national epidemic of wage theft is not inevitable. A hundred and fifty years ago, we didn't know if we could end slavery. We did. A hundred years ago, few thought we could stop child labor in industries. We did. Seventy years ago, people questioned whether we could pass a minimum wage. We did. Ending wage theft will not be easy, but together we can put a stop to it and rebuild protections and standards for workers. Ending wage theft is good for workers, good for ethical businesses, and good for America.

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