



SENATOR JOSÉ RODRÍGUEZ
DISTRICT 29

PRESS RELEASE



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FOR IMMEDIATE RELEASE
Sept. 9, 2015

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First El Paso conviction secured under state wage theft law passed by Sen. Rodríguez

Austin - An El Paso jury today found a local contractor guilty of wage theft, the first conviction in El Paso, and possibly the state, under a 2011 law passed by state Sen. José Rodríguez, D-El Paso.

Esteban Rangel said that he was owed \$2,295 by John Najera, doing business as Sun City Roofing. Today, a jury found Najera guilty and sentenced him to 180 days in state jail and a \$5,000 fine. Since he did not have any prior convictions, the state jail sentence was reduced to three years of probation. Najera must still pay the \$5000 fine as well as pay \$2,295 in restitution to Rangel.

"This conviction is a landmark in the fight against wage theft," Rodríguez said. "Unscrupulous employers who intentionally steal from employees now know there are real consequences for robbing workers of the pay that they're owed."

Theft of wages occurs when employers fail to pay workers their promised wages. In certain industries, such as construction, one in every five workers experiences wage theft. Day laborers in particular are significantly affected by this issue with 50 percent having experienced wage theft. The impact of this theft is widespread and has caused many Texans to be unable to meet their families' basic needs.

Senate Bill 1024, passed by Rodríguez in 2011, revises Penal Code Section 31.04 to address instances when workers receive periodic or partial payment of wages. It allows for criminal prosecution for wage theft if, with intent to avoid payment, the employer fails to make full payment after receiving notice.

Rodríguez commended Rangel for pursuing this precedent-setting case and District Attorney Jaime Esparza for his office's diligence in prosecuting the case, as well as the Paso del Norte Civil Rights Project, the Labor Justice Committee, and other key stakeholders for their advocacy on behalf of hard-working El Pasoans.

José Rodríguez represents Texas Senate District 29, which includes the counties of El Paso, Hudspeth, Culberson, Jeff Davis, and Presidio. He represents both urban and rural constituencies, and more than 350 miles of the Texas-Mexico border. Senator Rodríguez currently serves as the Chairman of the Senate Hispanic Caucus, and is a member of the Senate Committees on Education; Health and Human Services; Veteran Affairs and Military Installations; Nominations; and Agriculture, Water, and Rural Affairs.