TOWARDS JUSTICE

DEFENDING THE DIGNITY OF WORK

TOWARDS JUSTICE TRI-ANNUAL REPORT

2014-2016

Our Mission

Towards Justice empowers America's chronically marginalized workforce to address systemic injustice, defend family financial stability, and ensure that work is the most effective strategy for economic success in our country.

Towards Justice in Review, 2014 to Today

Who We Are.....3

Contents.....4

Letter from the Executive Director.....5

Our Team.....6

Our History.....7

Our Impact 8

Timeline.....10

Our Programs: IMPACT Litigation.....12

Our Programs: Access to Justice.....14

Financial Development.....16

Our Supporters.....18

"I had never experienced wage theft before this and didn't know what to do until I met with Towards Justice. I feel proud and happy that I could be a good leader for the other people who have lived this. I feel it was a blessing from God that we could find help."

Walter Mancia

Who We Are

"We can have disagreements about immigration status and labor rights in general, but no one can argue with a straight face that a worker shouldn't be paid for his work."

Alexander Hood,
Founder and Director of Litigation

OUR WORK

Towards Justice increases economic stability for working families by expanding access to justice for vulnerable workers. We do this by empowering workers to defend and advance their employment rights, connecting them to quality legal services, increasing recovery of earned wages, and improving public awareness of wage theft and its ramifications.

Towards Justice provided free, confidential workplace rights analyses to over 1,100 workers in our first three years. We also distributed workplace rights information through immigrant service providers across Colorado, trained staff at 20+ partner organizations on how to identify wage theft, provided continuing legal education to our 36 Collaborating Attorneys, and trained and supported over 50 Just Wages Navigators. Meanwhile, we represent workers in court – approximately 320 of them so far – and have helped them to recover over $825,000 in stolen wages, fees, and penalties.

These same workers become our partners in educating the community about wage theft. For example, Walter Mancia came to Towards Justice about his wages and ended up discussing wage theft on television, organizing his colleagues at an Aurora, Colorado grocery store, and recovering $305,000 on their behalf. Focusing on the poorest, most vulnerable workers in America, our combination of strategic litigation and communications encourages redress of long-standing systemic injustice.

Letter from the Executive Director

Dear All,

Thank you so much for joining us in the fight against workplace injustice. At Towards Justice, we are awed and humbled by what we have accomplished during our first three years. We couldn't do it without you. Our community drives us, supports us, and demands thoughtful analysis of our work. Together, we can address the seemingly intractable challenge of workplace injustice.

Our clients take the lead in our work – serving as class representatives in litigation, speaking to the media and the community about wage theft, and connecting wage theft victims to our organization. Thanks to them, over 1,100 workers have come to us for help in just three years. These workers remind me every day of the hurdles that stand in the way of the American Dream. Too often, their experience epitomizes the nickel-and-diming that calcifies inequality in our society. This rampant wage theft doesn't just rob people of money, it robs them of their time and their dignity. At Towards Justice, we fight to get it back.

With your help, we can build on the foundation we have laid these first three years. Together we can reinvigorate economic mobility and make the American Dream mean something again.

Thank you for believing in Towards Justice and the working families we serve.

Sincerely,
Nina E. DiSalvo, Executive Director

Our Team

OUR STAFF

Nina DiSalvo, Executive Director

Alexander Hood, Founder and Director of Litigation

David Seligman, Attorney

Andrew Schmidt, Strategic Litigation Counsel

Justin Grant, Access to Justice Coordinator

Lindsay Fallon, Outreach & Development Coordinator

Brittany Bobadilla, MSW Associate (2016-2017)

Alyse Reynolds, MSW Associate (2016-2017)

WITH THANKS TO OUR FORMER STAFF MEMBERS

Austin Kohlman, Intern (Summer 2015)

Chelsea Lane Miller, Summer Law Clerk (Summer 2016)

Dermot Lynch, Skadden Fellow (2015-2016)

Edward Siegel, Attorney (2014-2015)

Elisa Marie Overall, Summer Law Clerk (Summer 2016)

Jill Rennert, Attorney (2015)

Robert Crabtree, Legal Extern (2015-2016)

Selena Perez, Communications Intern (2014-2015)

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Professor at the Graduate School of Social Work at University of Denver; Founding director of the Latino Center for Community Engagement and Scholarship at University of Denver

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Founding Partner at Rosenblatt & Gosch, PLLC

Jason Stavers, Director
Attorney & Novelist

Nina DiSalvo, Director
Executive Director at Towards Justice

Our History

"Alex created a tremendous organization, and having the opportunity to expand its reach and draw attention to its work is wonderful. Meanwhile, I get to make a real difference in the lives of immigrant families."

Nina DiSalvo, Executive Director

Building on previous work representing low-wage and immigrant workers with Andy Schmidt, Alex Hood founded Towards Justice in January 2014 to address the gap in the legal market that left so many immigrant victims of wage theft without access to justice. While not a household concept, wage theft is a rampant problem. The Colorado Fiscal Institute estimates that $750 million in earned wages is stolen from Colorado workers each year, and the Economic Policy Institute estimates that $50 Billion is stolen from workers nationwide on an annual basis. This widespread theft disproportionately victimizes low-wage workers, immigrants, women and racial minorities. It can drive workers to financial ruin, increase stress, upend relationships, undermine civic participation, and hamper economic mobility.

Focusing on wage theft and the systemic injustices that deprive low-wage workers of the money they rightfully earn, Towards Justice empowers workers while advancing systemic reform. Towards Justice initially took cases for individual workers who had been exploited by their employers. Since May 2014, Towards Justice has focused on addressing systemic problems impacting our community's most vulnerable populations by representing large groups of employees through strategic impact litigation. Meanwhile, Towards Justice has expanded its work as an access to justice clearinghouse for wage theft victims and as an educational resource for the community. In this way, we deter wage theft, empower workers, and prevent this problem from continuing to undermine economic mobility in our society.

Our Impact at a Glance

LITIGATION

320 clients

and class members represented

and propose to represent

~130,000

putative class members

in current cases

18 cases brought

in state and federal court

6 cases settled or completed

3 national law firms,

5 Colorado law firms,

1 non-profit partner

recruited as prestigious co-counsel

$825,000

recovered in stolen wages, fees, and penalties for our clients and demand hundreds of millions in damages in current cases

16 cases

continuing to litigate as of January 1, 2017, including 14 class or collective action cases in federal court

100+ articles

about our litigation to raise awareness of systemic workplace injustice in publications including The Wall Street Journal, Associated Press, Reuters, The Washington Post, Colorado Public Radio, Telemundo, Univision, The Colorado Independent, Law 360, Huffington Post, Rocky Mountain PBS and others

Our Impact at a Glance

ACCESS TO JUSTICE

1100+
legal intakes and claim analyses
conducted for potential clients

52 Just Wages Navigators
trained and recruited to our Access to Justice Network

40 events
presentations to workers and community partners

36 Collaborating Attorneys
recruited to our Access to Justice Network

7 Continuing Legal Education seminars
provided to our Collaborating Attorneys

22+ organizations/ **110** people
in the Wage Theft Task Force

36 partners
distributing information about wage theft to Colorado workers

Towards Justice Timeline

2014

Alex Hood founds Towards Justice as a Colorado Nonprofit Corporation. With years of experience working with Andy Schmidt to represent low-wage and immigrant workers in a variety of civil matters, Alex honed in on wage theft as an area where immigrants had unique challenges accessing justice

In collaboration with partner organizations, Towards Justice successfully advocates for adoption of the Colorado Wage Protection Act of 2014

Nina DiSalvo joins Towards Justice as Executive Director, bringing years of experience, as a litigator, state policy-maker, and non-profit professional

In collaboration with El Centro Humanitario para los Trabajadores, Towards Justice begins holding open intake hours in the community, offering free legal consultations to low-wage and immigrant workers

Representing a proposed class of vulnerable immigrant farmworkers, Towards Justice sued a Brighton, Colorado farm seeking redress for wage theft and abysmal working conditions that left employees without drinking water, sanitary bathroom facilities, or other necessities

Representing current and former civil immigrant detainees, Towards Justice and co-counsel file suit against the country's second largest private prison provider for forced labor and unjust enrichment

Towards Justice testifies before the Colorado Department of Labor and Employment about proposed regulations implementing the Colorado Wage Protection Act of 2014

Representing a proposed nationwide class of tens of thousands of au pairs, Towards Justice sues all U.S. State Department designated au pair program sponsors for price fixing, racketeering and wage theft

2015

Towards Justice recovers $305,000 in wages and penalties for vulnerable grocery store workers who had been systematically underpaid for many years

Representing U.S. and foreign shepherds, Towards Justice attacks the Federal Government's role in allowing wage stagnation in the sheep ranching industry – where shepherds earn as little as $2 per hour

Boies, Schiller & Flexner LLP joins Towards Justice as co-counsel representing a proposed nationwide class of tens of thousands of au pairs

Towards Justice raises awareness about wage theft in the media and in the community with appearances on Huffington Post TV, Telemundo, Univision, Radio Bilingue and at the Boulder International Film Festival, Colorado Providers for Integration Network, the Colorado Immigrant Rights Coalition in Summit County, the Mexican Consulate's Semana de los Derechos Laborales, the State Court Administrator's Legal Resource Day, Wage Theft Clinic Nights in Aurora and Boulder, and other events

Towards Justice hosts the first annual Just Wages! Fundraiser event with over 200 attendees

Representing a proposed nationwide class of shepherds laboring across the American West, Towards Justice files suit against sheep ranchers and their industry associations for alleged collusion to set shepherd wages in violation of the antitrust laws

Towards Justice offers continuing legal education courses in collaboration with the Plaintiffs Employment Lawyers Association to lawyers representing victims of wage theft

Towards Justice becomes Co-Chair of the Colorado Wage Theft Task Force with long-time partner El Centro Humanitario

With Towards Justice as counsel, a truck driver wins a victory in the Tenth Circuit Court of Appeals clarifying that Colorado wage theft victims are entitled to damages under both state and federal law

With Towards Justice as counsel, workers at SkyHouse Denver file a class action lawsuit on behalf of thousands of construction workers nationwide alleging a pattern of wage theft and discrimination at construction sites around the country

With Towards Justice as counsel, vulnerable temporary workers file a lawsuit against one of Colorado's largest staffing companies for rampant wage left and racketeering activity

Towards Justice clients win a Federal Court victory allowing them to band together in class and collective actions to demand payment for of all the hours they spent working as restaurant kitchen-hood cleaners across the American West

Towards Justice publishes a report entitled, "Wage Theft and Its Consequences" to raise awareness about the effects of wage theft on workers, families and communities

2016

Towards Justice launches the Bilingual Legal Intake Volunteer Program, recruiting and training more than 40 bilingual volunteers to conduct legal intake interviews for workers interested in Towards Justice's services

Towards Justice recognizes Bilingual Legal Intake Volunteer Judith Luevano at our first Access to Justice Awards Ceremony and Celebration

Towards Justice files two amicus briefs in the Ninth Circuit Court of Appeals in collaboration with national advocacy organizations including the National Employment Law Project and the National Consumer Law Center

Towards Justice launches the Just Wages Navigators Program to train community members to support one another as they file wage complaints with the Colorado Department of Labor and Employment

Towards Justice co-hosts the first annual Wage Justice Day with the Plaintiff's Employment Lawyers Association, a day-long CLE program for current and future members of the Towards Justice Collaborating Attorneys Network

With Towards Justice as counsel, a group of metal-workers recovers hundreds of thousands of dollars in unpaid overtime and fees for themselves and a class of 111 other workers

Towards Justice co-hosts the first annual Wage Theft Summit with key note speaker Kim Bobo, panel discussions, volunteer trainings, and workers' rights sessions

Our Programs

IMPACT LITIGATION

Towards Justice's IMPACT Litigation Program attacks the ugly underbelly of America's economic success through creative lawyering and strategic communications. Alejandro Menocal came to Towards Justice frustrated about earning $1 per day for work performed while held at an immigrant detention center in Aurora, Colorado. With Towards Justice as counsel, Alejandro discussed detention center conditions with Colorado Public Radio and the Associated Press, and brought claims for forced labor and unjust enrichment against the country's second largest private prison provider. Meanwhile, an au pair in Highlands Ranch, Colorado alerted Towards Justice of systemic injustices in the J-1 visa program. That au pair is now seeking redress for a class of over 50,000 au pairs and Towards Justice has alerted the public to abuses in the au pair program through The Washington Post, Colorado Public Radio, Telemundo, Reuters, Law360, Denver Business Journal, CBS Money Watch, Law Week Colorado, and others. With 16 current cases in litigation, and over 100 media hits about our work thus far, Towards Justice is giving voice to marginalized workers and empowering them as partners in advancing change both in the courtroom and in the public square.

START
TREATING
PEOPLE
LIKE
PEOPL
O.D. SERA

Our Programs

ACCESS TO JUSTICE

Our Access to Justice Program offers free, confidential workplace rights claims analysis to low-wage and immigrant workers, and connects them directly with individuals who can help advance their claims. Those individuals may be members of our Collaborating Attorneys Network, who we train through Continuing Legal Education courses and ongoing technical assistance, or non-attorney advocates who we train as Just Wages Navigators capable of supporting workers as they present wage theft claims to the Colorado Department of Labor and Employment. We also work with investigators in the U.S. Department of Labor Wage and Hour Division, as well as non-profit legal service providers. By bringing together non-traditional partners, Towards Justice empowers workers, deters wage theft, and gets hard earned wages back in the hands of America's workforce.

"Too often the layers of developers, labor brokers, contractors and subcontractors within the construction industry hide behind and blame each other when confronted with workplace rights violations on their job sites. Luckily, the law pierces through these relationships, allocates responsibility to all of these players, and ultimately holds them to account for cheating vulnerable immigrant workers."

David Seligman, Towards Justice Attorney

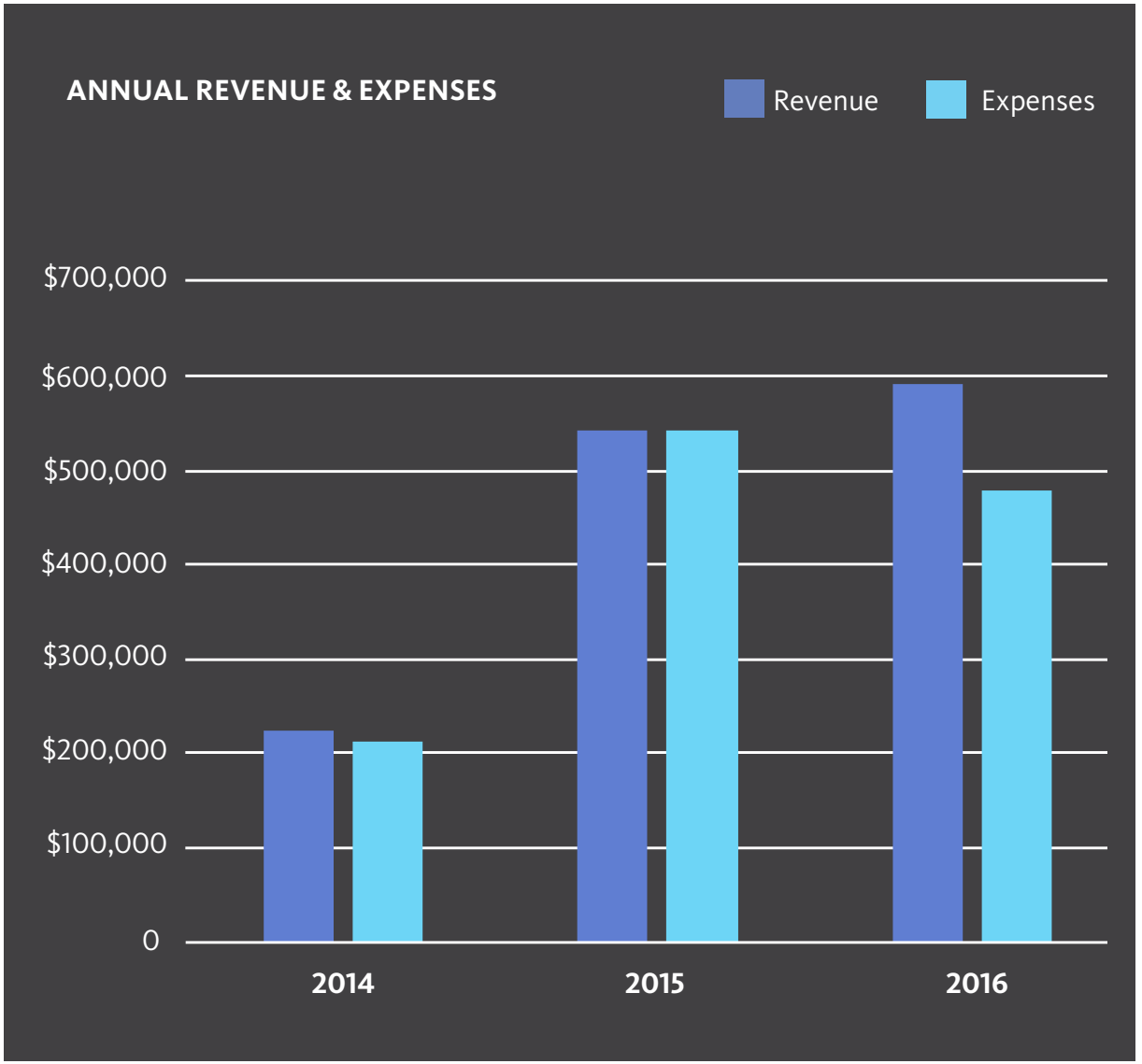
After learning about Towards Justice, a worker moves through our Access to Justice Program as follows:

"I knew how much I was working, and that I had to be away from my family all the time. I was very frustrated that I didn't get paid for my time, and couldn't find anyone who understood that frustration until I met Towards Justice. I hope I can finally get paid for all the hours I worked and also help out some of the other guys as well."

-Alfonso Avendano

Financial Development

National recognition – at least in workplace justice circles – has helped us to lay the groundwork for a sustainable funding base. We were lucky to receive a start-up grant from the RW Sherman Trust in 2014, and have since received general operating support from various Colorado foundations including the Denver Foundation, the Colorado Health Foundation, the Longmont Community Foundation, and the Colorado Bar Foundation. Meanwhile, our litigation work is supported by the Impact Fund, the Skadden Fellowship Foundation, and individual donations from private attorneys and law firms. Our litigation program also generates exempt function income for Towards Justice. In 2015, attorney's fees recovered from Defendants covered nearly one third of our budget. We hope to grow that amount in future years. Although we are proud of the funding base we have developed in a short time, we are anxious to expand our work, represent more workers in IMPACT Litigation, and scale up our Access to Justice Program. We are tremendously grateful to our current and future supporters for their commitment to the working families we serve.



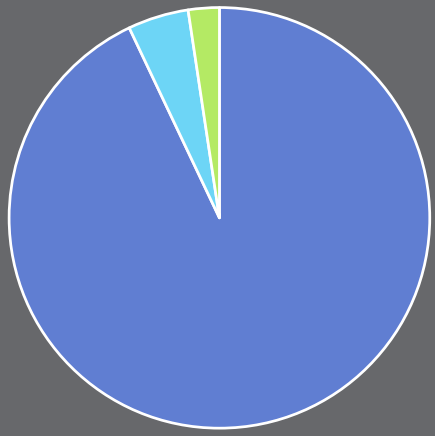
Income

- Institutional Donors
- Legal Fees
- Individual Donors

2014

2015

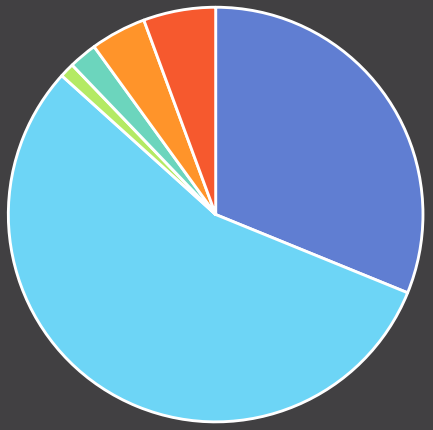
2016



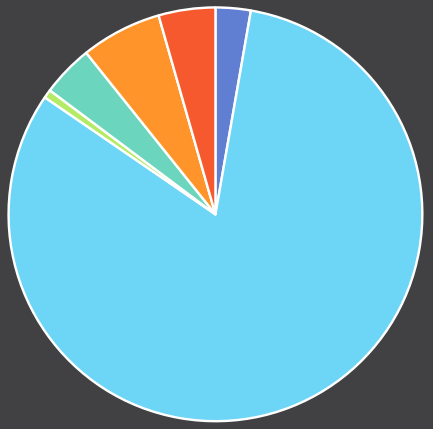
Expenses

- Client Costs
- Compensation
- Marketing & Development
- Office Supplies
- Rent & Utilities
- Other

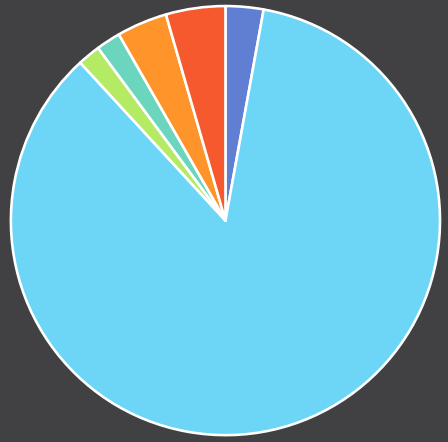
2014



2015



2016



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Emily Griffith High School
FRESC
Grand Valley Catholic Outreach
Hispanic Affairs Project
Immigrant Legal Center of Boulder County
Mi Casa Resource Center
Our Saviour Family Resource Center
Philanthropiece Foundation
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Rural Communities Resource Center
San Luis Valley Immigrant Resource Center
The Blue Bench
The Delores Project
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YMCA of Denver/Boulder County
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Eagle County Department of Human Services
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Rodarte Community Center
Global Refugee Center
Platte Valley School District

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Boulder Philharmonic
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Denver Zoo
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Gozo
Green Door Fitness
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Trader Joe's
West End Taphouse
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Colorado Immigrant Rights Coalition
Plaintiffs Employment Lawyers Association

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TOWARDS JUSTICE
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Award
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