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## Shady job agencies exploit immigrants; [Home Edition]

[TERESA BORDEN](#). [The Atlanta Journal - Constitution](#). Atlanta, Ga.: [Nov 3, 2005](#). pg. A.1

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 Subjects: [Aliens](#), [Employment agencies](#), [Foreign labor](#), [Unfair labor practices](#)

 Locations: [Georgia](#)

 Author(s): [TERESA BORDEN](#)

Document types: News

Section: News

 Publication title: [The Atlanta Journal - Constitution](#). Atlanta, Ga.: [Nov 3, 2005](#). pg. A.1

Source type: Newspaper

ISSN/ISBN: 15397459

ProQuest document ID: 920708281

Text Word Count 1184

 Document URL: <http://proquest.umi.com/pqdweb?did=920708281&sid=7&Fmt=3&clientId=15482&RQT=309&VName=PQD>

### Abstract (Document Summary)

The bottom of the immigrant ladder is firmly anchored in Chamblee, in grimy strip-mall offices where brokers funnel freshly arrived illegal immigrants to wash dishes, cut carrots and fry shrimp in near-indentured servitude at restaurants across the United States.

Jason Kidd, who heads investigations for the Atlanta office of the U.S. Bureau of Immigration and Customs Enforcement, said the Feng case was the last to spring from investigations beginning in 1997 that used undercover officers and confidential informants to target four employment agencies, 12 restaurants and a handful of illegal boarding houses, and resulted in eight arrests and the detention of 146 illegal immigrants.

The cases, known as Operations China Cafe and Pact House, temporarily shut down a ravenous industry that attracted illegal immigrants by the vanload to north Atlanta communities like Chamblee and Roswell. After years of relative quiet, Kidd said the trade in illegal restaurant workers is growing again. Workers say there are about 17 agencies in and around Chamblee, and each hires out between 24 and 30 laborers every day.

### Full Text (1184 words)

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The bottom of the immigrant ladder is firmly anchored in Chamblee, in grimy strip-mall offices where brokers funnel freshly arrived illegal immigrants to wash dishes, cut carrots and fry shrimp in near-indentured servitude at restaurants across the United States.

Authorities say those who sign on, nearly all from Mexico and Central America, work 12- and 14-hour shifts, sleep in crowded basements and apartments, and have no way to get around on their own. Food, lodging and transportation are all provided by bosses at these largely Asian restaurants, often at such a markup that, when the job ends, laborers end up with little for themselves.

Federal agents say many of these so-called employment agencies are fronts for immigrant-smuggling operations that provide cheap labor to Asian restaurants all over the country.

This week, Mei Lin Feng, 47, and Shih Kai Feng, 55, a Lilburn couple who ran one of these operations from a Chamblee storefront called the Sin Sin Employment Agency, were sentenced to eight years and five years in prison, respectively, after convictions in August on conspiracy and fraud charges related to immigrant smuggling. The two, surrounded by friends and family, held hands and prayed before the sentencing on Tuesday in downtown Atlanta.

From 1997 to 2003, according to case documents, the Fengs placed illegal immigrant workers in restaurants in Kentucky, Florida, South Carolina, Ohio and Georgia. Several workers were confidential informants who expressly told the Fengs they did not have work permits.

At Tuesday's sentencing, federal prosecutor Randy Chartash said that between March 1996 and March 2003 the Fengs made at least \$1.2 million recruiting and referring 7,280 illegal immigrants, making Sin Sin the largest underground employment agency known to agents at the time of their arrest.

Dwight Thomas, who represents Shih Kai Feng, said his client should not go to prison in light of the ongoing debate in Washington over whether to allow illegal immigrants to become legal "guest" workers.

U.S. District Judge Julie Carnes said the court's job at this point was not to consider immigration policy, but to determine punishment and deterrence for behavior that violated the law "every hour of every day" for several years.

Jason Kidd, who heads investigations for the Atlanta office of the U.S. Bureau of Immigration and Customs Enforcement, said the Feng case was the last to spring from investigations beginning in 1997 that used undercover officers and confidential informants to target four employment agencies, 12 restaurants and a handful of illegal boarding houses, and resulted in eight arrests and the detention of 146 illegal immigrants.

Kidd said the other employment agency owners are either in prison or deported. One died before he could face prosecution.

The cases, known as Operations China Cafe and Pact House, temporarily shut down a ravenous industry that attracted illegal immigrants by the vanload to north Atlanta communities like Chamblee and Roswell. After years of relative quiet, Kidd said the trade in illegal restaurant workers is growing again. Workers say there are about 17 agencies in and around Chamblee, and each hires out between 24 and 30 laborers every day.

"The minute we take one of them down, there's five more," Kidd said.

The victims of these agencies call themselves *hombres de paso*: wayside men. The very phrase hints at their precarious existence. Valente Ortiz, from the state of Michoacan in western Mexico, has been in the United States almost two years. He said his first agency job lasted eight months, a long time compared to others' experiences. Since then, he has had a hard time making it to the end of the month at any other restaurant.

"The truth is that many of them behave badly," Ortiz said of the restaurant owners. "They fire you for any little thing. You have to do everything just as they want or else. It could be 1 a.m., they don't give you any notice, they throw you out. . . . Some bosses just want to take advantage of you."

#### Disputes over wages

According to both workers and federal agents, restaurant owners from New York to Dallas and beyond hire the workers for between \$1,100 and \$1,400 a month, depending on whether they cook, prep or wash dishes. The agency takes a cut of the first month's salary, usually about \$150 to \$200. After that, the workers' earnings amount to between \$2.50 and \$4 an hour, before room, board and transportation charges, if they finish the month.

Often, they don't.

"If you want to charge for what you've worked, sometimes they don't pay it," said Ortiz. "I've worked for free up to eight days. They don't pay, and the agencies don't get involved."

Many workers say restaurant owners have a scheme. As soon as the laborers have worked off the fee that the owners pay the agency, the owners find a reason to fire the workers. When the workers complain to the agency, they're told to fix the problem themselves. By then, the restaurant owners have gotten a week's worth of work out of each employee and then ask the agency for new workers.

Living conditions are dismal. Ortiz and others spoke of being packed into filthy apartments and basements eight to 10 people to a room, sleeping on mats with no covers, and then working from the moment the restaurant opens until closing time. They get one meal a day at most, and supervisors often beat them. Injuries are reasons for dismissal.

#### No police jurisdiction

Rick Wise, whose wife, Shirley, owns an employment agency in Chamblee, makes a distinction between their business and the other agencies, saying they stay within legal lines.

"A lot of them are dealing with illegals; a lot of them are dealing with trafficking," he said. "What we did is we put a contract together. We have them actually talk to the restaurant owners. We post the job. We don't recruit them."

Wise said they also warn the restaurants to make sure they hire people with papers. But he acknowledges that many don't bother.

"You tell them what they should do, but you can't force them to do it," he said.

Chamblee Police Chief Marc Johnson said he has no jurisdiction to investigate the agencies, except to enforce rules about business licensing. But their presence creates other problems, and authorities have cited workers waiting for work outside of these establishments for disorderly conduct, shoplifting and public intoxication.

Federal agents say that, since the arrests in Pact House and China Cafe operations, brokers have learned to avoid attention from law enforcement. Charges of indentured servitude now are harder to prove because, when investigators talk to workers who feel they have been cheated, they say they were not held against their will.

"When we get into it, we haven't been able to make a case," Kidd said. "Is it some sort of indentured servitude? Well, probably. Does it rise to the level of a federal prosecution? A very small portion of it will."

Nevertheless, he said, agents are keeping their eye on employment agencies and there are some open investigations.

"New ones are popping up all the time," he said.

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Locations:  Georgia

Author(s):  TERESA BORDEN  
Document types:  News  
Language:  English  
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