

# Workers win back \$1M

■ Largely immigrant laborers to get back wages earned from contractor accused of shorting their pay

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In one of the largest settlements of wage disputes in New York State, a Brooklyn contractor has agreed to pay nearly \$1 million to 44 workers he was accused of cheating on pay during a renovation project at Stony Brook University Hospital, authorities said yesterday.

The workers, mainly immigrants from Latin America and the Caribbean, will receive back payments ranging from \$250 to \$88,000, depending on how long they worked

and what job they held.

"It's probably one of the largest cases we've done in my [3½-year] tenure as labor commissioner," State Labor Commissioner Linda Angello said at a news conference with officials from the Suffolk County district attorney's office.

The head of W&B Mechanical Corp., Eli Benyamin, could not be reached for comment. But his attorney, Meir Moza of Mineola, said he did nothing wrong and the dispute was mainly the result of poor bookkeeping.

Moza said Benyamin did not have enough money to pay the workers their full salaries during the project in 2003, and promised he would make up the difference by giving them a lump sum at the end. The workers agreed, Moza said, but the state took Benyamin's company off the job after em-

ployees complained.

But one worker interviewed yesterday said Benyamin has made no such promise. "He was like, 'Either you accept what I give you or you don't have a job,'" said the worker, who asked not to be named.

He said he took the job for \$14-an-hour, even though he knew he should have been paid far more. "At the time when you're not working and you have children to feed . . . you do what you have to do," the worker said.

The men worked as skilled carpenters, steamfitters and sheet metal mechanics renovating heating and air conditioning systems on two floors of the hospital, including one that was turned into a heart center.

Authorities said they were paid between \$8 and \$18.50 an hour, but should have received

about \$60 an hour including fringe benefits under state prevailing wage laws — a state-mandated wage for skilled workers on public works contracts.

It is by far the largest prevailing wage case investigated by the Suffolk County district attorney's office since it created a special unit three years ago to crack down on unscrupulous contractors. The office has recovered a total of about \$3 million for workers. In 2004, the State Labor Department collected \$6.9 million on behalf of 4,000 workers in 679 cases.

Authorities said Benyamin also faces criminal charges in the case that have been put off while he weighs a plea bargain. They said he has agreed to a debarment stipulation, which bans him from bidding on or participating in public work projects for the next five years.