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Second labor trafficking lawsuit against Walter and Carolyn Schumacher and their businesses filed by former “cross-cultural exchange” workers

OKLAHOMA CITY, OK (June 15, 2018) — Workers recruited from Jamaica and other countries to work in hospitality businesses in Oklahoma on the J-1 exchange visitor visa program filed a federal labor trafficking lawsuit today, alleging they were induced to pay high recruitment fees and then paid less money than they had been promised, denied the full-time hours they were told they would receive, charged high fees for crowded and inadequate housing, and threatened with financial and/or physical harm if they left their jobs.

“Many of us coming through the cultural exchange program are trying to lift ourselves out of poverty. We make huge sacrifices with the hopes to reap the rewards of our hard work, but that didn’t happen,” said Plaintiff Dorret Francis, who came to Oklahoma on a J-1 visa when she was 23 to help pay her way through college, hoping to use the wages from the summer to pay for her school tuition, rent, and other life necessities. “I came because of all the promises, but they were not kept. It was devastating for me.”

“As detailed in the Complaint, these students came to the United States to participate in a cultural exchange program, and were promised good jobs and decent accommodations,” confirmed Caitlin Boehne, one of the attorneys representing Plaintiffs. “Thanks to

Defendants' underhanded tactics, the only 'culture' that they were exposed to was one of exploitation and disrespect. Defendants' bait-and-switch left them destitute, in deplorable living conditions, and indebted for years."

These workers were inspired to take action by the similar lawsuit filed against most of the same defendants in July 2017 on behalf of workers recruited from the Philippines to work under the H-2B guest worker program. Madeyln Casilao, one of the named plaintiffs in the initial action, who worked alongside J-1 visa holders from Jamaica and the Dominican Republic, stated: "I am glad that other workers have found the courage to come forward. I wish them well, and I hope we all find the justice we deserve."

According to the Complaint, defendants Walter Schumacher and Carolyn Schumacher used a J-1 sponsor organization—APEX USA, Inc. —that they controlled and operated to recruit workers to staff the hospitality businesses they also owned and operated, namely a Holiday Inn Express, a Hampton Inn, Montana Mike's Steakhouse, and the Water Zoo in Clinton, Oklahoma. The Complaint alleges that because the Schumachers controlled both the recruiting agency and the employer businesses, they ignored workers' complaints of low pay, irregular hours, and inadequate housing, and caused them to believe that if they did not work exclusively for their companies they would suffer serious harm.

The Complaint alleges that these workers earned so little they were barely able to survive in Oklahoma—let alone return to their home countries or to repay the thousands of dollars' worth of loans they had taken out to pay recruitment fees and travel expenses.

Another one of the plaintiffs, Christine Pearce, who came to Oklahoma from Jamaica in 2011, said: "I hope my voice is heard so that no other person will have to go through what I have been through. I am so glad to be a part of this as justice needs to be served for the hardships we endured."

Plaintiffs Dorret Francis, Anthony Kennedy, and Christine Pearce are seeking class action status for the case. The Complaint alleges violations of U.S. anti-trafficking laws. Plaintiffs are represented by the ACLU of Oklahoma, the Equal Justice Center, and Legal Aid at Work.

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About the ACLU of Oklahoma

The ACLU of Oklahoma is an affiliate of the American Civil Liberties Union, a national not-for-profit, non-partisan, voluntary organization founded in 1920. Its purpose is to protect those rights guaranteed by the United States Constitution and the Bill of Rights such as freedom of religion, freedom of speech, freedom of the press, freedom of assembly, freedom to petition the government for a redress of grievances, freedom of association, the right to privacy, the right to due process of law and the right to equal protection under the law. The Oklahoma affiliate was established in 1964 and opened its first headquarters in 1973. www.acluok.org

About the Equal Justice Center

The Equal Justice Center is a nonprofit law firm and employment justice organization that empowers low-income families, workers, and communities to achieve fair treatment in the workplace, in the justice system, and in our shared society — regardless of their immigration status. The EJC provides direct legal representation that enables working men and women to recover unpaid wages and combat other basic injustices they encounter in their work, while working for policy changes and systemic reforms that protect and lift up the labor and human rights of both U.S.-born workers and transnational workers in our new global labor market. For more information, please visit: www.equaljusticecenter.org.

About Legal Aid at Work:

Legal Aid at Work is a nonprofit legal services organization that has been assisting low-income, working families for more than 100 years. Its programs conduct outreach, provide direct legal services to thousands of people each year, engage in litigation when necessary, and advocate for policies that strengthen the rights of low-income people. More information about Legal Aid at Work can be found at www.legalaidatwork.org.