

SUPPLIER C.J.'S SEAFOOD FINED NEARLY \$250,000 FOR SAFETY, WAGE VIOLATIONS



C.J.'s Seafood, Inc., which supplies seafood for retailers such as Walmart, is being fined close to \$250,000 by both the Department of Labor's (DOL) Occupational Safety and Health Administration (OSHA) and the DOL's Wage and Hour Division (WHD). The company, in Breau Bridge, LA, was cited for 11 safety violations, failing to pay minimum wage and overtime to 73 employees and not complying with provisions of the H-2B temporary foreign worker visa program. The OSHA's Baton Rouge Area Office investigated the company's Breau Bridge facility, where seafood is peeled and boiled. Serious violations, ones that could result in death or serious physical harm from a hazard of which the employer was aware or should have been, included: the building not equipped with fire extinguishers, exit signs or emergency eyewash stations; unlabeled electrical breakers; exposed electrical outlets; a blocked exit; temporary wiring used in lieu of permanent wiring; and the employer having neither a hazard communications program nor material safety data sheets for employees to note workplace hazards. The penalties totaled \$32,200. An other-than-serious violation that was likewise cited was the company failing to maintain the OSHA 300 log, which is a documentation of employee injuries and illnesses. This type of violation is just as it sounds – one that may affect job safety but would likely not cause death or serious harm. The penalty for the OSHA 300 log violation was \$2,100. The WHD's New Orleans District Office's investigation found C.J.'s Seafood in violation of the Fair Labor Standards Act (FLSA). According to the WHD, the company paid employees "straight time" instead of overtime for more than 40 hours in a workweek; made illegal deductions from workers' wages for items required by their jobs, including gloves, hairnets and aprons; and failed to maintain records of the hours employees worked. The H-2B provisions violation was cited for the company "misrepresenting" its temporary need for foreign workers, such as the dates and number of workers needed, and not paying the required wage rate.



The company is being fined \$76,608 due to 73 workers and \$70,014 in liquidated damages. There is also \$32,120 in civil money penalties for willfully violating overtime pay and \$35,000 in civil money penalties for violating the H-2B program. C.J.'s Seafood has 15 business days from receipt of the OSHA citations to comply or contest. It has refused to pay the back wages allegedly due, as well as the liquidated damages and civil money penalties. The WHD plans to initiate legal proceedings before the DOL's Administrative Review Board and in federal district court if necessary. The FLSA requires that covered employees be paid at least \$7.25 per hour and time-and-a-half the regular rates, including commissions, bonuses and incentive pay, for an excess of 40 hours in a week. Accurate time and payroll records must be maintained by employers. The H-2B program allows employers to temporarily hire nonimmigrants for nonagricultural labor or services on U.S. soil. The work must be only temporary – a one-time occurrence or for a seasonal or peak load – and employers must show that wages offered will apply to federal and state standards. Where can you find the most Healthcare Administrator jobs? [Click here.](#)