

# RESILIENCE FORCE

## **Resilience Force and immigrant workers win settlement in Hurricane Irma wage theft case against Cotton Commercial**

*Nearly three years later, workers who rebuilt the Florida Keys are finally paid for their labor*

**KEY WEST**, Fla. (July 15, 2020) - As another hurricane season begins, immigrant workers who helped rebuild the Florida Keys after Hurricane Irma are finally being paid for their work in 2017.

Cotton Commercial USA, a Houston-based company that focuses on cleaning and rebuilding structures after disasters, hired more than 50 construction workers in September 2017 to clean and rebuild two luxury hotels in the Florida Keys after Hurricane Irma — a Hyatt and a Hilton. These “resilience workers” - the workers who help communities recover from and rebuild after disasters - endured weeks of grueling shifts spent demolishing walls and replacing sheetrock, hauling fallen trees, and cleaning up other debris so that the hotels, critical to the economic recovery of the Keys, could reopen. Yet despite their dedication, their employers, including Cotton, refused to pay the workers what they had earned. In the case of some workers, they worked five weeks and received only one week of pay.

The temp agency that recruited the workers on behalf of Cotton, Superior Staffing & Payroll Services (SSPS), issued checks to the workers that bounced. SSPS evaded conversations with workers about what they were owed. The workers then turned to the firm who had contracted the temp agency, Cotton Commercial USA. Cotton staff took no action to pay these workers and even threatened to have the workers arrested when they showed up at a Cotton warehouse to ask for their pay.

As climate disasters become more frequent and extreme, private equity firms are joining the rapidly growing, multi-billion dollar disaster recovery industry. In the past year alone, four leading disaster restoration companies have been acquired by private equity firms-- a list that includes Cotton Holdings, Inc, which was acquired by Sun Capital Partners in January 2020.

A group of 18 of these workers took legal action to ensure Cotton Commercial USA would pay them the wages they earned. They worked with Resilience Force and the law firms of McGillivray, Steele & Elkin and Mierzwa & Floyd and recently reached a settlement with Cotton Commercial USA. As part of the settlement, Cotton Commercial USA will now pay a total of \$50,000 to the 18 workers who took the risk to come forward with their case, which constitutes backpay, liquidated damages, and damages for retaliating against workers who complained. The workers’ claims against the temp agency and its owner, for the remainder of their lost pay and other benefits, remain pending.

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The immigrant workers who helped rebuild the Florida Keys after Hurricane Irma are part of a growing labor force of resilience workers that powers our nation's recovery following climate-driven disasters. Many of the resilience workers involved in this case are veterans of the field, doing the hard labor of rebuilding communities across the country following natural disasters.

“As communities across the country brace for the devastating collision of hurricane season and a pandemic, we must recognize the essential role of resilience workers,” says Saket Soni, founder and director of Resilience Force. “We must ensure that these companies and their private equity backers who profit from disaster, pay and protect the resilience workers who are essential to helping communities adapt and recover.”

The name of the case is Pedro J. Cabre et al. v. Cotton Commercial USA, et al and it was filed in the U.S. District Court for the Southern District of Florida.

## **About Resilience Force**

Resilience Force is a national initiative working to transform America's response to disasters by protecting and strengthening America's Resilience Workforce — the first-responders, construction workers, caregivers, nurses, labor workers, and community helpers who are there during and after a disaster. As climate disasters become increasingly frequent and forceful, we are rewriting the rules of response and recovery to ensure that all resilience workers have the support they need to do what they do best — rebuild America. Resilience Force, a project of the National Guestworker Alliance, was founded by Saket Soni in 2018. To learn more about Resilience Force, visit [resilienceforce.org](https://resilienceforce.org).

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