

RESILIENCE FORCE

Resilience Force, Sugar Law Center, and immigrant workers file lawsuit against BTN Services, SERVPRO, and SERVPRO franchises

Immigrant workers faced a preventable COVID-19 outbreak in disaster recovery work following May 2020 Michigan floods

MIDLAND, Mich. (October 13, 2020) — Today, [Resilience Force](#), the organization protecting and strengthening America's Resilience Workforce, and Sugar Law Center for Economic & Social Justice, filed a lawsuit against BTN Services, multiple SERVPRO franchises in Michigan, and SERVPRO. The suit addresses the life-threatening workplace conditions that led to a COVID-19 outbreak among resilience workers while conducting disaster recovery work in May. The suit was filed by 17 mostly immigrant resilience workers, and three family members including two minor children who contracted COVID-19.

During a year where countless regions across the country have been impacted by natural disasters and COVID-19, Michigan was no exception. In May, following unprecedented rains in the area, two local dams were breached including Sanford Dam, which flooded Midland and caused more than 10,000 local residents to flee. With recovery work to be done, BTN Services and SERVPRO of Midland/Gladwin Counties private companies with disaster rebuilding contracts, hired more than 100 resilience workers from Florida, Texas, and other locations to perform essential rebuilding. SERVPRO, a large fire and water cleanup and restoration franchisor, has a reported worth of \$1 billion.

Many of the workers hired by BTN and SERVPRO, including the 17 represented by Resilience Force, were veteran members of the resilience workforce — people who repair and rebuild after climate disasters. These workers have deep experience in post-disaster recovery and repair, having rebuilt cities after numerous hurricanes and floods. In Michigan, these workers were met with crowded employer-mandated housing, shared employer-provided transportation, and no ability to socially distance. They were not provided with personal protective equipment on the jobsite.

Ultimately, a large COVID-19 outbreak spread among the workers. BTN and the SERVPRO franchises purposefully misrepresented instructions from public health officials, improperly discharged workers from their duties, and sent them to their homes across the country, spreading the risk of COVID-19 to their families and the communities through which they travelled and where they live.

The workers were also not properly compensated for the work performed.

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On behalf of the 17 resilience workers brave enough to come forward and share their story despite fear of retaliation, Resilience Force and Sugar Law Center are suing BTN, SERVPRO Saginaw, SERVPRO of Bay City, SERVPRO of Midland/Gladwin Counties, and SERVPRO Industries for common law negligence, fraudulent misrepresentation, breach of contract and unjust enrichment, public nuisance, innocent misrepresentation, wrongful discharge in violation of public policy, and forced labor.

“With hurricane season in the South, wildfire season in the West, and COVID-19 spreading throughout the country, the U.S. is facing disaster after disaster. It is critical that we recognize the essential role of resilience workers and implement measures to protect them in their workplaces,” says Saket Soni, founder and director of Resilience Force. “We must ensure that the private companies who profit from disaster pay and protect the resilience workers who are essential to helping communities adapt and recover.”

The complaint was filed in the 42nd Circuit Court for the County of Midland.

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.

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