

Employment, Unemployment and Civil Legal Aid



Nearly 12% of Massachusetts residents, the majority of whom belong to working families, live in poverty. Wage theft, employment discrimination and unfair denial of unemployment compensation, combined with a slow economic recovery, have left hundreds of thousands of individuals and families struggling to make ends meet. Civil legal aid attorneys work to address these problems through legal representation, policy advocacy, and partnerships with unions, workers' groups, and social service providers.

Types of Employment Cases

In FY16, legal aid programs funded by the Massachusetts Legal Assistance Corporation closed over 500 employment cases and over 850 unemployment compensation cases.

Unemployment Compensation: 868 cases

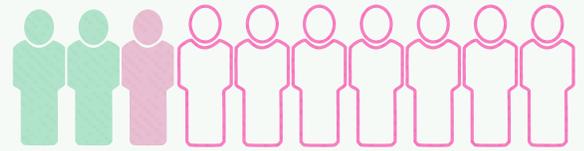
Taxes (including Earned Income Tax Credit): 158 cases

Employment Discrimination: 162

Wage Claims and Fair Labor Standards Act Issues: 119

Employee Rights: 43

Other Employment: 57



71%

TURNED AWAY

Legal aid programs in Massachusetts are forced to turn away 71% of eligible clients who seek assistance with employment matters.

Policy Advocacy

Beyond representing individual clients, legal aid programs use data-driven analysis and advocacy to help shape laws and policies that impact the working poor. From advocating for minimum wage and unemployment insurance reform to pushing legislation to remove barriers to employment for the long-term unemployed, legal aid is a driving force for systemic change.

Partnerships

During the FY18 legislative campaign, over 40 community organizations endorsed MLAC's budget request, recognizing the pivotal role civil legal aid plays in helping residents across the Commonwealth maintain safe, stable and healthy lives.

Extensive Legal Needs

The obstacles that low-income families face on a daily basis are staggering. Health issues, discrimination and exploitation, lack of training, lack of childcare services, and administrative error can prevent individuals from maintaining the gainful employment they need to support their families. With access to so many basic needs—from housing to health care—dependent on fair employment, legal aid plays a crucial role in combatting poverty in the Commonwealth.

- Low-wage workers are especially vulnerable to exploitation. When workers are denied wages, underpaid, subjected to unsafe working conditions, or otherwise mistreated, legal aid can help enforce fair labor standards to ensure that their rights are upheld.

- Employment discrimination can come in many forms. When employees face sexual harassment, wrongful termination due to illness or disability, or other forms of discrimination, legal aid can secure favorable outcomes.
- Individuals who must leave work through no fault of their own are sometimes denied unemployment insurance, which can result in a downward spiral into poverty. Legal aid works on behalf of these clients to secure this vital benefit.
- When low-income households need help resolving complicated tax issues, legal aid can help them recover the hard-earned income they need to get by.

Justice at Work: Preventing Wage Theft

Juan, Diego and Jesús were hired by the subcontractor of a building subcontractor (a “sub-sub”) to frame windows and doors at a new development in Walpole. After the subcontractor failed to pay them their wages for two weeks plus overtime, they contacted the Metrowest Workers Center to see how they might recover the wages they had earned. The Workers Center referred them to MetroWest Legal Services. Soon after, the workers visited the job site—accompanied by a MWLS attorney—to discuss the matter with the site supervisor, who worked for the developer overseeing the project. The supervisor said no checks would be issued, and threatened to call the police if the workers didn’t leave the site.

MWLS then set up a meeting with the first-tier subcontractor (which had hired the subcontractor that failed to pay the workers). After a difficult day of tense negotiations, a settlement was reached, and the three men were paid for their work. The back wages, which amounted to several thousand dollars, were crucial to the men and their families. One of the workers emphasized that without that paycheck, he would not have been able to pay his rent. Thanks to the intervention of MWLS and the strong relationships it has with local community organizations like the Metrowest Workers Center, Juan, Diego and Jesús were able to receive the money they earned and prevent further instability for themselves and their families. Their case is a testament to the far-reaching impact legal aid can have for low-income individuals and families across the Commonwealth.