

## DAILY NEWS

### BROOKLYN

# Waitresses say restaurant forces them to drink with immigrant customers to run up bills

**Exclusive:** Patricia Sanchez, who is suing her former bosses at La Fogata, a Mexican restaurant and bar in Bushwick, Brooklyn, says bosses failed to pay minimum wage and illegally deducted money from her pay.

BY ERICA PEARSON / NEW YORK DAILY NEWS

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TODD MAISEL/NEW YORK DAILY NEWS

Three young women who worked at Fogata Restaurant in Bushwick, Brooklyn, are suing the owners because they were forced to make patrons buy drinks for them to drink and were penalized for patrons not paying among other things. (L-r) Consuelo Contreras, 33, Patricia Sanchez, 34, Rosa Angelica Vidal Diaz, 37.

Labor abuses and insults have become too much to swallow for a group of immigrant women who work as waitresses on commission — getting lonely customers to buy them overpriced beers and tequila shots.

“We decided to put a stop to the mistreatment, the stealing of our wages, at being fined for every little thing,” said Patricia Sanchez, who is suing her former bosses at La Fogata, a Mexican restaurant and bar in Bushwick, Brooklyn. She said the bosses failed to pay minimum wage and illegally deducted money from her pay.

The hazards of the job at such late-night spots, which cater to immigrant men, include everything from wage theft to sexual harassment from managers to health problems from drinking so much alcohol, waitresses and advocates say.

Owners draw in customers by hiring waitresses who make most of their money after the kitchen closes, partying, dancing and drinking — often to excess — with the clientele.

The more they drink, the more they earn. Customers buy the waitresses — who are largely undocumented immigrants from Mexico or Central America — drinks at inflated prices, and the women collect cash for every \$20 tequila shot or \$16 large bottle of Corona they down.



TODD MAISEL/NEW YORK DAILY NEWS

(L-r) Consuelo Contreras, 33, Rosa Angelica Vidal Diaz, 37, Patricia Sanchez, 34.

At many places, the waitresses get a ticket for each drink customers buy for them. But at La Fogata, managers kept track and often shorted the women when they gave them an envelope of cash each Sunday, Sanchez said. The base pay for a night is \$40 — but the waitresses say they were promised \$8 for each drink customers bought them.

"We are the ones who are damaging our health with the drinks ...from 10 to 15 drinks a night," said Sanchez, 34, a single mom from Mexico.

Sanchez and two coworkers who also filed suit in federal court last month said waitresses at La Fogata get fined \$10 for things like spilling water or not showing up in a short enough skirt. If customers leave without paying, it comes out of the waitresses' pockets, they said.

"Girls that don't sell drinks, they don't get paid," said Rosa Vidal, 37.

The women said every new hire at La Fogata faces sexual harassment from managers.

"I suffered from this," said Consuelo Contreras, 33, a waitress from Guatemala. An owner who came to the door at La Fogata, but would not give his name, said all of the women's allegations were lies.

"If the job was so bad, why did they stay?" he asked.

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