



Commissioner Brad Avakian
Bureau of Labor and Industries

PRESS RELEASE

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CONTACT: Bob Estabrook, 503-709-0730

Avakian Files Discrimination Complaint against Typhoon Restaurants

Allegations of disparate treatment, retaliation against Thai workers prompt action

PORTLAND—State Labor Commissioner Brad Avakian, head of the Oregon Bureau of Labor and Industries (BOLI), has initiated a commissioner’s complaint of unlawful practices against Typhoon! Inc. and co-owners Bo and Steve Kline. The complaint alleges that workers recruited from Thailand were paid at a lower hourly wage, denied raises, provided with less vacation time and required to work longer hours in comparison to U.S.-hired employees. It is also alleged that workers who opposed such unlawful practices were threatened with termination, forced return to Thailand and legal action in the U.S., Thailand or both. Oregon law empowers the labor commissioner to file a complaint when the commissioner has reason to believe an unlawful practice, such as discrimination based on race or national origin, has occurred.

“The concerns that have been raised to me about working conditions at Typhoon are alarming,” said Commissioner Avakian. “By filing this complaint, I have authorized the state Civil Rights Division to investigate the matter and determine whether there is substantial evidence of one or more violations of the law.”

Oregon’s Wage and Hour Division, also a part of BOLI, has been contacted about potential claims for unpaid overtime wages at Typhoon restaurants. Wage claims would be handled by an additional investigator assigned from the Wage and Hour Division.

A commissioner’s complaint allows BOLI to conduct an investigation of Typhoon and its owners. The complaint does not limit or preclude private legal action by current or former employees, but reduces the fear of potential retaliation because no employee has to step forward to file a complaint individually. After gathering and reviewing information, an investigator from BOLI’s Civil Rights Division will determine whether there is substantial evidence of one or more violations of the law.

“BOLI has reason to believe that Typhoon restaurants engaged in unlawful employment practices against their Thai employees,” Avakian said. “A formal investigation by the Civil Rights Division will determine whether BOLI needs to bring formal charges, potentially for both discrimination and retaliation, against Typhoon and its owners.”

BOLI protects all Oregonians from unlawful discrimination, investigating allegations of civil rights violations in workplaces, career schools, housing and public accommodations, and enforces compliance with state laws relating to wages, hours, and terms and conditions of employment. BOLI is the only state agency empowered to protect workers in these cases and the labor commissioner has the authority to issue cease and desist orders, award both economic and non-economic damages and assess civil penalties for violations of civil rights law.

For more about BOLI, visit <http://www.oregon.gov/BOLI>.

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The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.