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Vulnerable Child Care Workers Sue for Collusion and Fraud in Nationwide Au Pair Program

Denver, March 19, 2015: Vulnerable child care workers sued the sponsors that run the nationwide, government-administered *au pair* program on claims of price fixing, racketeering, and wage theft. The lawsuit, pending in the U.S. District Court of Colorado, targets sponsors who bring more than 13,000 foreign, young, mostly female workers to the United States each year to provide live-in child care to American families. The U.S. Department of State has designated fifteen sponsors to recruit *au pairs*, match them with families, and look out for their well-being. In the lawsuit, the plaintiffs charge that these sponsors acted as a cartel to illegally set *au pair* wages far below the market rate, and that some sponsors fraudulently misled potential *au pairs* in violation of racketeering and consumer protection laws.

Au pairs from Colombia and South Africa filed a class action lawsuit to represent all current and former *au pairs* that they claim were cheated by the program. The *au pairs* were paid \$4.35 per hour and claim that the sponsors conspired to illegally fix standard *au pair* wages, lied about *au pairs'* ability to negotiate a higher wage, and illegally capped wages below the minimum wage. Plaintiffs request damages and changes to the business practices of *au pair* sponsors.

“When I was in Colombia, InterExchange told me that being an *au pair* would be wonderful and that I would explore another life, language, family, culture and that if anything bad happened to me they would be there to help,” said Johana Paola Beltran, a plaintiff from Colombia who worked as an *au pair* in Colorado and New Jersey. “Instead, my host family treated me like a maid. When I asked InterExchange for help, they did nothing.”

“The idea of the *au pair* J1 visa program is great; to give young people the opportunity to travel and experience the culture of a foreign country. But the reality is that once I got to the United States, I was cheap, flexible, and affordable childcare.” Said Lusapho Hlatshaneni, an *au pair* who worked in Virginia and California. “The families I have *au paired* for have been very nice and I have enjoyed my time in the United States. But I think it’s not honest to sell people abroad on a foreign exchange experience, when in fact *au pairs* are here to work long hours for very little money.”

Towards Justice, a non-profit legal services organization in Denver, represents the *au pairs*.