

## **Workers Say Late Shifts Often Mean Locked Exits**

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avid Sandoval, who cleans the floors of the Met Foods Supermarket in Cobble Hill, Brooklyn, walks in through the front door most evenings around 8:30. But when the gates come down an hour later, he says, the door is locked, and he is unable to leave until the manager comes in the next morning.

Zeferino Arenas Abundez, who scrubs and waxes floors at a Pioneer supermarket in Clinton Hill, says much the same thing happens to him most nights.

Indeed, he said that when smoke set off the fire alarm at one supermarket he used to clean in the Bronx, firefighters had to saw through a large lock to get in.

Interviews with janitors, state officials and local organizers who work with immigrants indicate that the experiences of these men and many others are part of a hidden threat in dozens of stores across the city, where concerns about theft trump worries about the fate of workers.

To prevent workers from stealing merchandise, they say, many stores padlock their rear fire exits, even as the front doors are sealed behind steel gates.

Investigators with the New York attorney general's office say they have found evidence that the practice is not uncommon, and will recommend that the New York City Fire Department look at the Pioneer store as well as a C-Town store in Williamsburg. The Fire Department said it was illegal to lock in workers with no avenue for escape, and a spokesman said the department would examine the allegations.

The Fifth Avenue Committee, a community group in Brooklyn that has helped immigrants for years, says it has taken similar accounts from 11 immigrants who work in Brooklyn, Queens, Manhattan and the Bronx who say much the same thing goes on at some of the most familiar groceries in the city. The group has identified more than 30 stores that lock cleaning workers in at night.

"I had no way out anywhere," said Mr. Arenas, who said he had worked in six supermarkets where he was locked in. "There was a fire exit, but the doors are sealed from the inside or the outside. I get worried because if there's a fire, you're stuck inside."

Several store managers said they did not know what the workers were talking about. Stanley Sorkin, a spokesman for Alpha 1 Marketing, which handles marketing for the C-Town chain, said he had never heard of lock-ins at its stores, adding that all C-Town stores were owned and operated independently.

"It doesn't sound like sound business practices," Mr. Sorkin said. "We urge all of the stores to maintain sound safety practices."

A woman who answered the phone shortly after 4 p.m. yesterday at the Pioneer store said that the manager had gone home for the day and that there was no one to respond.

Bo Kim, the manager of the Met Foods store where Mr. Sandoval works, acknowledged in a telephone interview that his late-night cleaner was locked in. But he challenged Mr. Sandoval's assertion that the fire exit was locked.

David Billig, a spokesman for the New York City Fire Department, said that he had not heard of the allegations, but that the department would look into them. He said it made regular inspections, but did not know how widespread such lock-ins were.

Calling the practice illegal, he said, "Obviously, we would not support locking people into places like this."

The allegations by cleaning workers in New York are similar to those of many late-night Wal-Mart workers, who have said that they are locked in and told not to use the fire exit except during a fire. Wal-Mart officials have acknowledged that the company locks in workers at about 10 percent of its 3,500 stores. Late last year, Wal-Mart said it had taken steps to ensure that locked-in workers could get out in an emergency.

According to the late-night cleaners, they arrive - sometimes by themselves, sometimes with a partner - shortly before a store closes, often being paid \$60 a day for 10 or 12 hours of work. The storefronts are shuttered by pull-down metal gates, and the back doors, often padlocked during the day, remain locked.

They say the store managers have told them they do this to keep out robbers and to prevent theft by the workers. At some stores, the workers are told the combination for the locks, as was Mr. Arenas after the episode with the Fire Department.

Another cleaner, Ignacio Saldaña, said he often developed headaches and became dizzy while using floor-cleaning and stripping machines powered by propane tanks. "One night about five months ago I got really sick and started to throw up," he said in Spanish. "I really wanted to leave the store, but I couldn't."

Mr. Saldaña and other cleaners said they had gone to the Fifth Avenue Committee to complain that the cleaning contractor who employed them was not paying them time and a half for overtime. The committee directed them to the attorney general's office, and when investigators in that office began interviewing the janitors, they said they were surprised to hear about the lock-ins.

Patricia Smith, chief of the attorney general's labor bureau, said, "There have been some allegations of no egress, and we plan on contacting the Fire Department every time we get an allegation like that."

An official from J & J, a cleaning contractor that serves several supermarkets accused of locking in workers, declined to discuss the allegations about lock-ins.

Mr. Arenas said that he was upset that J & J's owner, Julio Navarro, had not pressed the supermarket to stop locking in the workers after some workers complained to him.

Artemio Guerra, director of organizing at the Fifth Avenue Committee, said, "It's very clear there is a shared responsibility on the part of the contractor and the store manager for the well-being and safety of these workers."

Mr. Guerra added, "This is the type of thing that people don't pay attention to until there's a tragedy."

Gabriel Juarez, 25, an immigrant from Mexico, said that at a supermarket he cleaned in the Bronx, he recently heard some thumping on a back door, making him worry that a burglar was trying to enter.

"I worry that I will have no place to run if an armed robber comes in," Mr. Juarez said. "In that situation maybe I'd hide in a freezer. And sometimes I think if there's a fire, I'll hide in the freezer."

Mr. Sandoval, who said he sometimes cleaned six or seven stores each week, sounded confident that he would find a way to survive a fire, even when he was locked in.

"Sure, I worry a little about a fire, but I'll be able to handle it," he said. "I'll bang on the shutters, and someone in the street will hear me."