

SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

2024 AUG 26 PM 2:05

People of the State of California

v.

AMELIA FRAZIER KREBS
(DOB: 12/15/1990),

Case #:

24 CJCF-05331-03

Declaration in Support of Arrest

The undersigned, Eduardo Martinez, declares that he is an Investigator in the Criminal Investigation Unit of the Labor Commissioner's Office (LCO) - California Department of Industrial Relations (DIR). This declaration is in support of an Arrest Warrant for Amelia Frazier KREBS:

INTRODUCTION

In April 2019, the Northern California Carpenters Regional Council (Carpenters) contacted the Attorney General's Office (DOJ) regarding potential wage theft violations against USFW. CA DOJ's Division of Law Enforcement (DLE) in Sacramento opened an investigation. US Framing West ("USFW") is a construction company specializing in framing contracting. USFW is based in Louisville, Kentucky. USFW is owned by Thomas Gregory English (English) while Amelia Fraizer KREBS (KREBS) worked at USFW as their Accounts Payable Manager. USFW operates nationwide through five regional managers that handle different sections of the country. Certified records provided by the California Contractors State License Board (CSLB) indicate that English applied for CSLB contractor's license, License Number 1029366, as owner of USFW on June 9, 2017.

As DLE investigated USFW for wage theft, evidence surfaced indicating that USFW was also engaged in worker's compensation fraud, premium insurance fraud, payroll tax evasion and public works project fraud. Based on the evidence of additional criminal activity, investigators from the California Department of Insurance (CDI), California Department of Industrial Relations (DIR), and the California Employment Development Department (EDD) were contacted. A joint investigation was conducted by DOJ Contract Investigator Sang Kim, CDI Detective David Mastros, and myself, DIR Investigator Eduardo Martinez.

I certify that this is a true and correct copy of the original on file in or issued from this office, consisting of 1 pages.



VETERANS VILLAGE PUBLIC WORKS PROJECT

In August 2021, USFW contracted to provide framing for the Veterans Village of Cathedral City (Veterans Village) construction project, located at 30600 Landau Blvd in Cathedral City, CA 92234. The Veterans Village project involved the construction of a 65-unit apartment complex and construction took place from approximately August of 2021 until through March 2022.

The general contractor on the Veterans Village project was Doug Wall Construction, Inc. (DWC). DWC then hired Mitsui Home America LLC (MHA), another construction firm, as a subcontractor. MHA had a previous relationship with USFW and reached out to USFW Regional Manager Ryan Therrien (Therrien), about assisting MHA on the Veterans Village project. Ultimately, Therrien decided that USFW would join the Veterans Village project as a favor to MHA and provided framing labor (carpenters) for the project.

The Veterans Village construction project was a public works construction project, meaning some or all the funds for this construction project were public funds. For public works projects over \$1,000, all workers are required to be paid the "prevailing wage" for the duration of the project. The prevailing wage rate is the basic hourly rate required to be paid on public works projects to workers engaged in a particular craft, classification, or type of work within the applicable locality and/or nearest labor market area. Additionally, all wages paid to workers on public works projects are required to be reported and submitted in Certified Payroll Records (CPRs), signed under penalty of perjury, to DIR via DIR's online portal. The applicable prevailing wage rate for carpenters for the Veterans Village project was \$56.85 per hour as published by DIR prior to the beginning of the project.

On August 21, 2021, DWC sent an email to USFW outlining the requirements for a public works project and the prevailing wage. On September 8, 2021, DWC sent another email to staff at USFW, including KREBS as the Accounts Payable Manager at USFW, informing everyone about the compliance requirements for a public works project.

On September 14, 2021, USFW had workers starting at Veteran's Village. The workers had been told by USFW they would be paid "piece rate" for this project, not the prevailing wage. Piece-rate work or earnings is a type of employment in which a worker is paid a fixed rate for each unit produced or action performed, regardless of time or hours worked.

As construction moved forward at the Veterans Village project, USFW paid some of their carpenters on an hourly wage basis while others were paid on a piece-rate basis.

When DWC learned that the workers with USFW were not receiving the prevailing wage, as required by law on a public works project, they hired The Solis Group, a public works project compliance company, to work with USFW to help them comply with prevailing wage and other public works requirements on the Veterans Village project. Katie Rich (Rich), a compliance officer with The Solis Group, worked with USFW to help them gain compliance with the prevailing wage and other public works requirements.

As of November 16, 2021, USFW still had not registered with DIR and was not submitting CPRs. USFW suddenly found themselves not getting paid for their work on the project. The Solis Group was withholding payment for both Mitsui and USFW until they were in compliance with paying the prevailing wage requirements and submitting the CPRs to DIR online.

On November 17, 2021, The Solis Group emailed KREBS with instructions for how to access the prevailing wage rates on the DIR website. Also on November 17, 2021, DIR received an application to the DIR online portal for submission of CPRs for public works projects. The application was certified by Thomas English on behalf of US Framing West, Inc. The contact email on the application is amelia@usframing.com.

On December 2, 2021, English emailed Mitsui to determine why USFW was not being paid. English was informed that he and USFW were required to register with DIR and submit their CPRs. Until English and USFW came into compliance with the reporting requirements for DIR, USFW would not be paid.

On December 7, 2021, KREBS sent an email to Rich (The Solis Group) and Noelani (Mitsui). KREBS stated that restitution checks had been paid to the workers for the difference between the prevailing wage and what they had been paid for the September 14, 2021, through November 20, 2021, pay periods. KREBS included copies of the checks and stated she was still working on the CPRs, trying to get current.

On December 10, 2021, KREBS submitted the first batch of CPRs to DIR via their online portal. Emails from KREBS show that she was the one who began the process and created an account with DIR. She then created and submitted all the CPRs to DIR through the online portal.

However, rather than pay their workers the prevailing wage, USFW continued to pay them the previously agreed upon piece-rate. To do this, KREBS would take the USFW piece-rate earnings for the workers and divide it by \$56 in order to create the “prevailing wage” for the false CPRs.

The falsified CPRs were signed by KREBS under penalty of perjury and submitted to DIR through the online portal. KREBS submitted false CPRs via the DIR online portal on 9 separate occasions between December 10, 2021, through March 24, 2022, as indicated in the chart below:

eCPR Date Submitted	Transaction ID #
12/10/21	12786076, 12786388
12/14/21	12805389, 12807764
12/15/21	12816987
12/16/21	12832907
12/17/21	12838718
1/6/22	12969586
1/12/22	13016063
2/8/22	13239554
3/24/22	13601828, 13605854, 13604520

DIR conducted a wage audit to determine the financial loss suffered by USFW piece-rate carpenters due to the CPR work hours manipulation and fraudulent payroll scheme. The DIR wage audit revealed the following USFW carpenters are owed a total of \$41,335.11 in prevailing wages for work done on the Veteran’s Village project:

WORKERS	LOSS
Conrado [REDACTED]	\$1,056.39
Silvano [REDACTED]	\$1,665.06
Eleazar [REDACTED]	\$382.12
Gumerindo [REDACTED]	\$729.37
Sergio [REDACTED]	\$382.12
Ramon [REDACTED]	\$370.12
Carlos [REDACTED]	\$382.12
Ada [REDACTED]	\$6,696.00
Esvin [REDACTED]	\$363.32
Eliseo [REDACTED]	\$382.12
Juan Carlos [REDACTED]	\$4,197.00
Enrique [REDACTED]	\$382.12
Antonio [REDACTED]	\$1,019.20
Lucas [REDACTED]	\$1,098.80
Fidel [REDACTED]	\$12,691.36
Javier [REDACTED]	\$5,651.22
Jeronimo [REDACTED]	\$1,098.80
Israel [REDACTED]	\$1,513.87
TOTAL	\$41,335.11

THE SOLIS GROUP

On May 26, 2023, DOJ Investigator Sang Kim and I interviewed Rich of the Solis Group via video call. Rich is a Project Manager with the Solis Group and has been in her current position for approximately 4 to 5 years. The following is a summary of Rich's statements:

The Solis Group works with private construction companies that are hired on government funded construction projects. The Solis Group provides labor compliance monitoring services to ensure compliance with labor related laws and regulations.

DWC was referred to the Solis Group by another company and DWC decided to hire the Solis Group to provide labor monitoring services for the Veterans Village project in Cathedral City, CA. Rich was assigned to the Veterans Village project in April 2021, a few months before USFW started working on the project.

MHA was the subcontractor for framing work on the project, but MHA subcontracted the work to USFW. Therefore, MHA did not have any of its own framing workers on site. When MHA submitted their payment applications, DWC withheld payments to MHA until USFW showed they were following prevailing wage laws.

Therrien (USFW) called Rich regularly and demanded release of payments. Rich explained to Therrien that USFW had to register with DIR and submit CPRs directly to DIR. USFW had to provide copies of CPRs submitted to DIR to The Solis Group before payments could be authorized.

Rich also asked Therrien to provide ADP payroll records so the Solis Group could determine if USFW was following prevailing wage laws. USFW submitted ADP payroll records to Rich, but these records contained only the hourly rates and the number of hours worked. The ADP payroll records did not contain other required information such as employee addresses, social security numbers, work classifications, base rate, fringe benefits, etc.

Based on USFW ADP payroll records provided, Rich noticed that USFW was paying its workers about \$5 less than they were owed. Rich told Therrien that USFW needed to pay its workers wage restitution and obtain affidavits from each worker verifying that worker received their wage restitution money. However, Therrien only provided copies of wage restitution checks as proof of payment. Therrien refused to submit the requested affidavits from USFW workers.

Because the Solis Group is a private labor compliance monitoring company, it has no ability to enforce labor regulations other than to recommend payments be withheld. Therefore, Rich was not able to enforce the production of the requested worker affidavits by USFW.

Therrien was always reluctant to leave a paper trail and wanted to mostly talk with Rich via telephone. Rich tried to create a paper trail via emails, so DWC would be aware of the situation with USFW. As a result, there are only a few email threads on record for USFW.

Rich may have spoken with KREBS about two times over the phone. KREBS told Rich that she was the person submitting CPRs for USFW. The USFW CPRs were submitted in Amelia KREBS name using her email address (amelia@usframing.com). USFW was also required to pay for training apprentices because USFW did not use union labor.

REVIEW OF USFW PAYROLL BANK ACCOUNT RECORDS

Investigator Kim reviewed the US Framing West's account records obtained from JP Morgan Chase Bank, pursuant to a search warrant and found that only 12 restitution checks of the 55 USFW checks (check numbers 50764 to 50818) provided to Rich were processed (cashied). When interviewed, the construction workers were shown copies of the checks and the majority said they had never received it.

CATHEDRAL CITY BUSINESS LICENSE

On March 30, 2023, Investigator Kim and I went to the Cathedral City Business Licensing Department located at 68-700 Avenida Lalo Guerrero, Cathedral City, CA 92234 and contacted Kevin Biersack (Biersack), Accounting Services Manager, for Cathedral City.

Biersack provided us with a copy of Cathedral City Business License Application dated November 15, 2021, and printout of a Contractors State License Board (CSLB) Contractor's License Detail for CSLB License # 1057708 for USTM, LLC. This City Business License Application is for USTM, LLC, and lists the business location of 30600 Landau Blvd., Cathedral City. *(This is the location of Veterans Village of Cathedral City)*. Biersack said that an out of state construction company performing work in Cathedral City is required to use their actual local worksite address as their business location on the City Business License Application.

VETERANS VILLAGE WORKER INTERVIEWS

Conrado [REDACTED] Work Crew

On April 14, 2023, Investigator Kim and I interviewed Conrado [REDACTED] ([REDACTED]), Antonio [REDACTED] ([REDACTED]), Jeronimo [REDACTED] ([REDACTED]), Lucas [REDACTED] ([REDACTED]), Silvano [REDACTED] ([REDACTED]).

Conrado [REDACTED] ([REDACTED])

[REDACTED] negotiated a piece-rate agreement with "Jim" for him and his crew to do framing work at the Cathedral City project. He worked 3 days in November 2021. When [REDACTED] asked "Jim" about prevailing wages Jim became upset and denied it was a prevailing wages job. [REDACTED] received a W-2 tax form from USFW. He did not receive a restitution check.

Antonio [REDACTED] ([REDACTED])

[REDACTED] worked as a framer on the Cathedral City project as part of Alaves-Aquino's crew for four days (Monday through Thursday) in December 2021. [REDACTED] worked from 7:00 am to about 3:00 pm or 4:00 pm each day. He took a 30-minute lunch break. He earned piece-rate wages and was paid a total of approximately \$800 by check from USFW. He was not paid extra for overtime hours. He received a W-2 form from USFW the following year for tax purposes however he did not receive a restitution check from USFW.

Silvano [REDACTED] ([REDACTED])

[REDACTED] worked as a framer on the Cathedral City project as part of [REDACTED]'s crew for four days in November 2021. [REDACTED] worked from 7:00 am to 5:00 pm and he took a 30-minute lunch break. He worked a total of about 38 hours and was paid a total of approximately \$600 in piece-rate earnings via check by USFW. He was provided a pay stub with his check. The hours listed on the pay stub he was provided are not accurate since his pay was based on piece-rate. [REDACTED]'s work hours were not recorded by USFW, and he did not receive a restitution check from USFW.

Lucas [REDACTED] ([REDACTED])

[REDACTED] worked as a framer on the Cathedral City project as part of [REDACTED]'s crew for three days in November 2021. [REDACTED] worked from 7:00 am to 5:00 pm and he took a 30-minute lunch break. He was paid a total of approximately \$600 in piece-rate earnings via check by USFW. The hours listed on the pay stub he received were not accurate. His work hours were not recorded by USFW, and he did not receive a restitution check from USFW.

[REDACTED] ([REDACTED])

[REDACTED] worked as a framer on the Cathedral City project as part of [REDACTED]'s crew for three days in November 2021. [REDACTED] worked from 7:00 am to about 5:00 pm each day. He took a 30-minute lunch break. He earned piece rate wages and was paid a total of approximately \$600 by check from USFW. [REDACTED] was not paid extra for overtime hours. He did not receive a W-2 form the following year. He did not receive a restitution check from USFW.

Israel [REDACTED]'s Work Crew

On April 14, 2023, DOJ Investigator Sang Kim and I interviewed Israel [REDACTED] ([REDACTED]), and members of his work crew.

Israel [REDACTED] ([REDACTED])

"Jim" (determined to be Jim Compton) recruited [REDACTED] and his crew to work for USFW in Cathedral City. He negotiated a piece-rate with Jim. [REDACTED] was paid for all his crew. "Patrick" with USFW noted their hours on a tablet. There were already about USFW 20 workers from Texas on the project when he started. Jim hated the workers from Texas and hired local workers. Jim offered to pay [REDACTED] and his crew a piece rate of 20 cents per square foot of completed carpentry work (floor and sub-floor sheeting). Per the agreement, USFW would pay [REDACTED] for all his crew and [REDACTED] would then have to pay his crew workers individually. [REDACTED] and his crew worked from 7 am until 5 pm each day with a lunch break of about 45 minutes. [REDACTED] worked for six days in November 2021 for USFW, for approximately 54 total hours. [REDACTED] did not receive any extra pay for overtime hours worked.

[REDACTED] found out it was a prevailing wage project and asked to be paid prevailing wages. Jim fired [REDACTED] saying he didn't need him anymore. Most workers on his crew only worked 1 day, except [REDACTED] who worked 3 days; [REDACTED] received two checks, \$1500 & \$3500. [REDACTED] felt he was shorted, so he called Mario Pena at USFW HQ and complained. [REDACTED] cashed the checks he received from USFW and paid his workers at the rate of \$350 per pay in cash. [REDACTED] never received a restitution check.

Israel Diego [REDACTED]'s Work Crew:

- Ramon [REDACTED]
- Carlos [REDACTED]
- Eleazar [REDACTED]
- Sergio [REDACTED]
- Eliseo [REDACTED]
- Enrique [REDACTED]
- Gumercindo [REDACTED]

Each worker on [REDACTED]'s crew was interviewed separately and they all said the same thing: They worked with [REDACTED] for 1 day in November 2021, on the Veteran Village project in Cathedral City. Each crew member received \$350 in cash from [REDACTED] and did not receive a restitution check from USFW. [REDACTED] worked with [REDACTED] for 3 days in November 2021.

Javier [REDACTED] ([REDACTED])

On March 31, 2023, I spoke with [REDACTED] who worked on the Cathedral City project. [REDACTED] worked as a carpenter on the Cathedral City project. [REDACTED] primarily worked installing wood roof trussells. The USFW foremen on the Cathedral City project was known as "Jim." [REDACTED] worked for 3 weeks on the Cathedral City project from mid-October 2021 to the beginning of November 2021. His crew leader was "Jose [REDACTED]"

[REDACTED] worked from 7:00 am to 5:00 pm, Monday through Friday. He took a one-hour lunch break. [REDACTED] did not take any other rest breaks. Murguia was paid on a piece rate basis, equivalent to approximately \$20 an hour. He was not paid an hourly and/or prevailing wage rate for the Cathedral City project. Murguia's crew was paid 37 cents per square foot of installed roofing lumber. He was not paid extra for overtime hours worked.

Ezequiel [REDACTED] (Ezequiel)

On March 31, 2023, and May 8, 2023, I spoke with Ezequiel who worked on the Cathedral City project. Ezequiel worked as a carpenter for US Framing West (USFW) on the Cathedral City project. He was not paid the prevailing hourly wage rate for this project. Ezequiel was paid on a piece-rate basis, equivalent to about \$20-\$25 an hour or about \$200 per day. He worked about 8 to 9 hours per day on this project. Ezequiel's father, "Benito", worked for USFW on the Cathedral City project. [REDACTED] and Juan [REDACTED] are Ezequiel's relatives and worked on the Cathedral City project. Ezequiel worked approximately 4 to 6 weeks for USFW as a carpenter on the Cathedral City project. He worked for USFW on this project in approximately November and December of 2021. Ezequiel worked from 7:00 am to 4:00 or 5:00 pm, Monday through Friday. He also worked on some Saturdays.

Ada [REDACTED] & Esvin [REDACTED]

On June 24, 2023, DOJ Investigator Sang Kim and I interviewed Ada [REDACTED] ([REDACTED]) and Esvin [REDACTED] ([REDACTED]), (a married couple) at their residence in Lake Elsinore, CA.

Ada [REDACTED] ([REDACTED])

[REDACTED] worked installing window flashing at the Cathedral City project. [REDACTED]'s duties also included clean-up work. [REDACTED] worked for USFW in January of 2022 on the Cathedral City project. [REDACTED] was hired for this job with the assistance of her husband, Esvin [REDACTED], who also worked on the Cathedral City project.

█████ typically worked from 7:00 am to 3:15 pm or 3:30 pm, Monday through Friday. She did not work on Saturdays or Sundays and did not work any overtime hours. █████ was paid on a production / piece-rate basis. █████ and her husband (█████) worked as a team and they both received piece-rate earnings based on the work they both completed. █████ estimates that her piece rate earnings were about \$600 per week, for the piece rate work she completed, during the four weeks she worked on the Cathedral City project.

The payroll check that █████ received for piece-rate earnings included piece rate pay owed to both █████ and her husband. █████ believes that she and her husband were paid about \$300 per apartment unit that they both completed. █████ was not paid \$56 per hour (as listed on the Certified Payroll Records submitted by USFW). █████ believes she was paid with checks from USFW. These checks included payroll tax deductions. █████ and her husband were paid twice for this piece-rate job, approximately every two weeks. █████ was not aware of Prevailing Wage requirements for the Cathedral City project.

Esvin █████

█████ worked on the Cathedral City project from October 2021 to February 2022. █████ worked as a carpenter and assistant to "Jim", the foreman. █████ would interpret for "Jim" so he could communicate with Spanish speaking workers, however █████'s primary duties were to conduct framing work. When hired, "Jim" told █████ that his wage would be \$35 per hour. However, the next day "Jim" told █████ that his hourly rate would be more, \$54 per hour, because the project was Prevailing Wage. █████ was paid via check at the rate of \$54 per hour by USFW and was provided with a wage statement.

Paydays were Fridays on a biweekly basis. However, sometimes the payroll checks arrived late from Kentucky. █████ recalls receiving an extra (restitution) check due to not receiving all required wages. "Jim" told █████ the extra check was for owed wages due for missing work hours. █████ typically worked from 7:00 am to 3:30 pm, Monday through Friday. █████ took a total of about 45 minutes for lunch and rest breaks. Lunch and rest breaks were combined into one longer break. █████ worked about 40 hours per week as an hourly worker. He worked less when the project was shut down due to rain. He did not work Saturdays or Sundays and did not work overtime as an hourly worker.

Fidel [REDACTED] ([REDACTED])

On June 29, 2023, I interviewed [REDACTED] via telephone. I conducted this interview primarily in Spanish. I am certified as fluent in Spanish by the state of California. [REDACTED] worked for US Framing West (USFW) from approximately May 2021 to November 2021, on the Cathedral City project (Veteran's Village). He primarily worked as a forklift driver. He was hired by Jim Compton, who was the USFW foreman for this project. [REDACTED]'s normal work schedule was from 7:00 am to 3:30 pm, Monday through Friday. He did not work on Saturdays or Sundays. He was provided a daily lunch break. He worked approximately 40 hours per work week and did not work overtime. Paydays were Fridays on a biweekly basis. [REDACTED] was paid with a check and was provided an itemized earnings statement with his pay. His average payment was approximately \$3,300 (net) every two weeks. His hourly rate was approximately \$53 per hour. Jim Compton was the person in charge of payment of wages to USFW employees. Miralrio received a W-2 form from USFW for tax purposes.

Juan Carlos [REDACTED] ([REDACTED])

On June 29, 2023, I interviewed [REDACTED] via telephone. [REDACTED] worked for US Framing West (USFW) for approximately three weeks in the summer of 2021, on the Cathedral City project known as Veteran's Village. He worked as a layout carpenter and his duties included locating and identifying wall lines for framing construction. [REDACTED]'s work schedule on the Veterans Village project was from approximately 6:00 am or 7:00 am until approximately 2:30 pm or 3:30 pm, Monday through Friday. He sometimes started at 6:00 am to avoid having to work hours in the afternoon peak summer heat. He did not work on Saturdays or Sundays. He took a daily lunch break of approximately 30 minutes. He worked approximately 40 hours per work week and did not work any overtime hours.

[REDACTED] was hired on a piece rate basis. [REDACTED] was paid at the rate of 9 cents or 10 cents per square foot of production completed. [REDACTED] estimates that his average daily piece rate wages were about \$175. [REDACTED] negotiated this rate of pay for himself and 4 other individuals that worked together as a crew. Three of the crew members were named "Ricardo", "Arturo", and "Manuel". [REDACTED] did not recall the other crew members' names. Each crew member received a separate USFW payroll check with their portion of the crew's total piece rate earnings. [REDACTED] was never advised that the Veterans Village project was a Prevailing Wage project and [REDACTED] and his crew were not paid on an hourly basis for their work on the Veterans Village project. Therefore, any work hours and hourly rates listed on Certified Payroll Reports were made up by USFW to match their piece-rate earnings.

W-4 FORMS

W-4 forms (Employee's Withholding Certificate) are federal employment tax forms that advise an employer of an employee's tax filing status, claimed dependents, and other adjustments, etc. for income tax purposes. Many W-4 forms seized during the execution of the search warrant at US Framing's headquarters in Kentucky in June 2023 indicate an hourly rate of \$53.03 (\$53.03/hour) for US Framing West piece rate workers employed on the Veterans Village project. These W-4 forms were signed and dated in November of 2021, prior to the dates that CPRs were submitted by KREBS on behalf of US Framing West for the Veterans Village project.

DIR PUBLIC WORKS AUDIT

A review of the electronic certified payroll records submitted by USFW to DIR indicated that USFW worked on the Veterans Village public works projects. The electronic CPRs were submitted under penalty of perjury. The Director of DIR published the prevailing wages applicable to all public works projects. Deisy Dvorak, Deputy Labor Commissioner with the Labor Commissioner's Public Works unit, obtained the applicable prevailing wage determination for the Veterans Village project.

Worker interviews revealed that the payroll information reported under penalty of perjury does not reflect the actual method of payment (piece-rate) and hours worked. Dvorak audited the hours worked and wages paid for each worker as reported by USFW and applied actual hours worked as reported by each worker. The audit revealed that USFW failed to pay prevailing wages in the execution of the Veterans Village public works project. Total wages found due to USFW employees that were interviewed during this investigation is \$41,335.11.

CONCLUSION

Certified Payroll Reports (CPRs) submitted by USFW to DIR indicate that USFW carpenters were paid at the prevailing wage rate of \$56.85, or more per hour, for work performed on the Veterans Village project. Many of the workers listed on CPRs submitted by USFW were members of unlicensed work crews and the hours reported do not match the work hours listed on the CPRs submitted to DIR. Instead of USFW paying the prevailing hourly rate, KREBS reported a reduced number of work hours on CPRs. USFW reduced work hours so that work hours reported on CPRs, when multiplied by the prevailing hourly rate, would approximately match each worker's piece-rate earnings.

KREBS submitted fraudulent CPRs under penalty of perjury showing fabricated number of hours worked on a public works project to DIR, a public office, which is a violation of Penal Code section 115. USFW not only disregarded California prevailing wage laws, but they also reported to The Solis Group labor monitoring company that they paid affected workers restitution money/checks when they did not actually pay them. This shows that they not only violated the law, they also intentionally stole prevailing wage restitution money from workers of the Veterans Village project.

California's prevailing wage laws are designed to ensure that the ability to get a public works contract is not based on paying lower wage rates than a competitor. Therefore, all public works contractors are required to pay the same wage rates when bidding and working on public works projects. California law requires that no less than the general prevailing wage rate be paid to all workers employed on public works projects.

Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury. Therefore, all certified payroll reports (CPRs) submitted to DIR are required to be certified, under penalty of perjury, that records submitted to DIR for the specified week ending dates are the originals or true, full, and correct copies of the originals, which depict the records of actual wage disbursements by way of cash, check, direct deposit of the individuals (employees) named.

California Labor Code 1771.4 (3)(A)(ii) requires contractors and subcontractors on most public works projects to submit electronic CPRs to the Department of Industrial Relations (DIR) / California Labor Commissioner's Office using the department's internet website.

This investigation revealed that KREBS submitted nine (9) CPRs to DIR under penalty of perjury, in violation of Penal Code section 115. The CPR information submitted to DIR for USFW employee work hours, specifically carpenters paid on a piece-rate basis, was not accurate and therefore fraudulent. Employee interviews conducted during this investigation revealed that employees received the same piece-rate earnings regardless of the number of hours they worked on the Veterans Village project.

I, Investigator Martinez, hereby request a Warrant of Arrest be issued for the arrest of Amelia Frazier KREBS, good cause being shown therefore, for the crimes of Penal Code § 115(a) – Filing False Documents.

Amelia Frazier KREBS is described as a female, Caucasian, 5'2", 110 lbs., blond hair, blue eyes; DOB [REDACTED]; OLN [REDACTED] (Kentucky) and last known address: [REDACTED], Kentucky [REDACTED]

This declaration references and incorporates the felony complaint, reports and documents attached.

LAW ENFORCEMENT:

I declare, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/26/24

Signature

Edwardo Martinez
Print Name