

Day-labor gathering a sore spot

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Aurora - The future of a day-laborer site is in jeopardy as the city threatens to cite the owner of the parking lot where workers gather with zoning code violations.

"Why now and not before?" asked Sandra Gutierrez, who owns the Aguila Express convenience store in Aurora. "This is my private property. I allow them to stay and I don't take anything from them."

Advocates for the workers, from El Centro Humanitario Para Los Trabajadores in Denver, say the workers have been gathering in the parking lot at East Colfax Avenue and Dayton Street for years. The advocates see the threat as an attack on the workers.

The workers, according to the warning letter police gave Gutierrez, are too close to an employment office 500 feet away on East Colfax.

The tension peaked last week when Able Body Labor complained to police about workers putting a sign in the parking lot advertising labor for \$10 an hour. Able Body says it isn't fair that the workers, many of them undocumented, are luring away potential employers.

Dwain Cavendish, assistant manager at Able Body, said he is the one "hitting the beehive with a stick."

"We've always had a problem with illegals on this corner getting work. They are not paying taxes, it makes us look bad," he said. "For someone just to stand out on the curb and take business from me and my company is just wrong."

This location was a concern last year when City Councilwoman Deborah Wallace tried to push an ordinance to regulate employers and prohibit "vehicle solicitation." It failed.

Since then the pressure has grown, workers say. They say police officers have cited employers as they drive away and workers have been cited for trespassing when they left the parking lot and walked into the alley.

Aurora police did not return a call for comment Wednesday.

"The workers are not hurting anyone, they are on private property," said Minsun Ji, executive director of El Centro.

Estefania Koelling, attorney for El Centro, said the workers do not constitute an employment office as defined by the law. According to the municipal code, an employment office is "a business office engaged in procuring, for a fee, employment for others and employees for employers on an hourly, daily, or weekly basis."

Advocates hope to meet with Wallace, the police chief, the city attorney and the owner of the store in the coming week.

"There is no support whatsoever (for compromise) - the citizens want the INS out there today," Wallace said. "I would truly like for Sandra Gutierrez, left, owner of Aguila Express, talks with Estefania Koelling, attorney for El Centro Humanitario Para Los Trabajadores, about problems she's encountering with zoning laws because day laborers congregate in her parking lot. (Post / RJ Sangosti)
an amiable result to come out. I just don't see it."

In the meantime, store owner Gutierrez may still get ticketed, said Tim Joyce of the city attorney's office. The maximum penalty is a \$1,000 fine or a year in jail.

"She is allowing people to engage in illegal activity on her property," Joyce said.

Before this year the police didn't bother workers much, said Juan Jose Garcia.

"(Able Body) thinks we are taking the work from his people," Garcia said. "But the bosses who come here wouldn't go there."