

Department of Justice

U.S. Attorney's Office

Northern District of New York

FOR IMMEDIATE RELEASE

Monday, February 11, 2019

**Baldwinsville Man Sentenced for Obstructing the
Department of Labor**

**False Pay Records Sent to the U.S. Department of Labor's Wage and Hour
Division**

SYRACUSE, NEW YORK - Elias J. Sawalha, age 64, of Baldwinsville, New York, was sentenced today to serve a three-year term of probation and a \$10,000 fine after previously pleading guilty to submitting fraudulent documents to the Department of Labor's Wage and Hour Division, announced United States Attorney Grant C. Jaquith and Michael C. Mikulka, Special Agent in Charge of the New York Region of the United States Department of Labor, Office of Inspector General, Office of Investigations.

As part of his guilty plea, Sawalha admitted that he submitted false documents to influence a U.S. Department of Labor investigation relating to the wages of his employees at two gas stations he owned and operated in Onondaga County. In December 2014, the Department of Labor's Wage and Hour Division notified Sawalha that it was investigating violations of the Fair Labor Standards Act. This investigation revealed that Sawalha willfully failed to pay more than \$30,000 in overtime wages and back pay to four employees as required by federal law. Sawalha agreed to pay the applicable overtime wages and back pay, and he subsequently submitted documentation to the Department of Labor certifying under penalty of perjury that he had made the required payments "in full." That paperwork included copies of checks written out to the four employees. The Department of Labor closed its investigation, though it later reopened the investigation upon learning that Sawalha never provided the checks to his employees, even though he did manipulate their pay stubs (and, consequently, their annual W2 forms) to falsely reflect that they had been paid. After additional investigation, the defendant admitted that he had falsified the paperwork in attempt to shut down the investigation without paying his employees what he owed them.

This case was investigated by the United States Department of Labor, Office of Inspector General, Office of Investigations, and was prosecuted by Assistant U.S. Attorneys Sahar L. Amandolare and Michael F. Perry.