

NYC Dominos Settles Wage Theft Lawsuit for \$1.3M

A NYC Dominos franchisee settled a wage-hour lawsuit for \$1.28 million, says San Francisco employment lawyer Eric Grover.

SAN FRANCISCO, CA, USA, March 20, 2014 /EINPresswire.com/ -- Sixty-one employees of a New York Dominos franchise are finally seeing their hard earned pay after the business agreed to pay \$1.28 million in back wages, reports San Francisco wage and hour lawyer Eric Grover.

The lawsuit, which took three years to reach a settlement, alleged that Dominos violated labor laws by requiring the plaintiffs, who are all delivery personnel, to work at the significantly lower “tipped minimum wage”, pay for their own uniforms and skip their lunch breaks.

In New York, the minimum wage is \$8 an hour, but the tipped minimum wage is \$5 per hour. If an employee’s tips don’t make up the difference, it is the employer’s duty to pay the difference. Dominos allegedly failed to offset the shortfall in compensation for the drivers, who were tipped employees.

Carlos Rodriquez Herrera initiated the wage and hour lawsuit after he was fired on the spot after complaining of improper payment to his manager in 2007. Herrera then went to the State Department of Labor where the case remained at a standstill for two years until Herrera reached out to the Legal Aid Society, who took up the case and ultimately reached the settlement with the franchisee.

Dominos was also ordered to rehire an additional 24 workers who were fired for reporting the illegal wage practices in December 2013.

“In any dispute people say things that may or may not be true, and that is the case here,” David Melton, the owner of the Domino’s franchise, said of the settlement. “We made some mistakes in our business.”

This isn’t an isolated instance of illegal wage practices in New York City, as nearly 85 percent of fast food workers in New York City reported being victims of wage theft, according to reports. And workers in many other industries also suffer wage and hour violations, although fast food workers have gotten a lot of media attention of late.

"As this case clearly showed, it often takes years to fight a wage claim, which is why many workers don't bother trying to hold their employer accountable," says San Francisco wage and hour lawyer Eric Grover. "But, when they do, it often pays off. Allowing the illegal practices to go unchallenged just enables employers to take advantage of you and other workers. If you believe that you are the victim of wage theft or other unfair employment practices, you should contact a wage and hour lawyer to find out for sure."

The San Francisco law firm of Keller Grover has been helping employees since 2005. To learn more about whether you are the victim of [wage and hour law violations](#) contact Keller Grover at 888.601.6939 and ask to speak with a California wage and hour attorney.

Information sourced from <http://thinkprogress.org/economy/2014/02/03/3238331/dominos-wages-settlement/>

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