

Port Driver Files Class Action Suits Claiming Misclassification by CA Companies

Two trucking companies have been accused of misclassification, says Los Angeles attorney Eric Grover.

LOS ANGELES, CA, USA, April 29, 2014 /EINPresswire.com/ -- Both lawsuits are seeking class action status that includes current and former port drivers of both companies, as far back as four years ago, [California wage and hour attorney](#) Eric Grover reports.

Just days after a scathing report revealed how many of our nation's port drivers are misclassified as independent contractors, two Southern California-based trucking companies are now facing two class action lawsuits by a former port driver who alleges he was one of these misclassification victims, reports [California Attorney Eric Grover](#) leading LA Labor lawyer with the law firm of Keller Grover LLP.

Land Line Magazine, a magazine for owner operators, revealed that Pacific 9 Transportation Inc. of Carson, Calif., and Coast Bridge Logistics Inc. of Compton, Calif., were accused of misclassifying workers as independent contractors, failed to pay wages and overtime compensation, and also failed to provide meal and rest breaks to their employee drivers and crew members.

Victor Castro, who worked for both Pacific 9 and Coast Bridge, maintains that he was misclassified "even though the work performed and conditions of employment were that of an employee," like driving company-owned trucks. Castro further claims that the companies "directs and controls the way the drivers perform their work, including controlling their schedule, where they deliver product and how they work."

Drivers for Pacific 9 are also reportedly paid a fixed price for each delivery they make, but the company does not provide "any employee benefits because they wrongfully misclassify them as independent contractors."

The lawsuits were filed in the Los Angeles Superior Court on February 24, 2014.

According to the report, which sparked the lawsuits, 49,000 of the nation's 75,000 port drivers are misclassified.

Since the report's release, 400 complaints have been filed with the California Division of Labor

Standards Enforcement for “wage theft violations related to misclassification.” □

Misclassifying drivers “violates state and federal labor and tax laws, including provisions related to wage and hour standards, income taxes, unemployment insurance, organizing, collective bargaining and workers’ compensation,” according to the report.

“For many of our nations truckers, who are one of the reasons we have food and products on our local stores’ shelves, simply trying to make it in the industry can break the bank—especially if you’re misclassified,” explains Los Angeles wage and hour attorney, Eric Grover. “Between maintaining their rig, meeting strict emission standards, fuel and other job-related costs it can mean that money is going out the door faster than it is coming in. This often results in truckers forgoing health insurance, paying their own bills and being left scrambling for cash to make ends meet at the end of the month, when their employer should be covering these costs if they were properly classified. Before agreeing to be an independent contractor, every worker should make sure they are educated on what that means and seek counsel if they think they’re being misclassified.”

For more information about your wage and hour rights, the California labor attorneys of the Keller Grover law firm have been helping victims of wage theft recover lost wages since 2005. To learn more about whether you’ve been a victim of wage theft, please contact Keller Grover at 888.601.69939 and ask to speak with a California wage and hour lawyer.

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