



Hernando County Title Company Successfully Defends "No Records" Overtime Claim

Former title processor claimed she was forced to stay late for real estate closings and not paid for her overtime hours as a result

TAMPA/ST. PETE, FLORIDA, USA, May 3, 2018 /EINPresswire.com/ -- On April 25, a federal court jury in Tampa, FL returned a verdict in favor of a Spring Hill Title Company, after a two day trial in front of United States District Judge James Moody.

The case originally was brought by Kristie Drinosky, a former title processor, against Southeast Title of the Suncoast, Inc. and its owner, Jim Smith, claiming alleged unpaid overtime wages, as well as damages in connection with an alleged retaliatory termination of her employment. Drinosky filed suit in the United States District Court, Middle District of Florida, under the federal Fair Labor Standards Act, 29 U.S.C. 216(b) ("FLSA").

Drinosky was employed as a title processor for Smith's title company from 2013 until June 2016. During the years in question, Southeast Title paid Drinosky upwards of \$17.85 per hour, and she received time and one-half pay for reported overtime, i.e. hours worked over 40 per week. While the company did not maintain contemporaneous time records, Smith instructed all employees to report any claimed overtime hours each week before payroll. Drinosky's pay records confirmed she received varying amounts of overtime pay throughout her employment, but she nonetheless claimed she was owed as much as 8-10 hours of additional overtime pay every single week for the last three years of her employment. As part of her claim, Drinosky contended that she was forced to work through her lunch break. Drinosky also claimed Southeast Title fired her in retaliation for her alleged complaints about the company's pay practices. Of course, Drinosky did not file her lawsuit until nine months after she was terminated.

Defense counsel argued that the defendants had no knowledge of any overtime hours other than those reported to the company by Ms. Drinosky, for which she was properly and timely paid. Moreover, defense counsel argued that the defendants terminated Ms. Drinosky in June 2016 as a result of her poor attitude with co-workers. Defendants also highlighted to the jury the fact that defendants paid plaintiff sick pay, vacation pay, holiday bonuses, monthly bonuses, quarterly bonuses and even one-time cash awards as incentive pay. Still further, current and former employees testified against Ms. Drinosky.

United States District Judge James Moody dismissed the retaliation claim prior to trial, finding that there was not sufficient evidence to support Drinosky's alleged wrongful termination claim. Following two days of evidence presentation, and after deliberating for approximately three hours, the jury rendered a verdict in favor of the defendants.

Drinosky had filed a statement of claim for approximately \$35,000.00, plus costs and attorney's fees.

Defendants were represented by Daniel R. Levine, Esq., of Boca Raton, Florida.

Dan Levine

Padula Bennardo Levine LLP
5615448900
email us here

This press release can be viewed online at: <http://www.einpresswire.com>

Disclaimer: If you have any questions regarding information in this press release please contact the company listed in the press release. Please do not contact EIN Presswire. We will be unable to assist you with your inquiry. EIN Presswire disclaims any content contained in these releases.

© 1995-2018 IPD Group, Inc. All Right Reserved.