

TGI Friday's accused of labor law violations

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(Photo: MICHAEL A. SCHWARZ FPS)

TGI Friday's, one of the nation's most popular casual dining chains, has been named in a class action lawsuit for systematically underpaying tipped workers.

Friday's requires tipped workers to arrive at work well before the start of customer service and to stay at work after the restaurant closes without receiving the minimum wages and overtime to which they are entitled, according to the suit filed by four former TGI Friday's workers from the New York metro area and Fredricksburg, Va.

"It is shameful for a big company to pay hard-working, low-wage restaurant workers less than they earned," says Justin M. Swartz, lead attorney for the firm Outten & Golden LLP.

While Swartz declined to specify a dollar amount for the lawsuit, he did state it's in the "million of dollars."

The lawsuit, which alleges violations of the federal Fair Labor Standards Act and the New York Labor Law against TGI Friday's and its parent company Carlson Restaurants, was filed on April 17, in New York federal court. It represents current and former servers, bussers, bartenders, hosts

and other tipped workers at the chain that has about 900 domestic locations. The number of Friday's domestic employees was not immediately available.

In response to the plaintiffs' claims, Friday's said in a statement e-mailed to USA TODAY: "TGI Fridays is aware of the claims being brought against the company. The company takes matters like these seriously and is currently assessing the situation to determine the facts.

"Beyond that, it is company policy not to comment on ongoing or pending litigation," said the statement, via Quinton Crenshaw, senior director of communications at TGI Fridays.

The lawsuit also accuses restaurant management of using a centralized time-keeping system to "shave" hours from employee time records and allowing employees to work "off-the-clock" performing non-tip producing side work including cleaning the restaurant and preparing food in bulk for customers.

The lawsuit seeks to recover minimum wages, overtime compensation, misappropriated tips, unlawful deductions and other wages from current and former Friday's workers.

"We believe employees at many hundreds of TGI Friday's restaurants were affected by the company's practices," says Brian Schaffer, an attorney at Fitapelli & Schaffer, which also represents the employees. "We allege the labor violations occurred through manipulation of the restaurant chain's sophisticated timekeeping system, which is capable of tracking multiple job codes for different work assignment, and pressure by restaurant managers."