

FOOD SERVICE EMPLOYEES SUING PROGRESSIVE



Several months ago, back in July, employees who were working for Progressive Gourmet received a request to reapply for their positions via a temporary employment agency that would not provide any type of benefits or health and medical insurance that these employees were receiving while working for the food distribution company. After being told to reapply for their jobs, the employees were also told that if they did not do so by the next morning, they would lose their job. In total, over 70 employees ended up losing their jobs. In a lawsuit, which was recently filed a week ago in the United States District Court, allegations are made against Progressive Gourmet, stating that the company has violated the Worker Adjustment and Retraining Notification Act because the company failed to give these employees notice of the possibility of being laid off. Employees also ended up filing a complaint within the National Labor Relations Board. In the meantime, the president of Progressive Gourmet, Christian Collias, refused to provide commentary. The claims that have been made in this lawsuit is actually an increasing trend in which a number of companies have started to use outside contractors as a way of lowering the costs and protecting themselves from the responsibilities of meeting all of the law requirements while also providing specific benefits to employees. A lawyer for Segal Roitman LLP, Kevin Merritt, says that he has seen a number of different companies outsourcing their staff members but has never seen a company force all of its employees to reapply for positions as temps. According to the general manager of the temporary staffing firm that is being used by Progressive Gourmet, the company never offered to pay the temporary staffing firm to provide a number of different benefits, including health insurance, vacation pay, and sick pay as well. Even so, the employees would still be earning the same as they did before. A general manager for the Employment on Demand Agency, Jose Avila, believes that the experience of what Progressive Gourmet has done to its existing employees is definitely much of a bad experience, especially since the employees were highly upset about losing the benefits they already had. Avila says that the employees definitely had the right to feel upset about the situation. At this point in time, the idealistic outcome from the lawsuit would be for all of the employees who were laid off to receive their jobs back, along with all the benefits they once had prior to being laid off from the company.