

DARDEN RESTAURANTS ACCUSED OF VIOLATING FEDERAL LABOR LAWS: WORKERS TAKE IT TO COURT



A lawsuit filed in Miami federal court on Thursday collectively representing current and past employees, who were employed by Darden Restaurants since August 2009, has accused the company of underpaying thousands of its workers at Olive Garden, LongHorn Steakhouse, Red Lobster and other eateries across the country. Its lead lawyer David Lichter said that the lawsuit seeks tens of millions of dollars in back pay and other compensation, plus interest and attorney fees. He said, "Darden has a companywide pattern and practice of paying its employees below minimum wage and less than what the law requires. We're seeking not only to correct the wrongs that have occurred at Darden, but hopefully this will stimulate change across the country." However, Darden spokesman Rich Jeffers refuted the allegations and said that they "fly in the face of our values and how we operate our business." Each of our brands complies with all federal and state labor and employment laws, and we're proud of our standing as an employer of choice," he said in an email. The plaintiffs were two Darden workers in Florida and Virginia, Amanda Mathis and James Hamilton. Jeffers said that they had never complained about anything amiss at the workplace, nor had they sought in-house assistance to address employee disputes and concerns, prior to the lawsuit. "We take any claims of impropriety seriously and we routinely investigate them," he said. The company does have a past record of worker violations as the Department of Labor confirmed earlier infringements, similar to those mentioned in the lawsuit. In 2011 the company had agreed to pay more than \$25,000 in back wages to its workers in its Texas eatery. The company was also assessed a \$38,800 fine in that case. Other comparable lawsuits in Illinois and New York are still awaiting verdicts but the current one is the first one that seeks to represent all Darden workers at all its four eatery brands Olive Garden, Red Lobster, LongHorn Steakhouse and The Capital Grille. Attorneys say that claims could run into millions as the number of affected people would easily cross the four figure mark. The lawsuit filed under the Fair Labor Standards Act, states among other claims that servers who had arrived as per their schedules but were not allowed to clock in and had to wait till customers started to come. Some workers were made to work before and after their assigned shifts. Workers who put in overtime were not paid appropriate wages and employees who worked only for tips were asked to do "side work" but not compensated for it. Such side work, included maintenance and preparatory work like vacuuming, rolling silver in napkins and refilling salt shakers, such work did not earn them any tips nor were they compensated. Orland based Darden has upwards of 2,000 restaurants, all owned and managed by it as it does not franchise its eateries. It is estimated that overall it employs around 180,000 people.