

Some
companies treat
their employees
like family.



Some don't.

That's where
Marks & Harrison
can help.

In a groundbreaking case the United States Supreme Court sided with 1,424 Family Dollar Stores, Inc. employees represented by attorney J. Allen Schreiber of Marks & Harrison in their claim against their employer. The Plaintiffs were awarded \$35.6 million in back wages. With interest the judgment is over **\$42 million**.

The Supreme Court upheld a 2006 jury verdict that found Family Dollar Stores, Inc. to be in violation of the Fair Labor Standards Act. The Fair Labor Standards Act is a federal law which establishes certain minimum requirements for employees' hours of work, wages, premium overtime and payroll records. It identifies two types of employees: exempt and non-exempt. The Fair Labor Standards Act requires that exempt employees be responsible for leading and reviewing employees, hiring and firing employees, setting the schedule, ordering merchandise, interviewing applicants, and handling customer complaints. However, the managers of Family Dollar Stores, Inc. had to defer all of those duties to district managers.

"We're elated about the opinion..." Schreiber said, "but what we really wanted was for them to have to change the way they do business. They [the employees] didn't have any discretion about anything. It was just a way to work people for free."

The ruling found the Matthews, N.C.-based company in violation of the Fair Labor Standards Act and awarded back pay to 1,424 employees, who routinely worked 60 to 70 hours a week. Their duties often included mopping floors, unloading trucks, stocking shelves and running cash registers. Family Dollar operates 6,600 stores in 44 states.

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Helping people today.*

For at least three years prior to 2001, Family Dollar Stores, Inc. had a uniform policy and practice of consistently requiring its “managerial” employees to work 60 to 90 hours per week for a salaried amount - ranging from \$25,000.00 to \$32,000.00 - without overtime compensation. These employees were hired under the premise they would work 45 to 50 hours per week. The Plaintiffs’ managerial duties were minimal as compared to other job duties regularly performed, making up just 5 to 10 hours per week.

J. Allen Schreiber stated that it was clear that Family Dollar Stores Inc. did nothing to ensure that their employees were properly classified. Family Dollar admitted that the employees classified as managers spent 80 to 90 percent of their time doing manual labor. Duties often involved cashiering, cleaning, stocking, and unloading. These employees were often forced to work 60 to 90 hours per week without overtime pay due to their classification as managers.

The case was originally brought against Family Dollar Stores, Inc. in 2001 by two employees. The 1,424 Plaintiffs will be awarded back pay from 1998 through March 3, 2006.

If you think you have been unjustly denied overtime pay, you should not wait to bring your claim because your rights can quickly expire. Contact Marks & Harrison for a free, no-obligation and confidential consultation. Our lawyers will work tirelessly on your behalf to make sure you get the pay you deserve.

David A. Harrison
(1886-1966)

James G. Harrison
(1925-1989)

C. Hardaway Marks
(1921-2004)

John C. Shea

James G. Harrison III

James A. McCauley

John D. Ayers

Kyle Leftwich Banning

J. Penn Crawford

Andrea J. Geiger

John C. Gould

Fletcher W. Harkrader III

Gregory S. Hooe

James Mick Kessel

Mark S. Lindensmith

Bridget N. Long

Dean C Marcus

Kevin M. McGowan

J. Allen Schreiber

Louis D. Snesil

Joanna L. Suyes

Eric D. Yost

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