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Scott Cole & Associates Announces Court Certification of Hundreds of Dollar Tree Store Managers

Employment Class Action Lawsuit Advances to Next Level

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OAKLAND, Calif.--(BUSINESS WIRE)--Scott Cole & Associates announces that, on May 26, 2009, a San Francisco Federal Court Judge ruled that hundreds of California Dollar Tree Store Managers may join a lawsuit alleging that the discount retailer unlawfully classified them as exempt employees and denied them overtime pay and meal and rest breaks. While Dollar Tree denies any wrongdoing, a victory at trial for the plaintiffs could mean substantial compensation for these workers going back several years.

"Given the homogeneity between Store Managers' work experience, the Court's decision was the correct one," says Scott Cole, Esq., the lead attorney for the class. "Now we'll turn our attention to showing that the nature of their so-called managerial work is really the performance of routine tasks which do not meet the stringent legal test for overtime exemption."

While this week's decision does not speak to whether overtime pay will be due - it focuses instead on the common tasks performed within the job position - Cole says that the similarities between Store Managers' jobs unearths a reality that they were closely directed by the corporate office in how to do their work and not engaging in high-level decision-making. This distinction is critical since, no matter what job title employees are given or what an employer tells them, it is the type of work they perform which dictates whether they are entitled to overtime back pay.

"Obviously, given the Court's ruling, our efforts to prove liability will now be amplified," states Cole. "Dollar Tree needs to understand that these workers are serious about getting paid."

Oakland-based Scott Cole & Associates is one of California's premier employment litigation firms, devoted to prosecuting employers for violations regarding overtime pay, unpaid bonuses, meal and rest breaks, and expense reimbursement.

Scott Cole & Associates—Making the Law Work for Workers®

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If you would like to learn more about this case or any other cases currently being pursued by Scott Cole & Associates, contact the firm at (510) 891-9800 or at info@scalaw.com.

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