

Collective Action Notification Sent to Valero Employees Across U.S.
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Suit for Overtime Pay for More Than 3,400 Moves Forward
Corner Store Managers, Assistant Managers Forced to Work Off the Clock

SAN FRANCISCO, Sept. 24, 2013 /PRNewswire/ -- Notice has just been mailed to more than 3,400 managers and assistant managers of Valero and its successor corporation CST nationwide for whom the law firm Sanford Heisler recently won approval of a collective action certification motion paving the way for them to pursue their overtime claims as a group.

The decision by arbitrator Michael Loeb requires that all current and former hourly managers of Valero's and CST's Corner Stores across the U.S. be notified of the certification and have an option to join the case. These individuals have 90 days to decide whether to join, beginning when the notice is mailed.

Janette Wipper, a partner at Sanford Heisler and lead counsel for the managers, views the notification as a crucial step toward remedying wage and hour violations by Valero and its successor against its Corner Store managers.

"We are pleased that the notification process has begun, because it will inform all hourly Valero and CST Corner Store managers nationwide about their opportunity to participate in this case," said Ms. Wipper. "More importantly, collective action certification brings the Corner Store workers closer to securing the overtime wages withheld from them for many years while working long hours for Valero."

The federal Fair Labor Standards Act requires employers to pay time and a half in overtime wages for all hours worked above 40 in any week. In California, where Valero and CST operate almost 100 Corner Stores, state law requires employers to also pay overtime wages for all hours worked above eight in a day.

"The hourly managers routinely perform tasks off the clock before and after their shifts and during their breaks," said Chaya Mandelbaum, co-counsel in the case. "This is work the company requires and benefits from, but doesn't pay for. We are hopeful that the collective action will bring these illegal employment practices to an end."

Corner Store managers reported having to conduct surveys of competitors' gas prices before and after their shifts and tending to issues at their stores over the phone during non-work hours, as well as being required to conduct surveillance of store employees off the clock, and having to finish tasks at the store while not clocked in to avoid running afoul of the companies' rigid labor budget and overtime requirements. The managers also reported that the companies do not factor in federally required payments such as shift differentials in determining managers' compensation.

"We expect that large numbers of the Valero hourly managers across the country will identify with the experiences of their colleagues in other locations and will elect to join the case," said Ms. Wipper.

For questions or more information, call Sanford Heisler at 415 795 2020.

About Sanford Heisler, LLP

Sanford Heisler is a law firm with offices in Washington, D.C., New York, and San Francisco that specializes in employment discrimination, wage and hour, qui tam and consumer actions and complex corporate class action litigation and has represented thousands of individuals in major class action cases in the United States. The firm also represents individual clients in employment, employment discrimination, sexual harassment, whistleblower, public accommodations, commercial, medical malpractice, and personal injury matters. In May 2010, the firm won the largest jury award in the U.S. in a gender discrimination employment class action when a jury returned a verdict of \$253 million in compensatory and punitive damages against Novartis Pharmaceuticals Corporation. In 2012, the firm won court approval to settle a wage and hour case on behalf of sales reps employed by Novartis Pharmaceuticals for \$99 million. For more information, contact Sanford Heisler at 415-795-2020.

For more information, media contact Jamie Moss, newsPROs, 201-493-1027, Jamie@newspros.com

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