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CONTACT: KELLY DILLMAN
PHONE: 816-714-7127**

Stueve Siegel Hanson LLP and Weinhaus & Potashnick Announce Conditional Class Action Certification Granted in Lawsuit Against Amsted Industries, Inc.

Kansas City, MO - Stueve Siegel Hanson LLP (<http://www.stuevesiegel.com>) and Weinhaus & Potashnick (<http://www.fairwagelawyers.com>) announce that the U.S. District Court for the Southern District of Illinois has granted conditional certification to a class of hourly-paid steel-foundry workers employed by Amsted Industries Incorporated and Amsted Rail Company, Inc. (Amsted) at their foundry and manufacturing facility located in Madison County, Illinois.

The Court's certification order applies to approximately 1500 current and former hourly employees who worked at the Madison County, Illinois foundry and manufacturing facility at anytime in the last three years. The Court, in conditionally certifying this case, also authorized notice be sent to the hourly workers employed during the class period informing them of the lawsuit and their right to join.

Notice to join the lawsuit has been mailed to class members explaining the case and their right to join. Class Members have until October 2, 2010, to join the case.

In granting certification, the Court found persuasive "Plaintiffs assertion that conditional certification is proper, because the class of employees on behalf of whom they bring this action were subjected to the same time-keeping and compensation policy that required them to work outside their scheduled shift time without pay, were subjected to the same or similar unlawful practice that deprived them of the overtime pay they earned, and Amsted's practice violated the FLSA's requirements."

The lawsuit alleges that Amsted has violated federal wage and hour laws by failing to pay its employees all earned wages and by failing to accurately record all time worked pre-shift and post-shift.

The work duties that the Amsted workers allege that they have not been paid for include:

- changing into and out of the required protective gear (fire-retardant and/or protective pants and jackets, protective sleeves, hoods, helmets with shields, goggles, ear plugs, respirators, gloves, metatarsal boots, aprons, etc);
- obtaining and storing tools and supplies;
- starting and shutting down machinery equipment;

- testing tools and equipment;
- obtaining tool and equipment repairs and replacements;
- servicing tools and equipment; and
- cleaning and preparing work areas both before and after their shifts.

“We are pleased with the Court's Order acknowledging the right of Amsted's employees to proceed collectively to offset the employer's natural advantage over their employees when pursuing back wages they are owed,” said Rick Paul, a partner with the Kansas City-based law firm Stueve Siegel Hanson LLP, which represents the plaintiffs. “The Court recognized the widespread nature of an unlawful pay practice which has harmed too many employees over many years, which permits us to notify victims of their important employment rights,” said Mark Potashnick of Weinhaus & Potashnick in St. Louis. Potashnick added, “Unfortunately, such unlawful employment practices pervade too many workplaces.”

Stueve Siegel Hanson LLP represents plaintiffs and defendants nationwide in complex business disputes on a contingency basis.

Weinhaus & Potashnick represents employees in unlawful employment practice claims.