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Ex-workers at ClientLogic sue for unpaid overtime

Lawsuit seeks class-action status

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Former call center workers at ClientLogic are suing the company in federal court, saying they were required to work overtime without pay.

"Frequently we had to work on our lunch hour to catch up on paper-work," said Martin J. Hens, a former technical service worker at ClientLogic's Hertel Avenue office.

In addition, workers weren't supposed to clock in before they had started a computer and reviewed the day's technical notices - tasks that took 15 to 30 minutes, he said.

Hens and co-worker Paul Van Voorhees are the plaintiffs in a civil lawsuit filed Tuesday in U.S. District Court in Buffalo that charges violations of federal and state labor laws. The case could involve thousands of former workers in Buffalo and nationwide if granted class-action status, a lawyer for the workers said.

ClientLogic hasn't seen the lawsuit and cannot comment on it, representative Amit Shankardass said. This is the first lawsuit against the company claiming unpaid overtime, he said.

"We have 17,000 people working for us worldwide. We have a strong history of being a good, positive employer," Shankardass said.

The workers' lawyers, at Outten & Golden LLP in New York and Stueve Siegel Hanson Woody LLP in Kansas City, are seeking to contact people who worked at ClientLogic call centers within the past six years.

"I do expect many (workers) will be in a similar situation. It's an industry-wide practice," said Justin M. Swartz, a lawyer at Outten & Golden.

The amount of unpaid overtime exceeds \$5 million, according to the complaint.

Based in Nashville, ClientLogic closed its Hertel Avenue call center in March, ending about 120 jobs. It still operates a data center on Ellicott Street in Buffalo.

A former restaurant manager, Hens said he worked at the call center for 2¹/₂ years until the closing, providing telephone support for Sony computers for about \$9 an hour. "I think it was pretty crappy - taking our jobs away, and they got a lot of free labor out of us," he said.

The 42-year-old Amherst resident figures he is owed about \$10,000. He decided to come forward after the company announced in January that the office was shutting down. Before that, "I didn't want to make waves . . . it's real easy to get fired," he said. Since the shutdown Hens has gone back to working as a restaurant manager, his previous field.

Call center companies are a frequent target of overtime lawsuits, which are on the rise. Another action against Teletech, which has a call center in Niagara Falls, is in arbitration, Swartz said.

Plaintiffs brought 3,617 actions under the Fair Labor Standards Act last year, double the rate of five years ago, according to the U.S. Courts administrative office. The labor law sets minimum wages and overtime rules.

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