

Suit Claims Pizza Hut Drivers Not Paid Enough

KANSAS CITY, Mo. – Two Missouri law firms have filed a lawsuit against Pizza Hut's largest franchisee, alleging the company does not pay minimum wage to its delivery drivers after you factor in automobile costs and other job-related expenses.

Those lawyers are investigating other pizza chains and expect this to become a national issue.

The federal lawsuit filed against NPC International, which is based in Overland Park, says the drivers' car expenses are reimbursed at such a low rate that drivers end up making less than minimum wage.

Pizza delivery drivers are paid minimum wage plus a reimbursement for driving their own car. When you get a pizza delivered, there is a \$2.50 delivery charge added to your total charges. Some customers think the delivery charge substitutes for a tip, but it actually goes to the company and drivers only get about half of the delivery fee charged.

"When you factor in all that they have to do to do their job, own an automobile, pay for their gas, purchase uniforms and the like," they are reimbursed too little according to George Hanson, a lawyer involved in the case.

"They complain, their responses don't get them anywhere. It certainly has not resulted in an adequate reimbursement of their expenses," said Rick Paul, another lawyer on the case.

A Denver-area driver told NBC Action News that driver reimbursements were lowered earlier this year when NPC bought all the franchises in the Denver area. That driver says after expenses he now makes about \$3 per hour, which is less than half the federal minimum wage.

The Fair Labor Standards Act allows for recovery of unpaid wages, plus any related legal fees. Recovered wages could cover a two or three year period, depending on if a violation is deemed willful.

Past and current employees of Pizza Huts owned by NPC are able to participate in the lawsuit.

Delivery drivers interested in learning more about the lawsuit against NPC may call Jack McInnes of Stueve Siegel Hanson at (816) 714-7100 or call Mark Potashnick of Weinhaus & Potashnick at (314) 997-9150 ext. 2 for more information.