

RetailLawBCLP

## **PIER 1 SETTLES CLASS ACTION OVER CALL-IN SHIFTS FOR \$3.5 MILLION**

Dec 27, 2017

Pier 1 Import has agreed to pay \$3.5 million to settle a class action lawsuit brought on behalf of about 9,300 retail store associates in California. The lawsuit alleged the company owed workers pay for when they are scheduled to call the store to ask if they should report for work or stay home.

California requires employers to provide “reporting time pay” to employees. Employers must provide a few hours of pay when an employee reports to work for a scheduled shift but is dismissed a short time later because business is slow.

The complaint alleged that Pier 1 violated this law by requiring employees to call in one to two hours before the scheduled shift. Employees complained that the call-in shifts were mandatory, and required employees to schedule their time around the possibility that they may work after a call-in shift. Pier 1 Import has since discontinued the scheduling practice at issue, which it called a “Flex Shift” policy.

Judge Dale A. Drozd of the United States District Court for the Eastern District of California granted preliminary approval of the settlement on December 12, 2017. Class members will have an opportunity to object to the settlement or opt out before Judge Drozd decides whether to grant final approval.

For questions or additional information, contact the author, Traci Choi, at [Traci.Choi@bryancave.com](mailto:Traci.Choi@bryancave.com) or 949-223-7169.

## MEET THE TEAM



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