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Card Dealers Win Labor Case Against Palm Beach Club



(<http://www.rightinginjustice.com/news/author/kurt-niland/>)

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A group of poker dealers in Palm Beach, Florida won a lawsuit in federal court this week filed against the Palm Beach Kennel Club Entertainment Complex for **violations of the Fair Labor Standards Act**. The workers alleged that managers of the club skimmed money off their **tips** to pay supervisors working the card room floor. According to the Palm Beach Post, the club failed to prove to the jury that it operated a legal tip pool under the **FLSA regulations**.

According to the *Palm Beach Post*

(http://www.palmbeachpost.com/localnews/content/local_news/epaper/2009/03/09/0309kennelclub.html), the plaintiffs alleged that the club "operated an illegal tip pool knowingly" and with "reckless disregard for the law." Despite their courtroom victory, however, the plaintiffs failed to persuade the jury of those counts.

An attorney for the poker dealers told the *Palm Beach Post* that a federal judge will determine how much back pay will be awarded to each dealer, estimating that the total amount would reach \$130,000 plus attorney's fees. Most of the plaintiffs are no longer employed at the Kennel Club.

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The ruling will **likely boost earnings** for card dealers in other Florida clubs where money is commonly skimmed from card dealer tips to pay floor supervisors. According to the plaintiffs' attorney, some dealers could go from making \$40,000 to \$70,000 with full tips.

The attorney told the Post that the club was "**stealing the wages that somebody earned. Period**. So their bottom line wouldn't be affected."

"They were taking from somebody without them knowing it and giving it to somebody who didn't deserve it," he told the Post.

Federal labor regulations allow businesses to pay employees less than minimum wage if the employees "customarily and regularly receive tips." Attorneys representing the dealers successfully argued that because the club paid dealers \$3 below the minimum wage, it shouldn't have claimed tips to compensate supervisors "who had no direct service contact with the

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The Palm Beach Kennel Club is an established dog racing track dating back to 1932. The club also offers simulcast racing, a poker room, and dining options.

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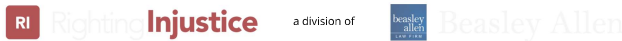
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