

Who's the Boss?

**By Reg P. Wydeven
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Last year, we unfortunately lost George Steinbrenner, the longtime owner of the New York Yankees. George is known for maintaining the championship tradition of the most successful franchise in all of sports. During his tenure, the Bronx Bombers won 7 of their 27 World Series titles.

Steinbrenner was also known as the Boss, and a pretty tough one at that. He actually set a Major League record by making twenty managerial changes in the first twenty seasons he owned the team, including hiring and firing Billy Martin 5 times!

Steinbrenner popularized the phrase, "You're fired!" long before his fellow New Yorker, Donald Trump, uttered it on his TV show 'The Apprentice.' The original Terminator even made fun of his reputation when he hosted 'Saturday Night Live.' In a hilarious skit, Steinbrenner played the manager of a convenience store who couldn't bring himself to fire extremely incompetent, if not borderline criminal, employees.

Now that George is gone, manager Joe Girardi doesn't fear his wrath, but rather that of his sons, Hank and Hal. If the boys inherited their father's dismissive ways, Joe now has a tool at his disposal that Billy Martin would have loved.

In an unprecedented collaboration between the U.S. Department of Labor's Wage and Hour Division and the American Bar Association Standing Committee on Lawyer Referral and Information Service (ABA LRIS), the Wage and Hour Division will offer disgruntled employees the opportunity to discuss their grievances with local ABA attorneys.

On December 13, 2010, the Wage and Hour Division premiered its new toll-free number that connects complaining employees to the newly created ABA-Approved Attorney Referral System. The Department of Labor felt aggrieved employees needed a better opportunity to access competent representation for disputes with employers. Even though the Department of Labor has more attorneys than any other department besides the Department of Justice and the Wage and Hour Division added 350 new investigators over the last two years, the agency is still unable to get to approximately 10% of the 35,000 or so complaints it receives each year.

The hotline is designed to help "unresolved complainants" with concerns about violations of the Family and Medical Leave Act or the Fair Labor Standards Act, such as those affecting minimum wage or overtime. Complaints about these issues account for about two-thirds of all protests.

Once connected with a local ABA attorney, the employee has the option of deciding whether or not to hire the attorney on a contingency fee basis. If so, the attorney will be furnished with any information gathered by the Wage and Hour Division during its investigation of the alleged violations in question and any back wages owed. The Division has also developed a special process for complainants and representing attorneys to quickly obtain certain relevant case information and documents when available.

According to President Obama, the program is "a new effort between the federal government and private bar to assist complainants" who may need help with "worker rights." In addition to employees, similar ABA hotlines have been established at the Department of Housing and Urban Development to help homeowners with foreclosure issues and at the Department of Veterans Affairs to help vets.

The hotline's detractors point out that there is no corresponding ABA referral service for small businesses and employers who are having trouble with difficult workers or are being subjected to frivolous lawsuits filed by scorned employees.

I usually ask my assistant to proofread my articles for me, but this week I'll risk a typo instead of pointing out the new hotline to her.

Way to go Pack!

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