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Salvation Army Targeted By FLSA Suit

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The Salvation Army has been hit with a proposed collective action by a former employee who has accused the charitable organization of violating the Fair Labor Standards Act by denying her overtime wages.

Plaintiff Diana Mullins filed suit Friday in the U.S. District Court for the Northern District of Ohio, charging the Salvation Army with illegally requiring her and other hourly, nonexempt employees to work unpaid after hitting the 40-hour mark for the week.

"As a result of Salvation Army's practice of not authorizing overtime compensation, plaintiff and other similarly situated store managers and assistant store managers were required to work off-the-clock in order to complete their job responsibilities," the complaint states.

Mullins worked at an Ohio Salvation Army store from April 2006 to December 2007, holding the titles of assistant store manager and store manager during her tenure.

Though the position often required Mullins to put in more than 40 hours per workweek, the organization refused to pay the hourly employees more for the additional time clocked.

Mullins contends that the Salvation Army demanded that they clock out to avoid being called on the amount of hours worked over 40.

"As a result of defendant's record-keeping practice, the off-the-clock work performed by plaintiff and other similarly situated employees is unrecorded in defendant's time and earnings records," the complaint read.

Though Mullins said in court papers that she was unsure how large the class could grow to be, she indicated that the number of potential plaintiffs currently hovered around 20.

She is seeking lost wages and injunctive relief in addition to the collective action designation for her complaint, according to court documents.

Mullins is represented in this matter by attorneys from the Lazzaro Law Firm.

The case is Mullins vs. Salvation Army, case number 1:08-cv-01276, in the U.S. District Court for the Northern District of Ohio.

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