

Labor Department Investigates Alleged Labor Violations at Local Diner



The U.S. Department of Labor has initiated an investigation into allegations of wage theft and tip withholding at a popular Evansville diner, Friendship Diner, LLC. The department claims that the owner, Bardhyl Shabani, has been systematically depriving both current and former employees of their rightful earnings.

Allegations and Investigation Details

The Department of Labor revealed that Friendship Diner has been under scrutiny for violations of the Fair Labor Standards Act (FLSA), particularly concerning tip pooling and minimum wage requirements. A formal complaint was filed on February 28, citing numerous instances of misconduct.

Among the accusations, the investigation found that:

- Servers were forced to contribute a portion of their tips to a mandatory tip pool, with management retaining control over these funds.
- Employees were allegedly paid below the federal minimum wage of \$7.25 per hour.
- Overtime pay was not provided for hours worked beyond the 40-hour workweek.
- The kitchen staff were reportedly paid partly in cash, circumventing proper wage calculations.

Coercion and Retaliation

Furthermore, the Department of Labor accuses Shabani of resorting to intimidation tactics to maintain control over his staff. Employees were allegedly coerced into participating in the illicit tip-pooling scheme, with threats of retribution for non-compliance.

According to court filings, employees were subjected to verbal harassment and pressure to provide false statements to investigators. Shabani purportedly continued this behavior by personally confronting staff members during their shifts and even contacting them at home to coerce their cooperation.

Department's Response and Legal Action

In response to these allegations, the Department of Labor's Office of the Solicitor has taken swift action. A request for a temporary restraining order and injunction against Friendship Diner, LLC and Bardhyl Shabani was filed in the U.S. District Court for the Southern District of Indiana, Western Division.

Regional Solicitor Christine Heri emphasized the Department's commitment to upholding labor laws and protecting workers' rights. She asserted that any form of retaliation against employees is unlawful and will be met with legal repercussions.

The investigation, spanning from February 22, 2021, to February 19, 2023, has highlighted systemic violations that have allegedly deprived employees of significant earnings. The Department of Labor is seeking back wages and liquidated damages totaling \$450,140 for 44 affected individuals. Of this amount, \$225,070 constitutes unpaid

wages, with the remainder attributed to damages.

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