

## Defeated Plaintiff's Motion to Amend Wage and Hour Class Action Complaint Alleging Improper Rounding

Winston represented a subsidiary of a major foodservice distributor in a wage and hour class action filed in San Joaquin County Superior Court on behalf of a class of hourly, non-exempt employees, alleging two theories of liability: (1) the use of an improper rounding system, resulting in failure to properly compensate employees for all hours actually worked, and (2) holding captive meal and rest breaks, requiring employees to clock out before leaving company premises for meal and rest breaks). Improper rounding is an employment issue perpetually plaguing employers, and our clients turn to Winston for a strong defense in such matters. After defeating a motion by the plaintiff to amend the complaint, we successfully settled the matter.

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### Related Capabilities

Labor & Employment

### Related Professionals

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Joan Fife