

## **Airline, loser in suit, fails to deliver promised pay raise**

Workers get deep wage cut from American

By Jonathan Saltzman  
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American Airlines failed to deliver on a promise to raise the hourly wages of skycaps at Logan International Airport after the airline prohibited them from receiving tips for checking in luggage at the curb, two of the skycaps and their lawyer said yesterday.

But while the lawyer said the airline had reneged, American Airlines attributed the shortchanging to payroll mistakes and promised to correct it quickly.

On May 1, the airline said its Texas-based payroll subcontractor, G2 Secure Staff, would immediately raise the hourly wages of its approximately 18 skycaps at Logan to \$12 as part of a controversial policy barring passengers from tipping there. Most of the skycaps were earning \$5.15 an hour at the time, well below the state's \$8-an-hour minimum wage.

But when several skycaps looked at their paycheck this week, they noticed their wages had actually plummeted to \$2.63 an hour, said Ritson Desrosiers of Mattapan, a skycap for 15 years. The paycheck that skycaps received two weeks earlier was for \$10.75 an hour, he said, still below the promised \$12.

Shannon Liss-Riordan, the Boston lawyer who represented many of the skycaps in a recent successful lawsuit against the airline in US District Court, said the carrier had shown "gross indifference" to the employees.

"What is really outrageous is that American claimed to the court and to the public that it was going to raise the skycaps' wages when it instituted this no-tipping policy," she said. "And what we have now learned is that the skycaps actually got a wage cut, so they're making less than minimum wage and they're not allowed to receive tips."

Liss-Riordan said she plans to raise the issue today before US District Judge William G. Young, who had scheduled a hearing to consider her argument that the tips ban is illegal retaliation.

Tim Smith, an American Airlines spokesman, chalked the problem up to payroll glitches at G2 and the airline. He said all the skycaps, including one who works directly for American Airlines, will receive retroactive checks immediately.

Liss-Riordan gave the Globe copies of pay stubs for Desrosiers and two other skycaps, and their pay rates are listed as \$2.63 an hour. Desrosiers's gross pay for 52 hours over two weeks was \$136.79.

"It's like a kick in the teeth," he said.

Told by the Globe last night in a subsequent interview that the airline was blaming technical problems with the payroll, Liss-Riordan responded: "I think it's ridiculous. American is responsible for getting aircraft across the country and across the world every day. And it can't implement a pay raise?"

The shortchanging marks the latest twist in a running feud between the skycaps and the airline, which is struggling to stay solvent in an era of record-high fuel prices.

On April 7, a federal jury awarded a group of nine American Airlines skycaps at Logan more than \$325,000 for tips they lost after the airline in September 2005 began charging customers \$2 a bag to check in luggage at the curb.

The jury concluded that those fees belonged to the skycaps, who testified that their tips plunged because passengers mistakenly thought the employees kept the \$2 and were reluctant to tip on top of it.

On May 1, the airline said that it planned to appeal the jury's verdict and that it had taken another step: It was prohibiting the tipping of American Airlines skycaps, although only at Logan.

The airline said the ban, plus a decision to raise the pay of most skycaps to \$12 an hour, would remove the workers from the list of employees who are covered by the state's tips law, which protects gratuities for waiters, bartenders, and other service workers. The skycaps disputed that the raise would remove them from the list.

The lone skycap who works directly for American, Don DiFiore, was supposed to get \$15 an hour but said yesterday his pay has not changed from \$10.66 an hour.

"How hard can it be for American Airlines to figure out how to give me five dollars more an hour?" he said.

The tips ban has infuriated many skycaps and irritated several passengers who told the Globe they resented the prohibition.

On May 6, Young, without a hearing or explanation, denied a request by the skycaps to order the carrier to lift the ban. But Liss-Riordan said he might have acted on procedural grounds, prompting her to renew the request in a different form.

Liss-Riordan said the office of state Attorney General Martha Coakley has interviewed several skycaps about whether the tips ban represents illegal retaliation. The attorney general has authority to penalize employers who break them state labor laws.