

Skycaps suing United Airlines Say airline breaking minimum-wage laws

By Donna Goodison | Monday, October 12, 2009

Skycaps who worked at Logan International Airport and other U.S. airports are suing United Airlines, claiming it flouted federal minimum-wage laws when it started charging customers \$2 for curbside baggage check-in in 2005.

The lawsuit alleges skycaps had to tap into their tips to cover end-of-shift shortages in the fees collected, even though they were paid less than minimum wage.

“An employer can’t pay an employee less than the minimum wage or the tipped minimum wage if the employee is not allowed to keep all of his or her tips,” said Shannon Liss-Riordan, the Boston attorney representing the skycaps.

Filed in U.S. District Court in Boston last week, the lawsuit contends United Airlines was a joint employer of the skycaps with the companies that it contracted to handle the curbside check-ins.



United had yet to be served with the lawsuit Friday, but spokeswoman Megan McCarthy said the airline believes it lacks merit because United does not employ or pay the skycaps.

Similar lawsuits are pending against US Airways and JetBlue [JBLU] Airways, and Liss-Riordan plans to target American Airlines [AMR] this week.

Liss-Riordan is also representing skycaps in separate federal lawsuits against United, US Airways and JetBlue that allege the \$2 fees baggage fees cut into their tips because customers didn’t understand who was getting the fees. The same lawsuit filed against American went to trial last year, and the Supreme Judicial Court in August upheld a legal victory that required those skycaps to be compensated.

Last month, a judge dismissed the same lawsuit against United, claiming the federal Airline Deregulation Act preempted its state law claims. But, in light of the American win, Liss-Riordan last week asked for reconsideration of that decision.

“The SJC did not take too kindly to American Airlines trying to evade its obligation under the minimum-wage laws by contracting out skycap services,” she said.