

## Shannon Liss-Riordan Sues Harvard on Behalf of Massage Therapists

By [Teresa Lo](#) -- Posted on January 29, 2016



*Summary: Massage therapists hired famed attorney Shannon Liss-Riordan to sue Harvard.*

Workers' rights champion [Shannon Liss-Riordan](#) strikes again. This time she's fighting for massage therapists at Harvard University, *The Crimson* reports. She is representing Kara Donohue, who filed a class action suit on Monday against Harvard University Health Services' Center. Donohue states the organization classified her and others as independent contractors and not employees, thus denying her benefits.

The lawsuit seeks the benefits that they would have received as employees—paid time off, sick days, and discounts on Harvard classes.

Donohue has worked at Harvard for eleven years. She stated that she hoped other misclassified employees would come forward and that she felt it was “sad” that people who work just as hard as others were not given the same benefits.

Liss-Riordan, the attorney representing the plaintiffs, graduated from Harvard in 1990. She states that under Massachusetts state law any worker who works in an employer's course of business is an employee, not an independent contractor.

There are multiple criteria to be classified as an independent contractor, and the burden to prove that is on Harvard.

“The Massachusetts law is three-pronged: a worker is considered a contractor if he or she is not under direction of superiors, is not part of the “usual course of business” of the employer, or has an independent business separate from their work from the employer in question,” The Crimson stated.

If numerous plaintiffs join the class action and Harvard loses, it could end up a costly lawsuit. Under Massachusetts law, the employer has to pay workers three times their wages as well as pay for reimbursements.

When it comes to misclassification lawsuits, it's safe to say Liss-Riordan knows her stuff. She just came off a [\\$12.25 million win](#) against transportation company, Lyft. She is also representing the plaintiffs against Uber in one of the most high profile misclassification lawsuits in recent history. The Crimson reports that Liss-Riordan previously sued the Harvard Club in 2012 on behalf of wait staff, and the Harvard Club settled for \$4 million.

Source: [The Crimson](#)

Photo of Harvard courtesy of Wikipedia.