

# Harrisburg, Pa. strip club faces FLSA undressing

A Harrisburg area gentlemen's club faces a federal lawsuit alleging it failed to pay exotic dancers the minimum wage and proper overtime. Four dancers filed suit in federal court charging the club violated the Fair Labor Standards Act by misclassifying them as independent contractors.

The federal judge hearing the case awarded the dancers a default judgment when the owners of Club 22 failed to respond to the suit.

But the club, owned by Mr. G's Entertainment, Inc., claimed no one ever received proper notice of the suit. Mr. G's lawyers asked for the suit to be reopened and ultimately the plaintiffs agreed.

The club's lawyers then asserted they did not recognize the defendants because they only knew them by their stage names. Further, they claimed the women were not employees, but "artists who offer their artistic services."

The dancers claim the club required them to pay a \$25 shift fee and share their tips with the DJs and other employees. Several dancers claim they frequently work more than 12 hours a day.

**Note:** The U.S. Department of Labor and the Internal Revenue Service are increasingly scrutinizing independent contractor arrangements. Employers should have their attorney analyze the relationship to verify the workers are properly classified.

Also, the club clearly hasn't tracked the hours the women worked. Should they prevail on their claim, the dancers' own records of the hours they worked will determine how much back and overtime pay they receive.