



Join NWSEO's FLSA Shutdown Lawsuit

(January 23, 2019) NOAA is violating the Fair Labor Standards Act (FLSA) by requiring FLSA non-exempt employees (those to whom the FLSA applies) to work without pay during the shutdown. The FLSA requires employers, including the Federal government, to pay non-exempt employees (which includes HMTs, interns, el techs, ASAs, OPLs) at least the Federal minimum wage (\$290 a week) as well as all overtime earned at time and one-half of the employees usual pay rate, on the next scheduled pay day after the work is performed. Although you and other Federal employees will be paid their full wages when the shutdown is over, FLSA non-exempt employees are legally entitled to an equal amount that should have been paid on time (the Federal minimum wage plus all overtime at time and one half of the employee's standard rate) as liquidated damages to compensate for the illegal delay in payment.

NWSEO has joined forces with several other Federal unions (PASS, NFFE, NAGE) to file a collective action lawsuit against the federal government to obtain the liquidated damages you are owed. These damages will not be paid to any employee who does not file suit under the FLSA - they are not an automatic part of your pay when you receive your pay after the shutdown ends. NWSEO's General Counsel is working with Snider & Associates, which is a law firm with a special expertise in the Fair Labor Standards. That firm will have primary responsibility for this litigation on behalf of NWSEO members and the members of the other unions participating.

In order to be eligible to join the case, you must be designated as FLSA non-exempt and excepted from the furlough and have performed work during the shutdown. **We strongly encourage every NWSEO member who is eligible, to join the case. There is no cost to do so.** For more information about the case or to join please visit www.sniderlaw.com/shutdown. They will send you the forms necessary to consent to be a plaintiff in the lawsuit. In addition to the communications that NWSEO will be sending out from time to time, you can also monitor that website for updates on the case.

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No one cares more for National Weather Service employees
than National Weather Service employees.

No one works harder for National Weather Service employees
than National Weather Service employees.

We are NWSEO.