

## Hooters employees in Campbell, three other cities allege managers diverting tips into 'slush fun'

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Some of the tips left by grateful customers for buxom barmaids and wait staff at Hooters restaurants in Campbell and three other Bay Area cities were diverted into managers' "slush funds," according to a class-action lawsuit filed Thursday.

The Alameda County Superior Court lawsuit filed by eight former Hooters employees against the owners and senior managers of the Dublin, Fremont, San Francisco and Campbell franchises also claims "Hooters Girls" weren't granted rest and meal breaks during their shifts; had to buy their own trademark hot pants, T-shirt and pantyhose uniforms from the restaurants; had to pay or face discipline for cash shortages or customer walkouts; and weren't paid for work at special events.

"I've never come across in more than 30 years of employment law practice a more flagrant violation, in my opinion, of California employment laws," said plaintiffs' attorney Burton Boltuch at a news conference Thursday in Oakland.

"It made you just feel you were always taking things out of your own pocket just to do your job," said

plaintiff Jessica Rose, 23, of San Ramon, who worked as a Hooters Girl and bartender at the Dublin restaurant last year. "I'm a single mother and I need every penny I make."

Plaintiff Dina Partridge, 29, of Pleasanton, was a Hooters Girl, bartender and assistant manager at the Dublin eatery, and said it's not only "disgusting" that workers were treated this way, but also that guests who believed their tips were benefiting servers were misled.

The four franchises are owned by members of the Trani family of Modesto. Their attorney, Matthew Hawkins, couldn't be reached for comment Thursday afternoon.

The damages sought will depend on how many former employees join the class action, Boltuch said. Any nonsupervisory workers at the four restaurants in the past four years may be eligible, he said.

Atlanta-based Hooters of America, which is not named in the lawsuit, owns 122 restaurants and franchises 328 others in 43 states and more than two dozen countries. The chain is known as much for its scantily-clad female servers as for its signature chicken wings.

"The element of female sex appeal is prevalent in the restaurants, and the company believes the Hooters Girl is as socially acceptable as a Dallas Cowboy cheerleader, Sports Illustrated swimsuit model, or a Radio City Rockette," the company's Web site says, adding the company knows that many consider "Hooters" a slang term for a portion of the female anatomy.

However, "Hooters does have an owl inside its logo and uses an owl theme sufficiently to allow debate to occur over the meaning's intent," the company notes.