

TGI Friday's paying off employees to stop suit: lawyer

By [Rich Calder](#)

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TGI Friday's in Times Square Photo: Angel Chevrestt

TGI Friday's is playing a game of legal Whac-A-Mole in an attempt to settle a class-action wage lawsuit by its employees before it goes to trial, Manhattan legal papers allege.

Justin Swartz, a lawyer for the workers, said in a letter to federal Judge Analisa Torres that the restaurant chain is “attempting to ‘pick off’ every plaintiff who joins the case” by paying them off before she can rule whether 40,000 employees nationwide can join the suit.

The suit accuses the chain and its parent company of not paying tipped staff fair wages, including overtime.

“Like a game of ‘Whac-A-Mole,’ every time a new plaintiff . . . pops up, defendants try to knock [them] down, hoping that additional workers will stop appearing and the game will end before the court allows other workers to find out about their valuable rights,” Swartz wrote Dec. 19.

Swartz told The Post that TGI Friday’s lawyers have offered more than \$416,000 in settlement money to 19 plaintiffs.

He said 15 accepted offers — including a Mansfield, Ma., worker who got \$82,000 — but one has rejected the offer and three are pending.

TGI Friday’s lawyers did not return messages seeking comment.