



# Waiters sue Yankees over 'tip foul'

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A firm that handles food and drinks for elite Yankee Stadium fans is striking out with concession workers who claim they're being cheated out of the tips automatically added to their bills.

The corporate curve ball allegedly siphoned between \$500,000 and \$1 million in gratuities from 32 current and former waiters in the Stadium's exclusive box seats. They filed a lawsuit in Bronx Supreme Court demanding their fair share of the team's concession profits.

The lawsuit names the New York Yankees Partnership and Legends Hospitality LLC, a group formed by the team in 2009 to operate Stadium its profitable concessions at the new Stadium.

Legends, which is owned by the Yankees, the Dallas Cowboys and Goldman Sachs, generates about \$25 million annually, according to the lawsuit.

"The Yankees are making so much money," said Brian Schaffer, a lawyer for the concession workers who serve food and drinks to fans in the stadium's exclusive box seats. "Why would they do this to hardworking kids? It's corporate greed at it's worst. The money that we're talking about is peanuts to the Yankees."

The "in-seat service" workers earn a flat rate of \$35 per game plus a 4-to-6 percent commission on their sales.

From 2009 to 2011, the menu informed customers that a 20 percent "service charge" would be added to the bill and that "additional gratuity is at your discretion." The lawsuit claims that customers presumed the 20 percent fee was the tip for service workers.

But Legends “retain[ed] the 20 percent mandatory charges paid by patrons,” according to the lawsuit.

The team removed the 20 percent fee all together for the 2012 season.

The Yankees did not return calls or e-mails for comment.

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