

Source: Outten & Golden LLP and Fitapelli & Schaffer, LLP

Mama Mexico Restaurants Abuse ‘Back of the House’ Workers Too,  
According to Workers’ Legal Team

NEW YORK, Nov. 19 /PRNewswire/ -- A lawsuit filed Wednesday against the “five star” Mama Mexico restaurants in New York and New Jersey alleges that the restaurants failed to pay kitchen workers minimum wages and overtime compensation, according to Outten & Golden LLP and Fitapelli & Schaffer, LLP.

The suit, which alleges violations of the federal Fair Labor Standards Act (FLSA), the New York Labor Law (NYLL), and the New Jersey Wage and Hour Law (NJWL), was filed as a class and collective action on behalf of cooks and dishwashers who worked at three Mama Mexico locations in New York City and Englewood Cliffs, N.J.

Earlier this year, seven workers filed claims against Mama Mexico on behalf of “front of the house” workers, including servers, runners, bussers, and bartenders.

Justin M. Swartz, Rachel M. Bien and Juno Turner, of Outten & Golden LLP’s New York office, and Joseph A. Fitapelli and Brian S. Schaffer, of Fitapelli & Schaffer, LLP, of New York, represent the workers in both cases, and will seek to have the lawsuits certified as a class actions.

Attorney Rachel M. Bien stated, “The extent of labor law violations at the Mama Mexico restaurants is extraordinary. We hope that this case will send the message loud and clear that the law protects everyone, including ‘back of the house’ kitchen workers.”

Attorney Brian S. Schaffer stated, “‘Back of the house’ restaurant workers are entitled by law to be paid at least the minimum wage and overtime for their hours over 40 each week. In this case, it seems that the law was blatantly disregarded, depriving the kitchen staff of much needed pay for the many hours they worked each week.”

Attorney Justin M. Swartz stated, “Mr. Rojas Campos should remember his own humble beginnings as an hourly restaurant worker and treat his low-wage workers with the respect they deserve.”

The defendants are Plaza Mexico, Inc., Piramides Mayas Inc., Mama Mexico Midtown Realty LLC, Shaddai Inc., Mama Mexico Englewood Realty LLC, Juan Rojas Campos, and Laura Chavez.

The new case is “Paez, et al. v. Plaza Mexico, Inc., et al,” U.S. District Court, Southern District of New York, Case No. 09-9574. The plaintiffs are Guillermo Paez, Emiliano Espinoza, and Pedro Nasario.

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