

NEW YORK, Jan. 27 /PRNewswire/ -- A new lawsuit alleges that AMF Bowling Centers, Inc. violated the New York Labor Law by misappropriating employee tips, according to Outten & Golden LLP and Fitapelli & Schaffer, LLP.

Filed Tuesday in federal court in New York, the suit alleges that AMF withheld from plaintiff Robert O'Dell and other AMF employees mandatory gratuities collected from customers. Mr. O'Dell, an AMF food service worker from East Elmhurst, N.Y., works at AMF's Chelsea Piers location in New York City.

According to the Complaint, AMF customers reasonably believed that "service charges" AMF included in their bills were intended for the workers who served them and that AMF employees rarely, if ever, received tips directly from these customers. Instead of paying the service workers the tips it collected, AMF used a portion of the tips to supplement the wages of other workers, the Complaint alleges.

Justin M. Swartz, Linda A. Neilan, and Rachel Bien, of Outten & Golden LLP's New York office, and Joseph A. Fitapelli and Brian S. Schaffer, of Fitapelli & Schaffer, LLP, of New York, represent Mr. O'Dell, and will seek to have the lawsuit certified as a class action that covers current and former AMF food service workers at locations throughout New York.

Attorney Justin M. Swartz stated, "When companies lead customers to believe that mandatory service charges go to the workers who serve them, the companies owe it to their workers and customers to ensure that this happens. We allege that AMF shirked its responsibilities by using mandatory gratuities to supplement the compensation of non-service employees. Our client is upset about it. AMF's customers should be upset as well."

Attorney Brian S. Schaffer stated, "AMF is a very popular, successful nationwide company. Unfortunately, we allege, some of this success has come at the expense of its hourly food service workers. As a national leader in the recreation industry, AMF surely can afford to pay non-service workers without dipping into other workers' hard-earned tips."

The lawsuit seeks to recover misappropriated gratuities, interest, and other relief for Mr. O'Dell and similarly situated AMF workers.

AMF Bowling Centers, Inc., of Mechanicsville, Va., is the world's largest owner and operator of bowling centers with 10,000 employees at more than 200 bowling centers nationwide, including more than 25 in New York and more than 25 in California.

The case is "Robert O'Dell, et al. v AMF Bowling Centers, Inc.," (U.S. District Court, Southern District of New York, Case No. 09 CIV 00759).