

DOCKET NO.: FST CV 13 6018043S : SUPERIOR COURT

CHRISTINE CASUTO, JOANNE M. CARLUCCI, : J.D. OF STAMFORD/NORWALK
RENE S. SCHMALING, KAREN MAGLIULO, :
CATHERINE M. FELLI, APRIL MCMURRY, : AT STAMFORD
HOLLY F LARKIN, DONNA C. GORDISKI, :
GRACIELA FRANCIS, :
JOSEPH A. URBANO JR., :
SANDRA S. BOZZUTO, :
PATRICIA ANN MERRITT, :
ANN M. ROMANCHUK and :
DARYL C. O'HARA :

v. :

TOWN OF GREENWICH and :
THE TOWN OF GREENWICH :
BOARD OF EDUCATION : JANUARY 2, 2014

SUBSTITUTED COMPLAINT

ALLEGATIONS COMMON TO ALL COUNTS:

1. This action arises under Section 31-72 of the Connecticut General Statutes ("C.G.S. §31-72").
2. The Plaintiffs were at all times herein mentioned employees of the Town of Greenwich by and through the Town of Greenwich and the Greenwich Board of Education and were covered by and subject to the provisions of C.G.S. §31-72.
3. The Defendant, Town of Greenwich ("Town of Greenwich"), is an incorporated town in the County of Fairfield, State of Connecticut.
4. Upon information and belief, under the powers conferred by the Town of Greenwich's Charter

and Code, the Defendant Town of Greenwich Board of Education is responsible for the operation and administration of the public schools owned by the Town of Greenwich (collectively the "Public School System").

FIRST COUNT (Unpaid Wages – Christine Casuto and Town of Greenwich):

1-4. Paragraphs 1 and 4 of Allegations Common to All Counts are realleged and restated as Paragraphs 1-4 of this the First Count.

5. Plaintiff, Christine Casuto, was in the employ of Defendant, Town of Greenwich, continuously from 2007 through the present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18. as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in

this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 22, 2012, the Defendant remitted unpaid wages in the amount of \$2,012.55 plus interest in the amount of \$200.28 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation in response to a complaint.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$ 2,012.55 for unpaid compensation and penalties under the operative statute, plus interest of \$200.28 as a result of the unpaid compensation and penalties as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**SECOND COUNT (Unpaid Wages – Christine Casuto and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of Allegations Common to All Counts are realleged and restated as Paragraphs 1-4 of this the Second Count.

5. Plaintiff, Christine Casuto, was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2007 through the present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18. as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
 - e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.
12. On or about October 22, 2012, the Defendant remitted unpaid wages in the amount of

\$2,012.55 plus interest in the amount of \$200.28 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation in response to a complaint.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$ 2,012.55 for unpaid compensation and penalties under the operative statute, plus interest of \$200.28 as a result of the unpaid compensation and penalties as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

THIRD COUNT (Unpaid Wages – Joanne M. Carlucci and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Third Count.

5. Plaintiff, Joanne M. Carlucci was in the employ of Defendant, Town of Greenwich, continuously from 1999 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute

of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,933.67 plus interest in the amount of \$164.86 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,933.67 for unpaid compensation and penalties

under the operative statute, plus interest of \$164.86, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**FOURTH COUNT (Unpaid Wages – Joanne M. Carlucci and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Fourth Count.

5. Plaintiff, Joanne M. Carlucci was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 1999 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other

employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,933.67 plus interest in the amount of \$164.86 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,933.67 for unpaid compensation and penalties under the operative statute, plus interest of \$164.86, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

FIFTH COUNT (Unpaid Wages – Rene S. Schmaling and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Fifth Count.

5. Plaintiff, Rene S. Schmaling was in the employ of Defendant, Town of Greenwich, continuously from 2001 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

a. It failed and/or refused to abide by the Connecticut General Statutes and/or the

Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;

- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$3,014.40 plus interest in the amount of \$244.32 to the Plaintiff, said payment representing unpaid

wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$3,014.40 for unpaid compensation and penalties under the operative statute, plus interest of \$244.32, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**SIXTH COUNT (Unpaid Wages – Rene S. Schmaling and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Sixth Count.

5. Plaintiff, Rene S. Schmaling was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2001 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the

start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$3,014.40 plus interest in the amount of \$244.32 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be

determined by the Court, including but not limited to \$3,014.40 for unpaid compensation and penalties under the operative statute, plus interest of \$244.32, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

SEVENTH COUNT (Unpaid Wages – Karen Magliulo and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Seventh Count.

5. Plaintiff, Karen Magliulo was in the employ of Defendant, Town of Greenwich, continuously from 1998 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in

this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,405.07 plus interest in the amount of \$191.20 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,405.07 for unpaid compensation and penalties under the operative statute, plus interest of \$191.20, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**EIGHTH COUNT (Unpaid Wages – Karen Magliulo and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Eighth Count.

5. Plaintiff, Karen Magliulo was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 1998 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

a. It failed and/or refused to abide by the Connecticut General Statutes and/or the

Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;

- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,405.07 plus interest in the amount of \$191.20 to the Plaintiff, said payment representing unpaid

wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,405.07 for unpaid compensation and penalties under the operative statute, plus interest of \$191.20, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

NINTH COUNT (Unpaid Wages – Catherine M. Felli and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Ninth Count.

5. Plaintiff, Catherine M. Felli was in the employ of Defendant, Town of Greenwich, continuously from 2006 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are

entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2413.51 plus interest in the amount of \$198.11 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2413.51 for unpaid compensation and penalties under the operative statute, plus interest of \$198.11, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's

attorney and court costs pursuant to C.G.S. §31-72.

**TENTH COUNT (Unpaid Wages – Catherine M. Felli and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Tenth Count.

5. Plaintiff, Catherine M. Felli was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2006 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and

in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:
 - a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
 - e. The Defendant has wrongfully and improperly retained funds to its own benefit,

over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2413.51 plus interest in the amount of \$198.11 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2413.51 for unpaid compensation and penalties under the operative statute, plus interest of \$198.11, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

ELEVENTH COUNT (Unpaid Wages – April McMurry and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Eleventh Count.

5. Plaintiff, April McMurry was in the employ of Defendant, Town of Greenwich, continuously from 2005 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food

services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from

employees, by way of complaints of a verbal nature;

- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,636.88 plus interest in the amount of \$201.35 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of

unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,636.88 for unpaid compensation and penalties under the operative statute, plus interest of \$201.35, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**TWELFTH COUNT (Unpaid Wages – April McMurry and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twelfth Count.

5. Plaintiff, April McMurry was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2005 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without

justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,636.88 plus interest in the amount of \$201.35 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,636.88 for unpaid compensation and penalties under the operative statute, plus interest of \$201.35, as a result of the unpaid compensation as aforesaid,

interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

THIRTEENTH COUNT (Unpaid Wages – Holly F Larkin and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Thirteenth Count.

5. Plaintiff, Holly F Larkin was in the employ of Defendant, Town of Greenwich, continuously from 2011 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of

Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,490.28 plus interest in the amount of \$136.78 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,490.28 for unpaid compensation and penalties under the operative statute, plus interest of \$136.78, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**FOURTEENTH COUNT (Unpaid Wages – Holly F Larkin and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the fourteenth Count.

5. Plaintiff, Holly F Larkin was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2011 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and

in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:
 - a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,490.28 plus interest in the amount of \$136.78 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,490.28 for unpaid compensation and penalties under the operative statute, plus interest of \$136.78, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

FIFTEENTH COUNT (Unpaid – Donna C. Gordiski and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Fifteenth Count.

5. Plaintiff, Donna C. Gordiski was in the employ of Defendant, Town of Greenwich, continuously from 1994 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;

- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,081.83 plus interest in the amount of \$221.62 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,081.83 for unpaid compensation and penalties under the operative statute, plus interest of \$221.62, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**SIXTEENTH COUNT (Unpaid – Donna C. Gordiski and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Sixteenth Count.

5. Plaintiff, Donna C. Gordiski was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 1994 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute

of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$2,081.83 plus interest in the amount of \$221.62 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$2,081.83 for unpaid compensation and penalties

under the operative statute, plus interest of \$221.62, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

SEVENTEENTH COUNT (Unpaid Wages – Graciela Francis and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Seventeenth Count.

5. Plaintiff, Graciela Francis was in the employ of Defendant, Town of Greenwich, continuously from 2003 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other

employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,801.20 plus interest in the amount of \$153.34 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,801.20 for unpaid compensation and penalties under the operative statute, plus interest of \$153.34, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**EIGHTEENTH COUNT (Unpaid Wages – Graciela Francis and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the eighteenth Count.

5. Plaintiff, Graciela Francis was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2003 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and

in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:
 - a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
 - e. The Defendant has wrongfully and improperly retained funds to its own benefit,

over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,801.20 plus interest in the amount of \$153.34 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,801.20 for unpaid compensation and penalties under the operative statute, plus interest of \$153.34, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

NINETEENTH COUNT (Unpaid Wages – Joseph A. Urbano Jr. and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Nineteenth Count.

5. Plaintiff, Joseph A. Urbano Jr. was in the employ of Defendant, Town of Greenwich, continuously from 2006 through 2009.

6. In the course of his employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of his employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;

- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,854.23 plus interest in the amount of \$210.13 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the

requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,854.23 for unpaid compensation and penalties under the operative statute, plus interest of \$210.13, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**TWENTIETH COUNT (Unpaid Wages – Joseph A. Urbano Jr. and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twentieth Count.

5. Plaintiff, Joseph A. Urbano Jr. was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2006 through 2009.

6. In the course of his employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of his employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without

justification or excuse, failed to count the Plaintiff's fifteen minute break toward his time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of

the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,854.23 plus interest in the amount of \$210.13 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,854.23 for unpaid compensation and penalties under the operative statute, plus interest of \$210.13, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-FIRST COUNT (Unpaid Wages – Sandra S. Bozzuto and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-first Count.

5. Plaintiff, Sandra S. Bozzuto was in the employ of Defendant, Town of Greenwich, continuously from 2005 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:
 - a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
 - e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,159.71 plus interest in the amount of \$48.13 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,159.71 for unpaid compensation and penalties under the operative statute, plus interest of \$48.13, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-SECOND COUNT (Unpaid Wages – Sandra S. Bozzuto and The Town of Greenwich Board of Education):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-second Count.

5. Plaintiff, Sandra S. Bozzuto was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2005 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;

- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,159.71 plus interest in the amount of \$48.13 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,159.71 for unpaid compensation and penalties under the operative statute, plus interest of \$48.13, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-THIRD COUNT (Unpaid Wages – Patricia Ann Merritt and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-third Count.

5. Plaintiff, Patricia Ann Merritt was in the employ of Defendant, Town of Greenwich, continuously from 2002 through 2005 and then again from 2007 through 20011.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the

State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other

employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$538.36 plus interest in the amount of \$8.65 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$538.36 for unpaid compensation and penalties under the operative statute, plus interest of \$8.65, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-FOURTH COUNT (Unpaid Wages – Patricia Ann Merritt and The Town of Greenwich Board of Education):

- 1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as

Paragraphs 1-4 of this the Twenty-fourth Count.

5. Plaintiff, Patricia Ann Merritt was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2002 through 2005 and then again from 2007 through 2011.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
 - b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
 - c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
 - d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
 - e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.
12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of

\$538.36 plus interest in the amount of \$8.65 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$538.36 for unpaid compensation and penalties under the operative statute, plus interest of \$8.65, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-FIFTH COUNT (Unpaid Wages – Ann M. Romanchuk and The Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-fifth Count.

5. Plaintiff, Ann M. Romanchuk was in the employ of Defendant, Town of Greenwich, continuously from 2000 through 2010.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute

of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,306.56 plus interest in the amount of \$148.52 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,306.56 for unpaid compensation and penalties

under the operative statute, plus interest of \$148.52, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-SIXTH COUNT (Unpaid Wages – Ann M. Romanchuk and The Town of Greenwich Board of Education):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-sixth Count.

5. Plaintiff, Ann M. Romanchuk was in the employ of Defendant, The Town of Greenwich Board of Education continuously from 2000 through 2010.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in

this action; and

- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,306.56 plus interest in the amount of \$148.52 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,306.56 for unpaid compensation and penalties under the operative statute, plus interest of \$148.52, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

TWENTY-SEVENTH COUNT (Unpaid Wages – Daryl C. Ohara and Town of Greenwich):

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-seventh Count.

5. Plaintiff, Daryl C. Ohara was in the employ of Defendant, The Town of Greenwich, continuously from 2009 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

a. It failed and/or refused to abide by the Connecticut General Statutes and/or the

Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;

- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute of limitations under C.G.S. §31-72; and
- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,768.95 plus interest in the amount of \$88.49 to the Plaintiff, said payment representing unpaid wages

for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,768.95 for unpaid compensation and penalties under the operative statute, plus interest of \$88.49, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for Plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

**TWENTY-EIGHTH COUNT (Unpaid Wages – Daryl C. Ohara and
The Town of Greenwich Board of Education):**

1-4. Paragraphs 1 and 4 of allegations common to all counts are realleged and restated as Paragraphs 1-4 of this the Twenty-eighth Count.

5. Plaintiff, Daryl C. Ohara was in the employ of Defendant, The Town of Greenwich Board of Education, continuously from 2009 through present.

6. In the course of her employment, Plaintiff worked in the cafeterias and provided food services to students within the Public School System.

7. Throughout the course of her employment by the Defendant, the Defendant willfully failed to remit to Plaintiff wages.

8. Specifically Federal law requires that employees in positions such as Plaintiff's are entitled to one paid 15 minute break per day. Despite such requirement, the Defendant, without justification or excuse, failed to count the Plaintiff's fifteen minute break toward her time worked, over a period of many years.

9. This conduct constituted a violation of 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut.

10. The State of Connecticut Department of Labor Wages and Standards Division ("DOL"), investigated the Defendant's conduct toward the Plaintiff, finding same to be wrongful, unjustified and in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18.

11. The Defendant acted with bad faith, arbitrariness or unreasonableness, in that:

- a. It failed and/or refused to abide by the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut;
- b. It failed and/or refused to respond to various notices of this violation from employees, by way of complaints of a verbal nature;
- c. It wrongfully and improperly withheld such wages from the Plaintiff since the start of the Plaintiff's employment, which period is outside of the two-year statute

of limitations under C.G.S. §31-72; and

- d. The Defendant wrongfully and improperly withheld such wages, in violation of the Connecticut General Statutes and/or the Administrative Regulations of the DOL and/or 29 C.F.R. §785.18 as adopted and enforced by the State of Connecticut, in a pervasive and comprehensive manner from numerous other employees in like circumstances as the Plaintiff that have not otherwise joined in this action; and
- e. The Defendant has wrongfully and improperly retained funds to its own benefit, over a period of many years, which were due to the Plaintiff, despite notice, as aforesaid.

12. On or about October 12, 2012, the Defendant remitted unpaid wages in the amount of \$1,768.95 plus interest in the amount of \$88.49 to the Plaintiff, said payment representing unpaid wages for the two years prior to the DOL commencing its investigation.

13. Said payment to the Plaintiff did not fully compensate the Plaintiff pursuant to the requirements of C.G.S. §31-72, specifically this statute provides, *inter alia*, for twice the amount of unpaid wages, plus interest, which to date has not been paid by the Defendant.

14. Wherefore, Plaintiff demands judgment against Defendant in the amount to be determined by the Court, including but not limited to \$1,768.95 for unpaid compensation and penalties

under the operative statute, plus interest of \$88.49, as a result of the unpaid compensation as aforesaid, interest on the judgment from the date of entry until fully paid, plus a reasonable fee for Plaintiff's attorney and court costs pursuant to C.G.S. §31-72.

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WHEREFORE, the Plaintiffs claim:

1. Money damages;
2. Money damages pursuant to C.G.S. §31-72;
3. Interest;
4. Costs;
5. Attorney's fees pursuant to C.G.S. §31-72; and
6. Such other and further relief as may be required.

THE PLAINTIFFS,

By /s/ 418113
Anthony J. LaBella, Esq. of
Ury & Moskow, LLC
883 Black Rock Turnpike
Fairfield, CT 06825
Juris # 418113/(203)610-6393
Anthony@urymoskow.com

CERTIFICATION

This is to certify that a copy of the foregoing was electronically transmitted and/or sent via First Class Mail, postage prepaid, this 2nd day of January, 2014 to the following:

Gary S. Starr, Esq.
Saranne P. Murray, Esq.
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One Constitution Plaza
Hartford, CT 06103
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/s/ 418113

Anthony J. LaBella
Commissioner of the Superior Court



State of Connecticut Judicial Branch
Civil and Family E-Services



Attorney/Firm: URY & MOSKOW LLC (410686)

E-Mail: beth@urymoskow.com Logout[Hide Instructions](#)**You have successfully e-filed!**

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Docket Number:	<u>FST-CV-13-6018043-S</u>
Case Name:	CASUTO, CHRISTINE Et Al v. TOWN OF GREENWICH Et Al
Type of Transaction:	Pleading/Motion/Other
Date Filed:	Jan-2-2014
Motion/Pleading by:	URY & MOSKOW LLC (410686)
Document Filed:	107.00 SUBSTITUTED COMPLAINT

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