

FOR IMMEDIATE RELEASE
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**NIGHT-SHIFT JANITORS IN AUSTIN AND SAN ANTONIO
SUE TARGET DEPARTMENT STORES FOR FAILING TO PAY MINIMUM WAGE AND OVERTIME**

Twelve janitors filed a federal lawsuit on Thursday against the Target department store chain and a cleaning service company employed by Target, alleging widespread minimum wage and overtime violations at Target stores in the Austin and San Antonio areas.

In the lawsuit, which was filed in the U.S. District Court in San Antonio, the workers say they were required to work 55 to 70 hours a week, laboring seven days a week with only one day off every other week. The plaintiffs in the suit received no overtime pay for these long hours, even though federal law requires employers to pay overtime wages at one and a half times the regular rate of pay for hours worked over forty hours in a week.

In addition, their semi-weekly wage rates were so low that their pay fell short of the federally-mandated minimum wage of \$5.15 an hour in many cases.

All of the workers in the suit worked on overnight shifts, typically from about 10:00 PM to about 8:00 AM. The workers performed routine nightly cleaning and maintenance labor in the stores.

“The night workers in the stores where we worked, were all getting paid less than the legal wage,” said Maria Rosario Balderas, a plaintiff in the suit. “We want them to pay us what is just, what we worked for, and not let them abuse us. We should be treated like any other worker.”

San Antonio area Target stores involved in the suit include stores at Bitters Rd.; Blanco Rd.; Bandera Rd.; Crossroads Mall; Marbach Rd.; SW Military Dr.; SE Military Dr.; Jones Maltsberger Rd.; and De Zavala Rd. Austin area Target stores involved in the suit include stores at Ben White at S. Lamar; Research Blvd at Ohlen; Highway 2222 and 620; Parmer Lane; and on 620 in Bee Cave.

“These are hard-working men and women, laboring long hours for low pay,” said attorney Bill Beardall of the Equal Justice Center, a legal action group that supports low-income working people. “It has become far too common for companies like these to illegally misclassify their workers as “independent contractors” and use this as an excuse to pay them less than the law requires. We hope this suit will help persuade Target to make sure that these workers and all of the company’s janitors everywhere get paid in accordance with the law.”

Other defendants named in the lawsuit, in addition to Target, include the cleaning service, Jim’s Maintenance, and James Funderburgh, CEO of Jim’s Maintenance. The workers contend that all three defendants are considered to be joint employers legally responsible for the workers’ wages.

In addition to the Equal Justice Center, the workers are receiving legal representation from law students at the Transnational Worker Rights Clinic at the University of Texas School of Law, the Austin law firm of Deats, Durst, Owen, and Levy, and San Antonio attorney Joseph Berra.