The following is an update from the GNOHLA attorney Fred Preis-

The U.S. Department of Labor has launched an assault against the lodging industry with audits throughout the country. We have received word of audits already being conducted not only in Dallas/Ft. Worth but also in Pensacola.

Here are the questions which Wage & Hour Division Investigators are asking at the on-site inspections in which we have recently been involved:

         What is the full legal name of this property and who is the owner?  If the property is a franchise, what is the name of the franchise company?

         Are there any H2B employees?

         When did the Hotel open?

         How many current employees work for the Hotel including managers?

         What are the names of all salaried managers and their titles?

         Do the managers work more than 40 hours per week?

         Do the managers get paid overtime?

         If a guest under pays for their room for whatever reason, does the Hotel ask the front desk employee to pay the difference?

         If an employee “breaks a plate” while on duty, does the Hotel ask the employee to pay for it?

         Has the Hotel ever had an employee under the age of 19 work?

         Some properties have compactors for trash.  Do you have one?

         Did the employee under the age of 19 ever operate the compactor?

         Does the Hotel have a meat slicer for the sandwich shop?

         Does the Hotel have a fryer or oven or stove?

         How many other hotels does your Company manage?

         Where are payroll records kept?

         Do employees punch in with a time card?

         How does that work?

         Do hourly employees work overtime and how are they paid?

         What is the overtime wage?

         Who does the Hotel landscaping?

         Does the Hotel pay those landscape employees?

         Any other outside companies doing work for the Hotel and who pays them?

         Does the Hotel keep track of tipped employee’s tips?

         What is the lowest hourly wage paid to an employee?

         Request for a tour of the Hotel and to check where DOL posters are displayed.

         Request to interview employees.

         Request to interview managers.

         Request to review last two (2) years of payroll records.

Please feel free to call if you want to discuss this.

Sincerely yours,

Fred Preis



E. Fredrick Preis, Jr

Partner

BREAZEALE, SACHSE & WILSON, L.L.P.

Labor & Employment Law Section

909 Poydras St., Suite 1500
New Orleans, Louisiana  70112-4004
(504) 584-5470 - direct dial
(504) 584-5452 - facsimile