

Alternative Entertainment Settles With Satellite Techs For \$2M

A federal judge has approved a \$2.33 million settlement in a wage-and-hour class action between Alternative Entertainment Inc. and its satellite technicians in Wisconsin and Michigan.

Judge Barbara Crabb of the U.S. District Court for the Western District of Wisconsin granted a joint motion for settlement on Friday, approving the terms, granting an attorneys' fees award, and allowing the parties to amend the complaint so that additional claims by Michigan employees can be included in the agreement.

The suit was originally filed in October 2009 on behalf of satellite installers who allegedly weren't paid overtime and had wages improperly deducted.

The workers maintained that they were paid per installation, with no accounting for extra hours worked, and not paid at all for unsuccessful labor. This meant that a satellite technician would sometimes work more than 40 hours a week without overtime compensation, and sometimes worked enough hours in a week to push their hourly wage below the minimum, according to the complaint.

In addition, the suit accused Alternative Entertainment of improperly deducting the workers' pay by collecting charge backs for alleged faulty workmanship, lost or stolen property, or property damage, despite a lack of prior written authorization to do so.

Roughly 900 affected workers were covered by the wage-and-hour claims, according to Bill Parsons of Hawks Quindel SC, who represents the plaintiffs.

However, up to 2,000 workers could have some claim under the settlement, because Wisconsin law has a six-year statute of limitations for improper wage deduction claims, he said.

The statute of limitations for the other claims is three years, Parsons said.

The amount that each employee will receive under the agreement depends on a number of factors, including how often they worked more than 40 hours in a week, and how many employees opted in to the class, he said.

The judge also granted an attorneys' fees award of \$776,666.67, which is one-third of the maximum settlement amount.

The two sides also filed an amended complaint with the motion for approval, which added a class of Michigan workers whose wages were improperly deducted.

This group was omitted from the previous complaint, and adding them allows the workers to preserve their claims and to protect the defendants from further, individual lawsuits from the

group, Parsons said.

"The class counsel is very happy with the settlement," he said, adding that there has been a rise in wage-and-hour abuses in the cable and satellite industries recently, and that he hopes that this settlement and other lawsuits will help deter companies from underpaying workers in the future.

Attorneys for Alternative Entertainment said that the settlement was not an admission of wrongdoing, and called the settlement a "business decision" to prevent further costly litigation.

"My client contends vigorously that there was no violation of the law," said Ross Townsend of Liebmann Conway Olejniczak & Jerry SC, who represents the defendant.

Townsend also said that the \$2.3 million was a maximum and not a finalized number, and that his client would only pay the full amount if every potential member of the class chose to opt in to the settlement.

The plaintiffs are represented by Hawks Quindel SC, [Axley Brynelson](#) LLP and Gingras Cates & Luebke SC.

Liebmann Conway Olejniczak & Jerry SC and [Squire Sanders](#) & Dempsey LLP represent Alternative Entertainment.

The case is Wilcox v. Alternative Entertainment Inc., case number 09-cv-00659, in the U.S. District Court for the Western District of Wisconsin.