

State slaps Nordstrom

Firm told to improve records, pay back wages

By Bill Virgin
The News Tribune

Nordstrom Inc. violated state law when it required employees to attend meetings, deliver merchandise and record inventory without paying them, the state Department of Labor and Industries ruled Thursday.

The department told Nordstrom to keep better records and to pay employees the money they're owed. Violation of the state Minimum Wage Act is a gross misdemeanor. Labor and Industries could bring a civil lawsuit or ask county prosecutors to file criminal charges against Nordstrom.

Mark McDermott, assistant L&I director in the employment standards division, said department officials will decide in the next few days whether to refer the violations of the wage law to county prosecutors.

Officials of the United Food and Commercial Workers union, which brought the complaint to the state, have said employees have filed more than \$1 million in claims for back pay.

"This is a potentially massive case, possibly the biggest the department has ever handled," said McDermott.

"Off the clock" work has been an important issue in the continuing bargaining deadlock between the company and the UFCW. The previous contract covering 1,600 workers in King and Pierce counties expired July 31, and little progress has been made since then on a new agreement.

But the UFCW says the issue also affects non-union workers. It has been gathering information about similar practices at Nordstrom stores in California. Joe Peterson, president of UFCW Local 1001, says the union believes the problem is even greater there.

According to a Labor and Industries release, the department found in its investigation that:

- Nordstrom employees attended meetings directly related to their jobs, but weren't paid for them.
- Workers delivered merchandise to other stores and to customers' homes outside normal work hours, again without pay.
- The company required employees to take inventory on their own time. Payment made for those hours isn't accurate or in accordance with state overtime provisions.
- Nordstrom permits its workers to write thank-you

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— Mark McDermott, assistant L & I director

letters to customers, but on their own time.

■ The company improperly calculated overtime pay to employees in violation of state law, and failed to keep accurate records.

Officials of the UFCW and Nordstrom weren't available for comment Thursday. The company has said in the past it believes it compensates workers for time spent on the job.

McDermott said L&I didn't try to calculate how many workers could be affected, or how much back pay they be owed. "We went in and took a sampling of workers from stores in the Puget Sound area," he said.

In addition to the department's options in the case, the union or individual workers could seek to recover money through the courts.