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FOR IMMEDIATE RELEASE

## **HOMECARE WORKERS SUE AGENCY FOR WAGE THEFT**

NEW YORK, NY, NOVEMBER 30, 2011—In a lawsuit filed today in New York County Supreme Court, employees of BNV Home Care Agency, Inc. and Academy Care Givers, Inc. allege that the agencies stole hundreds of thousands of dollars from them and systematically violated New York State labor laws. Former BNV and Academy employees claim that although they often worked 60- and 70-hour weeks providing vital home care for sick and elderly clients, the agencies never paid overtime.

MFY Legal Services, Inc., a non-profit legal services provider, and its pro bono co-counsel, law firm Debevoise & Plimpton LLP, are representing the workers. “Given the needs of our aging population, home care work is one of the fastest growing occupations in the nation, but aides often work long hours for very low pay. Worse, outright wage theft is all too common. For the good of both workers and clients, the rampant lawbreaking in the home care industry has to stop,” said Lindsey Schoenfelder, an MFY attorney who is representing the workers.

In addition to claims for unpaid overtime wages that go back to 2005, the class action lawsuit also charges that BNV and Academy failed to pay spread-of-hours payments and did not provide employees with the required records of their wages. The companies operate throughout the city. A settlement could potentially benefit a large number of past and present employees, most of whom are women and many of whom are immigrants.

Tricia Sherno, a lawyer at Debevoise representing the workers, noted that “these women take care of our aging parents and grandparents, feeding them, bathing them, helping them in and out of bed. They deserve to be paid fair, lawful wages for the critical services they provide. We’re very gratified to be part of an effort to vindicate the legal rights of this deserving group.”

MFY Legal Services provides free legal assistance to low-wage workers and also assists New Yorkers in the areas of housing, public benefits, foreclosure, consumer, civil and disability rights, and family law. Debevoise & Plimpton LLP is a leading international law firm, representing a wide range of clients in transactions and disputes around the world, and a frequent provider of pro bono representation to indigent clients.