



United States Department of Labor
Wage and Hour Division
167 North Main Street, Room 484
Memphis, TN 38103
(901) 544-3418
(901) 544-4237 (Fax)

July 28, 2016

Lewis Steals
[REDACTED]

Firm: Greyhound Lines, Inc.
3033 Airways
Memphis, TN 38131

We are making an investigation of this firm to determine if it complying with the provisions of the Fair Labor Standards Act or, where applicable, the Walsh-Healy Public Contractors Act, the Service Contract Act, the Age Discrimination in Employment Act, Title III of the Consumer Credit Protection Act, the Contract Work Hours and Safety Standards Act, or the Davis Bacon and Related Acts. The fact that such an investigation is being made does not mean that the firm has violated any law.

In connection with the investigation, I would like to discuss with you certain aspects of your employment by the firm such as the hours you worked and the wages you were paid. Your identity will be kept confidential to the maximum extent possible under existing law. The type of appointment sought, as well as the date, time and other conditions are shown below.

Sincerely,

Al Mosley, Investigator

<input type="checkbox"/> PLEASE CONTACT ME BEFORE		
Date: August 5, 2016	Time: 4:30 P.M.	Telephone: (901) 969-8932 or (901) 310-8691

DATE: 08 August 2016

MEMORANDUM OF RECORD:

SUBJECT: Greyhound Lines, Inc. Case File 1795819

Case was opened based on a **EX 7 (D)** from Lewis Seals who stated that he believed he was owed \$3,500 for miscellaneous issues with his employer. (See Case Registration / Investigator Assignment).

EX 6 & EX 7C spoke with the **EX 7 (D)** on July 28, 2016. **EX 7 (D)** refused to provide an interview statement, stating he did not have time due to a vacation he was about to take. **EX 7 (D)** told WHI that he was expected to return on August 4, 2016. WHI informed the **EX 7 (D)** that he was unable to start the investigation until they have spoken and an interview statement was provided. The **EX 7 (D)** assisted the investigation be started without the interview statement, and stated he will not be available until he returned on August 4, 2016.

WHI attempted to re-contact the **EX 7 (D)** to schedule a time to take the interview statement on August 4, 2016. The **EX 7 (D)** was not available so WHI left a voice message. In addition, WHI mailed the **EX 7 (D)** a contact notification asking him to respond no later than August 5, 2016.

Since no response was provided from the **EX 7 (D)** I am recommending that this case be dropped with no further actions required.

EX 6 & EX 7C

Wage & Hour Investigator

WHISARD Compliance Action Report

U.S. Department of Labor
Wage and Hour Division

Case ID: **1795819** Originating District: **Nashville TN District Office**
 Local Filing Number: **2016-253-00707** Investigating District: **Nashville TN District Office**
 WHMIS Case Number: Lead Investigator: **EX 6 & EX 7C**
 Registration Date: **06/30/2016**
 Assignment Date: **07/25/2016**

Employer Information

Trade Name: Greyhound Lines, Inc.	Legal Name: Greyhound Lines, Inc.
Address: 3033 Airways	EIN: Dropped
	County: Shelby
	NAICS Code: 485113
Memphis, TN38131	No. Of Employees: 0

Investigation Information

Period Investigated From: 08/16/2014	BNPI:
To: 08/06/2016	Reinvestigation: <input type="checkbox"/>
Investigation Type: EX 7 (D)	Recurring Violation: <input type="checkbox"/>
Investigation Tool: Full Investigation	Future Compliance Agreed: <input type="checkbox"/>
Compliance Status:	Involved in AG: <input type="checkbox"/>

Recommended Action:

BWFS: <input type="checkbox"/>	RO/NO Review: <input type="checkbox"/>
CMP: <input type="checkbox"/>	Follow Up Investigation: <input type="checkbox"/>
Litigation: <input type="checkbox"/>	Other Action: <input type="checkbox"/>
Civil Action: <input type="checkbox"/>	Denial of Future Certificate: <input type="checkbox"/>
Criminal Action: <input type="checkbox"/>	BW Payment Deadline:
Submit For Opinion: <input type="checkbox"/>	Trailer forms attached: <input type="checkbox"/>

CL

Violation / Compliance Status	Violations						CMPs*
No Violation found for this act / Not Applicable					\$0.00	\$0.00	

WHISARD Compliance Action Report

FLSA

Violation / Compliance Status	Violations	EEs ATP	BWs Computed	BWs Agreed	LDs Computed	LDs Agreed	CMPs*
No Violation found for this act / Not Applicable					\$0.00	\$0.00	
FLSA Totals:	0	0	\$0.00	\$0.00	\$0.00	\$0.00	

* CMPs computed do not necessarily indicate CMPs assessed.

Unduplicated Employees Found:	0	Unduplicated Employees Agreed:	0
Total Amount BWs Computed:	\$0.00	Total Amount BWs Agreed:	\$0.00
Total Amount LDs Computed:	\$0.00	Total Amount LDs Agreed:	\$0.00

Conclusions & Recommendations:

2 hrs Case was opened based on a **EX 7 (D)** from Lewis Seals who stated that he believed he was owed \$3,500 for miscellaneous issues with his employer. (See Case Registration / Investigator Assignment). WHI attempted the contact the **EX 7 (D)** in two separate occasions. Both via phone on July 26, and July 28, 2016. WHI also attempted to contact the **EX 7 (D)** via mail on July 26th and July 28th with a return call notification no later than August 5th. Since no response, I recommend the case be drop.

EX 6 & EX 7C

WHI Sig

Date: August 8, 2016

Reviewe

Date: _____

U.S. Department of Labor

Wage and Hour Division
Clifford Davis Federal Building
167 N. Main St., Room 484
Memphis, TN 38103



901-544-3418 phone
901-544-4237 fax

June 30, 2016

Lewis Seals
[REDACTED]

Subject: Greyhound Lines, Inc.
File No: 1795819

Dear Mr. Seals:

This acknowledges receipt of the information you furnished us about the firm named above. Your identity will be kept confidential to the maximum extent possible under existing law.

The conditions you describe will be looked into as soon as possible and we will be in touch with you again. The enclosed informational material will explain the Act or Acts which may be applicable in your situation.

You should be aware that the investigation may not be completed for some time. Recovery of back wages under the Fair Labor Standards Act (FLSA) is subject to a statute of limitations. Generally, this means that any part of a back wage claim which was earned more than two years before a court action is filed may not be collectible. Filing a **EX 7 (D)** with the Department of Labor does not stop the statute of limitations. For a discussion of your right under the FLSA to institute your own legal proceeding for recovery of unpaid back wages, see the enclosed FLSA Handy Reference Guide.

If you should change your address and/or phone number, you must advise us immediately at the address/phone number listed above.

Sincerely,

for Nettie M. Lewis
District Director

Enclosure: Handy Reference Guide

WHISARD Complaint Information Form

Most critical act: *FLSA*

Employment Information

Job title: *Coach Operator*
Description of duties:
Employed From: *01/2016* To: *Present*
Employee status: *Current*
Date of Birth:
Employee age at time of complaint:
Employee age at time of violation:

Payroll Information

Pay rate: [REDACTED] Hour
Hours Worked:
Sun Mon Tue Wed Thu Fri Sat
12 12 12 12 12
Avg. hrs per day: *12.00*
Days worked per week:
Total hrs per week: *60*
Pay period: *Bi-Weekly*
Time records kept: *N*

EX 7 (D)

PTUN - 203(s)(1)(a)

[REDACTED] Lewis Seals insisted the [REDACTED] be taken and unloaded. WHT offered to explain the law and enforcement; however, [REDACTED] stated he researched the FLSA and demanded [REDACTED] be taken [REDACTED] requested a copy of the [REDACTED] form; WHT advised WH does not provide a copy of the [REDACTED] form but he insisted on getting a copy.

[REDACTED] alleges Greyhound Lines, Inc. owes him approximately \$3500 to \$4000 for miscellaneous issues worked. WHT attempted to get an interview statement but [REDACTED] stated all the information was included in the letter which is copied below.

*Personal Pay Claim and Adjustment Request for Lewis Seals, 477470 - Memphis, TN
Following Dates 03/04/2016 - 03/19/2016*

Lewis Seals (477470); employed as a bus driver operator for Greyhound Lines, Inc; a division of First Group, hereby submits his personal pay claim and adjustment request for the following dates 03/04/2016 - 03/19/2016. According to Greyhound policy and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc., it is believed that I, Lewis Seals am owed compensation for work completed. This request should be viewed as an attachment to the, "Operator Earnings Adjustment Form." In order to deliver excellent customer service and on-time performance, this attachment was created in order to obtain all monies due under the above polices and contract. While I, Lewis Seals have made a good-faith effort in obtaining all monies owed, I respectfully request all monies owed to me under all guidelines that stipulate pay to its employees under the above !;lgreements and any others be promptly paid.

Please note that according to the Department of Labor's regulation, 29 CFR Part 516, it is required by Greyhound Lines, Inc. to have general record keeping requirements; which include, but are not limited to, hours worked each day and total hours worked each workweek, basis on which employee's wages are paid, all additions to or deductions from the employee's wages. In addition, Greyhound Lines, Inc. records must include accurate information about the employee and data about the hours worked, and the wages earned. Therefore, I claim all monies owed to me via Greyhound's policy or Amalgamated Transit Union contract with Greyhound Lines, Inc. as wages earned and must be paid promptly. If this is cannot be done I request for written documentation for all monies owed so that I may file a timely pay request.

Please note whether documented below or not I request all monies that are due to me under the guiding policies of Greyhound bus lines and/ or the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. Failure to pay all monies due may be a violation of the Wages and the Fair Labor Standards Act (FLSA).

It is my belief that if Greyhound Lines, Inc. had an honest pay system many of the problems that it is facing in trying to reinvent itself will be solved. To take monies owed from employees simply because they are ignorant of the process or because of frustration in getting justly paid, may seem like good business sense, but in fact, it is stealing. Employees are disgruntled with this process; this leads to a decline in excellent customer service, lack of on-time performance, and high turnover. It becomes a revolving circle as apathy builds and your employees understand that you do not care enough to pay them fairly.

WHISARI **EX 7 (D)** Information Form

Looking at the big picture, this will have a negative effect on logistics, and your customers will not want to ride Greyhound because of long wait times, delayed and cancellation of schedules, and poor customer service. Thus the millions that you "think" you are saving will ultimately lead to the downfall of this company, if positive and fair changes are not made to this system. Greyhound must automate this process and bring its technology up to date regarding pay; including being able to view pay at home. I submit to you that this will have an appreciable and favorable effect on this company, more so than the "think tanks," that have researched the psychological effects of changing a work shirt from gray to blue. I speak through the Holy Ghost and not of myself. In order to give excellent customer service to our customers, first, Greyhound Lines, Inc. must excel in giving excellent customer service to its employees. God bless you.

Runaround

According to Greyhound's, "Operator Payroll Guide," page 19 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. page 34, operators who are runaround through no fault of their own will be paid a fixed rate of \$80.00 per occurrence. Operator Lewis Seals would like to get paid for the following runarounds.

DATECURRENT PAY ITEMS

REQUIRESCHEDULE DOCUMENTATION

FROM LOC.

TO LOC.

03106116RunaroundOnline Form Submitted4473MLN1045

AM

03/10/16RunaroundOnline Form Submitted16833SLD615

PM

03/17/16RunaroundOnline Form Submitted1516JAX515

AM

2nd Rest Penalty

According to Greyhound's, "Operator Payroll Guide," page 20 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. page 32, operator who are away from home and have secured their rest fo the second time since departing their home domicile will be paid an additional \$50.00 for each assignment they receive (driving, DHOC, or combination thereof) that is not to their home location. Operator Lewis Seals would like to get paid for the following 2nd rest penalties.

**** Please note I have not been paid correctly for an assignment 03/11/2016 when I was told to go back to bed upon arrival. Additionally the DHOC on 03/18/2016 (1523) and DHOC 03/19/2016 that was not paid or confirmed because Iwas taken out of service. A pay claim for these dates is included in the pay claim.*

Layover & Meals

According to Greyhound's, "Operator Payroll Guide," page 13 and page 16 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. pages 37-38 and page 44. Operator Lewis Seals would like to get paid for the following layovers and meals.

Arrival Delay

According to Greyhound's, "Operator Payroll Guide," page 5 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. page 42. Operator Lewis Seals would like to get paid for the following late arrival.

Protection and Sign Off Pay

According to Greyhound's, "Operator Payroll Guide," page 17 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. pages 10 and 11, Lewis Seals would like to get paid for protection and sign off pay.

DATEDATE

II of 1 03/19/2016

DHOC

According to Greyhound's, "Operator Payroll Guide," page 18 and the contractual agreement between the Amalgamated Transit Union and Greyhound Lines, Inc. page 58, when cushioning, the operator will be paid at their protection rate for all the time beginning at departure to arrival, including time waiting between schedules. Operator Lewis Seals would like to get paid for the following DHOC's.

I need my minimum pay. If any pay claims or adjustments for operator Lewis Seals #477470 has been denied for any reason, please note the reason for the denial and respond in writing to the following address: Lewis Seals 5161 Leonard Road Memphis, TN 38109

Contact Log:

<i>06/30/2016 4:41:20 PM</i>	<i>Registered as Case</i>
<i>05/31/2016 1:11:26 PM</i>	<i>In Review</i>
<i>05/31/2016 12:45:35 PM</i>	<i>INTAKE ONLY</i>