



LOG IN

SUBSCRIBE NOW

THE KANSAS CITY STAR.

Part of the McClatchy Media Network

[Local News](#) [Restaurants](#) [Chiefs](#) [Royals](#) [Opinion](#) • [Personal Finance](#) [Betting](#) [Obitua](#)

BUSINESS

Lawsuit: BRGR, other KC-area restaurants illegally short employees on wages, tips

BY DAVID HUDNALL

UPDATED JULY 25, 2023 5:10 PM



ORDER REPRINT →



The patio at the Taco Republic in Prairie Village. *File photo*



Only have a minute? Listen instead

Powered by **Trinity Audio**

00:00



1.0x

03:18

W. VinZant Restaurants, which owns BRGR Kitchen + Bar, Gram & Dun and [several other local restaurants](#), faces a federal lawsuit from former employees who say they are owed wages and overtime compensation.

The collective action, filed in the U.S. District Court of Kansas, is similar to one filed earlier this year against [Corvino Supper Club and Tasting Room](#). It alleges that the restaurant group's properties did not abide by the Fair Labor Standards Act's so-called "80-20 rule" for tipped employees such as bartenders and servers.

Hospitality employers can take a "tip credit" that lets them pay such employees less than the minimum wage so long as their total take-home pay between wages and tips exceeds minimum wage. But employers can't force those employees to spend more than 20% of their time on activities that don't yield tips, such as rolling silverware or cleaning restrooms.

"If you're a server making less than minimum wage, you should be engaged for at least 80% of your week doing work that earns you tips, like serving tables," said Michael Hodgson, attorney for the plaintiffs. "If not, you should be paid at least the full minimum wage. What we're saying is that these employees were being asked to do too much side work and as a result were not being paid properly."

The restaurants also "had a policy of not paying for all overtime hours worked," the lawsuit states.

Whitney VinZant, the CEO of [VinZant Restaurants](#), did not respond to a request for comment. His attorney, Samantha Monsees, told The Star they "do not have any comment at this time."

VinZant founded Louie's Wine Dive in Des Moines in 2012 and went on to open several locations of the restaurant across the Midwest, including in Kansas City. In 2019, VinZant bought BRGR and Taco Republic from a different restaurant group, Bread and Butter Concepts, that was [entering into bankruptcy](#). The next year,

VinZant [purchased two more](#) Bread and Butter restaurants, Gram & Dun on the Country Club Plaza and Urban Table in Prairie Village (which was reopened as Va Bene).

VinZant Restaurants also owns Brewtop Pub and Patio in Overland Park; Fresko Natural Food and The Latin King, both in Des Moines; and Chicken Mary's in Pittsburg, Kansas.

The restaurant group has closed several locations in recent years, including a Louie's Wine Dive in Waldo, a Taco Republic in Kansas City, Kansas, and a BRGR in Overland Park.

The case was filed in October, and the initial plaintiffs in the case withdrew in March. Hodgson declined to comment on their reasons, citing attorney-client privilege.

Ten other employees from various VinZant restaurants have since joined the collective action. They are: Stephanie Dilaveri, Margaret Bonfanti, Jordyn Crawford, Payton Clark, Roman Higgins, Angie Groves, Elizabeth Brewer, Lisa Battani, Jeremy DeWeese and Stephanie DeWeese.

The case is currently stayed, as the parties look to settle the dispute through mediation.

“We would like to resolve this within the next month,” said attorney John Ziegelmeyer, who is representing the plaintiffs along with Hodgson.

This story was originally published July 25, 2023, 11:30 AM.



DAVID HUDNALL



816-234-4172

David Hudnall writes about food, restaurants and retail for The Star. He is a Kansas City native and a graduate of the University of Missouri. He was previously the editor of The Pitch and Phoenix New Times.

Take Us With You

Real-time updates and all local stories you want right in the palm of your hand.



THE KANSAS CITY STAR APP →

SUBSCRIPTIONS

[Start a Subscription](#)

[Customer Service](#)

[eEdition](#)

[Vacation Hold](#)

[Pay Your Bill](#)

LEARN MORE

[About Us](#)

[Contact Us](#)

[Newsletters](#)

[Archives](#)

[Sports Betting](#)

[Personal Finance](#)

ADVERTISING

[McClatchy Advertising](#)

[Place an Ad](#)

[Place a Classified Ad](#)

[Place an Obituary](#)

[Staffing Solutions](#)

[Political | Advocacy Advertising](#)

Part of the McClatchy Media Network

[COPYRIGHT](#)

[COMMENTING
POLICY](#)

[PRIVACY
POLICY](#)

[YOUR PRIVACY
CHOICES](#)

[TERMS OF
SERVICE](#)