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Ex-Paralegal Lodges FLSA Overtime Suit Against PI Firm

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A former paralegal at personal injury law firm Messa & Associates has filed a proposed collective and class action against the firm, alleging it failed to pay her overtime wages and then fired her for complaining about the payment practices in private Facebook messages.

Lauren Vollmer sued 15-lawyer firm Joseph L. Messa Jr. & Associates and Messa & Associates P.C. in federal court in the Eastern District of Pennsylvania, lodging claims under the Fair Labor Standards Act, the Pennsylvania Minimum Wage Act and the Pennsylvania Wage Payment and Collection Law as well as an unjust enrichment claim. Vollmer further alleged a retaliatory discharge claim under the FLSA.

Vollmer alleged she often worked more than 40 hours a week but was not paid overtime. Instead, she said, she was offered to take that extra time as comp time, but never was actually allowed to do so. Vollmer, who worked at Messa & Associates from Feb. 19, 2014, through March 14, 2015, alleged that she left work early on March 13, 2015, to go to the hospital. She said in her complaint that she was under pressure and stress from working long hours and not getting paid properly.

According to the complaint, Messa & Associates management committee member Lee D. Rosenfeld emailed the entire firm on March 14 to say Vollmer had left the firm. He then called Vollmer and told her she was terminated due to misconduct, according to the complaint.

Vollmer alleged she learned several weeks later that the misconduct was Vollmer's exchanging of private messages on Facebook with former Messa & Associates legal assistants and secretaries to complain about work conditions at the firm.

"Messa [& Associates] wrongfully discharged Vollmer because of her Facebook complaints regarding Messa's illegal compensation and overtime practices," Vollmer said in her complaint in *Vollmer v. Joseph L. Messa Jr. & Associates*.

A spokeswoman for Messa & Associates referred all requests for comment to the firm's counsel, Christopher A. Tinari of Margolis Edelstein. Tinari said his firm was just recently retained and did

not have comment at this time.

Attorney Scott M. Pollins of Swarthmore and Jeffrey Campolongo of Bala Cynwyd are representing Vollmer and did not immediately offer comment on the suit.

A fuller version of this article will be posted later when the article is completed.

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