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\$100M class action filed against Canada Cartage for alleged unpaid overtime

Lawsuit claims logistics firms failed to compensate employees for required or permitted overtime hours
BY [CANADIAN MANUFACTURING DAILY STAFF](#) ON NOVEMBER 12, 2013 10:09AM



TORONTO—Logistics firm Canada Cartage is facing a \$100-million class action lawsuit over allegations it failed to pay its employees for overtime hours.

Filed by Toronto-based law firm Lax O'Sullivan Scot Lisus LLP, the statement of claim alleges Canada Cartage and its related companies "did not properly compensate employees for overtime, notwithstanding its obligations to do so" under the *Canada Labour Code*.

The filing alleges that Canada Cartage "regularly required or permitted some or all of its former and current employees" to work hours above and beyond their standard hours.

The statement of claim further alleges that in or around July 2012, Canada Cartage improperly and unilaterally reduced some employees' rates of pay without reasonable notice in order to make it appear as though they were being appropriately paid overtime.

"This case seeks to pull back the curtain to reveal the long-standing and systemic practice by Canada Cartage of not fully compensating its employees for overtime," Eric R. Hoaken, a partner at Lax O'Sullivan Scott Lisus LLP, said in a statement.

"The essence of the claim is that Canada Cartage did not meet its obligations to the class members and actively sought to mislead them about their entitlement to overtime."

Current and former employees who worked for Canada Cartage or any of its related companies at any time since March 1, 2006 are eligible to join the class action filing.

The lawsuit contains allegations not tested in a court of law.

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