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## Satellite installer files suit

Former employee says Antenna Star improperly classifies some workers to avoid paying overtime.

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WILKES-BARRE – A man who installed satellite equipment for a local company has filed a federal class action lawsuit, alleging the firm has improperly classified installers as independent contractors to avoid paying overtime and other benefits.

Martin Miller of Scranton says Antenna Star Satellites Inc. violated the Fair Labor Standards Act by refusing to acknowledge he and at least 50 other installers were in fact employees, not contractors. He is seeking back pay and compensatory damages for himself and the other employees.

Miller's attorney, Peter Winebrake of Philadelphia, said the Antenna Star case is part of a nationwide trend of companies attempting to avoid paying overtime by classifying workers as independent contractors.

"We look forward to pursuing this case on behalf of Mr. Miller and other Antenna Star installers, and we hope to convince the federal court that the installers are entitled to full overtime pay," Winebrake said.

According to the suit filed Wednesday in federal court in Scranton:

Miller worked as an installer for Antenna Star's Wilkes-Barre office from April until October. He was routinely required to work more than 40 hours per week, but because he was classified as an independent contractor, the company did not have to pay him overtime.

The suit says the installers should have been classified as employees because they were not free to install equipment for other satellite providers. In addition, their work is closely monitored by Antenna Star, leaving them virtually no control over the manner in which the work is performed, and their opportunity for profit or loss bears no relation to their management skills.

A complaint against Antenna Star had also been filed with the U.S. Department of Labor, according to Miller's suit. The department investigated and in February advised Miller he "might not have been paid as required by the law," the suit says.

Officials with Antenna Star could not be reached for comment Wednesday.

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