Employment Law Monthly - June 2014

June 25, 2014

Hooters Decision Very Revealing
By Vito A. Gagliardi, Jr.

Last month, in a case pending before the National Labor Relations Board, an administrative law judge ("ALJ") ruled that a waitress fired by a Hooters franchise was entitled to reinstatement and back pay because her "discharge was motivated by her protected concerted activity" under Section 7 of the National Labor Relations Act. The waitress was fired for "negative social media posts," following her complaint that she lost a "rigged" bikini contest.