

The Boston Globe

Skycap who was fired after lawsuit awarded nearly \$1m

By [Katie Johnston](#) | GLOBE STAFF MARCH 08, 2014

Joseph Travers knew he was taking a risk when he agreed to be the lead plaintiff in a class-action case against his employer, Flight Services & Systems Inc., for whom he worked as a skycap at Logan International Airport. He was certain his involvement was the reason he was fired two years later.

On Friday, Travers was awarded nearly \$1 million by a jury in US District Court in Boston. The final amount could be as much as \$3 million under Massachusetts law, which requires wage-related damages to be tripled.



SHANNON LISS-RIORDAN

“The verdict sends such a strong message to companies that you cannot fire employees who make wage complaints,” said Travers’s lawyer, Shannon Liss-Riordan, who also represented Travers in the class-action case. “This verdict is very important to ensuring that the wage laws are enforced.”

Flight Services & Systems, an aviation services contractor based in Cleveland, did not return a call seeking comment.

It is not the first time the company has had legal trouble at Logan. Last year, the company was ordered by Massachusetts Attorney General Martha Coakley to pay a \$1,250 civil penalty and \$4,129 to wheelchair assistants and other passenger service agents who said they were paid less than minimum wage and not given meal breaks.

Travers, 49, of Everett, worked for Flight Services & Systems as a skycap, helping JetBlue Airways passengers check their bags at the curb, from 2004 to 2010. In 2008, he helped bring a case against Flight Services and JetBlue over a new \$2-per-bag fee.

Passengers, accustomed to paying only tips, assumed the fee was going to the workers. The skycaps took the companies to court for violating the Massachusetts tips law, which states that charges that appear to be gratuities must go to the workers.

The case was one of several class-action cases Liss-Riordan filed on behalf of skycaps at Logan, all of which were effectively thrown out after the federal appeals court in Boston ruled that the Airline Deregulation Act trumped state law. Liss-Riordan took two cases, against United Airlines and US Airways, to the US Supreme Court, arguing that Congress did not intend for the federal law to preempt state law in wage-related matters. The court has not acted on the cases.

If the Supreme Court overturns the United and US Airways decisions, the JetBlue case could be renewed; it could also have an impact on Liss-Riordan's skycap suit against American Airlines, pending in US Bankruptcy Court in New York.

Many of the airlines did away with their curbside check-in fees after the lawsuits, Liss-Riordan said, although JetBlue still charges \$2 a bag.

Two and a half years into the tips lawsuit, Travers was fired for allegedly soliciting a tip by telling a passenger about the bag fee, according to the suit. Managers had been pressuring the skycaps to drop the suit, Travers said, and two of the plaintiffs eventually withdrew from the case.

"They saw me as the leader of the lawsuit," Travers said. "I think this was the way to get everybody to drop out."

Travers is currently working two jobs at the airport — as a customer service agent for JetBlue and as a skycap for Southwest Airlines, through the contractor G2 Secure Staff — although he said these two jobs do not add up to what he made as a Flight Services & Systems skycap working for JetBlue, Logan's largest carrier.

“Justice really came through,” said Travers, who was planning to go out for a steak dinner with his family to celebrate. “This says, no more, you can’t do this, it’s not OK.”

Katie Johnston can be reached at kjohnston@globe.com. Follow her on Twitter [@ktkjohnton](https://twitter.com/ktkjohnton).