

# Fair Labor Standards Act Enforcement Data

January 2009 - September 2016

WHD Enforcement Results	Subway	McDonald's	Dunkin' Donuts
# of Investigations since Jan. 20, 2009	1,298	450	275
# of total U.S. stores	26,958	14,344	8,032
Investigated stores as a share of total stores	4.32%	2.93%	3.27%
# of FLSA violations	18,107	11,163	2,530
# of cases w/zero FLSA violations	164	156	47
# of cases w/zero FLSA back wages	318	207	69
# of repeat violator investigations	134	30	12
# of willful violator investigations	12	3	2
Total FLSA back wages agreed to pay	\$3,932,177	\$1,484,233	\$1,149,684
Employees receiving FLSA back pay	14,436	9,992	1,877
Back wages for minimum wage	\$1,045,923	\$696,168	\$225,211
Back wages for overtime	\$2,880,122	\$786,353	\$924,473
FLSA civil monetary penalties (CMP)	\$212,418.72	\$132,737	\$19,657
# of cases w/FLSA CMP assessed	77	19	9
FLSA child labor violations	226	168	27
# of minors affected	150	144	19
Child labor CMP assessed	\$131,471.50	\$108,301	\$4,045
Total Wages+Penalties paid	\$4,069,781	\$1,726,983	\$1,173,386
Total wages+penalties per case	\$3,135.42	\$3,837.74	\$4,266.86

Source: U.S. Department of Labor, Wage and Hour Division and Manhattan Institute calculations

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WHD Enforcement Results	Pizza Hut	7-Eleven	Burger King	Taco Bell
# of Investigations since Jan. 20, 2009	161	203	141	128
# of total U.S. stores	7,908	7,836	7,126	5,950
Investigated stores as a share of total stores	1.71%	2.46%	1.82%	1.95%
# of FLSA violations	1,542	1,082	2,882	1,485
# of cases w/zero FLSA violations	80	35	40	46
# of cases w/zero FLSA back wages	94	74	65	63
# of repeat violator investigations	26	10	11	12
# of willful violator investigations	0	13	2	2
Total FLSA back wages agreed to pay	\$494,267	\$976,319	\$313,983	\$289,853
Employees receiving FLSA back pay	1,282	752	2,628	1,243
Back wages for minimum wage	\$393,046	\$74,910	\$177,188	\$128,277
Back wages for overtime	\$101,221	\$901,410	\$136,795	\$161,576
FLSA civil monetary penalties (CMP)	\$93,885	\$29,601	\$26,389	\$40,508
# of cases w/FLSA CMP assessed	20	14	9	10
FLSA child labor violations	15	3	72	31
# of minors affected	11	1	70	22
Child labor CMP assessed	\$8,480	\$0	40,635	\$26,440
Total Wages+Penalties paid	\$596,632	\$1,005,920	\$381,007	\$356,801
Total wages+penalties per case	\$3,705.79	\$4,955.27	\$2,702.18	\$2,787.51

Source: U.S. Department of Labor, Wage and Hour Division and Manhattan Institute calculations

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WHD Enforcement Results	Wendy's	Dominos	Dairy Queen	KFC
# of Investigations since Jan. 20, 2009	123	119	160	121
# of total U.S. stores	5,750	5,067	4,517	4,391
Investigated stores as a share of total stores	1.72%	2.21%	3.25%	2.51%
# of FLSA violations	1,587	3,983	1,458	1,905
# of cases w/zero FLSA violations	44	31	36	31
# of cases w/zero FLSA back wages	54	44	62	47
# of repeat violator investigations	24	7	13	11
# of willful violator investigations	0	8	0	6
Total FLSA back wages agreed to pay	\$599,273	\$1,444,603	\$259,039	\$525,524
Employees receiving FLSA back pay	1,421	3,208	1,161	1,579
Back wages for minimum wage	\$40,717	\$1,023,027	\$82,285	\$108,831
Back wages for overtime	\$558,556	\$421,576	\$176,754	\$415,693
FLSA civil monetary penalties (CMP)	\$5,610	\$111,947	\$16,225	\$39,276
# of cases w/FLSA CMP assessed	4	12	7	\$10
FLSA child labor violations	105	11	105	\$34
# of minors affected	91	7	78	\$31
Child labor CMP assessed	\$39,752	\$2,850	\$78,661	\$ 34,788
Total Wages+Penalties paid	\$644,635	\$1,559,400	\$353,925	\$599,587
Total wages+penalties per case	\$5,240.93	\$13,104.20	\$2,212.03	\$4,955.26

Source: U.S. Department of Labor, Wage and Hour Division and Manhattan Institute calculations

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January 2009 - September 2016

WHD Enforcement Results	Little Caesar's	Sonic	Papa John's
# of Investigations since Jan. 20, 2009	87	264	85
# of total U.S. stores	4,109	3,518	3,340
Investigated stores as a share of total stores	2.02%	6.88%	2.46%
# of FLSA violations	2,258	6,751	2,021
# of cases w/zero FLSA violations	18	72	28
# of cases w/zero FLSA back wages	32	84	35
# of repeat violator investigations	4	22	3
# of willful violator investigations	0	0	1
Total FLSA back wages agreed to pay	\$225,977	\$778,837	\$263,915
Employees receiving FLSA back pay	2,098	5,571	1,535
Back wages for minimum wage	\$137,999	\$516,180	\$154,710
Back wages for overtime	\$87,978	\$262,657	\$109,205
FLSA civil monetary penalties (CMP)	\$0	\$109,615	\$880
# of cases w/FLSA CMP assessed	\$0	14	\$1
FLSA child labor violations	\$36	62	\$11
# of minors affected	\$23	54	\$8
Child labor CMP assessed	\$34,426	\$48,656	\$12,753
Total Wages+Penalties paid	\$260,402	\$937,108	\$277,547
Total wages+penalties per case	\$2,993.13	\$3,549.65	\$3,265.26

Source: U.S. Department of Labor, Wage and Hour Division and Manhattan Institute calculations

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January 2009 - September 2016

WHD Enforcement Results	Arby's	Hardee's/Carl's Jr	Baskin Robbins
# of Investigations since Jan. 20, 2009	107	56	45
# of total U.S. stores	3,226	2,927	2,484
Investigated stores as a share of total stores	3.19%	1.81%	1.77%
# of FLSA violations	2,833	474	269
# of cases w/zero FLSA violations	40	23	10
# of cases w/zero FLSA back wages	49	33	13
# of repeat violator investigations	4	3	1
# of willful violator investigations	0	0	0
Total FLSA back wages agreed to pay	\$350,966	\$76,447	\$116,118
Employees receiving FLSA back pay	2,671	364	213
Back wages for minimum wage	\$44,757	\$54,371	\$80,709
Back wages for overtime	\$306,209	\$22,076	\$35,409
FLSA civil monetary penalties (CMP)	\$5,962	\$8,305	\$374
# of cases w/FLSA CMP assessed	2	\$2	1
FLSA child labor violations	25	\$26	40
# of minors affected	19	\$17	28
Child labor CMP assessed	\$44,848	\$28,640	\$16,088
Total Wages+Penalties paid	\$401,776	\$113,392	\$132,580
Total wages+penalties per case	\$3,754.92	\$2,024.86	\$2,946.22

Source: U.S. Department of Labor, Wage and  
Hour Division and Manhattan Institute  
calculations

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January 2009 - September 2016

WHD Enforcement Results	Jack in the Box	Jimmy John's	Chick-Fil-A
# of Investigations since Jan. 20, 2009	60	111	60
# of total U.S. stores	2,247	2,109	1,885
Investigated stores as a share of total stores	2.63%	4.98%	3.18%
# of FLSA violations	690	4,587	285
# of cases w/zero FLSA violations	30	14	34
# of cases w/zero FLSA back wages	44	24	40
# of repeat violator investigations	1	6	0
# of willful violator investigations	0	0	0
Total FLSA back wages agreed to pay	\$52,101	\$1,083,798	\$24,124
Employees receiving FLSA back pay	657	3,752	244
Back wages for minimum wage	\$25,696	\$607,447	\$9,138
Back wages for overtime	\$26,406	\$476,352	\$14,986
FLSA civil monetary penalties (CMP)	\$154	\$0	\$0
# of cases w/FLSA CMP assessed	1	0	0
FLSA child labor violations	3	31	75
# of minors affected	1	27	70
Child labor CMP assessed	\$0	\$30,663	\$64,183
Total Wages+Penalties paid	\$52,255	\$1,114,461	\$88,306
Total wages+penalties per case	\$870.92	\$10,040.19	\$1,471.77

Source: U.S. Department of Labor, Wage and  
Hour Division and Manhattan Institute  
calculations

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January 2009 - September 2016

WHD Enforcement Results	Popeye's	total sample, excluding Hardees/Carl's Jr	sample average per store
# of Investigations since Jan. 20, 2009	99	4,097	
# of total U.S. stores	1,870	122,667	
Investigated stores as a share of total stores	4.60%	3.34%	3.06%
# of FLSA violations	1,534	68,952	0.56
# of cases w/zero FLSA violations	16	972	0.01
# of cases w/zero FLSA back wages	28	1,446	0.01
# of repeat violator investigations	13	344	0.00
# of willful violator investigations	1	50	0.00
Total FLSA back wages agreed to pay	\$392,114	14,756,905	120.30
Employees receiving FLSA back pay	1,149	57,469	0.47
Back wages for minimum wage	\$210,338	5,782,557	47.14
Back wages for overtime	\$181,776	8,965,507	73.09
FLSA civil monetary penalties (CMP)	\$46,255	891,494	7.27
# of cases w/FLSA CMP assessed	7	217	0.00
FLSA child labor violations	13	1,093	0.01
# of minors affected	5	859	0.01
Child labor CMP assessed	\$0	727,041	5.93
Total Wages+Penalties paid	\$438,369	16,170,861	131.83
Total wages+penalties per case	\$4,427.97	4,211	4,211

Source: U.S. Department of Labor, Wage and  
Hour Division and Manhattan Institute  
calculations

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January 2009 - September 2016

WHD Enforcement Results	Hardees average per store
# of Investigations since Jan. 20, 2009	
# of total U.S. stores	
Investigated stores as a share of total stores	1.81%
# of FLSA violations	0.16
# of cases w/zero FLSA violations	0.01
# of cases w/zero FLSA back wages	0.01
# of repeat violator investigations	0.00
# of willful violator investigations	0.00
Total FLSA back wages agreed to pay	26.12
Employees receiving FLSA back pay	0.12
Back wages for minimum wage	18.58
Back wages for overtime	7.54
FLSA civil monetary penalties (CMP)	2.84
# of cases w/FLSA CMP assessed	0.00
FLSA child labor violations	0.01
# of minors affected	0.01
Child labor CMP assessed	9.78
Total Wages+Penalties paid	38.74
Total wages+penalties per case	2,025

Source: U.S. Department of Labor, Wage and  
Hour Division and Manhattan Institute  
calculations