

employer consider costs in making its decision to transfer work from a unionized plant? Would the transfer of work from a plant have a chilling effect on employee rights to unionize? To strike? What would happen if employers could not transfer work from plants for cost reasons?

9. A group of exotic dancers at several clubs in the San Fernando Valley of California brought a class action suit against their employers, the club owners, for the following violations of labor law:

- Failure to provide meal breaks
- Failure to provide rest breaks
- Club managers taking 50% of the dancers' tips, which resulted in some dancers earning less than the minimum wage for hours worked
- Failure to reimburse dancers for the costs of their uniforms

The club owners acknowledge that the dancers worked over 40 hours each week but that they were professionals and not subject to the provisions of the FLSA. The club owners also claim that the dancers work on a type of commission basis and so are not covered by the minimum wage law. Are labor law violations going on at the clubs? Are you able to respond to the defenses that the club owners raised?