

CASE ASSIGNMENT FACT PATTERN
TERM 3 2014

Bob works in a large law firm with the title of paralegal. Bob had worked as a legal secretary for years, but was promoted to paralegal last year. The secretaries in the firm were paid on an hourly basis, and all time in excess of 40 hours per week was paid at one and a half times the hourly rate. Bob learned much in his years working in the residential real estate department of his law firm. In fact, he could draft most uncomplicated sale and purchase contracts and was doing this while still working as a secretary. He would frequently draft the contracts using forms, making changes and insertions where necessary, and merely have the attorneys review them for any needed revisions. Bob was excited to hear about the promotion, but then was disappointed to learn that he would not be getting a raise, and that the duties of his job would not change much. Bob's hourly wage was converted to a weekly salary based on 40 hours at his prior wage. No overtime would be paid, which upset Bob because he had averaged about 20-25 hours of overtime per month, and always welcomed the opportunity to earn extra money. The law firm assured Bob that he would now be considered for a year-end bonus based on performance and contribution to the firm. The law firm became busier during the year, and Bob increasingly had to work overtime. He continued to do some drafting of contracts as well as most of the word processing for the real estate department. At the end of the year, the firm announced that profits were less than hoped for and that the maximum bonus would be \$100, which Bob received. Does Bob have a claim to receive any additional compensation for his work during the year?