

Former bartender at P.J. Clarke's files class action lawsuit against legendary pub for labor violations

Michael Nielsen claims watering hole to the stars failed to pay overtime, unlawfully deducted meal costs and forced employees to over-report tips to avoid an IRS audit

By [Nancy Dillon](#) / NEW YORK DAILY NEWS

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Mariela Lombard for New York Daily News

Former PJ Clarkes' bartender Michael Nielsen is suing the restaurant for failure to pay overtime.

A former P.J. Clarke's bartender is serving the legendary red brick saloon with a class action lawsuit, claiming unsavory treatment of its service staff.

Michael Nielsen worked at the venerable watering hole on Third Avenue at 55th Street from 2007 through February and claims its owners - including actor Timothy Hutton - failed to pay overtime, unlawfully deducted meal costs and forced employees to over-report tips to avoid an IRS audit.

"I worked there for five years, very hard, and throughout the entire time was treated without respect and unfairly," Nielsen, 43, told the Daily News.

He said for three years he started his Saturdays with a 7-hour shift at the 128-year-old flagship bar favored by Jackie O. and Frank Sinatra, then raced across town for another 9-hour shift at its spin-off in Lincoln Square.

He regularly worked more than 60 hours a week but never received overtime, he claimed.

"I've been a bartender since I was 19 years old, and I've never seen anything like this," he said.



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Lawyer David Gottlieb said "hundreds" of current and former staffers should be eligible to join the federal suit, filed Friday in Manhattan.

P.J. Clarke's owner Phil Scotti characterized Nielsen as disgruntled.

"He was fired because he refused to declare all his tips consistently," Scotti told The News. "He can file this lawsuit, and we'll bring up all his sales and how much he declared and it will become obvious, and in the end he'll end up paying a lot of money."

He said the Upper East Side location is a separate company from its Lincoln Square outpost, and a third location near the World Financial Center.

"Nobody works at two locations unless they want to," he said. "I'm ethical. I make sure all that stuff is taken care of, so this doesn't worry me much. It just makes me angry."