

CLASS ACTION SUIT ALLEGES THOUSANDS OF AXA EMPLOYEES WORKED UP TO 60 HOURS WEEKLY, BUT WEREN'T PAID MINIMUM WAGE OR OVERTIME

BROOKLYN, NY (May 17, 2011) -- Thousands of commissioned U.S. employees at global financial giant AXA worked as many as 60 hours a week, but weren't paid minimum wage or overtime, a new federal lawsuit alleges.

The suit, Bennet Marcus, et al. v. AXA Advisors, LLC, et al. (Index No. 11 CIV 2339), filed May 13 in the U.S. District Court for the Eastern District of New York, in Brooklyn, was filed by former employees, and seeks class-action status.

The class, which includes the company's financial product marketers, financial product marketer trainees and cold callers, exceeds 1,000 workers and former employees, according to the suit.

AXA, one of the world's largest insurance companies with 2010 revenues of 91 billion euros -- \$129 billion, is the company whose popular TV commercials feature a 900-pound gorilla.

Failure to pay overtime violates the U.S. Fair Labor Standards Act, which covers employees paid commissions. The suit alleged the violations go back as far as 2005.

"The allegations are deeply troublesome," lawyer Jeffrey Brown of the Carle Place, NY law firm Leeds Morelli & Brown PC, who is representing the employees. "We have been told that AXA employs young college graduates, make them pay for their training and then burns them to the bone working them 60 hours a week."

Brown said he received similar complaints from AXA employees at multiple locations throughout the U.S.

Lenard Leeds, managing partner at Leeds Morelli & Brown, said that many AXA employees did not remain long at the company. "No one can work like that for \$24,000 a year. It's a horrible story," he said.

Employees of the company were paid a \$24,000 base salary plus a percentage share of any commissions earned by licensed brokers, if they were successful in obtaining new accounts for the brokers, according to court papers.

One employee, Bennet Marcus, of New York City, worked from 8 a.m. to 8 p.m. five days a week and was unpaid during his training, according to the suit. He worked for AXA from October 2010 through February 2011 as a trainee and cold caller.

"What makes AXA's actions particularly egregious is the firm's deliberate exploitation of mostly young and vulnerable college graduates desperate to find any kind of employment in one of the worst job markets in decades," said Brown's co-counsel, Lloyd Ambinder, of the Manhattan law firm Virginia & Ambinder LLP.

The suit, which requests a jury trial, seeks unspecified back wages and overtime, damages, interest, attorney fees and costs. The case was assigned to Senior U.S. District Court Judge Sterling Johnson Jr. and Chief Magistrate Judge Steven Gold

In addition to the claims under federal law, the plaintiffs also are seeking damages for underpayment of wages under New York State law for AXA's workers in New York.

About Leeds Morelli & Brown, PC

Based in Carle Place, NY, Leeds Morelli & Brown, LLP is a New York City area law firm dedicated to providing the highest quality guidance and representation to clients with concerns involving a broad range of legal practice areas. Over the last two decades, the firm's attorneys have become widely known and respected -- in New York and across the U.S. -- for their ability to litigate complex legal issues effectively, and for the outstanding results the firm has achieved, particularly in the areas of employment law, civil rights, discrimination and sexual harassment. For more information call 1-800-585 4658 or visit www.lmblaw.com.

About Virginia & Ambinder, LLP

Attorneys at the New York City law firm of Virginia & Ambinder, LLP have made it their mission to assist underpaid and mistreated employees in New York, New Jersey, and throughout the United States. With over 20 years of experience in the field, the firm has consistently provided focused, dedicated representation to thousands of workers in hundreds of wage and hour class action cases---holding employers accountable for unlawful wage and hour abuses, including overtime and prevailing wage violations. For more information, call (212) 943-9080 or visit www.vandallp.com.

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