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McDonald's Corp Was Not The Joint Employer Of Its Franchisees' Employees

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[Salazar v. McDonald's Corp., 939 F.3d 1051 \(9th Cir. 2019\)](#)

McDonald's Corporation ("McDonald's") was named as a defendant in a putative class action filed by the employees of the Haynes Family Limited Partnership, which operated eight McDonald's franchises in the Bay Area. The putative class members alleged they were denied overtime premiums, meal and rest breaks and other violations of the California Labor Code; they further alleged that McDonald's and its franchises were their joint employers for purposes of wage and hour liability. The district court granted summary judgment in favor of McDonald's, and the Ninth Circuit affirmed, holding that any control McDonald's asserted over its franchisees' workers was geared toward quality control and not over the "day-to-day aspects" of the work at the franchises. Similarly, the Court held that McDonald's did not "suffer or permit" the franchisees' employees to work for it nor were those workers employed by McDonald's under a common law theory of employment. See also *Henderson v. Equilon Enter., LLC*, 2019 WL 4942458 (Cal. Ct. App. 2019) (same).

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