

## “Yelping” Does Not Entitle You To Minimum Wage

Article By:

Noel P. Tripp

---

Another Court has joined those holding providers of content to online portals are not employees within the meaning of wage-and-hour laws. Joining a decision from the Court of Appeals for the Second Circuit, which rejected a claim brought by **Huffington Post** bloggers several years ago, Judge Richard Seeborg of the Northern District of California has rejected the FLSA complaint of individuals who claimed they were employees based on their writing of reviews contained on popular local restaurant review service Yelp. **Jeung v. Yelp, Inc.**, 2015 U.S. Dist. LEXIS 107427 (N.D. Cal. Aug. 13, 2015).

Judge Seeborg observed that while “the statutory definition [of ‘employee’] is exceedingly broad . . . it does have its limits,” and ruled Plaintiffs’ “conclusory allegations that they were ‘hired’ and ‘fired’ by Yelp, and given ‘employee type direction,’ were insufficient to state a cause of action. However, he provided plaintiffs one final opportunity to “allege in good faith facts sufficient to show any type of employment relationship, or other basis on which they can pursue a claim for compensation for reviews submitted to Yelp.”

Individuals who voluntarily provide services sometimes claim to be employees so businesses accepting the services of volunteers (including those providing written content) should take steps to ensure these volunteers don’t morph into “employees.”

Jackson Lewis P.C. © 2025

---

National Law Review, Volume V, Number 231

Source URL: <https://natlawreview.com/article/yelping-does-not-entitle-you-to-minimum-wage>