

Court deems car service advisers are salespeople

WASHINGTON (AP) — The Supreme Court ruled Monday that car dealerships' service advisers, like car salesmen and mechanics, are exempt under federal law from overtime pay requirements.

The court ruled 5-4 that service advisers who greet customers and propose various repair services are salespeople. The case affects the more than 18,000 dealerships nationwide that employ more than 100,000 service advisers.

The case involved a Mercedes Benz dealership in Encino, Calif. Each side had a different interpretation of the Fair Labor Standards Act, which says that "any salesman ... primarily engaged in selling or servic-

ing automobiles" doesn't have to be paid overtime.

The dealership argued service advisers' job responsibilities include helping to diagnose mechanical problems to preparing price estimates for repairs. Service advisers argued they weren't covered by the definition.

Justice Clarence Thomas wrote in a majority opinion that the "ordinary meaning of 'salesman' is someone who sells goods or services" and service advisers "do precisely that." In a dissent, Justice Ruth Bader Ginsburg wrote that because service advisers "neither sell nor repair automobiles" they should not be exempt from overtime payments.