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Lawsuit charges UMass Memorial with pay abuses

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**WORCESTER** — A class action lawsuit has been filed in U.S. District Court against several area hospitals, including UMass Memorial Health Care, for allegedly failing to pay employees for all the hours they worked.

The class counsel for the lawsuits, Thomas & Solomon and Dwyer & Collora, said in a statement that for years UMass and other hospitals have been “automatically taking money from the employees’ paycheck each day, even though the employees have been working during their entire shift.”

According to the lawsuit, although the UMass policy is to deduct 30 minutes of pay for each shift of its employees for meal breaks, it expects employees to be available to work throughout their shifts and consistently requires its employees to work during their unpaid meal breaks.

The lawsuit also alleges that UMass management “has gone so far as to direct plaintiffs and class members to work during their unpaid meal breaks even though defendants’ management knew they would not be able to have a full meal break.”

The law firm in a statement said the law is clear that employers must compensate employees for all hours worked.

The lawsuit also alleges that UMass allowed employees who have joined the lawsuit to perform work before and after the end of their scheduled shift and failed to ensure that employees were relieved from their duties before and/or after the end of their scheduled shift. Other claims in the lawsuit allege that UMass made employees complete unpaid training sessions, and failed to note on paychecks that employees were not being properly paid for all the hours they worked.

UMass officials did not respond to the specific allegations in the suit, but said in a statement they were aware of the suit, “which we understand is nearly identical to lawsuits filed by this firm targeting almost 100 health care organizations across the country.”

The statement from UMass said its employees are its greatest asset and said it is “exceptionally important” to the organization that its employees are paid appropriately. UMass has gone to great lengths to continually improve its payroll practices, and there are extensive processes and auditing mechanisms in place to ensure employees are paid properly, the statement said. Employees are encouraged, either through their managers or their unions, to voice concerns about payroll processes and policies, the statement said.

Other healthcare systems in the state named in the lawsuit include Partners Healthcare System, Caritas Christi, the Boston Medical Center and CareGroup.

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