

Philadelphia Health-care employees want pay for work during mealtime

By JULIE SHAW
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An attorney yesterday announced the filing of class-action lawsuits against seven area health-care networks, contending that they failed to pay employees for all hours worked.

The lawsuits claim that the hospitals or health-care facilities violated labor laws by failing to pay employees who worked during meal breaks.

The Thomas & Solomon law firm, in Rochester, N.Y., filed the suits Friday and yesterday in U.S. District Court in Philadelphia and in Philadelphia Common Pleas Court, partner J. Nelson Thomas said yesterday.

The suits seek jury trials and do not specify an amount sought.

The suits were filed against Jefferson Health System, the University of Pennsylvania Health System, Temple University Health System, Albert Einstein Healthcare Network, Aria Health System, Mercy Health System, Abington Memorial Hospital and related facilities.

According to the lawsuits, the defendants' computerized timekeeping systems automatically deduct a half-hour each day from employees' paychecks for a meal break.

But, employers do not ensure that employees are not working during those breaks, the suits say. And employees who work during those breaks have not been paid for that time, the suits contend.

The suits allege that employers know when employees are working during their meal breaks, and at times direct them to do so.

The health-care facilities "should not be using the automatic-deduction program - not in an industry where they can't ensure that people aren't working during their meal break," said Thomas, who was in Philadelphia yesterday.

The suits also allege that employers failed to properly pay employees for time worked before or after their scheduled shifts and for all their time spent at compensable training sessions.

Temple health-system spokeswoman Rebecca Harmon said yesterday: "We believe our employees have been properly paid for all work performed. We will aggressively defend our position."

A Penn health-system spokeswoman said that she was not commenting yesterday. Mercy Health System and Abington Memorial Hospital also said that they were not commenting on the lawsuits, but added that they are committed to fair and lawful pay practices.

Spokesmen at the other facilities did not return calls.

The suits name plaintiffs who are former or current employees. Thomas said that other employees who want to participate in the class-action suits can do so on the site, www.hospitalovertime.com.