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FINAL

Nurses file lawsuit against Mercy Health System

By Paula Reed Ward
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Two former employees filed a federal lawsuit against the Pittsburgh Mercy Health System yesterday, alleging it failed to pay them for training and for work they did during meal breaks over at least a three-year period.

The lawsuit seeks class-action status and could cover as many as 4,000 people who worked for the hospital system. It was filed by two nurses,

Yvonne Taylor and Karen Camesi, who worked at Mercy Hospital before it became UPMC Mercy in January 2008.

UPMC spokesman Paul Wood said he had seen the lawsuit, but he wouldn't comment on it. He did say, however, that "we understand this law firm sends direct mail to lists of nurses to solicit business."

An attorney for the Rochester, N.Y., law firm Dolin, Thomas & Solomon representing the nurses, said similar claims are expected to be filed

today against UPMC and West Penn Allegheny Health System.

"They're almost identical claims," said attorney J. Nelson Thomas. "Industry-wide, hospitals have been doing this for years as a way of saving money. It's millions of dollars in lost wages."

His firm has eight such lawsuits pending across the country. He has prevailed in one -- his clients received a \$10 million settlement in Rochester in 2006 covering 26,000 employees.

In the lawsuit against Pittsburgh Mercy, the plaintiffs allege that hospital officials knew that extra work was being performed and that employees were not being appropriately paid for it. The complaint seeks damages, as well as injunctive relief to prevent the hospital system from continuing the alleged illegal practice.

The suit says the health system deducts 30 minutes per day from employees' paychecks to cover meal breaks, even though employees often don't take such

breaks, or they are required to perform some work during them.

Further, the claim alleges that work done before or after employees' shifts often isn't compensated and should be calculated at overtime rates.

Another allegation is that the hospital did not pay employees for time spent in various training programs.

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*Prior results are not a guarantee of future results.