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89 from Faxton-St. Luke's join lawsuit

By ROCCO LaDUCA

Observer-Dispatch

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UTICA — Eighty-nine current or former employees of Faxton-St. Luke's Healthcare in Utica have joined in a class action lawsuit filed today that seeks millions of dollars in uncompensated work time.

Also participating are 106 employees of Crouse Hospital and 86 employees of St. Joseph's Hospital Health Center, both in Syracuse, attorneys announced today at Hotel Utica.

The federal lawsuit alleges that the hospitals have been automatically taking money from the employees' paychecks each day over the past six years even though the employees have been working during their entire shift, said attorney Patrick Solomon of Rochester-based employment firm Dolin, Thomas & Solomon LLP.

Although health care workers are typically entitled to a 30-minute lunch break, the nature of the industry often interrupts workers or prevents them from actually taking such a break, Solomon said.

"The law is clear that employers must compensate employees for all hours worked, and Crouse, St. Joseph's and Faxton-St. Luke's cannot be allowed to circumvent the Department of Labor's regulations," Solomon said. "Health care workers are dedicated employees who are devoted to helping others and our legal team is privileged to be representing them in these lawsuits to help vindicate their right to be compensated properly.

Solomon is encouraging any former or current employees of the three hospitals to come forward as soon as possible if they would like to be included in such a lawsuit. More information is available at www.hospitalovertime.com.

Faxton-St. Luke's officials Thursday said they have not yet seen the class action complaint but did issue a written statement in response to the allegations.

"Faxton-St. Luke's Healthcare values the dedication and effort of our staff in delivering the highest quality care to our patients," the statement reads. "It has been and continues to be a high priority for Faxton-St. Luke's Healthcare to meet all of our commitments to our employees, including those that exist under wage and hours law."

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