

Hospitals sued for pay practices

By Donna Goodison | Friday, September 4, 2009 | <http://www.bostonherald.com> | [Healthcare](#)

Proposed class-action lawsuits were filed yesterday against five major Massachusetts health-care systems, claiming they systematically failed to pay their employees for hours worked.

The lawsuits were filed in federal courts in Boston and Worcester against Partners Healthcare System, Caritas Christi, Boston Medical Center, CareGroup Inc. and UMass Memorial Health Care.

More than 500 current and former employees already have signed on as parties to the suits out of an estimated 72,800 eligible workers.

"The employees are regularly working through their lunch breaks and working both before the technical start of the day and after the technical end of the day," said Patrick Solomon, the attorney representing the employees. "But the employers regularly only pay them for their regularly-scheduled hours without regard to the actual number of hours that they worked."

As a result, employees are missing out on overtime pay and being shortchanged when it comes to employer contributions to their 401(k) retirement plans, he said.

Solomon's New York law firm has similar suits pending against health-care systems in Pittsburgh, Syracuse and Buffalo. Another case in Rochester, N.Y., was settled for undisclosed terms.

"Typically, these cases will result in damages that will run into the millions of dollars and, for the larger health-care institutions, it can be in the tens of millions of dollars," Solomon said.

He plans to file five similar state lawsuits against the Massachusetts health-care systems next week.

Boston Medical Center and UMass Memorial Health Care, which had yet to review the complaints, said they abide by all applicable state and federal wage-and-hour laws. CareGroup said it does not comment on pending litigation, while Caritas Christi said it would not comment until its attorneys reviews the suit. Partners did not return a call for comment.

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