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Firm sues 2 hospitals in Syracuse

By James T. Mulder
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A Rochester law firm filed class action lawsuits Thursday against St. Joseph's Hospital Health Center and Crouse Hospital, accusing the hospitals of not paying hourly employees for lunch breaks that were missed or interrupted.

"In the health care industry, it's more the exception than the rule when you are able to take an uninterrupted lunch," said Patrick J. Solomon, a lawyer with Dolin, Thomas & Solomon LLP, the firm that brought the suit.

Hourly employees are entitled under law to be compensated when they don't get a full meal break, he said.

The lawsuits were filed in federal court. The firm also filed a similar suit Thursday against Faxton-St. Luke's Healthcare in Utica.

St. Joseph's and Crouse officials said they were unfamiliar with the action, but were aware that hospital employees had received letters during the summer from the firm asking them to join the suits.

The hospitals also said recent Labor Department audits found they were complying with the law.

Under federal law, an employer does not have to pay an employee for meal periods, typically 30 minutes or less.

The law says an employee must be completely relieved from work duties during the break. If the break is interrupted, the employee must be paid, according to the law.

Solomon said 106 employees of St. Joseph's and 86 at Crouse have joined the class action suits, and his firm is seeking more employees.

He said damages against each hospital could run into millions of dollars. Solomon said his firm targeted St. Joseph's and Crouse because "these are the employers we have identified that have the most significant violations."