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Cleveland Clinic sued over pay for workers' missed lunches

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The Cleveland Clinic, Ohio's second-largest employer, has been accused of failing to pay workers for missed lunches.

A judge in the U.S. District Court of Northern Ohio approved class-action status Saturday for a lawsuit that alleges the Clinic fails to pay respiratory therapists and technicians who work during their 30-minute lunch break.

The suit, filed by retired respiratory technician Ron Berger, says that workers are routinely called away from their lunches to respond to questions and treat patients.

"He believed that the working conditions at the Cleveland Clinic were detrimental to himself and to the other employees," said Jason Bristol, a lead attorney on the case. "He was also first and foremost concerned about the level of patient care. Would you want to have people caring for patients who haven't had a lunch and downtime during their shift?"

Clinic spokeswoman Eileen Sheil said the Clinic had not yet seen the suit and could not comment.

An estimated 165 employees and former employees could take part in the suit. Of those, 80 to 100 now work at the Clinic, according to the suit.

Therapists and technicians help doctors and nurses with respiratory emergencies and treatments. They are paid hourly and work an 8½-hour shift, with an automatic subtraction for a 30-minute unpaid lunch break.

If the suit is won, the Clinic would pay "hundreds of thousands of dollars" for the missed lunches of current and former employees, dating to at least 2003, Bristol said. Even more, he added, the case could ensure that employees are paid for all the time they work.

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