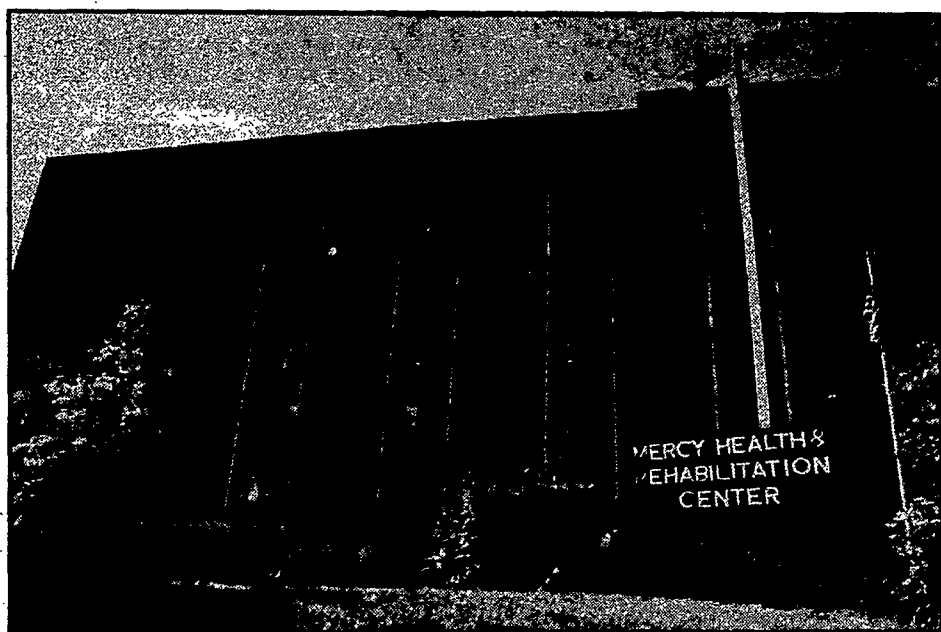


DIOCESAN NEWS



Auburn Mercy Center scene of labor dispute

By Rob Cullivan
Staff writer

Employees at Mercy Health Care and Rehabilitation Center in Auburn say they are fed up with what they consider to be excessive mandated overtime, and may stage a walkout if the issue is not resolved by next year, according to employee representatives.

The 297-bed nursing home is sponsored by the Sisters of the Third Franciscan Order.

The employees' union has taken their case to the National Labor Relations Board, which has slated a hearing in Auburn Sept. 5 before an administrative law judge of the board.

The employees, who belong to Service Employees International Union Local 1199Upstate, are charging that the center violated an agreement reached last January that reduced mandated overtime from six to four hours after an eight-hour shift.

The NLRB complaint states, in part, that Mercy "has been failing and refusing to bargain collectively and in good faith" with the union.

Robert C. Aims, Mercy's chief operations officer, declined to comment on the overtime dispute until the Sept. 5 hearing. However, he did refer to a letter from a Mercy official that provided information on the center's view of the dispute.

In April, employees presented Mercy officials with a petition regarding the overtime issue. In a letter to employees, Decanne DiCarlo, the center's human resources director, responded to the petitioners' concerns regarding overtime. The union provided the *Catholic Courier* with a copy of DiCarlo's letter, which stated that the administration had never agreed to the four-hour limit. Also, the letter alluded to Mercy's staffing shortages as the cause for more overtime.

"We cannot adequately and safely care for our residents if the 6 hours of mandatory overtime are lowered to 4 hours," DiCarlo's letter said.

But patient safety is compromised when employees are compelled to work overtime, according to Ellen Richardson, a licensed practical nurse who has worked at Mercy for 13 years. Richardson said she served on the team that bargained with the center about overtime last January.

"Patient safety is their big (concern)," Richardson said of Mercy officials. "But how safe can they be when we're exhausted?"

Yet, DiCarlo's letter also stated that the center had requested mandated overtime in less than 1 percent of all shifts in a recent 12-week period, or in 53 assignments out of 6,100 shifts.

The letter also stated that employees are sent home whenever possible after four hours, and that those employees who

have to stay past a mealtime are provided a free meal.

But even DiCarlo's letter acknowledges that some employees are requested to work overtime more than once a week. In response to the petitioners' request for limiting overtime to once a week, she wrote:

"(W)e cannot guarantee one mandation per week. The needs of the patients must be met. The best we can do is try to minimize the number of times there are multiple incidents in the same week ..."

Richardson said that short staffing leaves employees more tired after their regular shifts than they would be if the facility was adequately staffed. For example, she said, she must care for 45 residents during her shift, and often only has one nurse's aide to help her when ideally she would like three.

She added that employees are so upset about mandated overtime that a strike over the issue is not out of the question.

"Our contract comes up in March, and we're ready to walk if they don't put something in the contract about mandated overtime," she said.

Union representative Beth Barrett said most Mercy Center employees are women, many of them single mothers, and that mandated overtime presents tremendous challenges to them in terms of finding care for their children.

Both union officials and the center's officials have agreed in the past on one issue — inadequate pay for employees makes it difficult to attract enough help to adequately staff Mercy. Newly hired nursing aides at Mercy make between \$7 and \$8 an hour, for example, Aims said in an interview earlier this year.

When it comes to adequate pay, both union and management officials partly blame the state government for failing to adequately reimburse nursing homes through Medicaid and Medicare. The union, which represents 300 nursing homes in New York state, has sent thousands of demonstrators to Albany twice this year to press for more funding for nursing homes, as well as for specific staff-to-patient ratios.

A "safe-staffing" bill, as union officials call it, has been passed by the Assembly and has the support of Senate Majority Leader Joseph Bruno. However, Bruce Popper, executive vice president of SEIU Local 1199Upstate, said the governor's support may be more difficult to secure because the bill would cost an estimated \$3 billion. This call for a new expenditure of funds comes at the same time the governor has proposed major cuts in Medicaid funding to nursing homes.

Mercy officials support more funding for nursing homes, but oppose the staffing bill, noting that the "ratios proposed ... are impossible to achieve given existing (worker) shortages."

Novitiate will move to Texas

One or two women from the Diocese of Rochester may join the first women who will prepare to become sisters of Mercy in a novitiate in Laredo, Texas.

The Institute of the Sisters of Mercy of the Americas plans to relocate its year-long U.S. novitiate program from St. Louis, Mo., to Laredo in August 2002.

Sister Kathryn Wahl, RSM, an incorporation minister for the Sisters of Mercy, explained that one or two women currently preparing to become sisters may wind up in Laredo next year. Sister Wahl works with newer members of the order.

The Mercy organization announced the move at its Silver Spring headquarters in Maryland in mid-June.

In Laredo the program will be housed in the former Mercy Hospital convent owned by the congregation's St. Louis regional community, which covers a seven-state area.

The program is formally titled the Institute Canonical Novitiate.

Most of the sisters who currently reside in the hospital convent will remain in Laredo and be moved to other parts of the city this summer.

Javier Iruegas, president/CEO of Mercy Health Center, sponsored by the Sisters of Mercy, welcomed more Sisters of Mercy to the city.

"It is an ideal location to incorporate

the novitiate training with the rich bilingual and bicultural environment this community has to offer," he said.

Bishop James A. Tamayo of Laredo has met with Mercy sisters to discuss the move and will work with them to promote adult faith formation in the Diocese of Laredo.

Other institute novitiate programs are located in Central and South America and the Pacific.

The novitiate year is prescribed by canon law and is required for all women who wish to become religious sisters. It consists of intense study of the religious vows of poverty, celibacy and obedience.

In addition to these three traditional vows, the Sisters of Mercy also profess a fourth vow of service to the poor, sick and uneducated, with a special concern for women and children.

Sisters of Mercy work throughout the world in education, health care, housing, and pastoral and social services.

The Institute includes 25 regional communities, including Rochester's, with 2,500 members and 1,900 associates who serve in the Americas, the Caribbean, Guam and the Philippines.

The order sponsors or cosponsors health care systems, colleges and universities, schools and affordable housing developments.

— Rob Cullivan

Correction

An error was created in the process of editing last week's cover story on eight diocesan leaders holding key positions with national Catholic organizations. The story should have said that *Catholic Courier* General Manager/Editor Karen Franz is the first female president of the Catholic Press Association of the United States and Canada to have concurrent child-rearing responsibilities.

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including a raised-lawn crypt area
highlighted by a bronze statue of
Christ fallen under his cross*

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