

Work conditions probed

Allegations that LI firm is violating employees' rights

BY KELDY ORTIZ

keldy.ortiz@newsday.com

The National Labor Relations Board is investigating new allegations that Hempstead-based FDR Services Corp. is violating its union workers' labor rights, including by ignoring calls for more equitable pay and benefits, and interfering with employees' efforts to get a new contract.

In March and April, the Newark-based Laundry, Distribution and Food Service Joint Board, which represents nearly 175 union employees at FDR Services Corp., filed a series of complaints with the NLRB.

FDR Services faces allegations it denied an employee access to a union representative and attempted to bypass the bargaining unit when discussing raises and other benefits issues with workers, Kayla Blado, a spokeswoman for the NLRB, said in an email.

The company is also alleged to have not bargained "in good faith" at the negotiating table during talks over a new contract, which the company rejected in April, according to union leader Alberto Arroyo.

The new allegations came months after the company settled with state Attorney General Letitia James for \$400,000 over allegations FDR Services broke state labor and human rights laws by firing 10 workers sickened with COVID-19 for their refusal to return to work in 2020.

In response to the new complaints, an attorney representing FDR Services defended the company and its treatment of the workers, who launder linens and other materials for hospitals and other medical facilities.

"The allegations being made against the company are false," said Aaron Solomon of Kaufman, Dolowich & Voluck in Woodbury. "FDR Services values its employees and has always gone above and beyond to provide a positive and safe working environment."

The last labor deal for FDR Services workers expired in



State Attorney General Letitia James, right, at a rally in April outside FDR Services in Hempstead.

February 2017, said Arroyo.

Union employees make a starting average of \$15 an hour, the minimum wage in the region after it bumped up from \$14 in 2021, he said.

In an April complaint, the union alleged FDR Services rejected its demand for a new contract granting employee benefits similar or equal to other union workers in the laundry industry.

Arroyo said the company offers health insurance to employees but it is often too expensive for many workers to carry.

There are no contract negotiations scheduled with FDR Services, he said.

The union is also investigating safety complaints, according to Dario Almanzar, a union representative assigned to FDR Services member employees.

The complaints include uncleaned bathrooms for workers, water seeping through the roof of the building, emergency exit doors being locked and employees being forced at times to work longer hours.

Last month, the union sent a letter to Mercy Hospital in Rockville Centre, which contracts with FDR Services, about the company's "reckless disregard" toward its workers and a "lack of attention to basic safety and cleanliness standards."

The union has requested a meeting with Mercy Hospital officials, including the hospital's chief operating officer Ihab Ibrahim; Patrick O'Shaughnessy, president and chief executive officer of Catholic Health Services which operates the hospital; and Catholic Health's board of directors.

Hospital officials declined to comment.

On FDR Services' website, the laundry service says it delivers "full-service linen management solutions to health care facilities across the East Coast."

NLRB's regional office in Brooklyn, which oversees Nassau and Suffolk counties, is investigating the union allegations of labor rights violations, Blado said.

The agency can't assess

penalties if it "finds merit to an unfair labor practice charge," Blado said, but "may seek make-whole remedies, such as reinstatement and backpay for discharged workers."

The NLRB can also look toward "informational remedies, such as the posting of a notice by the employer promising to not violate the law," Blado said.

Last month, James joined FDR Services workers, union leaders and other elected officials at a rally outside company headquarters on Newmans Court in Hempstead over the allegations of substandard treatment of employees and poor work conditions.

In a statement later, James said: "I join these workers to demand that FDR follows all applicable health and safety regulations, and I stand ready to support their right to a safe, harassment-free workplace."

In September, James' office reached a \$400,000 settlement with the company over allegations FDR Services failed to pay employees during their

sick leave as required by the New York Paid Family Leave for COVID-19, and the federal Families First Coronavirus Response Act, both of which were passed in 2020.

In a statement after reaching the settlement, FDR Services denied breaking any laws and said the employees were fired "because they did not show up for work nor did they properly call out sick. There were in fact many FDR employees who legitimately suffered from COVID and were granted and paid sick leave."

FDR Services agreed to pay the 10 fired employees and rehired five of the workers. The settlement was not an admission of wrongdoing, James' office said afterward.

Former FDR Services employee Rosa Lopez of Uniondale attended the April 20 rally at company headquarters. Lopez said that when she worked at the company in 2020 and became ill with COVID-19, her physician's advice was to not return to work until she had completely recuperated.

"They told me if I didn't come back to work, I wouldn't have a job," said Lopez in Spanish at the rally of FDR's response. "I went to the doctor and I was told to stay home and [FDR] said no."

Lopez said she received her portion of the settlement but declined to return to FDR after the company offered to rehire her. Instead, Lopez said, she found work at another laundry facility.

FDR Services has either reached settlements or agreed to financial penalties over similar allegations in the past.

OSHA, fined FDR Services \$17,390 in 2019 for safety violations, according to online records. Fines included violations for maintenance, safeguards and operational features for exit routes and respiratory protection.

In 2018, the company agreed to pay \$27,211 in back pay to union employees, according to a copy of the settlement obtained by Newsday through a Freedom of Information Act request. The settlement does not admit the company violated the National Labor Relations Act rules, but allegations filed in 2018 include complaints of coercive statements and actions.