



MEDIA ADVISORY

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National Labor Relations Board Issues Complaint Against Tenet/St. Vincent Hospital for Numerous Violations of the Nurses Union Rights in Ongoing Effort to Silence Nurses and Prevent them from Addressing Dangerous Working/Patient Care Conditions

The NLRB charge follows an earlier ruling by an arbitrator against Tenet for their firing of a longtime RN and union leader without just cause as “an act of punishment and thinly veiled retaliation” for her union/patient advocacy, as well as the filing last month of a lawsuit in Superior Court by the nurses for the firing of eight RNS at the hospital for blowing the whistle on unsafe care conditions

These actions also follow findings by The Joint Commission (the body that accredits hospitals) supporting the St. Vincent nurses’ complaints stating that SVH was found to be non-compliant with applicable patient care conditions

WORCESTER, MA – The National Labor Relations Board has issued a formal complaint against Tenet/St. Vincent Hospital for numerous violations of the nurses’ union rights, validating what the nurses allege is an ongoing effort by the hospital administration to silence the nurses and prevent them from addressing unsafe working/patient care conditions at the Worcester-based facility. For a copy of the NLRB complaint, contact David Schildmeier at dschildmeier@mnarn.org.

The complaint, which was issued in late March, consolidated six cases based on charges filed by the nurses, who are represented by the Massachusetts Nurses Association, between 2022 and 2024. After a lengthy investigation federal NLRB agents found merit to the charges and the case has now been taken over by Government Attorneys who will present the case at a trial set for June 18 before an administrative law judge at the NLRB Region 1 office in the Thomas F. O’Neil Jr. Federal Building in Boston. The complaint indicts the hospital for violations including:

- A directive by Tenet to prevent MNA staff from visiting the hospital to meet with the nurses to enforce their contract and their union rights.
- A directive by Tenet to prevent nurses from communicating their concerns about the unsafe working/patient care conditions with the Chief Nursing Officer and other nursing administrators/supervisors at the hospital, the persons ultimately responsible for creating conditions that the nurses report are endangering the safety of their patients on a daily basis. The nurses have not had a meeting with their nursing administration since June of 2022. In the complaint, the Labor Board cites the hospital’s unlawful demand that instead of nurses meeting with their manager or a nursing officer, they can only meet with a human resource executive out of Texas to hear their concerns at every level. This executive who has no clinical background is responding to individual nurse concerns with a rubber stamp denial.
- The refusal by Tenet to provide information on staffing and other issues they are lawfully required to supply in the nurses’ effort to address longstanding concerns about staffing at the hospital.

- The hospital's failure to negotiate with the nurses over the creation and elimination of an incentive bonus program designed to help address a staffing crisis the nurses contend has been engineered by the hospital to increase profits at the expense of patient safety.

"We are grateful for this charge against our administration and we look forward to the opportunity to present our case in court in our ongoing effort to hold our administration accountable for their abhorrent treatment of our members, and more importantly, for the impact these and other practices are having on the safety and dignity of our patients," said Marlena Pellegrino, RN, co-chair of the MNA local bargaining unit for the St. Vincent Hospital nurses. "At the core of this complaint is Tenet's refusal to meet with us or work with us in any meaningful forum to listen to our concerns and to respond to situations that are harming the very people we are all here to serve."

NLRB Complaint One of Several Actions and Judgements Against Tenet

The complaint by the NLRB is just the latest in a series of actions by the nurses and judgements against Tenet related to their treatment of staff, union leaders and the patients admitted to the hospital.

In late April, the MNA received a decision in an arbitration regarding unlawful firing of a 40-year St. Vincent nurse and an elected union leader for MNA at the hospital, Marie Ritacco. Ritacco was a vocal leader during the historic nurses strike, and was in charge of handling contract grievances for nurses in the months following the end of the strike. While Ritacco was on a contractually sanctioned leave from the hospital, Tenet terminated her employment, in a move the independent arbitrator ruled was without just cause and "an act of punishment and thinly veiled retaliation." He further ordered that she be reinstated to her previous position.

In early March, Nurses at St. Vincent Hospital, who have filed a number of official complaints with state and federal agencies, and gone public with their serious concerns about the unsafe patient care conditions, had their claims validated by The Joint Commission, which conducted an investigation into the nurses complaints and [found the hospital to be "non-compliant with applicable Centers for Medicaid and Medicare Services \(CMS\) Conditions"](#)

And in late March, the MNA and eight nurses at the hospital filed a lawsuit pursuant to the Massachusetts Health Care Whistle Blower Protection Act in Worcester Superior Court against the hospital and Tenet alleging they were fired for exercising their legal and professional obligation to report "unsafe and illegal conduct and conditions" that jeopardized the health and dignity of the patients under their care.

Prior to filing the lawsuit, the nurses spent months documenting and reporting to management in real time through the filing of "Objections to Unsafe Staffing" reports, conditions they believed to be unsafe. It was only after those pleas for help were ignored by hospital leaders that the nurses then exercised their obligation to advocate for the safety of their patients by filing a number of official complaints with state and federal regulatory agencies. Those agencies included the Department of Public Health Division of Healthcare Quality, the Joint Commission (which accredits acute care hospitals), the Center for Medicare and Medicaid Services and the Mass. Board of Registration in Nursing.

The complaints also to state and federal agencies alleged an ongoing degradation of care, which were based on more than 600 official reports filed by nurses over the last six months. As stated in the Whistleblower lawsuit, "Within those complaints, allegations include unattended patients suffering injuries from falls, a pregnant woman in labor waiting more than five hours for a C-section, and patients lying in their own bodily waste for extended periods of time."

For media who wish to view all the complaints, along with other information about these issues, which contain numerous examples of unsafe patient care conditions, [visit this page](#).

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Founded in 1903, the Massachusetts Nurses Association is the largest union of registered nurses in the Commonwealth of Massachusetts. Its 25,000 members advance the nursing profession by fostering high standards of nursing practice, promoting the economic and general welfare of nurses in the workplace, projecting a positive and realistic view of nursing, and by lobbying the Legislature and regulatory agencies on health care issues affecting nurses and the public.