

Dateline:
January 15, 2008
Phoenix, Arizona

JUSTICE DELAYED BUT NOT DENIED: UNIONIZED PHYSICIANS AND STAFF OF TUCSON'S FORMER THOMAS DAVIS MEDICAL CENTERS TO RECEIVE \$6.5 MILLION FROM BANKRUPTCY COURT

Ten years after the Physicians of the former Thomas Davis Medical Centers won a hard fought battle for Union representation by the **Federation of Physicians and Dentists, AHPE, National Union of Hospital & Health Care Employees, AFSCME, AFL-CIO**, they and certain former staff employees of Thomas Davis' support staff represented by the **United Health Care Employees, NUHHCE, AFSCME, AFL-CIO** will share in approximately \$6.5 Million Dollars of back pay and pay for lost malpractice insurance premiums suffered when Thomas Davis retaliated against the union physicians and engaged in a series of unfair labor practices designed to thwart the Physicians' rights to union representation. The Physicians made national news when they organized and voted for union representation to fight against the cut-backs in patient care they said the owners of Thomas Davis were forcing on them in ways the doctors claimed harmed their patients and hindered the physicians' ability to deliver quality care.

After they won union representation, Thomas Davis' support staff employees followed suit. The doctors victory was met with a campaign of unfair labor practices from the management that prompted a lengthy court fight in which the Union, which was represented by **Phoenix Attorney Susan Martin**, of Martin and Bonnett, together with lawyers for the **National Labor Relations Board**, were successful in challenging Thomas Davis' severe and pervasive unfair labor practices including the constructive discharge of some of the doctors, cutting their pay, and refusing to honor agreements to provide certain malpractice insurance coverage. The unfair labor practices were so egregious that Judge Browning of the Federal District Court in Tucson issued an injunction against Thomas Davis. Unfortunately, all of the employees lost their jobs when parent company FPA Medical Management, filed for bankruptcy protection and closed the clinics. Now, a decade later, the bankruptcy court has approved claims, filed on the employees behalf for approximately \$6.5 million dollars in back pay, malpractice insurance premiums and pay due because of Thomas Davis' failure to bargain over the effects of the closing of the facility.

Union President Jack Seddon was delighted: "The Union fought long and hard with these courageous and dedicated Physicians and staff. We won all the battles, but we couldn't prevent Thomas Davis from filing bankruptcy. Now, with these payments we can say, maybe we lost the final battle but, we're getting war reparations."

The Unions and attorneys along with the NLRB are busy trying to contact all of the former Physicians and employees who may be eligible to receive part of the \$6.5 million dollar payment. Some of the physicians may recover upwards of \$250,000 in back pay and malpractice insurance premiums. Support staff who were still employed when the clinics closed may be eligible for up to two weeks pay.

For further information please contact:

Union President Jack Seddon (800) 373-5777, FPD1@prodigy.net

Attorney Susan Martin, Martin & Bonnett, P.L.L.C. at (602) 240-6900, smartin@matinbonnett.com