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J&J unit sued over severance

■ Ex-Ortho-Clinical worker says more money due under contract.

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A former employee has sued Ortho-Clinical Diagnostics and its parent firm, Johnson & Johnson Co., claiming she has not been given the severance pay owed her.

The lawsuit, filed in U.S. District Court in Rochester, seeks class action sta-

tus to represent former employees at Ortho-Clinical, which has a factory in Greece, and about three dozen other Johnson & Johnson subsidiaries.

"The number of people this has happened to is probably in the hundreds," said J. Nelson Thomas, attorney for A.M. Kowski, the former Ortho-Clinical em-

ployee. Neither Ortho-Clinical nor Johnson & Johnson comment on pending litigation, a company spokeswoman said.

The lawsuit centers on an agreement presented to employees as they leave the company that outlines severance pay and benefits.

By signing the contract, an employee agrees not to sue the company for any reason, Thomas said.

The contract also out-

lines pay for signing and a pay and benefits amount whether the agreement is signed or not, he said.

"The way this is written, it is not an either-or situation," Thomas said. "The employee is entitled to both payments."

The language of the agreement is standard for most Johnson & Johnson subsidiaries, Thomas said.

Kowski signed the agreement in July, Thomas said. She received an initial sev-

erance payment — which was for signing the agreement — but she has not received \$9,015 owed her, the lawsuit states.

The refusal violates Kowski's rights under the federal Employee Retirement Income Security Act, the lawsuit says. The lawsuit seeks the severance pay, interest and punitive damages.

Ortho-Clinical, which employs more than 1,000 people in the Rochester ar-

ea, is a leading manufacturer of hospital and physician laboratory equipment that detects and diagnoses disease, as well as systems that test blood for safety and use in transfusions.

In December, Ortho-Clinical said it was eliminating about 85 jobs at its Rochester-area operations as part of a companywide effort to cut costs. An additional 50 people accepted early retirement plans. □

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