



**National Nurses  
Organizing  
Committee**



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OUR PATIENTS. OUR UNION. OUR VOICE.

April 21, 2021

The Honorable Kwame Raoul  
Attorney General  
100 West Randolph Street  
Chicago, IL 60601

**Re: Community First Healthcare of Illinois, Inc. DBA Community First Medical Center**

As the certified collective bargaining representative of Registered Nurses at Community First Medical Center (hereafter referred to as CFMC), National Nurses Organizing Committee/National Nurses United has discovered a multitude of regulatory violations that we believe would be of interest to Your Office and other state and federal agencies.

Violations of ERISA and the ACA, Fraudulent Deduction and Unlawful Conversion of Premiums

Between June and September 2019, CFMC deducted premium contributions from employee paychecks but failed to remit full premiums to Blue Cross Blue Shield and UNUM, resulting in discontinuation of healthcare, disability, and other benefits. CFMC provided no notice of remission of coverage or material benefit changes to employees. Employees discovered their coverage had ceased upon attempting to access care or fill prescriptions. One employee was told by a Human Resources representative that CFMC owner Edward Green, Esq. explicitly directed Human Resources staff members not to send a hospital-wide email announcing the termination of health and other benefits because it would “start a commotion.”

Multiple employees, including [REDACTED] and [REDACTED] and/or their covered dependents, incurred significant debt or forewent necessary healthcare due to the lapse in coverage. One employee ([REDACTED] who was undergoing expensive treatment in the terminal phase of her illness died during the period that coverage had lapsed. To date, several employees still have medical debt in collections that have not been reimbursed by the Employer despite multiple requests. The employee cost share of premiums paid during the approximately three-month period lapse in coverage also has not been refunded to employees.

Workers Compensation Coverage

CFMC has repeatedly failed to clearly post or communicate the third-party insurance carrier handling Workers Compensation claims and, through its management and Human Resources employees, has misinformed employees of their eligibility and of the process for initiating claims.

According to the IWCC Coverage Verification database, the Employer had coverage via First Liberty Ins. Corp. (WC6641445413028) in 2019 and via Employers Ins. Co. of Wausau (WCC641445413029) in 2020 for its locations at 5600 W. Addison Street; 5645 W. Addison Street; 3204 N. Oak Park Avenue; and 30148 N. Harlem Avenue, Chicago, IL, 60634. In 2021, the Employer had coverage via Accident Fund General Ins. Co. (2000032488) for its location at 5645 W. Addison Street, Chicago, IL, 60634.

The Employer's internal policy directs employees to report all work-related injuries or illnesses, "no matter how minor," to their manager/designee, and that Employee Health Services will investigate the incident and decide if it is compensable under the Illinois Workers Compensation Act.

In March 2020, multiple employees on several inpatient units tested positive for COVID-19 after a known workplace exposure. The illnesses were reported to management and the infected workers appropriately reported their illnesses and inquired about initiating Workers Compensation claims. Employees were told by manager Maud San Juan and EHS nurse Margaret McNally that COVID-19 was not covered by Workers Compensation.

In October 2020, Registered Nurse [REDACTED] became ill after a known workplace exposure to COVID-19. She specifically asked her manager and Employee Health about Workers Compensation and was told that Paid Time Off (an accrued benefit) was the only option for paid time off due to illness.

In December 2020, [REDACTED] reported a workplace violence-related injury and was treated in the Emergency Department. With regard to missed days at work, Senior Payroll Administrator Delia Valle told [REDACTED] that Workers Compensation would not apply to her absence. Only after [REDACTED] threatened to obtain a lawyer did the CFMC management advise her on how to initiate a claim.

### Wage Theft

CFMC has routinely failed to pay overtime in accordance with the Fair Labor Standards Act. Payroll system records for multiple employees ranging from May 2020 to April 2021 show that the Employer has calculated overtime based on one and one-half times the straight time hourly rate of pay rather than the hourly regular rate of pay based on total remuneration. The programming of the payroll system has resulted in wage theft of nearly \$200 per check for certain employees, attached.

As Attorney General, your office's role in protecting the public interest of the state and its people and litigating to ensure state laws are followed and respected is of primary importance to the workers asked to work for this scofflaw employer. We look forward to working with you to ensure that prompt and appropriate action is taken.

Sincerely,



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**CC:** Illinois Department of Labor  
Illinois Department of Insurance  
Illinois Workers Compensation Commission  
Thomas Gauza, U.S. Department of Labor District Director  
Khadijah Kabba, NNOC/NNU Collecting Bargaining Director  
David Johnson, Field Director, NNOC/NNU  
Libby Devlin, National Director, Collective Bargaining, NNOC/NNU  
Nicole Daro, Director, NNOC/NNU Legal Department  
Honorable Will Guzzardi, State Representative, 39<sup>th</sup> District  
Honorable Bridget Degnan, Cook County Commissioner, 12<sup>th</sup> District

**Attachments:** CFMC Workers Compensation Policy

██████████ emails  
Employee paystubs