

# The Cardozo Jurist

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## Opinion

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### YU Trustee's Ongoing Labor Dispute With Health Care

MARCO CONNER, 2L

Yeshiva University Trustee Moshael Straus owns the highly profitable Care One and HealthBridge nursing home chains in New Jersey, Connecticut and other states. As of September 2011 Moshael has donated more than \$2 million to YU and has endowed YU's Zahava and Moshael Straus Center for Torah and Western Thought. Moshael's brother and co-owner of the nursing homes, Daniel Straus, continues to donate \$1.25 million annually to NYU Law as a Trustee of that school. In 2010, Care One facilities in CT and MA alone generated profits of over \$45 million.

While generously donating large sums of money to YU, Straus' companies have engaged in unfair labor practices, have violated federal labor laws at least seventeen times as held by the National Labor Relations Board

and upheld by federal courts, and have unilaterally cut healthcare benefits and pay for their own employees. This February, the U.S. Supreme Court denied HealthBridge's application for a stay of an injunction, which required the company to rehire 600 caregivers in Connecticut.

The Cardozo Alliance for Trustee Accountability is a newly formed group of Cardozo Law students and alumni who firmly believe that these practices are wholly inconsistent with the values of our institution and our shared communities. At Cardozo, the conduct of these companies and their federal violations raise important ethical questions. Straus' donations undoubtedly enhance the quality of our education, and it is rumored that his donations directly fund student scholarships. Should we silently accept that our education is partially funded at the direct expense of caregivers? When other potential trustees

and donors exist, who conduct their businesses without violating federal laws, shouldn't we then as an institution put our lot in with that group instead? Or, even better, should we not help ensure that those who join the YU Board of Trustees are encouraged and required to conduct their business ethically and legally, regardless of their past practices? In response to the Bernie Madoff scandal, Rabbi Blech, who has taught at Yeshiva since 1966, told *The New York Times* that "... ritual must not be the sole determinant of our Judaism, that it must be combined with humanity, with ethical behavior, with proper values, and most important of all, with regard to our relationship with other human beings."

The workers in Straus' companies are caretakers. They wash and feed residents that could be our parents, grandparents, and one day, ourselves. In some cases they provide the only

recurring human and social contact for residents. These jobs and the workers' most basic benefits should not be gambled with. At Cardozo, our own building staff and employees are represented by the same union as these caretakers. We believe this is an issue that YU and Cardozo cannot ignore. We encourage an inquiry and dialogue on this issue, to lead to decisions that are ethically informed. Furthermore we encourage the school to develop guidelines for Trustees, to ensure that our institution represents the highest ethical standards. When the school is aware that a Trustee is engaging in or supporting illegal conduct, it should not turn a blind eye. Cardozo Alliance for Trustee Accountability - a group formed by Cardozo Law students and alumni.

For more information visit [www.CareOneWatch.org](http://www.CareOneWatch.org) or email [CardozoAFTA@gmail.com](mailto:CardozoAFTA@gmail.com)