

## HEALTHCARE WORKERS UNION FORMED AFTER BREAK WITH SEIU

Some 700 rank-and-file workers from the state of California met in San Francisco for the founding convention of the National Union of Healthcare Workers (NUHW). The delegates elected an interim slate of officers and adopted an interim constitution and bylaws, according to John Borsos, who was elected as a vice president of the new union. The NUHW was formed on January 28 by ousted leaders of United Healthcare Workers (UHW)-West, after Service Employees International Union (SEIU) President Andy Stern placed the 150,000-member UHW local under trusteeship and removed its elected leaders.

Since then, the NUHW has filed for elections at numerous facilities where it had represented workers. In most cases, the SEIU has been able to block elections from being held. So far, only one employer, North American Healthcare, has agreed to recognize the NUHW as the bargaining agent for more than 350 workers at four of its nursing homes in Sacramento and Pacifica, California, based on a third party verification that more than 50 percent of the workers had signed union authorization cards in favor of the NUHW. The SEIU, however, has filed unfair labor practice charges.

In addition, the National Labor Relations Board (NLRB) has dismissed the NUHW petitions filed for 50,000 workers at Kaiser Permanente and 14,000 workers at Catholic Healthcare West, finding that current contracts with the UHW serve as a bar to processing the petitions.

Delegates to the founding convention elected the former UHW officers, who most recently had been elected in 2008, on an interim basis. They include Sal Rosselli as president, Jorge Rodriguez as executive vice president, and Joan Emslie as secretary treasurer. In addition, the delegates elected those former administrative vice presidents and executive board members who are supportive of the NUHW, which includes the vast majority of the former officials.

The newly ratified constitution protects the rights of rank-and-file members in the collective bargaining process by giving them the right to elect members of their bargaining committees and ratify the results of any collective bargaining session affecting them.

For more than a year, the former UHW leaders had contended that Stern had bargained in secret with some of their employers, accepting lower standards for existing nursing home members in exchange for organizing rights at nonunion workplaces, with no ratification process for affected workers.

The constitution sets out a dues structure that calls for each member to pay 1.5 percent of his/her regular earnings, up to a maximum of 40 hours a week at the straight time pay, with a cap of \$90 per month this year. The cap will be increased by \$4 per month in each subsequent year. Members who work in a bargaining unit where the dues rate under the SEIU was based on a flat rate rather than a percentage-based system, will have their dues reduced immediately by 25 percent when their bargaining unit becomes covered by a NUHW contract. The union will be able to reduce the amount of dues members pay since it no longer has to send part of the money to the SEIU.

(Source: BNA, *Daily Labor Report*, No. 79, April 28, 2009, pp. A8-A9.)