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Stern's Trumped-up Charges vs. The Truth

Political agenda behind bogus charges leveled at UHW

To silence the voices of UHW members and to prevent UHW from being able to propose significant changes at the SEIU Constitutional Convention in June, SEIU President Andy Stern has leveled a number of baseless allegations against our union. The truth behind these accusations is as follows:

1. **Stern is politically threatened by the establishment of the United Healthcare Workers and Patients Education Fund.** Stern's allegation that UHW has created "a shadow entity" is false – and ironic, considering the International Union's use of not-for-profit subsidiaries like the SEIU Education and Support Fund, Five Stones, the Institute for Change, and others.

Many unions, including SEIU under Stern's leadership, have created and funded nonprofit entities. UHW is no different. Last year, in anticipation of an expected state ballot measure to achieve healthcare reform, preparation for our 2008 contract campaign, and other initiatives, UHW's Executive Board unanimously approved the creation of a nonprofit United Healthcare Workers and Patients Education Fund "to provide education to healthcare workers and patients concerning issues related to the healthcare crisis, as well as other issues of importance to healthcare workers and their patients." Before creating the fund, UHW received clearance from outside legal counsel. UHW's creation of this educational fund is not improper and, in fact, is protected under Title I of the LMRDA.

Stern may not like his opponents having access to significant resources to pursue an agenda that he can't control, but that's his political problem, not a legal matter.

2. **Stern is covering for SEIU leaders who are colluding with the nursing home industry against UHW nursing home workers.** Stern alleges that UHW conducted secret talks with five California nursing home employers, but it's a smokescreen to hide the collusion with nursing home employers of one of his strongest partners, Tyrone Freeman, the Stern-appointed president of SEIU United Long Term Care Workers Union. While UHW had exploratory discussions about Medi-Cal reimbursement rates with several nursing home employers who had been part of the controversial California Nursing Home Alliance, UHW members were involved and informed at all stages of the discussions.

Stern's appointed president of ULTCWU also knew in advance of those meetings and has since not only held similar meetings, but has gone further and agreed with employers on a bargaining process designed to undercut UHW's nursing home workers, who make up 75 percent of SEIU's nursing home membership in California, and force them into a deal to be decided without their participation.

3. **Stern attempts to disguise SEIU's failures in Ohio by blaming UHW for colluding with CNA.** Stern alleges, but offers no proof, that UHW leaders have conspired with the California Nurses Association "to coordinate anti-SEIU activities and to discuss an

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alternative union outside SEIU.” Stern is rightfully upset, as is UHW, by CNA’s campaign against SEIU in Ohio where CNA disrupted multiple elections at Catholic Health Partner facilities. What he fails to acknowledge is that SEIU put out press releases detailing the exact dates and locations of the Ohio union elections and that the secret agreement negotiated between SEIU and CHP prevented the Union from even talking to workers about what was going on. UHW has denounced CNA’s activity and is now itself the subject of CNA attacks.

4. **Stern accuses UHW of using tactics that he employed regarding internal disputes, but that UHW has rejected.** In 2004-5, Stern was very public in his criticism of the AFL-CIO and its leader John Sweeney. When it was clear that Stern couldn’t win majority support at the July 2005 AFL-CIO convention, he boycotted the event and then led the creation of Change to Win, an alternate labor federation. Ironically, today Stern now accuses UHW of his kind of tactics, saying that UHW is secretly plotting to decertify bargaining units represented by UHW and to form an independent union in an alliance with CNA or the AFL-CIO. While it is true that UHW has profound disagreements with the direction in which Stern and other officers of SEIU are currently leading, UHW has stated publicly and privately that SEIU is OUR union and that leaving SEIU is not an option. SEIU is OUR union, that’s why we’re fighting to change it.
5. **Stern, the opponent of union democracy, falsely accuses UHW of thwarting internal debate:** Like the pot calling the kettle black, Stern alleges that UHW is “chilling membership free speech rights” by, among other things allegedly “removing Kaiser stewards from their steward positions if they do not agree with [our] current convention platform.” This is perhaps the most ridiculous of the allegations. The UHW Constitution and By-laws do not empower the president or any UHW officer to appoint or remove any steward in the union. Unlike some SEIU local constitutions in which the local union president has the right to appoint and remove union stewards, the UHW constitution puts that power in the hands of the members. A union steward can only be elected by members in the workplace and can only be removed by members in the workplace. It’s indicative of the lengths Stern will go to silence his critics that he attempts to deflect criticism of anti-democratic practices in SEIU with such easily refutable charges.
6. **Stern seeks to shift blame for SEIU’s “shady deals” in Puerto Rico.** Finally Stern alleges that UHW has been colluding to undermine SEIU affiliation talks for teachers in Puerto Rico. UHW is not, nor has it ever been, in contact with the “rival union that is attempting to undermine affiliation talks between SEIU and Asociacion de Maestros de Puerto Rico (AMPR) and its bargaining arm.” While UHW has some serious concerns regarding the issues raised and the bad publicity generated by SEIU’s activities in Puerto Rico, what UHW has learned from the situation comes only from press reports, most notably the New York Daily News, which has denounced SEIU leaders for concluding “shady deals” around this incident involving the governor of Puerto Rico, Anibal Acevedo Vila, who was indicted just today on 19 counts of campaign finance violations.