



CSEU United is a grassroots movement of CSEA and SEIU Local 1000 members dedicated to helping bring reform and positive changes within both organizations.

Our activities are funded solely by contributions by members like you. This allows us to independently advocate for the members.

California State Employees United

PLEASE FORWARD TO YOUR CO-WORKERS

January 18, 2008

Hard, Hackett and Walker Supporters File Suit To Muzzle Critic

The fight to defend members' rights within SEIU Local 1000 suffered another blow when Alex Hernandez, a member of the Local 1000 Board of Directors and vocal critic of the union's leadership was served with a lawsuit calling for his removal from the union governing board.

The lawsuit was filed December 24 by Local 1000 Vice President Marc Bautista and Mike Lopez, Chair of Bargaining Unit 14. Bautista and Lopez are allies of Local 1000 President Jim Hard, Secretary-Treasurer Cathy Hackett and Vice President Yvonne Walker. The suit alleges that Hernandez engaged in an effort to decertify Local 1000 as the exclusive representative of employees currently represented by SEIU Local 1000. Local 1000 was also named as a party in the lawsuit. The plaintiffs in this case are represented Chris Katzenbach, a contract attorney and fiduciary with Local 1000.

"Any activist in Local 1000 knows that nothing happens within Local 1000 without the tacit support and approval of Hard, Hackett and Walker. You could say their fingerprints are all over this lawsuit. Bautista and Lopez are nothing more than shills in this new drama within Local 1000." said Frank Luna, a Local 1000 member from Sacramento and past Secretary-Treasurer of CSEA.

The suit follows closely on the heels of an internal union complaint filed against Mr. Hernandez by several Hard, Hackett and Walker supporters. That complaint alleged the same things brought up in the lawsuit and was based entirely on earlier allegations by another Local 1000 member and self-confessed proponent of a decertification effort against Local 1000. Interestingly, the gist of that member's complaint is that Mr. Hernandez was interfering with his (the other member's) efforts to decertify Local 1000.

An internal hearing was held December 8 where that member was the only witness against Mr. Hernandez. In addition, the only written evidence presented by the charging parties was a string of questionable emails between Mr. Hernandez and that member. Again, Local 1000 contract attorney Mr. Katzenbach represented the charging parties at this hearing.

"It's puzzling why an attorney who is supposed to be under contract to represent the union is representing someone to sue a member of the union's board of directors and the union itself. If there was ever an example of a legal conflict of interest, this case sure tops the list. But then again, it's not surprising since an ethics complaint with the State Bar was filed against this same attorney for allegedly misappropriating monies from a legal trust account." said Hernandez.

The union's policy requires a report to be issued within ten days of the conclusion of the hearing. To date, no report has been issued. This is not surprising to witnesses who were present at the hearing. "They basically failed to make their case against Alex in their kangaroo court, so they are trying to take another bite at the apple by using the real courts to kick out Mr. Hernandez." fumed Joyce Thomas-Villaronga, another member of the union's governing board.

The timing of the lawsuit is also suspicious because it comes soon after Mr. Hernandez went to court to request an order compelling Local 1000 to release information regarding expense claims filed by union officers and managers and information regarding the half million dollar legal trust fund managed by Mr. Katzenbach. Mr. Hernandez requested the information in his capacity as a member of the union's governing board and to fulfill his fiduciary duties to the members as a member of the union's governing board. Hard and Hackett have either failed to furnish the requested information or have redacted so much information from them as to render them useless.

Mr. Hernandez is now preparing his defense and is confident that he will prevail. His success is also critical in ensuring the rights of Local 1000 members to an honest, transparent and accountable union.

UNITED, We will win.

TIMELINE OF EVENTS:

- January 2007: Alex Hernandez requests copies of the Lease agreement for the new Local 1000 buildings, which is almost twice as expensive as the previous building leased.
- June 2007: Alex Hernandez requests copies of financial records regarding a union trust fund. Not all records were provided and those few documents made available were heavily redacted.
- October 2007: Alex Hernandez [requests copies of corporate credit card statements and expense claims](#) for all staff and officers who have them. This request was denied.
- November 2007: It was discovered after an audit, that, indeed, a misappropriation of funds from the legal trust fund occurred.
- December 2007: After numerous written requests and after being denied access to complete records, Mr. Hernandez files a [writ of mandate to compel Local 1000 to produce the requested records](#).
- December 24, 2007: Marc Bautista and Mike Lopez, represented by Mr. Katzenbach, files lawsuit to remove Mr. Hernandez from the Local 1000 governing board.

For more information about CSEUnited and our efforts to take back our union, [visit our website](#).